

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES HEARING: 26 May 2005

IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

(336) Output: Migration Agents Registration Authority

Senator Ludwig asked:

1. How many new registrations of migration agents have there been in 2004-05?
2. How many are commercial and how many are non-commercial?
3. Could you provide this with a breakdown of the state or territory the agents are located in, and include figures for 00-01-02-03-04-05?

Answer:

1. For the period 30 June 2004 to 29 June 2005:
 - 337 initial registration applications were received and 361 were approved; and
 - 2840 repeat registration applications were received and 2859 were approved.
2. For the period 30 June 2004 to 29 June 2005, in terms of initial registration applications:
 - 307 commercial applications were received and 318 were approved; and
 - 30 non-commercial applications were received and 43 were approved.

For the same period, in terms of repeat registration applications:

- 2686 commercial applications were received and 2627 were approved; and
- 224 non-commercial applications were received and 223 were approved.

It should be noted that some applications receipted during the reporting period will be approved or refused in the next reporting period.

3. Breakdown of registered migration agents by State and Territory for the periods 2000, 2001, 2002, 2003, 2004 and 2005 as at the end of the period.

State	FYE2000	FYE2001	FYE2002	FYE2003	FYE2004	FYTD
NSW	Specific locale figures are not readily available.	1193	1328	1483	1547	1465
QLD		202	262	301	321	334
VIC		628	728	785	857	822
ACT		35	40	43	39	40
NT		6	7	12	13	13
WA		224	256	287	309	275
SA		73	81	87	91	95
TAS		15	16	15	15	17
Overseas		50	55	71	82	99
TOTAL			2426	2773	3084	3274

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(337) Output: Migration Agents Registration Authority

Senator Ludwig asked:

With regard to the figure given at February estimates that there were about 13 per cent of migration agents working in the not-for-profit sector in the last eight-to-twelve months (from that date), could you indicate...

- (a) Where does this figure come from?
- (b) Does it include only agents working exclusively not-for-profit or also for-profit agents doing pro-bono work?
- (c) If so, how much work does a for-profit agent have to do to be included in this figure?

Answer:

- (a) This figure is drawn from the records which the MARA is required to maintain. These records include the Register of Migration Agents, and also all information received regarding registered migration agents.
- (b) The figure includes those agents who are registered solely as non-commercial/non-profit migration agents, as well as commercial/for-profit migration agents who provide *pro-bono* support to the non-commercial sector.

As at 29 June 2005:

- Of the 3146 registered migration agents, 257 are registered on the basis of solely operating as a non-commercial agent (8.2%)
 - The MARA's records indicate that approximately 113 commercial agents were also associated with non-commercial organisations (3.6%).
- (c) There is no minimum amount of work that a commercial/for-profit registered migration agent must complete to be included in these figures. They include all commercial/for-profit registered migration agents who have advised the MARA in writing that they provide immigration assistance for the non-commercial sector in addition to their commercial sector operations.

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(338) Output: Migration Agents Registration Authority

Senator Ludwig asked:

In the last two reporting periods, has there been a decline in the numbers of commercial or non-commercial agents and, if so, what is MARA doing to address the decline?

Answer.

There has been a decline in the number of commercial and non-commercial agents in the year ending 30 June 2005. There had, however, been an increase in both types of agents in the year ending 30 June 2004, as indicated in the tables below.

Registration Type	FYE2003	FYE2004	Increase
Commercial/For-profit	2814	3003	↑ 6.7%
Non-commercial/non-profit	270	271	↑ 0.3%
TOTAL	3084	3274	↑ 6.1%

Registration Type	FYE2004	FYE2005	Increase
Commercial/For-profit	3003	2887	↓ 3.9%
Non-commercial/non-profit	271	258	↓ 4.8%
TOTAL	3274	3145	↓ 3.9%

As advised during the 18 February 2005 Senate Estimates hearing, the MARA has not taken any steps to seek to increase the number of individuals registered as migration agents. Our focus to date has been on raising professionalism and ensuring that registered agents have a sound knowledge of migration law and administrative practice. We have allowed the market to determine the number of agents operating within the profession at any point in time.

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(339) Output: Migration Agents Registration Authority

Senator Ludwig asked:

1. What is the current cost of initial registration for both commercial and non-commercial agents?
2. How often is this cost revised?
3. When was it last revised?

