



2 October 2019

██████████  
**BY EMAIL:** ██████████

**In reply please quote:**

FOI Request: FA 19/07/00798  
File Number: OBJ2019/41946

Dear ██████████

**Freedom of Information (FOI) request - Access Decision**

On 12 July 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 documents containing information on permanent residence visa applications in the 2018/19 financial year. Specifically:

- i. *The total number of permanent residence visa applications, under all categories, made in the 2018/19 financial year,*
- ii. *The total number of permanent residence visa applications, under all categories, that were approved in the 2018/19 financial year,*
- iii. *The total number of permanent residence visa applications, under all categories, that were rejected in the 2018/19 financial year,*
- iv. *A document showing the breakdown of the rejected applications based on rejection category or legislative basis for rejection.*

**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 document relevant to the 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**

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 parts (i), (ii) and (iii) of your request. The data produced in the document existed in the possession of the Department on 12 July 2019 when your FOI request was received.

In relation to part (iv) of your request, information on the visa 'refusal category' or 'legislative basis for the refusal' is not available within our systems.

Section 24A (1) (b) (ii) of the FOI Act provides that the Department may refuse a request for access to a document if all reasonable steps have been taken to find the document and the Department is satisfied that the document does not exist. I am satisfied that the information is not readily available in departmental systems and, as such, s17 does not apply to this part of your request.

### **5 Decision**

The decision in relation to the document in the possession of the Department which falls within the scope of parts (i), (ii) and (iii) of your request is as follows:

- Release one document in full.

The decision in relation to the document which falls within the scope of part (iv) of your request is as follows:

- Refuse access to the document, on the basis that the information does not exist.

### **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](mailto: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](mailto: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](mailto:foi@homeaffairs.gov.au).

*Signed electronically*

  
**Authorised Decision Maker**  
**Department of Home Affairs**