

CHAPTER 1

INTRODUCTION

Background

1.1 On 9 August 2006, the Senate referred the provisions of the Migration Amendment (Visa Integrity) Bill 2006 to the Senate Legal and Constitutional Legislation Committee for inquiry and report by 11 September 2006.

1.2 The Migration Amendment (Visa Integrity) Bill 2006 proposes to amend the *Migration Act 1958* to:

- provide certainty in relation to the immigration clearance and immigration status of non-citizen children born in Australia;
- harmonise certain offence provisions with the Criminal Code;
- amend section 269 to ensure that a security may be imposed for compliance with visa conditions before grant; and
- clarify certain provisions in relation to Bridging Visas to:
 - ensure that a person who leaves and re-enters Australia on a Bridging Visa B cannot avoid the provisions of section 48; and
 - ensure that a Bridging Visa which ceases when an event occurs will cease the moment the event occurs rather than at the end of that day.¹

1.3 The Bill revives some of the provisions of the Migration Legislation Amendment Bill (No. 1) 2002 (see Schedules 1, 2, 5 and 6 of that Bill), on which the committee has previously reported.²

Conduct of the inquiry

1.4 The committee advertised the inquiry in *The Australian* newspaper on 16 and 30 August 2006, and invited submissions by 21 August 2006. Details of the inquiry, the Bill, and associated documents were placed on the committee's website. The committee also wrote to 10 organisations and individuals.

1.5 The committee received 4 submissions which are listed at Appendix 1. Submissions were placed on the committee's website for ease of access by the public.

1 Explanatory memorandum, p. 2.

2 Senate Legal and Constitutional Legislation Committee, *Provisions of the Migration Legislation Amendment Bill (No. 1) 2002*, June 2002 (2002 Report). Available at: http://www.aph.gov.au/Senate/committee/legcon_ctte/completed_inquiries/2002-04/migration_no1/report/report.pdf.

Acknowledgement

1.6 The committee thanks those organisations and individuals who made submissions.

Note on references

1.7 References in this report are to individual submissions as received by the committee, not to a bound volume.