Answer:

1. The MARA can not provide an exact figure on what is the current cost of initial registration for both commercial and non-commercial agents. This is largely due to the fact that most of the costs associated with initial registration require the use of services not delivered by the MARA. However, the following costs **may be** incurred by an individual applying for initial migration agent registration.

Expense type	Commercial/ for-profit	Non-commercial/ non-profit	Notes
EXPENSES COLLECTED OR SET BY THE MIGRATION AGENTS REGISTRATION AUTHORITY			
Prescribed examination	\$1250.00	\$1250.00	Based on the cost to the MARA of developing and administering the examination. The MIA provides financial assistance to not for profit organisations to help them meet the costs of this examination.
Application information package	\$0 - \$30.00	\$0 - \$30.00	Applicants can download the application form from the website at no cost. However, they can request the MARA to mail them a copy of the application package
Application fee	\$1760.00	\$160.00	Set in the Migration Agents Registration Applications Charge Regulations 1998
EXPENSES FOR SERVICES NOT DELIVERED BY MARA			
Optional examination preparation course	\$1500 to \$2750	\$1175 to \$2750	The participation in a preparation course for the prescribed examination is not mandatory. Non commercial agents may be able to receive a discount from certain providers.
Notice of Intention (Newspaper)	\$400-\$700	\$400-\$700	Amendments to the publication requirements, which came into effect on 1 July 2004, enable employees of the same employer to joint publish a notice of intention to register - thus greatly reducing the cost.
Notice of Intention (Website)	Free	Free	

Professional Indemnity Insurance	Anticipated minimum cost of \$850	Not applicable	The non-commercial sector has an exemption from this requirement until 1 July 2006. The requirement for commercial agents to maintain professional indemnity insurance comes into effect on 1 July 2005.
Australian Federal Police Criminal History Name Check	\$36.00	\$36.00	
ASIC Current and Historical Company Extract (if required)	Current \$30.25 Historical \$39.05		As published on the Australian Business Research website on 27 June 2005
Business name registration or certificate of incorporation (if required)	NSW \$129.00 ¹	Current \$30.25 ²	1. As published on the NSW Office of Fair Trading website on 27 June 2005. 2. As published on the Australian Business Research website on 27 June 2005

Once an individual has been registered by the Authority, they are required to maintain a professional library. A library can be maintained by an employer rather than an individual agent, which may reduce the costs per agent substantially. Since 1 July 2004, non-commercial agents have also been able to subscribe to Legendcom at a reduced charge.

Expense type	Commercial/for-profit	Non-commercial/non-profit	Notes
Legendcom	\$1,200 - \$1,450 +	From \$750.00 +	The cost will depend on whether a secondary subscription is purchased. A secondary subscription cost \$650 as published at http://www.immi.gov.au/legend/subscription.htm#x5 at 27 June 2005.
LexisNexis	\$1630.00	\$1630.00	As published on the LexisNexis website on 27 June 2005. No subscription published specifically for the non-commercial sector.

2. MARA initial registration application fee

The initial registration application fee has been revised approximately once every two years. Revisions have taken effect on the following dates:

- 21 March 1999
- 1 July 2000
- 1 July 2001
- 1 July 2003

MARA prescribed examination fee

The prescribed examination fee has not been revised since it was established in November 2003.

MARA Application information package

The cost for the application information package has not been revised since set at \$30 on 1 July 2001.

Non- MARA fees

These are set by bodies independent from the MARA.

3. The initial registration fee for commercial migration agents was last reviewed during 2002-03 and increased from \$1,180 to \$1,760 on 1 July 2003. The initial registration fee for non-commercial migration agents was last reviewed 1999-2000 and was increased from \$150 to \$160 on 1 July 2000.

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IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

(340) Output: Migration Agents Registration Authority

Senator Ludwig asked:

Aside from complaints procedures, does MARA have in place any mechanisms to monitor the standards of migration advice provision?

- (a) If so, what are they?
- (b) If not, why not?

Answer:

Aside from the complaints procedure, the MARA audits at least 4% of the profession annually in order to encourage compliance with the Code of Conduct. These audits require a registered migration agent to provide evidence of:

- maintaining separate accounts for their operating expenses and the clients' account;
- maintaining a professional library;
- providing to their client, before giving immigration assistance, a copy of the booklet entitled "Information on the Regulation of the Migration Advice Profession"; and
- including certain statements in their standard contract.

