

Ref. FOI2023/00016

Hon Heidi Girolamo MLC
Legislative Council
Parliament House
North Terrace
ADELAIDE SA 5000

Email: Girolamo.office@parliament.sa.gov.au

Dear Ms Girolamo

APPLICATION MADE UNDER THE *FREEDOM OF INFORMATION ACT 1991*

I refer to your application made under the *Freedom of Information Act 1991* (the FOI Act) received by the Department for Industry, Innovation and Science (DIIS) on 12 April 2023, seeking access to:

“An index detailing how many business visa nominations were submitted, approved and rejected (not nominated) between August 2022 and March 2023, including the reason for rejection, and copies of any correspondence provided to the applicant informing them of the decision to reject.”

Date range: 1/08/2022 to 31/03/2023

A search of the DIIS Dynamics 365 Customer Relationship Management (CRM) system was undertaken to identify records within scope of your application. Section 4(5)(a)(b) of the FOI Act provides that where an agency holds information in computer storage, and a particular document is capable of being provided by the computer on the basis of information so stored, the agency is to be taken to hold that document. Therefore, in accordance with Section 4(5)(a)(b), the data has been extracted from the CRM system and captured in the attached table.

For the period 1 August 2022 to 31 March 2023, there were 104 applications submitted for state nominated business visas. To be nominated for a state nominated business visa, applicants must meet all state nomination requirements, as well as the Department of Home Affairs eligibility criteria. An application is refused when it has not met one or more of these requirements.

South Australia's nomination requirements for state nominated business visa applications can be located online at <https://www.migration.sa.gov.au/visa-options/business-and-investment-visas/business-innovation-and-investment-provisional-visa>

The Department assesses each application against these requirements and criteria before deciding on the outcome. If an application does not meet the requirements and criteria, their

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application is refused. In this case, the applicant receives a generic system generated notification advising there has been a change to the status of their application and prompting them to access their online their Skilled and Business Migration Portal account for more information.

Where the application has been rejected the online portal is the only avenue in which the applicant can find details relating to the requirements and/or criteria which has not been met, specific to their individual application. Therefore, I have determined there are no documents within this section of the scope of your application.

No fees and charges are payable for the processing of this determination in accordance with Section 53(2)(b) of the FOI Act.

In compliance with Premier and Cabinet Circular PC045 - Disclosure Logs for Non-Personal Information Released through Freedom of Information (PC045), DIIS is required to publish a log of all non-personal information released under the Act.

In accordance with this Circular, any non-personal information determined for release as part of this application will be published on the DIIS website.

If you are dissatisfied with this determination, you have a legal right of review and appeal in accordance with Section 29 of the FOI Act. Your review and appeal rights can be found by visiting the State Records of South Australia website <https://www.archives.sa.gov.au/finding-information/sa-government-information/making-a-freedom-of-information-application>.

Yours sincerely

Rosanne Davies
ACCREDITED FOI OFFICER

15 / 05 / 2023

Encl: State nominated business visa applications

DIIS Ref. FOI2023/00016

Request:

An index detailing how many business visa nominations were submitted, approved and rejected (not nominated) between August 2022 and March 2023, including the reason for rejection, and copies of any correspondence provided to the applicant informing them of the decision to reject.

From 1/08/2022 to 31/03/2023

Response:

There were 104 applications for state nominated business visas submitted between 1 August 2022 and 31 March 2023, of which 81 were approved, 3 refused and 1 withdrawn by the applicant. During this period, there were 19 applications in the assessment pipeline, pending a decision outcome.

Number of applications for state nominated business visas 1/08/2022 to 31/03/2023	
Submitted	104
Approved	81
Refused*	3
Withdrawn	1
Pipeline (pending decision)	19

Refusal reasons

To be nominated for a state nominated business visa, applicants must meet all state nomination requirements, as well as the Department of Home Affairs eligibility criteria. An application is refused when it has not met one or more of these requirements.

South Australia's nomination requirements for state nominated business visa applications can be located online at <https://www.migration.sa.gov.au/visa-options/business-and-investment-visas/business-innovation-and-investment-provisional-visa>