

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES HEARING: 20 OCTOBER 2009

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(104) Program 2.1: Refugee and Humanitarian Assistance

Senator Fierravanti-Wells asked:

In relation to TPVs, outline the reasons for reapplication and repatriation in the event of changes to the visa holder's homeland conditions and options.

Answer:

Under the Temporary Protection visa (TPV) regime, TPV holders were required to apply for a further Protection visa. These applications for further Protection visas were assessed on a case by case basis. The question asked in these instances was whether, at the time of decision, the Minister or delegate was satisfied that protection obligations were owed to the applicant, in accordance with our international obligations as reflected in the *Migration Act 1958*.

If the facts of the case did not enliven Australia's protection obligations, then the further protection visa would not be granted and the applicant was liable to be placed on a removals pathway, unless they were granted a separate class of visa. In practice, however, from inception to abolition only about 3 per cent (379) of TPV holders departed Australia. No information is held to indicate that departure was other than voluntary.