Agents may be selected for audit if they:

- fail to provide materials required for repeat registration; or
- the MARA has received a complaint relating to their conduct as a migration agent.

The MARA aims to audit any such agents only once every 12 months.

The MARA is also able to request further information from a registered migration agent and conduct a physical inspection of their office with consent or conduct interviews to determine their compliance with the Code of Conduct. The MARA also has consultation meetings with the AAT, the MRT/RRT and DIMIA, and has received feedback from those organisations about the standards of the migration advice provided to clients of those agencies.

Whilst monitoring of standards is important, it is also essential to have mechanisms in place to improve the standards of existing and new migration agents. Some of the mechanisms utilised by the MARA are:

- voluntary participation in the professional association and the professional association promoting adherence to their Code of Ethics;
- minimum English language requirements;
- the introduction of the prescribed examination;
- mandatory professional indemnity insurance;
- mandatory professional library requirement;

- mandatory continuing professional development (CPD);
- the introduction of levelled CPD activities; and
- the introduction of specific mandatory CPD activities.

In addition, the MARA is developing an entry level qualification that it anticipates introducing in 2006.

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IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

(341) Output: Migration Review Tribunal/Refugee Review Tribunal

Senator Kirk (L&C 21) asked:

With regard to the tender with Volante, are payments being made progressively to them for the work being done there? If so, how much has been paid out to date?

Answer:

Yes. During the Proof of Concept phase, progress payments were made monthly in arrears. This arrangement has continued during the current phase of finalising the specifications for development. During the development phase, it is intended to link payments directly to the delivery of nominated functionality.

- As at 27 June 2005, \$225,433.57 (GST inclusive) has been paid to Volante for the provision of development services for the new Case Management System (CMS).

In addition, two further payments have been made to Volante to purchase the Global 360 (formerly known as eiStream) software licences in the amount of:

- \$208,256.40 (GST inclusive) for licenses and software maintenance agreement required for the Proof of Concept development; and
- \$779,453.40 (GST inclusive) for the remaining licences and software maintenance agreement required for the full development.

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES HEARING: 26 May 2005

IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

(342) Output: Migration Review Tribunal/Refugee Review Tribunal

Senator Bartlett (L&C 22 and 24) asked:

Provide updated figures of the various tables that are in the annual reports.

Answer:

Update of MRT annual report tables as at 31 May 2005:

Overview of caseload			
	2004-05	2003-04	2002-03
On hand at start of year	5,166	7,274	8,132
Lodged	7,243	7,914	8,856
Finalised	7,472	10,022	9,714
On hand at end of year	4,937	5,166	7,274

Changes in lodgements		
MRT lodgements	Cases	% change on previous year
2000-00	7,211	-
2001-02	8,531	18%
2002-03	8,856	4%
2003-04	7,914	-11%
2004-05	7,243	-8%

Cases lodged by type and category			
	2004-05	2003-04	2002-03
Visa refusal – Bridging	748 (10%)	744 (9%)	787 (9%)
Visa refusal – Visitor	343 (5%)	414 (5%)	534 (6%)
Visa refusal – Student	424 (6%)	505 (6%)	629 (7%)
Visa refusal – Temp business	294 (4%)	438 (6%)	902 (10%)
Visa refusal – Perm business	149 (2%)	213 (3%)	249 (3%)
Visa refusal – Skilled	338 (5%)	342 (4%)	215 (2%)
Visa refusal – Partner	2,519 (35%)	2,390 (30%)	2,550 (29%)
Visa refusal – Family	567 (8%)	717 (9%)	742 (8%)
Cancellation – Student	960 (13%)	1,092 (14%)	964 (11%)
Temp business sponsorship	146 (2%)	217 (3%)	401 (5%)
Other	755 (10%)	842 (11%)	883 (10%)
Total	7,243	7,914	8,856

Cases on hand by type and category			
	2004-05	2003-04	2002-03
Visa refusal – Bridging	38	31	26
Visa refusal – Visitor	166	156	209
Visa refusal – Student	284	323	567
Visa refusal – Temp business	255	337	701
Visa refusal – Perm business	242	339	376
Visa refusal – Skilled	343	327	381
Visa refusal – Partner	2,138	2,172	2,698
Visa refusal – Family	496	490	898
Cancellation – Student	366	358	449
Temp business sponsorship	116	167	383
Other	493	466	586
Total	4,937	5,166	7,274

