



## Attachment A

### DECISION RECORD

#### Request Details

FOI Request FA 15/12/01757  
File Number ADF2015/70038

#### Scope of request

- 1) *The number of Subclass 600 Visitor visas in the Tourist stream lodged by holders of Albanian passports at the Australian Embassy in Belgrade (by year).*
- 2) *The number and proportion of applications described in 1) that were a) granted and b) refused.*
- 3) *The number of applications described in 1) that have been decided by*  
[REDACTED]
- 4) *The number and proportion of applications described in 3) that have been granted and refused.*

#### Documents in scope

1. Document regarding subclass 600 visa grant/refusal rate for Albanian nationals processed in Belgrade – containing 1 folio.

#### 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 documents or to amend or annotate Departmental records.

#### Information considered

In reaching my decision, I have considered the following:

- The *Freedom of Information Act 1982*;
- Departmental files and/or documents (identified above); and
- The Australian Information Commissioner's guidelines relating to access to documents held by government.

#### Reasons for decision

I have considered the files within the scope of your request and applied exemptions in part or in full to documents as detailed in the Schedule of Documents. You should read the schedule in conjunction with the exemptions below.

#### Section 47E – Public interest conditional exemptions – certain operations of agencies

*A document is conditionally exempt if its disclosure under this Act would, or could reasonably be expected to, do any of the following:*

- (a) *prejudice the effectiveness of procedures or methods for the conduct of tests, examinations or audits by an agency;*

- (b) *prejudice the attainment of the objects of particular tests, examinations or audits conducted by an agency;*
- (c) *have a substantial adverse effect on the management or assessment of personnel by the Commonwealth or by an agency;*
- (d) *have a substantial adverse effect on the proper and efficient conduct of the operations of an agency.*

A document is *conditionally exempt* under section 47E of the FOI Act if its release, amongst other things, would or could reasonably be expected to *have a substantial adverse effect on the proper and efficient conduct of the operations of an agency.*

In my opinion the document listed in the Schedule as exempt under this section could reasonably be expected, if disclosed, to prejudice the effectiveness of the operations of this Department. Disclosure would therefore be *unreasonable*.

As set out above, a conditionally exempt document must be released under the FOI Act unless the release would be *contrary to the public interest*. Therefore, I must now consider whether its release would be contrary to the public interest.

I have considered the factors set out in the public interest test in s.11B(3) and s.11B(5) of the Act.

#### Factors favouring disclosure

I am satisfied that the release of the information would promote the objects of the Act as it would provide access to information held by Government and this factor weighs in favour of the release not being contrary to the public interest.

The release of the information is, however, irrelevant to the effective oversight of public expenditure and further, would not facilitate you accessing your own personal information.

I am therefore of the view that only the first public interest factor weighs in favour of release.

#### Factors weighing against disclosure

- whether disclosure of the information could reasonably be expected to prejudice the operations of this Department; and
- prejudice the management function of an agency.

The document contains detailed information about internal visa processing operations and if released, could undermine the integrity of Australia's visa processing framework. Releasing decision data of particular visa officers could lead to the targeting of a particular visa officer, who could be seen to be less or more favourable to certain applicant cohorts. This would result in the Department having to continually change its processes at a cost to the Department and visa processing workflows. I therefore believe that release of this information would have a substantial adverse effect of the Department's operations.

On balance, I am satisfied that the release of the operational material in the document would be *contrary to the public interest*.

Therefore, I am satisfied that the operational material in the document is exempt from release under s.47E(d) of the Act.



Authorised decision maker  
Department of Immigration and Border Protection  
Email [foi@border.gov.au](mailto:foi@border.gov.au)

04 March 2016



**Attachment B**

**SCHEDULE OF DOCUMENTS TO DECISION RECORD**

**1. Document regarding subclass 600 visa grant/refusal rate for Albanian nationals processed in Belgrade**

<b>No.</b>	<b>Date of document</b>	<b>Pages</b>	<b>Description</b>	<b>Decision on release</b>	<b>Exemption</b>
1.	10/08/2015	1	Visa processing comparison rates between particular visa officer and 'all service providers'.	Exempt in Part	s.47E(d)

## **Attachment C – Extract of relevant legislation**

### **47E Public interest conditional exemptions—certain operations of agencies**

A document is conditionally exempt if its disclosure under this Act would, or could reasonably be expected to, do any of the following:

- (a) prejudice the effectiveness of procedures or methods for the conduct of tests, examinations or audits by an agency;
- (b) prejudice the attainment of the objects of particular tests, examinations or audits conducted or to be conducted by an agency;
- (c) have a substantial adverse effect on the management or assessment of personnel by the Commonwealth, by Norfolk Island or by an agency;
- (d) have a substantial adverse effect on the proper and efficient conduct of the operations of an agency.

Note: Access must generally be given to a conditionally exempt document unless it would be contrary to the public interest (see section 11A).