

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES HEARING: 27 MAY 2009

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(20) Program 2.1: Refugee and Humanitarian Assistance

Senator Feeney (L&CA 97) asked:

(1) In relation to the shorter period of stay waiver requests, can you tell me how many times discretions were exercised by ministers in each of the relevant programs years?

(2) Were there any changes to that discretion over those years?

Answer:

(1) Since the 2004-05 program year, Ministers have allowed early access to a permanent Protection visa (PPV) in 318 cases involving temporary Protection visa (TPV) and temporary Humanitarian visa (THV) holders as set out below:

Program Year	785	451	447	Total
2004-05	1	0	1	2
2005-06	88	14	62	164
2006-07	64	34	43	141
2007-08	7	2	2	11
Total				318

* Note: the above figures represent cases not individual clients. These figures also do not include where departmental officers allowed early access to a PPV for TPV and THV holders to align family visa outcomes.

(2) The relevant discretionary powers were in the regulations and were unchanged during this period. As they were “compellable” powers, all requests had to be put to the Minister for decision.

On 10 August 2004 the then Minister agreed to allow s65 delegates to exercise the relevant powers to allow early access to a PPV to align visa outcomes for family unit members. All other requests were put to Ministers for decision.