Finalisations by type and category			
	2004-05	2003-04	2002-03
Visa refusal – Bridging	741 (10%)	739 (7%)	807 (8%)
Visa refusal – Visitor	333 (5%)	467 (5%)	562 (6%)
Visa refusal – Student	463 (6%)	748 (8%)	683 (6%)
Visa refusal – Temp business	375 (5%)	794 (8%)	1,207 (12%)
Visa refusal – Perm business	247 (3%)	251 (3%)	277 (3%)
Visa refusal – Skilled	322 (4%)	424 (4%)	633 (7%)
Visa refusal – Partner	2,552 (34%)	2,916 (29%)	2,333 (24%)
Visa refusal – Family	561 (8%)	1,129 (11%)	1,162 (12%)
Cancellation – Student	952 (13%)	1,237 (12%)	861 (9%)
Temp business sponsorship	200 (3%)	438 (4%)	448 (5%)
Other	726 (10%)	879 (9%)	841 (9%)
Total	7,472	10,022	9,714

Outcome of reviews			
	2004-05	2003-04	2002-03
Primary decision affirmed	2,946 (39%)	3,925 (39%)	4,087 (42%)
Primary decision set aside	3,484 (47%)	4,639 (46%)	4,133 (43%)
Withdrawn by review applicant	568 (8%)	836 (9%)	978 (10%)
Otherwise resolved	474 (6%)	622 (6%)	516 (5%)
Total	7,472	10,022	9,714

Set aside rates			
	2004-05	2003-04	2002-03
Visa refusal – Bridging	22%	27%	30%
Visa refusal – Visitor	57%	63%	64%
Visa refusal – Student	44%	50%	48%
Visa refusal – Temp business	28%	33%	26%
Visa refusal – Perm business	31%	38%	33%
Visa refusal – Skilled	63%	59%	58%
Visa refusal – Partner	65%	61%	63%
Visa refusal – Family	44%	40%	35%
Cancellation – Student	34%	40%	31%
Temp business sponsorship	22%	27%	21%
Other	38%	35%	33%
Total	47%	46%	43%

Average time taken from lodgement to finalisation (calendar days)			
	2004-05	2003-04	2002-03
Visa refusal – Bridging	14	16	16
Visa refusal – Visitor	170	177	175
Visa refusal – Student	306	312	297
Visa refusal – Temp business	357	373	403
Visa refusal – Perm business	580	585	610
Visa refusal – Skilled	399	601	864
Visa refusal – Partner	339	393	397
Visa refusal – Family	312	386	477
Cancellation – Student	154	165	160
Temp business sponsorship	340	387	447
Other	241	253	265
Total	273	320	362

Judicial review outcomes by MRT decision			
Outcome	2004-05	2003-04	2002-03
Applicant withdrawal	178	167	141
Dismissed by court	224	185	114
MRT decision upheld	402 (82%)	352 (85%)	255 (90%)
Remitted by consent	60	37	17
Remitted by judgement	26	24	10
Remitted for reconsideration	86 (18%)	61 (15%)	27 (10%)
Total	488	413	282

Update of RRT annual report tables as at 31 May 2005:

Overview of caseload			
	2004-05	2003-04	2002-03
On hand at start of year	1,247	3,689	5,083
Lodged	2,657	3,366	4,857
Finalised	2,752	5,808	6,251
On hand at end of year	1,152	1,247	3,689

Changes in lodgements		
RRT lodgements	Cases	% change on previous year
1999-00	6,131	-
2000-00	6,670	9%
2001-02	4,929	-26%
2002-03	4,877	-1%
2003-04	3,344	-31%
2004-05	2,657	-21%

Cases lodged by source country			
	2004-05	2003-04	2002-03
China (PRC)	665	649	909
Iraq	464	6	18
Afghanistan	289	747	25
Bangladesh	129	107	154
India	118	404	523
Malaysia	86	142	163
Sri Lanka	65	90	145
Indonesia	64	143	411
Philippines	57	48	41
Lebanon	48	48	111
Other	672	982	2,357
Total	2,657	3,366	4,857

Cases on hand by source country			
	2004-05	2003-04	2002-03
Iraq	313	3	12
China (PRC)	294	190	899
Afghanistan	124	357	11
Bangladesh	40	48	128
Sri Lanka	33	58	120
India	29	105	457
Iran	24	17	43
Malaysia	23	34	59
Philippines	23	6	9
Lebanon	21	29	112
Other	228	400	1,839
Total	1,152	1,247	3,689

