

QUESTION TAKEN ON NOTICE

ADDITIONAL ESTIMATES HEARING : 08 February 2016

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(AE16/100) - Reviews - Internal Product (DIBP)

Senator Ludwig, Joe (L&CA) written:

Since the change of Prime Minister on 14 September, 2015:

1. How many new reviews (defined as review, inter-departmental group, inquiry, internal review or similar activity) have been commenced? Please list them including:

1. the date they were ordered
2. the date they commenced
3. the minister responsible
4. the department responsible
5. the nature of the review
6. their terms of reference
7. the scope of the review
8. Who is conducting the review
9. the number of officers, and their classification level, involved in conducting the review
10. the expected report date

11. the budgeted, projected or expected costs

12. If the report will be tabled in parliament or made public

2. For any review commenced or ordered, have any external people, companies or contractors being engaged to assist or conduct the review?

1. If so, please list them, including their name and/or trading name/s and any known alias or other trading names

2. If so, please list their managing director and the board of directors or equivalent

3. If yes, for each is the cost associated with their involvement, including a break down for each cost item

4. If yes, for each, what is the nature of their involvement

5. If yes, for each, are they on the lobbyist register, provide details.

6. If yes, for each, what contact has the Minister or their office had with them

7. If yes, for each, who selected them

8. If yes, for each, did the minister or their office have any involvement in selecting them,

1. If yes, please detail what involvement it was

2. If yes, did they see or provided input to a short list

3. If yes, on what dates did this involvement occur

4. If yes, did this involve any verbal discussions with the department

5. If yes, on what dates did this involvement occur

3. Which reviews are on-going?

1. Please list them.

2. What is the current cost to date expended on the reviews?

4. Have any reviews been stopped, paused or ceased? Please list them.

5. Which reviews have concluded? Please list them.

6. How many reviews have been provided to Government? Please list them and the date they

were provided.

7. When will the Government be responding to the respective reviews that have been completed?
8. What reviews are planned?
 1. When will each planned review be commenced?
 2. When will each of these reviews be concluded?
 3. When will government respond to each review?
 4. Will the government release each review?
 1. If so, when? If not, why not?

Answer:

1. How many new reviews (defined as review, inter-departmental group, inquiry, internal review or similar activity) have been commenced? Please list them including:

Two

- 1-2 A comprehensive review of all licensing regimes under the *Customs Act 1901* commenced in October 2015.
3. The Hon Peter Dutton MP.
4. Department of Immigration and Border Protection.
5. The licensing review is a public review. Interested parties were invited to make written submissions by 31 December 2015.
6. Terms of reference for the licensing review were publically released on the Department's website (<http://www.border.gov.au/licensing-review>) on 2 November 2015.
7. The review will assess all licensing regimes under the *Customs Act 1901*, including the licensing of customs brokers, depots and warehouses (including providores, catering bonds and duty free stores and excise equivalent goods). The review will examine the legislation and administrative processes for the licensing regimes.
8. The Department of Immigration and Border Protection is conducting the public review into all licensing regimes under the Customs Act.
9. An EL1 and APS6 are dedicated to managing the review. Additional support will be required at peak times.
10. The licensing review is scheduled to be completed by 30 June 2016.
11. The licensing review is being undertaken using BAU funds.
12. Draft and final recommendations for the review will be published on the Department's website at: <http://www.border.gov.au/licensing-review>.

1. The Temporary Skilled Migration Income Threshold (TSMIT) Review was recommended by the Independent Review into Integrity in the Subclass 457 Programme (the 457 Integrity Review). The Government responded to the recommendations on 18 March 2015, and accepted the recommendation to review TSMIT.
2. The TSMIT Review commenced after the Minister for Immigration and Border Protection announced the TSMIT Review on 23 December 2015.
3. The Assistant Minister for Immigration and Border Protection, Senator, the Hon James McGrath.
4. The Department of Immigration and Border Protection.
5. The TSMIT Review is an external review being conducted by an expert reviewer, with the support of the Department of Immigration and Border Protection.
6. The TSMIT Review is considering appropriate settings for the TSMIT. The Terms of Reference are:
 - consider and advise on the factors that should be taken into account when determining settings for the TSMIT;
 - determine an appropriate base level for the TSMIT, which is supported by evidence;
 - consider whether TSMIT should be indexed and if so, advise on the methodology for indexation of the TSMIT (e.g. whether is it appropriate to use CPI, Average Weekly Ordinary Time Earnings or other indicators for indexation purposes);
 - determine whether a single income threshold should apply to all occupations, sectors and circumstances, such as regional locations;
 - determine the appropriate legislative mechanism for specifying the level at which the TSMIT is set; and
 - consider and advise on any other relevant factors.
7. The TSMIT Review is considering, as per the Terms of Reference, appropriate settings for the TSMIT. TSMIT is part of the subclass 457 visa criteria that requires sponsors of 457 visa applicants to demonstrate that the market salary rate of the position they are seeking to fill is greater than TSMIT. The TSMIT is currently set at \$53,900.

Consultations for the TSMIT Review have included industry peak bodies, unions, academics, businesses, the Department of Employment, the Australian Taxation Office, and the Skilled Migration Officials Group. Members of the public can provide submissions to the TSMIT Review. TSMIT Review information is publically available on the Department of Immigration and Border Protection's website.

8. The Minister appointed Mr John Azarias to undertake the TSMIT Review.
9. The Department of Immigration and Border Protection is providing Secretariat support to the TSMIT Review consisting of one Executive Level 1 officer and additional staff as required.

10. Mr Azarias will provide a report to Government by the end of April 2016.
11. AUD\$80,000 in costs have been budgeted for the TSMIT Review.
12. Consideration will be given to making the report public, following its delivery to Government.

2. For any review commenced or ordered, have any external people, companies or contractors being engaged to assist or conduct the review?

1. Yes. The Minister appointed Mr John Azarias to undertake the TSMIT Review.
2. Mr Azarias is an individual/sole trader. As such, there is no managing director or board of directors.
3. The cost for the TSMIT Review is estimated at AUD\$80,000, GST inclusive. This is composed of \$60,000 in wages for Mr Azarias and \$20,000 in travel costs for Mr Azarias and Secretariat support.
4. Mr Azarias is consulting industry peak bodies, unions, academics, businesses, the Department of Employment, the Australian Taxation Office, the Skilled Migration Officials Group, and other relevant stakeholders.
5. Mr Azarias will provide a report to Government after considering input provided through consultations and written submissions to the TSMIT Review.
6. Mr Azarias is not on the Register of Lobbyists.
7. Mr Azarias has met the Minister for Immigration and Border Protection, staff in the Minister's office, and staff in the Assistant Minister for Immigration's office.

8. Yes

1. Mr Azarias was appointed to conduct the TSMIT Review by the Minister for Immigration and Border Protection.
2. The Minister saw and provided input to a short list.
3. On and around 26 November 2015.
4. The short listing did not involve any verbal discussions with the Department of Immigration and Border Protection.

3. Which reviews are on-going?

1. Both the TSMIT Review and the review of all customs licensing arrangements are ongoing.

2. The approximate cost to date expended on the TSMIT Review is \$31,000. The review of all customs licensing arrangements is funded from BAU costs.
3. No.
4. Both reviews remain ongoing.
5. No.
6. In regards to the TSMIT Review, Mr Azarias will provide a report to Government by the end of April 2016, after which we expect the Government will respond to any recommendations made.

4. What reviews are planned

N/A