



Australian Government

Australian Government response to the Senate Legal and
Constitutional Affairs References Committee report

The efficacy, fairness, timeliness and costs of the processing and
granting of visa classes which provide for or allow for family and
partner reunions

APRIL 2024

Recommendations

Recommendation 1: The committee recommends that, as a matter of urgency, the Department of Home Affairs develops a long-term strategy to update its system for the processing of visas; to improve its efficiency, to reduce its complexities, reduce waiting times substantially, and to provide greater transparency for applicants.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 2: The committee recommends that the Australian government appropriately resources the Department of Home Affairs to undertake, urgently, the development of the strategy and its timely implementation, as outlined in Recommendation 1.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendations from the Australian Greens

Recommendation 1: That the definition of family for the purposes of Australia's family reunion visa system be broadened to enable family reunification beyond the nuclear family.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 2: That the discriminatory balance of family test be removed as a requirement for parent visa application.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 3: That the Government abandon its proposed reforms to English language requirements for partner visas.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 4: That the health requirement for people with disabilities be removed from the *Migration Act 1958*.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 5: That the *Disability Discrimination Act 1992* be amended to remove the exemption it provides for provisions within the *Migration Act 1958*.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 6: That Temporary Protection Visas and Safe Haven Enterprise visas be abolished, and the right for all refugees to a Permanent Protection visa as part of a single statutory Refugee Status Determination process with access to full and independent merits review be reinstated.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 7: Ministerial Direction 80 be abolished.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 8: That Australia's family reunion visa quotas be increased sufficiently that current backlogs are cleared, and future applications can be processed in reasonable timeframes that are reflective of actual processing times.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 9: That contributory parent visas be abolished and non-contributory parent visas for all applicants be retained and processed in order of application.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 10: That the fee structure of Australia's family reunion visa system be reviewed to make fees more affordable, and in line with the actual administrative costs of processing.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.

Recommendation 11: That mandatory cancellation powers provided under the *Migration Act 1958* be repealed.

Response:

The Government **notes** this recommendation. However, given the passage of time since the report was tabled, a substantive Government response is no longer appropriate.