Finalisations by source country			
	2004-05	2003-04	2002-03
China (PRC)	561	1,358	825
Afghanistan	522	401	59
India	194	756	569
Iraq	154	15	25
Bangladesh	137	187	407
Malaysia	97	167	142
Sri Lanka	90	152	313
Indonesia	84	383	461
Lebanon	56	131	160
Nepal	49	60	162
Other	808	2,198	3,128
Total	2,752	5,808	6,251

Outcome of reviews			
	2004-05	2003-04	2002-03
Primary decision affirmed	1,747 (63%)	4,685 (81%)	5,388 (86%)
Primary decision set aside	895 (33%)	737 (13%)	359 (6%)
Withdrawn by review applicant	64 (4%)	299 (5%)	426 (7%)
Otherwise resolved	46 (3%)	87 (1%)	78 (1%)
Total	2,752	5,808	6,251

Set aside rates			
	2004-05	2003-04	2002-03
China (PRC)	11%	5%	3%
Afghanistan	89%	90%	32%
India	2%	0.4%	0.5%
Iraq	90%	20%	52%
Bangladesh	15%	14%	2%
Malaysia	1%	0.6%	1%
Sri Lanka	14%	6%	4%
Indonesia	5%	4%	1%
Lebanon	20%	10%	11%
Nepal	18%	12%	6%
Other	21%	11%	8%
Total	33%	13%	6%

Average time taken from lodgement to finalisation (calendar days)			
	2004-05	2003-04	2002-03
Detention cases	75	106	98
Community cases	160	268	404
All cases	156	262	393

Judicial review outcomes by RRT decision			
Outcome	2004-05	2003-04	2002-03
Applicant withdrawal	627	497	289
Dismissed by court	1205	1,433	436
RRT decision upheld	1,832 (90%)	1,930 (92%)	725 (92%)
Remitted by consent	142	80	34
Remitted by judgement	70	86	30
Remitted for reconsideration	212 (10%)	166 (8%)	64 (8%)
Total	2,044	2,096	789

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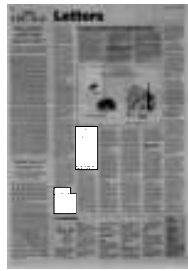
(343) Output: Refugee Review Tribunal

Senator Nettle (L&C 24-25) asked:

In relation to Professor Mirko Bagaric, provide a copy of a letter to the editor from a person at the University of New South Wales or the University of Sydney law school praising Professor Bagaric's work on the Refugee Review Tribunal.

Answer:

Attached is a copy of the letter by Mr Richard Edney, senior lecturer in law, Deakin University law school, published in *The Age* newspaper, letters section on 19 May 2005.



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19/05/2005

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Torture sparks flood of abuse

THE response to the article in *The Age* by Professor Mirko Bagaric (Opinion, 17/5) has been extraordinary. Abuse and personal vitriol appear to be the themes that have characterised the attack. Of course, attacking the person, not the argument, is one of the oldest — and perhaps most insidious — means of not dealing properly with an argu-

ment and has always been a threat to academic freedom. Please disagree with his views but do so in a manner that is not so unthinking and censorious. And by the way, for those who are prepared to condemn Professor Bagaric as a person, please read his judgements from the Refugee Review Tribunal concerning the treatment of refugees from Afghanistan. His jurisprudence on that tribunal — particularly in light of the restrictive legal definition of who is a refugee — has led the way in allowing a significant number of people to enter this country from Afghanistan than would otherwise have been the case. For those who are interested — and have come down from the moral high ground — simply go to www.austlii.edu.au and follow the links.

**Richard Edney, senior lecturer in law,
Deakin University law school**

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(344) Output: Refugee Review Tribunal

Senator Ludwig asked:

1. How many applications for judicial review were remitted to the High Court?
2. How many court cases were remitted back to the RRT for a further hearing on the initial decision?
3. What is the status of the East Timorese applications?
4. What was the price per case over the last three financial years?

Answer:

1. For the period 1 July 1993 - 31 May 2005:

- 2118 applications were remitted from the High Court to a lower court. These included applications lodged in the High Court's original jurisdiction, and appeals from the Federal Court.

