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**PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE**

Select Committee COVID-19

**QoN Number:** CV19-308

**Subject: Outward Exemption - Long-distance partners**

***Asked by:*** Nick McKim

***Question:***

Since the commencement of the new online travel exemption system in early August 2020, how many Australian citizens/Permanent Residents have applied to leave Australia to reunite with their long-distance partners overseas?

- a) How many in this category were granted permission to leave?
- b) How many in this category were denied permission to leave?

***Answer:***

It is not possible to provide this data without undertaking examination of individual requests which would involve an unreasonable diversion of resources.

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**PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE**

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**QoN Number: CV19-309**

**Subject: Outward Exemption - Critically ill family**

**Asked by:** Nick McKim

**Question:**

Since the commencement of the new online travel exemption system in early August 2020, how many Australian citizens/Permanent Residents have applied to leave Australia to be with critically ill family in their last stage of life?

- a) How many in this category were granted permission to leave?
- b) How many in this category were denied permission to leave?
- c) What definition of “close family” is the ABF using to assess applications?
- i) How many applicants have been denied permission to leave Australia to be with dying grandparents?

**Answer:**

a) and b)

Data is not available without undertaking examination of individual requests, which would involve an unreasonable diversion of resources.

c)

Close family members are parents, children, siblings and partners.

i)

Data is not available without undertaking examination of individual requests, which would involve an unreasonable diversion of resources.

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**PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE**

Select Committee COVID-19

**QoN Number:** CV19-310

**Subject: Automatic Exemption Reason - Business Innovation and Investment (subclass 188) Visa**

**Asked by:** Nick McKim

**Question:**

Why have holders of the Business Innovation and Investment (subclass 188) Visa been given an “automatic exemption” on par with Australian Citizens and Permanent Residents, when all other visa classes are subject to Australia’s travel ban?

**Answer:**

A range of visa holders are exempt from Australia’s travel restrictions, including diplomats (holding a subclass 995 visa), maritime and air crew (holding a subclass 988 or relevant visa), travellers transiting Australia for less than 72 hours (holding a subclass 771 or relevant visa) and more recently, those recruited under Government approved Seasonal Worker Program or Pacific Labour Schemes (subclass 403 visa)

The Business Innovation and Investment Program targets migrants who have a demonstrated history of success or talent in innovation, investment and business, and are able to make a significant contribution to the national innovation system and the Australian economy.

The value of the BIIP program to Australia’s economic recovery is clear through its focus on:

- Establishing and developing new and existing businesses
- Commercialisation of products and services and establishing high value businesses and,
- Investment and job creation in Australian economy.

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**PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE**

Select Committee COVID-19

**QoN Number: CV19-311**

**Subject: Automatic Exemption - Business Innovation and Investment  
(subclass 188) Visa**

***Asked by:*** Nick McKim

***Question:***

When did holders of a Business Innovation and Investment (subclass 188) Visa become “automatically exempt” from Australia’s travel ban?

a) Please provide an exact time and date.

***Answer:***

Business Innovation and Investment (Provisional) (BIIP) (subclass 188) visa holders have been included as an exempt category since 31 August 2020. Individual BIIP visa holders have been able to apply for an individual exemption since travel restrictions commenced.

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**QoN Number:** CV19-312

**Subject: Inward Exemptions - Business Innovation and Investment (subclass 188) Visa**

**Asked by:** Nick McKim

**Question:**

Since the commencement of the new online exemption system in early August 2020 and prior to holders of this subclass category becoming “automatically exempt”, how many holders of Business Innovation and Investment (subclass 188) Visa have applied for “inwards” travel restriction exemptions to return to Australia?

- a) How many have been “approved” – before this subclass become automatically exempt?
- b) How many have been “rejected” – before this subclass become automatically exempt?

**Answer:**

Between 1 and 31 August 2020, 141 inwards travel exemption requests were received from Business Innovation and Investment (Subclass 188) visa holders. Of these:

- a. 31 were approved
- b. 44 were refused
- c. 66 requests were otherwise finalised\*.

*\* otherwise finalised includes requests that were withdrawn, duplicates and requests that did not contain sufficient information for consideration by the Commissioner or a delegate.*

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**QoN Number: CV19-313**

**Subject: Critical Skills List - Aged Care**

***Asked by:*** Nick McKim

***Question:***

When was “Aged Care” included in the “Critical Skills” list for travel exemptions by temporary visa holders stranded overseas?

a) Please provide an exact time and date.

