



Attachment A

DECISION RECORD

Request Details

FOI Request FA 16/05/00727
File Number ADF2016/19941

Scope of request

1. On 24 April 2016 you requested:

1. The number of approved subclass 457 visas under a labour agreement for the occupations classified in ANZSCO 423312, 423313 and 411715 over the past 3 years.

2. The number of approved subclass 186 or 187 visas under a labour agreement for occupations classified in ANZSCO 423312, 423313 and 411715 over the past 3 years.

3. The number of labour agreements currently in force with an Aged Care Facility/Service Provider.

4. The information requested in item (3) with breakdown by state or territory of Australia.

5. Any reports or statistics containing the information requested in items (1) to (4) above.

Documents in scope

2. There is one document within scope of your request, which is a series of emails containing the requested information taken from internal data management systems.

Authority to make decision

3. 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

4. In reaching my decision, I have considered the following:

- the terms of your request
- the *Freedom of Information Act 1982*
- the Australian Information Commissioner's guidelines relating to access to documents held by government
- Departmental documents, identified in the Schedule of Documents

- consultation with the relevant Departmental business areas.

Reasons for decision

5. Section 22(2) of the FOI Act provides that, where an agency reaches the view that a document contains exempt information or material that is irrelevant to the request and it is possible for the agency to prepare an edited copy of the document with the irrelevant or exempt material deleted, then the agency must prepare such a copy.
6. This edited copy must be provided to the applicant. Further, the decision maker must advise the applicant in writing that the edited copy of the document has been prepared and of the reasons(s) for each of the deletions in the document (s.22(3) of the FOI Act).
7. Exempt material is deleted pursuant to s.22(1)(a)(i) and irrelevant material is deleted pursuant to s.22(1)(a)(ii) of the FOI Act.

Deletion of exempt material under s.22(1)(a)(i) of the FOI Act

8. No information has been exempted from release.

Deletion of irrelevant material under s.22(1)(a)(ii) of the FOI Act

9. I find that some of the document relevant to your request contains material which is irrelevant to your FOI request. I have withheld or deleted that material accordingly. These deletions are detailed in the Schedule of Documents and the document released.
10. The material deleted under s.22(1)(a)(ii) comprises emails relevant to the management of your FOI request.


Authorised decision maker
Department of Immigration and Border Protection
Email: foi@border.gov.au

30 June 2016



Attachment B

SCHEDULE OF DOCUMENTS TO DECISION RECORD

FOI Request FA 16/05/00727
File Number ADF2016/19941

No.	Pages	Description	Relevant legislation (FOI Act)	
1.	1-3	Emails	Irrelevant to scope (withheld in part)	22(1)(a)(ii)

Attachment C – Extract of relevant legislation

22 Access to edited copies with exempt or irrelevant matter deleted

Scope

- (1) This section applies if:
 - (a) an agency or Minister decides:
 - (i) to refuse to give access to an exempt document; or
 - (ii) that to give access to a document would disclose information that would reasonably be regarded as irrelevant to the request for access; and
 - (b) it is possible for the agency or Minister to prepare a copy (an **edited copy**) of the document, modified by deletions, ensuring that:
 - (i) access to the edited copy would be required to be given under section 11A (access to documents on request); and
 - (ii) the edited copy would not disclose any information that would reasonably be regarded as irrelevant to the request; and
 - (c) it is reasonably practicable for the agency or Minister to prepare the edited copy, having regard to:
 - (i) the nature and extent of the modification; and
 - (ii) the resources available to modify the document; and
 - (d) it is not apparent (from the request or from consultation with the applicant) that the applicant would decline access to the edited copy.

Access to edited copy

- (2) The agency or Minister must:
 - (a) prepare the edited copy as mentioned in paragraph (1)(b); and
 - (b) give the applicant access to the edited copy.

Notice to applicant

- (3) The agency or Minister must give the applicant notice in writing:
 - (a) that the edited copy has been prepared; and
 - (b) of the grounds for the deletions; and
 - (c) if any matter deleted is exempt matter—that the matter deleted is exempt matter because of a specified provision of this Act.
- (4) Section 26 (reasons for decision) does not apply to the decision to refuse access to the whole document unless the applicant requests the agency or Minister to give the applicant a notice in writing in accordance with that section.