

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS  
AUSTRALIAN CUSTOMS AND BORDER PROTECTION SERVICE

**Question No. 68**

**Senator Brandis asked the following question at the hearing on 26 May 2009:**

At what time on 15 April 2009 was the instruction given for the Albany to apprehend the SIEV 36?  
At what time was the vessel apprehended by the Albany?

**The answer to the honourable senator's question is as follows:**

HMAS ALBANY was not given an instruction to apprehend SIEV 36 as officers are empowered under the *Migration Act 1958* to board and detain Suspect Illegal Entry Vessels that are detected in the contiguous zone.

The Commanding Officer of the ALBANY reported at 10:32 AEST that SIEV 36 had been boarded.