



16 July 2021

C.Faulk

**BY EMAIL:** [foi+request-7273-81de047c@righttoknow.org.au](mailto:foi+request-7273-81de047c@righttoknow.org.au)

**In reply please quote:**

FOI Request: FA 21/05/00526

File Number: OBJ2021/14419

Dear C.Faulk

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

On 11 May 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:

*In the Migration Regulations 1994 reference is made to Impairment Tables (Part 1, Division 1.2, Section 1.15AA):*

*(1)(b)(iii) the impairment has, under the Impairment Tables (within the meaning of subsection 23(1) of the Social Security Act 1991), the rating that is specified in the certificate; and*

*The Impairment Tables have variously been referenced elsewhere without actual reference to the Table themselves (Migration Legislation Amendment (2016 Measures No. 3) Regulation 2016; Commonwealth of Australia Gazette No. GN 47,25 November 1998 and Migration (IMMI 17/126: Impairment Rating) Instrument 2017).*

*Would you kindly provide documentation pertaining to the Impairment Tables in their current form as used with regards to the assessment for a Carers Visa under the Migration Regulations 1994. Ideally you would provide the Impairment Tables themselves with the scoring system and with reference to their origin.*

## **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 document relevant to the 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**

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 your request. The data produced in the document existed in the possession of the Department on 11 May 2021 when your FOI request was received.

## **5 Decision**

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:

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

OR

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 Fact Sheet 12 "Freedom of information – Your review rights", available online at <https://www.oaic.gov.au/freedom-of-information/foi-review-process>.

## **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).

[Electronically signed]

**Derek**  
**Position Number: 60007884**  
**Authorised Decision Maker**  
**Department of Home Affairs**