

**QUESTION TAKEN ON NOTICE – LEGAL AND CONSTITUTIONAL AFFAIRS
REFERENCES COMMITTEE**

**INQUIRY INTO AUSTRALIA'S AGREEMENT WITH MALAYSIA IN RELATION TO
ASYLUM SEEKERS: 23 SEPTEMBER 2011**

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(QON 23)

Senator Cash asked (in writing):

[Regarding transfer process] How long does the Malaysian Government have to make an assessment as to whether they will receive a person? How does that fit with Clause 1.3 of Annexure A which states that Malaysia and Australia aim to achieve transfer of each group of Transferees within 72 hours of their arrival in Australia?

Answer:

The 72 hour transfer process was agreed by both the Malaysian and Australian Governments as a timeframe towards which both Governments would aim. It is not binding on either party. Within the 72 hour period the following pre-transfer activities would take place:

- Australia to conduct pre-removal assessment processing including: collecting biographic and biometric information, fit to fly medical assessments and security checks.
- Malaysian Government to conduct security checks and advise results.
- Australia to coordinate charter flight, Australian Federal Police escorts and prepare flight manifest.