

Referral of the bills

Introduction

- 1.1 The Migration (Visa Evidence) Charge Bill 2012 and the Migration (Visa Evidence) Charge (Consequential Amendments) Bill 2012 (collectively, the Visa Evidence Charge Bills) were introduced into the Australian Parliament's House of Representatives on 9 May 2012.
- 1.1 The Visa Evidence Charge Bills amend the *Migration Act 1958* to introduce a charge for requests for evidence of a visa issued as validation of a non citizen's immigration status and entitlements in Australia:
- The Migration (Visa Evidence) Charge Bill 2012 introduces a charge, with a maximum limit of \$250, for requests for visa evidence and a method for indexation of that charge;¹ and
 - The Migration (Visa Evidence) Charge (Consequential Amendments) Bill 2012 provides for regulations to implement and calculate charges for different forms of visa evidence and visa classes.²
- 1.2 The new charge is intended to encourage visa holders to use the Department's online visa entitlement verification system, VEVO for visa

1 Migration (Visa Evidence) Charge Bill 2012, A Bill for an Act to Impose a Charge in Relation to Requests for Evidence of Visas, with Explanatory Memorandum.

2 The Migration (Visa Evidence) Charge (Consequential Amendments) Bill 2012, A Bill for an Act to make amendments relating to the enactment of the Migration (Visa Evidence) Charge Act 2012, and for related purposes, with Explanatory Memorandum.

validation. The measure will also support immigration processing during the transition to label free travel, based on electronic verification.³

- 1.3 Currently visa evidence is provided without a fee, which imposes an administrative and cost burden on the Department of Immigration and Citizenship.⁴

Selection Committee consideration

- 1.4 Under Standing Order 222, the House of Representatives' Selection Committee may refer bills it considers controversial or as requiring further consultation or debate to the relevant standing or joint committee.⁵
- 1.5 On 10 May 2012, the Committee referred the Visa Evidence Charge Bills to the Joint Standing Committee on Migration for inquiry and report.
- 1.6 According to the Selection Committee report, the principal reason for the referral was inadequate explanation of the scope, rationale and costing methodologies for the charge in the explanatory memoranda associated with the legislation.⁶ In particular, the Selection Committee required:
- clear indication of the number and type of visa subclasses to be affected by the measure; and
 - further explanation of the maximum charge limit of \$250 and the \$90 million three year revenue projection cited in the Financial Impact Statements for the bills.⁷
- 1.7 The Selection Committee was also concerned that the charge could act as barrier to participation should visa evidence be required, for example, for a child's schooling.⁸

3 Explanatory memoranda, Migration Visa Evidence Charge Bills, p. 1.

4 Minister for Immigration and Citizenship, Mr Chris Bowen MP, Second Reading Speech, *House Hansard*, 9 May 2012, p. 5.

5 House of Representatives Standing Orders 222 (a) iii.

6 House of Representatives, *Selection Committee Report No. 51*, Private Member's Business and Referral of Bills to Committee, 10 May 2012, p. 3.

7 Explanatory memoranda, Migration (Visa Evidence) Charge Bill 2012 and The Migration (Visa Evidence) Charge (Consequential Amendments) Bill 2012 (Migration Visa Evidence Charge Bills), pp. 1 and 2 respectively.

8 House of Representatives, *Selection Committee Report No. 51*, Private Member's Business and Referral of Bills to Committee, 10 May 2012, p. 3.

Conduct of the inquiry

- 1.8 The Committee determined that its review of the bills could be best and most expediently conducted by issuing written questions to the Department of Immigration and Citizenship.
- 1.9 Thirteen questions were drafted by the Committee and forwarded to the Department on 28 May 2012. Written answers were received on 4 June 2012.
- 1.10 The questions submitted to the Department are at Appendix A.