***Answer:***

Since 20 March 2020 when the inwards travel restrictions were introduced, health care, including aged and disability care, have been included as critical sectors.

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**PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE**

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**QoN Number:** CV19-314

**Subject: Inward Exemptions - Aged Care**

***Asked by:*** Nick McKim

***Question:***

Since the inclusion of “Aged Care” under the “Critical Skills” list, how many people with confirmed employment in the Aged Care sector have applied for “inwards” travel exemptions?

- a) How many have been approved?
- b) How many have been rejected?

***Answer:***

Since 20 March 2020 when the inwards travel restrictions were introduced, health care, including aged and disability care, have been included as critical sectors.

It is not possible to provide this data without undertaking examination of individual requests which would involve an unreasonable diversion of resources.

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**PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE**

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**QoN Number:** CV19-315

**Subject: Inward Exemptions - Physiotherapists**

***Asked by:*** Nick McKim

***Question:***

Since the commencement of the new online exemption system in early August 2020, how many Physiotherapists that work in the Aged Care sector have applied for “inwards” travel exemptions to return to Australia?

- a) How many have been approved?
- b) How many have been rejected?

***Answer:***

It is not possible to provide this data without undertaking examination of individual requests would involve an unreasonable diversion of resources.



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**QoN Number:** CV19-316

**Subject: Inward Exemptions - Nurses and Aged Care workers**

***Asked by:*** Nick McKim

***Question:***

Since the commencement of the new online exemption system in early August 2020, how many Nurses and Aged Care workers have applied for “inwards” travel exemptions to return to Australia?

- a) How many have been approved?
- b) How many have been rejected?

***Answer:***

It is not possible to provide this data without undertaking examination of individual requests would involve an unreasonable diversion of resources.

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**PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE**

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**QoN Number:** CV19-317

**Subject: Inward Exemptions - Subclass 887 Skilled Regional Visa**

**Asked by:** Nick McKim

**Question:**

Of the 22 temporary visas holders who are overseas and have received their pre-grant notifications in relation to the Skilled Regional (Permanent) (subclass 887) visa applications since 1 April 2020, how many have applied for an “Inwards” travel exemption to return to Australia since the commencement of the new online exemption system in early August 2020?

- a) How many applications have been approved?
- b) How many applications have been rejected?

**Answer:**

It is not possible to provide this data without undertaking examination of individual requests which would involve an unreasonable diversion of resources.

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**PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE**

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**QoN Number:** CV19-318

**Subject: Prospective Marriage (Subclass 300) - Automatic exemption**

**Asked by:** Nick McKim

**Question:**

Given the:

- significant cost of this visa (\$7,715);
- time it takes to process this visa (up to 22 months);
- expiry date of this visa of 9 months from the date of grant; and
- very low numbers of travel exemption requests received by holders of this visa class

Why haven't Prospective Marriage (Subclass 300) visa holders been given an automatic exemption from the travel ban, like other partner visa classes or holders of Business Innovation and Investment (subclass 188) visas?

**Answer:**

See response in CV19-283.

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**QoN Number:** CV19-319

**Subject: Exemption Requests - Prospective Marriage (Subclass 300)**

**Asked by:** Nick McKim

**Question:**

Of the 103 travel exemption requests received from Prospective Marriage (Subclass 300) visa holders between 1 and 20 August 2020, how many applications have been “approved” and how many have been “rejected”?

**Answer:**

Of the 103 travel exemption requests received from Prospective Marriage (Subclass 300) visa holders between 1 and 20 August 2020:

- a) 9 requests were approved
- b) 89 requests were refused
- c) 5 requests were otherwise finalised (withdrawn or duplicate cases).

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**PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE**

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**QoN Number:** CV19-320

**Subject: Separated Families - Reuniting**

**Asked by:** Nick McKim

**Question:**

When will families, where a child has been separated from one of their parents, be allowed to return to their immediate family in Australia?

**Answer:**

Immediate family members of Australian Citizens, Permanent Residents and usually resident New Zealand Citizens are exempt from inwards travel restrictions.

The Department utilises a range of strategies to manage programs and services, and make decisions in relation to children. These strategies are informed by Australia's domestic legal framework, including relevant state and territory legislation, as well as Australia's international obligations under the United Nation's Convention on the Rights of the Child.

Practice has been to approve travel by a parent or legal guardian (including temporary visa holders) of a minor, who is lawfully present and was usually resident in Australia before the commencement of travel restrictions.

