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## **Migration Regulations 1994 – Revocation under paragraph 5.36(1A)(a) – Instrument of Revocation – May 2013**

*FRLI: F2013L00888*

*Portfolio: Immigration and Border Protection*

## **Migration Regulations 1994 – Revocation under paragraph 5.36(1A)(a) and 5.36(1)(b) – Instrument of Revocation – May 2013**

*FRLI: F2013L00889*

*Portfolio: Immigration and Border Protection*

*Tabled: House of Representatives, 5 June 2013 and Senate, 17 June 2013*

*PJCHR comments: Tenth Report of 2013, tabled 26 June 2013*

*Response dated: 15 January 2014*

### **Information sought by the committee**

3.53 The committee sought further information in relation to:

- the impact of these instruments on the ability of individuals in Iran to lodge visa applications (including the process by which individuals in Iran will now need to follow in order to lodge a valid visa application);
- a list of the other countries where the same process applies; and
- the rationale for revoking instruments IMMI 12/134 and IMMI 12/135.

3.54 The Minister's response is attached.

### **Committee's response**

3.55 The committee thanks the Minister for his response.

3.56 The committee notes that these instruments are exempt from the requirement to provide a statement of compatibility. In light of the information provided, the committee makes no further comment on the instruments.



**The Hon Scott Morrison MP**  
Minister for Immigration and Border Protection

The Chairperson  
Parliamentary Joint Committee on Human Rights  
S1.111  
Parliament House  
CANBERRA ACT 2600

Dear Chairperson

**Revocation of Instruments under the Migration Regulation 1994**

I refer to the letter to the former Minister from the former Chair of the Parliamentary Joint Committee on Human Rights Mr Harry Jenkins MP of 26 June 2013 concerning the compatibility with human rights of the Migration Regulations 1994 – Revocation under paragraph 5.36(1A)(a) – Instrument of Revocation – May 2013 [F2013L00888] and Migration Regulations 1994 – Revocation under paragraph 5.36(1)(a) and 5.36(1)(b) – Instrument of Revocation – May 2013 [F2013L00889].

The letter requested information relating to the following issues:

- the impact of these instruments on the ability of individuals in Iran to lodge valid visa applications (including the process by which individuals in Iran will now need to follow in order to lodge a valid visa application);
- a list of the other countries where the process applies; and
- the rationale for revoking instruments IMMI 12/134 and IMMI 12/135.

The impact of revoking instruments IMMI 12/134 and IMMI 12/135 is that potential visa applicants from Iran are no longer able to pay for visa application charges using the Iranian rial (Iranian currency). The department has gazetted both the Euro and the Australian dollar for the payment of visa application charges in Iran. In addition, clients can lodge visa applications electronically and make payment in Australian dollars by credit card.

The department accepts visa applications but does not accept payment in local currencies from the following countries:

- Cambodia;
- Ghana;
- Laos;
- Lebanon;
- Myanmar (Burma); and
- Serbia.

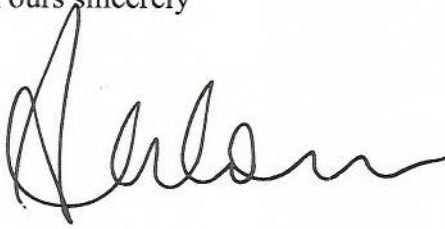
The department does not accept local currencies in certain countries because:

- foreign currency restrictions do not allow the revenues collected in those countries to be repatriated to Australia; and
- the Department of Foreign Affairs and Trade and AUSTRADE are not able to utilise the local currencies for local operations.

The rationale for revoking the instruments noted above is due to the depreciation of the Iranian rial in the past twelve months and the inability for the department to repatriate the funds to Australia or utilise the funds for local operations in Iran.

Thank you for bringing the concerns of the Parliamentary Joint Committee on Human Rights to my attention. I trust this information is of assistance.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Scott Morrison', written in a cursive style.

The Hon Scott Morrison MP

**Minister for Immigration and Border Protection**

15 / 1 / 2014