

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES HEARING: 28 MAY 2008

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(13) Output: Internal Product

Senator Ellison (L&CA 31) asked:

Since the last estimates, has any legislation been drafted, and is any currently being drafted?

Answer:

Since the last budget estimates hearings in February 2008, the following legislation has been drafted and introduced:

Migration Legislation Amendment Bill (No. 1) 2008

The bill was introduced in the 2008 winter parliamentary sittings and contains the following measures:

- amends the *Migration Act 1958* to reinstate time limits for applying to the courts for judicial review of migration decisions;
- creates a new position of Deputy Principal Member for the Migration Review Tribunal (MRT);
- provides that where two or more persons apply for review of a decision together, documents given by the MRT and the Refugee Review Tribunal to any of the applicants are deemed to have been given to all of them
- clarifies provisions relating to the integrity of visas;
- addresses character cancellation provisions that apply to temporary and permanent transitional visas in circumstances where the visas came to be “held” rather than “granted”;
- provides the Minister with the discretion not to communicate with an authorised recipient who is providing immigration assistance while unregistered;
- ensures that illegal foreign fishers and environmental offenders who were granted a bridging or criminal justice visa can be removed from Australia;
- amends the *Migration Act 1958* and the *Customs Act 1901* to improve border protection provisions;
- amends the *Australian Citizenship Act 2007* to ensure it is consistent with Australia’s obligations under the *United Nations Convention on the Reduction of Statelessness 1961*; and
- amends the *Australian Citizenship Act 2007* and the *Australian Citizenship (Transitionals and Consequentials) Act 2007* to clarify the meaning of certain provisions and remove inconsistencies across these Acts.

Migration Amendment Legislation is currently being drafted in relation to improving the integrity of the temporary residence program, including the Subclass 457 Business (Long Stay) visa program. We are also currently drafting amendments to the Migration Act which are yet to be announced by the government.