Australia's travel restrictions are subject to the advice of the Australian Health Protection Principal Committee (AHPPC) and are regularly reviewed.

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**PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE**

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**QoN Number: CV19-321**

**Subject: Exemptions - Compelling and compassionate**

**Asked by:** Nick McKim

**Question:**

Given exemptions are being rejected for parents to reunite with their children on compelling and compassionate grounds, what criteria are you using to determine that reuniting a family whereby a child has been separated from one of their parents is not “compelling and compassionate”?

**Answer:**

Each application for a travel restriction exemption, including on compelling or compassionate grounds, is considered with a view to individual circumstances on a case by case basis. The separation of families is considered, including the best interests of minor children.

A range of matters are considered in determining if the individual circumstances of an applicant are both compassionate and compelling, including Australia’s obligations to relation to the Convention on the Rights of the Child.

A parent or legal guardian of a minor, who is lawfully present and was usually resident in Australia before the commencement of the travel restrictions, are generally approved for travel to Australia.

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**QoN Number: CV19-322**

**Subject: Inward Exemptions - Separated families**

***Asked by:*** Nick McKim

***Question:***

Since the commencement of the new online exemption system in early August 2020, how many separated families (where a young child has been separated from one of their parents) have applied for an “inwards” travel exemption?

- a. How many of these applications have been approved?
- b. How many applications have been rejected?

***Answer:***

It is not possible to provide this data without undertaking examination of individual requests which would involve an unreasonable diversion of resources.

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**PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE**

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**QoN Number: CV19-323**

**Subject: Inward Exemptions - Assistance for failed referrals**

***Asked by:*** Nick McKim

***Question:***

For rejected applications that fail to be referred to a delegate or the Commissioner, what assistance is Home Affairs/ABF giving to people to assist them with their next application?

***Answer:***

The Department of Home Affairs and the ABF provides information on its website and through its Service Centre about the supporting documentation that should be supplied with a request.

Applicants are advised that they can make a further request, and, where appropriate, provide additional information with any subsequent application.



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**QoN Number:** CV19-324

**Subject: Inward Exemptions - Temporary Visa Holders**

***Asked by:*** Nick McKim

***Question:***

Since the commencement of the new online exemption system in early August 2020, how many “inwards” travel exemption requests have been received from temporary visa holders that were already living in Australia before the travel ban began?

- a) How many of these applications have been approved?
- b) How many of these applications have been rejected?

***Answer:***

It is not possible to provide this data without undertaking examination of individual requests which would involve an unreasonable diversion of resources.

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**PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE**

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**QoN Number:** CV19-325

**Subject: Inward Exemptions - Breakdown by Category**

**Asked by:** Nick McKim

**Question:**

Since the new online exemption system commenced in early August 2020, can you provide a breakdown by category of applications received, “approved” and “rejected”?

**Answer:**

From 1–31 August 2020, 22,071 inwards travel exemption requests were received for travel exemptions to Australia.

CATEGORIES	APPROVED*	REFUSED*
Compassionate	823	4,155
Critical Skill - Medical	315	18
Critical Skill - Other	2,311	194
National interest	119	<5
Medevac Patients	51	6
<b>Total</b>	<b>3,619</b>	<b>4,374</b>

\* Does not include persons found to meet an exempt category, requests that were withdrawn, or requests that did not contain sufficient information for referral to the Commissioner or a decision maker.

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**PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE**

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**QoN Number:** CV19-326

**Subject: Inward Exemptions - Passport Nationality**

**Asked by:** Nick McKim

**Question:**

How many “inwards” travel exemptions were “approved” and “rejected” by Passport Nationality since the new online exemption system commenced in early August 2020?

**Answer:**

Inwards exemption decisions made by the ABF Commissioner or decision makers between 1–31 August 2020, by top 10 passport nationalities and determination outcome.

Passport country	Exempt	Not Exempt
India	245	1,286
United Kingdom	583	321
United States of America	357	297
New Zealand	355	169
China	165	254
South Africa	162	88
Pakistan	33	204
Ireland	185	23
Canada	88	117
France	132	46
Other	1,314	1,569
<b>Total</b>	<b>3,619</b>	<b>4,374</b>

\* Does not include persons found to meet an exempt category, requests that were withdrawn, or requests that did not contain sufficient information for referral to a decision maker.

