



Foreword

Migration Regulation 4.31B imposes a \$1,000 fee on unsuccessful applicants to the Refugee Review Tribunal (RRT). The principal objective of the fee is to deter non-genuine review applicants; that is, people who know they are not refugees and simply wish to extend their stay in Australia. The fee forms part of a series of measures aimed at reducing abuse in the refugee determination process. The other measures include:

- more streamlined processing of primary applications; and
- restricting work rights to those who apply within 45 days of entering Australia.

When regulation 4.31B was introduced on 1 July 1997, it was subjected to a sunset clause of two years. The government also gave a commitment to ask the Joint Standing Committee on Migration to review the provision in 1998.

In accordance with that commitment, on 6 January 1999 the Minister for Immigration and Multicultural Affairs, the Hon. Phillip Ruddock MP, asked the Committee to review regulation 4.31B.

The Committee was not asked to inquire into the impact of other measures designed to reduce abuse. The isolation of regulation 4.31B from the other measures made assessment of its particular impact difficult. In addition, the relatively short time in which the regulation operated led some members of the Committee to varying interpretations of the evidence.

On 16 January 1999, the Chair of the Committee announced the inquiry in the national media and invited submissions from the public and interested parties.

The Committee advertised in major newspapers published in each capital city. It also wrote to a range of individuals and organisations, including Commonwealth Government Departments and members of the legal profession, seeking submissions.

The Committee received 24 submissions. A list of the individuals and organisations that made submissions appears at Appendix A.

The Committee held three public hearings in Melbourne, Sydney and Canberra respectively. A number of organisations that made submissions were unfortunately unable to attend. Appendix B lists the dates of the hearings and names of the witnesses who attended.

The Committee finished taking oral evidence in March 1999 and received its last submission in May 1999.

Mrs Chris Gallus MP
Chair

May 1999