



10 April 2019

In reply please quote:

FOI Request: FA 19/03/00128

File Number: OBJ2019/15044

Freedom of Information (FOI) request - Access Decision

On 01 March 2019, the Department of Home Affairs (the Department) received a request for access to document under the *Freedom of Information Act 1982* (the FOI Act).

The purpose of this letter is to provide you with a decision on your request for access under the FOI Act.

1 Scope of request

You have requested access to the following document:

Statistics regarding number of Expression of Interest (EOI) submitted under the following conditions:

a) *Starting from FY 2008-2009 until FY 2017-2018:*

b) *EOI for Business innovation and Investment (Provisional) visa [aka. Subclass 188] - Investor stream: [for each FY] total # of EOI submissions and # of Chinese origin - Significant Investor stream: [for each FY] total # of EOI submissions and # of Chinese origin - Premium Investor stream: [for each FY] total # of EOI submissions and # of Chinese origin - Primary applicants only*

c) *EOI for Business innovation and Investment (Permanent) visa [aka. Subclass 888] - Investor stream: [for each FY] total # of EOI submissions and # of Chinese origin - Significant Investor stream: [for each FY] total # of EOI submissions and # of Chinese origin - Premium Investor stream: [for each FY] total # of EOI submissions and # of Chinese origin - Primary applicants only*

2 Authority to make decision

I am an officer authorised under section 23 of the FOI Act to make decisions in respect of requests to access document or to amend or annotate records.

3 Relevant material

In reaching my decision I referred to the following:

- the terms of your request
- the FOI Act
- Guidelines published by the Office of the Information Commissioner under section 93A of the FOI Act (the FOI Guidelines)
- advice from Departmental officers with responsibility for matters relating to the document to which you sought access

4 Document in scope of request

As your scope contains a request for data that does not exist there are limitations to the response we can provide. We wrote to you on 09 April 2019 to inform you that because the subclass 188 and 132 visas were introduced in 2012, it is not possible to provide data prior to the 2012 financial year. Also, the subclass 888 visa is not captured in SkillSelect and we are not able to answer your questions in relation to that visa.

In accordance with section 17 of the FOI Act, the Department has used its computer system to produce one document that contains information that falls within the scope of your request, subject to the limitations just outlined. The data produced in the document existed in the possession of the Department on 01 March 2019 when your FOI request was received.

5 Decision

The decision in relation to the document in the possession of the Department which fall within the scope of your request is as follows:

- Release one document in full

6 Legislation

A copy of the FOI Act is available at <https://www.legislation.gov.au/Series/C2004A02562>. If you are unable to access the legislation through this website, please contact our office for a copy.

7 Your Review Rights

Internal Review

If you disagree with this decision, you have the right to apply for an internal review by the Department of this decision. Any request for internal review must be provided to the Department within 30 days of you being notified of the decision. Where possible please attach reasons why you believe a review of the decision is necessary. The internal review

will be carried out by an officer other than the original decision maker and the Department must make a review decision within 30 days.

Applications for review should be sent to:

By email to: foi.reviews@homeaffairs.gov.au
OR

By mail to:
Freedom of Information Section
Department of Home Affairs
PO Box 25
BELCONNEN ACT 2617

Review by the Office of the Australian Information Commissioner

You may apply directly to the Office of the Australian Information Commissioner (OAIC) for a review of this decision. You must apply in writing within 60 days of this notice. For further information about review rights and how to submit a request for a review to the OAIC, please see Fact Sheet 12 "Freedom of information – Your review rights", available online at <https://www.oaic.gov.au/freedom-of-information/foi-review-process>.

8 Making a Complaint

You may complain to the Australian Information Commissioner about action taken by the Department in relation to your request.

Your enquiries to the Australian Information Commissioner can be directed to:

Phone 1300 363 992 (local call charge)

Email enquiries@oaic.gov.au

There is no particular form required to make a complaint to the Australian Information Commissioner. The request should be in writing and should set out the grounds on which it is considered that the action taken in relation to the request should be investigated and identify the Department of Home Affairs as the relevant agency.

9 Contacting the FOI Section

Should you wish to discuss this decision, please do not hesitate to contact the FOI Section at foi@homeaffairs.gov.au.

Signed electronically,


Authorised Decision Maker
Department of Home Affairs