- 69 matters were remitted from the High Court to the RRT. 11 were remitted by judgment, and 58 were remitted by consent

For the period 1 July 2004 - 31 May 2005:

- 54 applications were remitted from the High Court to a lower court. These included applications lodged in the High Court's original jurisdiction, and appeals from the Federal Court.

- 6 matters were remitted from the High Court to the RRT. 3 were remitted by judgment, and 3 were remitted by consent

2. See statistics above.
3. As at 31 May 2005, there were no active East Timorese applications before the RRT.
4. The agreed price per case for the last three financial years was as follows:

2001-02	\$3,216.
2002-03	\$3,419
2003-04	\$3,453

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(345) Output: Torres Strait Regional Authority

Senator Carr (L&C 5) asked: In relation to the TSRA, are the proposals that Mr Ruddock advanced in July 2003 being advanced? I draw your attention to a reference on Page 124 of *Hansard* of 27 May 2004.

Answer:

The model was advertised in the Torres News and the TSRA Website in August 2003 calling for public comments. Only two responses were received by the TSRA and both were critical of the proposal and no strong community support was evident.

The TSRA now has a new Board and the TSRA Executive Committee is considering other possible models that might be taken to the public for consultation in the future. However, these models are still in their developmental stages.

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IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

(346) Output: Torres Strait Regional Authority

Senator Carr (L&C 6) asked: In relation to dengue fever, when was there a meeting of Commonwealth officials on the matter?

Answer:

Commonwealth officials last met on 14 March 2005 with State representatives to discuss Dengue. Representatives from various departments met at the offices of the Department of Aboriginal and Torres Strait Islander Policy on Thursday Island.

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(347) Output: Torres Strait Regional Authority

Senator Carr (L&C 7) asked: What progress is being made on the construction of the 'bund wall' on Saibai?

Answer:

The bund wall at Saibai has not been constructed. The wall is not a project under the Major Infrastructure Program. The Major Infrastructure Program (MIP) has a focus on environmental health and the bund wall work was considered outside the scope of the Program. Coastal projects were not included in MIP Stage 3.

At Saibai the community stretches for several kilometres along the coast and the estimated cost to construct a bund or sea wall was relatively high at \$5m plus. Saibai however continues to receive flood mitigation work under MIP 2. This has involved extensive drainage to resolve flooding. The budget for this project is \$600,000.

Negotiations are currently underway through the NHT2 program to conduct research into the coastal erosion problems in the Torres Strait and the TSRA is awaiting the outcome from this research to ascertain the most effective means of securing the Saibai community's coastline. In the meantime, the Saibai Council and the TSRA continue to monitor the effects of the erosion and where required act to protect the community's infrastructure.

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(348) Output: Torres Strait Regional Authority

Senator Carr (L&C 7) asked: When did the authority make a submission for additional funds to protect Boigu and Saibai from flooding?

Answer:

No submission has been made by the Authority for additional funds for both these projects. However, flood mitigation work is underway for Boigu under the Major Infrastructure Program Stage 2 with construction to start in June 2005. Submissions to remedy the Saibai problem will be developed once results from the coastal erosion research, described in Question 347 are presented to the TSRA.

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IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

(349) Output: Torres Strait Regional Authority

Senator Carr (L&C 7) asked: In relation to Boigu and Saibai, what is the projected cost of both of those infrastructure projects?

Answer:

The flood mitigation project on Boigu is expected to cost \$950,000. The original cost to construct bund walls at Saibai was \$5 million.

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES HEARING: 27 May 2005

IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

(350) Output: Torres Strait Regional Authority

Senator Carr (L&C 8) asked: "Minister, how come there are not opportunities to put in submission for major infrastructure works of these types?"

Answer:

The scope of the Saibai bund wall was outside the environmental health aims of the Major Infrastructure Program. The Saibai project was erosion based and it was felt that opportunities existed for funding these types of projects within the NHT2 program or other programs that would more appropriately fall within this funding scope.

Once results of the coastal erosion research are presented to the TSRA, as mentioned in Questions 347 and 348, appropriate submissions can then be developed.

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES HEARING: 27 May 2005

IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

(351) Output: Torres Strait Regional Authority

Senator Carr (L&C 8) asked: Does the TSRA assist communities with waste management? Explain where the boundaries are in terms of responsibilities?

