

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES HEARING: 15 October 2012

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(SE12/0251) PROGRAM – 1.1: Visa and Migration

Senator Cash (written) asked:

SkillSelect: Where is the legislative authority to rely on the computer program under s495A?

Answer:

Subsection 495A(1) of the *Migration Act 1958* provides that the Minister may arrange for the use, under the Minister's control, of computer programs for any purposes for which the Minister may, or must, under the designated migration law, make a decision, exercise a power, or take other specified actions. The Minister's power to issue an invitation arises under Subdivision AA of Division 3 of Part 2 of the *Migration Act 1958* and therefore comes under the *designated migration law* as defined in subsection 495A(3).