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**PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE**

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**QoN Number:** CV19-327

**Subject: Inward Exemption Applications**

**Asked by:** Nick McKim

**Question:**

How many “inwards” exemption applications have been received since the commencement of the new online exemption system in early August 2020?

- a) How many of these applications have been approved?
- b) How many of these applications have been rejected?

**Answer:**

From 1–31 August 2020, 22,071 inwards exemption requests have been received. Of these during this period:

- a) 3,269\* were approved
- b) 4,844\* were refused

\* Figures do not include requests from those meeting an exempt category, withdrawn requests, or requests that did not contain sufficient information for referral to a decision maker

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**QoN Number: CV19-328**

**Subject: Separated Partners - Return to Australia**

***Asked by:*** Nick McKim

***Question:***

When will families, where partners have been separated by the travel ban, be allowed to return to their immediate family in Australia?

***Answer:***

Immediate family members of Australian Citizens, Permanent Residents and usually resident New Zealand Citizens are exempt from inwards travel restrictions.

Australia's travel restrictions are subject to the advice of the Australian Health Protection Principal Committee (AHPCC) and are regularly reviewed.

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**PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE**

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**QoN Number:** CV19-329

**Subject: Separated Partners - Compelling and compassionate criteria**

**Asked by:** Nick McKim

**Question:**

Given exemptions are being rejected for people to reunite with their partners on compelling and compassionate grounds, what criteria are you using to determine that reuniting a family where partners have been separated by the travel ban are not considered “compelling and compassionate”?

**Answer:**

Immediate family members of Australian Citizens, Permanent Residents and usually resident New Zealand Citizens are exempt from inwards travel restrictions.

Claims for compelling and compassionate circumstances are considered on a case-by-case basis. Some circumstances that are considered to be prima-facie compelling and compassionate are set out in guidelines to decision makers. See <https://covid19.homeaffairs.gov.au/travel-restrictions-0>.

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**PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE**

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**QoN Number:** CV19-330

**Subject: Exemptions Approved Categories**

***Asked by:*** Nick McKim

***Question:***

What percentage of exemptions to reunite families have been approved under:

- a. The “critical skills” category?
- b. The “compelling and compassionate” category?

***Answer:***

It is not possible to provide this data without undertaking examination of individual requests which would involve an unreasonable diversion of resources.

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**PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE**

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**QoN Number:** CV19-331

**Subject: Inward Exemptions - Partners Separated**

***Asked by:*** Nick McKim

***Question:***

Since the commencement of the new online exemption system in early August 2020, how many separated families whereby partners (both married and De Facto) that have been separated by the travel ban have applied for an “inwards” travel exemption?

- a. How many of these applications have been approved?
- b. How many applications have been rejected?

***Answer:***

It is not possible to provide this data without undertaking examination of individual requests which would involve an unreasonable diversion of resources.



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**PARLIAMENTARY INQUIRYWRITTEN QUESTION ON NOTICE**

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**QoN Number:** CV19-343

**Subject: Inward Exemptions - Expired Bridging Visa B**

***Asked by:*** Nick McKim

***Question:***

Since the commencement of the new online exemption system in early August 2020, how many people on expired Bridging Visa Bs have applied for travel exemptions to return to Australia?

- a) How many have been “approved”?
- b) How many have been “rejected”?

***Answer:***

1. Between 1 and 31 August 2020, 264 travel exemption requests have been received from Bridging Visa B holders. Of these during this period:
  - a. 15 were approved
  - b. 61 were refused

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**PARLIAMENTARY INQUIRYWRITTEN QUESTION ON NOTICE**

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**QoN Number:** CV19-344

**Subject: Legal Advice - Separated families**

**Asked by:** Nick McKim

**Question:**

Have you sought legal advice as to whether this forced separation (where a child has been separated from one of their parents) may be in breach of Section 9 of the UN Convention on the Rights of the Child, which states:

Children should not be separated from their parents unless it is for their own good. For example, if a parent is mistreating or neglecting a child. Children whose parents have separated have the right to stay in contact with both parents, unless this might harm the child.

**Answer:**

See response to CV19-291.

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**PARLIAMENTARY INQUIRYWRITTEN QUESTION ON NOTICE**

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**QoN Number:** CV19-345

**Subject:** Health Advice - Separated families

***Asked by:*** Nick McKim

***Question:***

Have you sought Health Advice on the long-term implications of forcibly separating young children from one of their parents?

***Answer:***

See response to CV19-292.