



11 October 2017

By Email:

**In reply please quote:**

FOI Request: FA 17/09/00592

File Number: ADF2017/99117

Dear

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

On 12 September 2017, the Department of Immigration and Border Protection (the Department) received a request for access to documents 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:

*'For Financial Years 2012-2017*

- 1. Number of 186 and 187 applications by source countries (top 10 countries) under visa streams (direct entry, TRT, labour agreement).*
- 2. Number of 186 and 187 determination (approved and refused) by countries of origin (top 10 countries) under visa streams.*
- 3. Number of 186 and 187 cancellations under s137Q by visa streams, by state, by source countries.*
- 4. Number of 186 and 187 cancellations under s109 by visa streams, by state, by source countries.*
- 5. Number of 186 and 187 cancellations under s116 by visa streams, by state, by source countries.'*

On 3 October 2017 you agreed to revise the scope of your request to the following documents:

*'For Financial Years 2012-2017*

*1. Number of 186 and 187 applications by source countries (top 10 countries) under visa streams (direct entry, TRT, labour agreement).*

*2. Number of 186 and 187 determination (approved and refused) by countries of origin (top 10 countries) under visa streams.*

*3. Number of 186 and 187 cancellations under s137Q by visa streams, by state, by source countries.*

*4. Number of 186 and 187 cancellations under s109 by visa streams, by state, by source countries.*

*5. Number of 186 and 187 cancellations under s116 by visa streams, by state, by source countries.'*

## **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 or to amend or annotate records.

## **3 Relevant material**

In reaching my decision I referred to the following:

- the *Freedom of Information Act 1982*;
- advice from the relevant Departmental business area;
- Departmental documents (attached); and
- Guidelines published by the Office of the Information Commissioner under section 93A of the FOI Act (the FOI Guidelines).

## **4 Documents in scope of request**

Section 17 of the FOI Act provides that where an agency can produce a written document containing the information in discrete form by the use of a computer, and the work required would not substantially and unreasonably divert resources of the agency from its other operations, the agency shall deal with the request as if it were a request for access to a written document so produced.

In accordance with section 17 of the FOI Act, the Department has used its computer system to produce five documents that are relevant to your request.

## **5 Decision on access**

My decision in relation to the documents in the possession of the Department which falls within the scope of your request is to release five documents in full.

## 6 Legislation

A copy of the FOI Act is available for your reference at:  
<https://www.legislation.gov.au/Details/C2017C00251>. 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@border.gov.au](mailto:foi.reviews@border.gov.au)

OR

By mail to:  
Freedom of Information Section  
Department of Immigration and Border Protection  
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 <http://www.oaic.gov.au/freedom-of-information/foi-reviews>.

## 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 Immigration and Border Protection 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@border.gov.au](mailto:foi@border.gov.au).



FOI Officer | Freedom of Information Section  
FOI, Privacy and Records Management Branch  
Corporate Services Division  
Department of Immigration and Border Protection