



30 December 2021

Grace

**BY EMAIL:** [foi+request-8165-18437d45@righttoknow.org.au](mailto:foi+request-8165-18437d45@righttoknow.org.au)

**In reply please quote:**

FOI Request: FA 21/12/00284

File Number: OBJ2021/35394

Dear Grace

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

On 7 December 2021, the Department of Home Affairs (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:

*I would like to know the number of citizenship applicants who are waiting to complete the citizenship ceremony, residing in Ku-ring-gai Council, NSW. Please consider only applicants who were approved on or before 07/12/2021. Further, if it is possible, I would also like to know how many people will be invited to attend their citizenship ceremony each time in Ku-ring-gai. Thank you.*

**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)
- advice from Departmental officers with responsibility for matters relating to the document to which you sought access

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

The Department has undertaken reasonable searches in relation to the documents you have requested access to.

In accordance with section 17 of the FOI Act, the Department has used its computer system to produce one document that contains information that falls within the scope of part 1 of your request. Please note that the Department does not hold the number of approved applicants residing in a council area in the Department's reporting systems, instead the number of approved applicants who have selected Ku-ring-gai Council for their ceremony has been provided for this request. The data produced in the document existed in the possession of the Department on 7 December 2021 when your FOI request was received.

In relation to part 2 of your request, the Department does not hold any data relevant to this part of your request as there is no set number of people invited to attend a citizenship ceremony hosted by local government councils.

Having regard to your request and the types of document that may fall within the scope of your request I am satisfied that the searches conducted were extremely thorough and all reasonable steps have been taken to locate any document relevant to your request.

#### **5 Decision**

Section 24A of the FOI Act provides that the Department may refuse a request for access to a document if all reasonable steps have been taken to find the document and the Department is satisfied that the document does not exist.

I am satisfied that the Department has undertaken reasonable searches in relation to part 2 of your request and that no documents were in the possession of the Department on 7 December 2021 when your FOI request was received. As such, I am refusing part 2 of your request based on the application of section 24A of the FOI Act.

The decision in relation to the document in the possession of the Department which fall within the scope of 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/Series/C2004A02562>. 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:

OR By email to: [foi.reviews@homeaffairs.gov.au](mailto:foi.reviews@homeaffairs.gov.au)

By mail to:  
Freedom of Information Section  
Department of Home Affairs  
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 <https://www.oaic.gov.au/freedom-of-information/reviews-and-complaints/information-commissioner-review/>.

## **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 Home Affairs 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@homeaffairs.gov.au](mailto:foi@homeaffairs.gov.au).

*[signed electronically]*

**Tina**  
**Position number: 60008296**  
**Authorised Decision Maker**  
**Department of Home Affairs**