

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES HEARING: 21-22 MAY 2012

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(BE12/0347) Program 4.1: Compliance and Case Resolution

Senator Cash (Written) asked:

I refer to the evidence given at the Legal and Constitutional Affairs Senate Estimates committee on 21 May 2012 in relation to the person whose visa has been refused by the Minister under section 501 and who has been granted a Removal Pending Bridging Visa (RPBV). Upon what basis did the Minister satisfy himself that the person's removal from Australia is not reasonably practicable at that time? From which country is the person from? What is the current political status in that country?

Answer:

Under section 195A of the *Migration Act 1958*, the Minister has a personal non-delegable power to grant a person in immigration detention a visa, should the Minister consider it to be in the public interest.

Please see also the Department's response to BE12/0337.