



13 October 2017

Mr Ken Macleod

BY EMAIL: [foi+request-4088-9470ac8b@righttoknow.org.au](mailto:foi+request-4088-9470ac8b@righttoknow.org.au)

**In reply please quote:**

FOI Request: FA 17/09/00682

File Number: ADF2017/100047

Dear Mr Macleod

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

On 14 September 2017, the Department of Immigration and Border Protection (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 the following document:

*'This request is for latest documents (or data sets) that show for all long term (greater than 12 months) temporary visa holders in Australia on Dec 31, 2016.*

- 1. What year were they granted their first temporary visa?*
- 2. How many temporary visas have they accumulated?*

*If the data allows, please list people on visitor and NZ 444 visas separately.'*

On 11 October 2017 you agreed to revise the scope of your request to the following documents:

*'latest documents (or data sets) that show the number of long term (greater than 12 months) temporary visa holders in Australia on Dec 31, 2016.'*

**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 FOI Act
- Guidelines published by the Office of the Information Commissioner under section 93A of the FOI Act (the FOI Guidelines)
- the Department's guidance material on the FOI Act
- advice from the relevant business area

#### **4 Document in scope of request**

In accordance with section 17 of the FOI Act, the Department has used its computer systems to produce one document that contains information that falls within the scope of your request. The data produced in the document existed in the computer systems of the Department on 14 September 2017 when your FOI request was received.

#### **5 Decision**

The decision in relation to the document created to respond to your request is as follows:

- Release one document in full

#### **6 Legislation**

A copy of the FOI Act is available 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).

(signed electronically)

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



**Attachment A**

**SCHEDULE OF DOCUMENTS TO DECISION RECORD**

FOI Request: FA 17/09/00682  
File Number: ADF2017/100047

No.	Date of document	Folio	Description	Relevant legislation (FOI Act)	
1.	undated	1	Number of temporary visa holders in Australia, as at 31 December 2016	Released in full	n/a