



21 May 2016

In reply please quote

FOI Request FA 16/05/02461

File Number ADF 2016/23555

Mr Sam Everingham

Sent via email: foi+request-1962-21d9d891@righttoknow.org.au

Freedom of Information request – Release of documents

Dear Mr Everingham,

This letter refers to your request received on 24 May 2016 seeking access under the *Freedom of Information Act 1982* (the Act) to the following documents:

I am seeking statistics on the number of citizenship applications received by the Department relating to children born through international surrogacy arrangements by country of birth for the following six financial years:

2013/14

2012/13

2011/12

2010/11

2009/10

2008/09

This letter is to provide you with a decision, which is to release the relevant document to you in full. The decision is set out in the attached Decision Record. The relevant document is listed in the Schedule of Documents attached to this letter. Read together, these form the reasons for decision.

Review rights

Internal review

If you disagree with this decision, you have the right to apply for an internal review of the decision. If you wish to make a request for internal review this must be sent within 30 days of being notified of the decision. Where possible please attach reasons why you believe 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:

Freedom of Information
Department of Immigration and Border Protection
PO Box 25
BELCONNEN ACT 2617

Or by email to: foi@border.gov.au

Review by the Office of the Australian Information Commissioner

You may apply directly to the Australian Information Commissioner for a review of the decision. You must apply in writing within 60 days of this notice. For further information about review rights under the FOI Act please see FOI fact sheet 12 '*Freedom of information – Your review rights*', available online at www.oaic.gov.au .

How to make a complaint about the handling of your FOI request

You may complain to the Australian Information Commissioner if you have concerns about how the department has handled your request under the FOI Act. Information about how to submit a complaint is also available at www.oaic.gov.au .

Contacting the FOI section

If you wish to discuss this matter, I can be contacted using the details provided below.

Kind regards,

Brad Collins
Freedom of Information Section
Department of Immigration and Border Protection
Email: foi@border.gov.au

Attachments

- ✓ Attachment A – Decision Record
- ✓ Attachment B – Schedule of Documents
- ✓ Attachment C – Documents released



Attachment A

DECISION RECORD

Request Details

FOI Request FA 16/05/02461
File Number ADF 2016/23555

Scope of request

1. On 24 May 2016 you requested:

I am seeking statistics on the number of citizenship applications received by the Department relating to children born through international surrogacy arrangements by country of birth for the following six financial years:

2013/14
2012/13
2011/12
2010/11
2009/10
2008/09

Documents in scope

2. There is one document within scope of your request, which is the statistics that you requested. This document was created by the appropriate business area in response to your request.

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 *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

5. I am satisfied that I have been provided with the relevant document to consider in my decision. I have considered the document and am satisfied that no exemptions apply. Therefore, I am releasing the relevant document in full.

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

21 June 2016



Attachment B

SCHEDULE OF DOCUMENTS TO DECISION RECORD

FOI Request FA 16/05/02461
File Number ADF 2016/23555

No.	Date of document	Pages	Description	Relevant legislation (FOI Act)	
1.	Undated	1	Index	Released in full	

Caveats:

- *Figures for programme years, from 1 July 2008 to 30 June 2011, are indicative only. These may not be completely accurate due to the way the information was recorded (manually).*

Number of citizenship applications (by descent), received by the department, relating to children born through international surrogacy arrangements for programmes years from 1 July 2008 to 30 June 2014							
Country of birth	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	Totals
Canada	0	0	<10	<10	<10	<10	12
China	<10	0	0	0	0	0	<10
India	<10	<10	<10	227	191	108	536
Malaysia	0	0	<10	0	0	0	<10
New Zealand	0	<10	0	0	0	0	<10
Russia	0	0	0	0	<10	0	<10
South Africa	0	<10	0	0	0	<10	<10
Thailand	0	<10	<10	<10	23	91	129
Ukraine	<10	0	<10	<10	0	<10	13
United Kingdom	0	0	0	<10	0	0	<10
USA	<10	0	15	19	27	57	119
Totals	10	<10	30	266	244	263	819