Answer:

Under the Major Infrastructure Program Stage 2 an initial waste management strategy has been implemented and is assisting communities with the removal of bulk waste, scrap metal, old car bodies and the construction of concrete hardstand areas as wash-down platforms to meet quarantine laws. Under Stage 3 of the Program there will be a further roll out of the Waste Management Strategy in the region as studies identify the next phases in implementation.

Individual community councils have the primary responsibility to manage waste disposal in their communities. Due to their remoteness and limited economic capacity, the TSRA provides funds and where appropriate works with agencies to implement waste management initiatives. The Australian Quarantine Inspection Services, the Queensland Department of Primary Industries and the Queensland Environmental Protection agency all play a combined role in determining how and where waste will be moved. Queensland Health and the Tropical Public Health Unit monitor health impacts related to waste disposal. While this is a collaborative effort, all agencies act within their own particular legislative guidelines. A waste management trial is also being conducted at Warraber Island and this will be used as a pilot for waste management options in the region.

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES HEARING: 27 May 2005

IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

(352) Output: Torres Strait Regional Authority

Senator Carr (L&C 9) asked: "I notice on your website that there is a report of a meeting between the Authority and the Cape York Boundary Interim Committee, which is of course made up of traditional owners from the region. What is the purpose of those discussions reported on 7 July last year?"

Answer:

The TSRA met with the Cape York Boundary Interim Committee on 7 July 2004 to develop stronger cooperation between the TSRA and the Cape York Boundary Interim Committee and assist the Kaurareg people resolve their internal concerns/disputes.

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES HEARING: 27 May 2005

IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

(353) Output: Torres Strait Regional Authority

Senator Carr (L&C 9) asked: "Given that the state government has a responsibility for local government matters in terms of powers, could you advise the Committee as to what the position of the Authority is in regard to the proposal for a Horn Island Council?"

Answer:

This is a matter that the Kaurareg people need to negotiate with the Torres Shire Council, as it is the local government authority for Horn Island.

The TSRA, however, will continue to assist the Horn Island Aboriginal Corporation through their CDEP program to deliver outcomes for the Horn Island community.

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES HEARING: 27 May 2005

IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

(354) Output: Torres Strait Regional Authority

Senator Crossin (L&C 10) asked: "Mr See Kee, we were talking about whether or not any other Indigeous groups or regions had contacted the TSRA about your status post ATSIC. Is it the case that you are not aware that other groups have contacted the TSRA? Is that something you might need to take on notice for us? Certainly during the hearings of the Senate Select Committee on Indigenous Affaris a number of Indigenous groups told us they had made contact with TSRA and had asked for information on how the authority ran and the structure of the authority. Can you take that on notice, please, and see if there have been any formal appropaches? You may need to go back at least a year or so."

Answer:

On 25 May 2004 the TSRA Chair and Members met with the East Arnhem Regional Development Board and on 12 November 2004 met with Solomon Island Government representatives whilst on a familiarisation trip to the region.

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES HEARING: 27 May 2005

IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

(355) Output: Torres Strait Regional Authority

Senator Scullion (L&C 10-11) asked: "What percentage turn-up do you get from the voting base for the council elections?"

Answer:

There are 18 elections conducted by the Queensland Government for Council Chairperson and Councillor positions under the *Queensland Community Services (Torres Strait) Act 1984*. With the exception of one community, Mabuiag Island, elections under the *Community Services (Torres Strait) Act 1984* were held on Saturday 27 March 2004. The Mabuiag election was postponed to 29 May 2004 due to the death of a candidate.

An analysis of the voting developed by the Queensland Department of Local Government and Planning follows:

Torres Strait Community	No. Of Voters on Roll	Total Voted	% of Total Voted/Enrolled
Badu Island	421	372	88%
Bamaga Community	461	342	74%
Boigu Island	201	185	92%
Dauan Island	92	85	92%
Erub Island	206	174	84%
Hammond Island	131	101	77%
Iama Island	208	177	85%
Kubin Community	107	92	86%
Mabuiag Island	153	135	88%
Mer Island	314	257	82%
Poruma Island	121	107	88%
Saibai Island	90	79	88%
Seisia Community	105	87	83%
St Pauls Community	163	135	83%
Ugar Island	45	44	98%
Warraber Island	143	132	92%
Masig Island	207	204	99%
TRAWQ Community	539	339	63%

Overall Average % of Total Voted to Numbers Enrolled for the 18 Torres Strait Communities under the *Queensland Community Services (Torres Strait) Act 1984* is 85.6%.