

**JOINT SELECT COMMITTEE ON AUSTRALIA'S
IMMIGRATION DETENTION NETWORK**

Q145

Question: Were those powers ever considered or recommended for use prior to the Minister saying he now wants to have those powers exercised?

Answer: The Residence Determination power is a personal, non-compellable, non-delegable Ministerial power. As such, the extent of the use of this power is a matter for the Minister of the day.

The Residence Determination power has been available since 2005 and has been exercised routinely since that time. Statistics on the use of the power are presented in the table below.

2007 - 2008	44 Residence Determinations
2008 - 2009	196 Residence Determinations
2009 - 2010	161 Residence Determinations
2010 - 2011	1551 Residence Determinations