

QUESTION TAKEN ON NOTICE

ADDITIONAL ESTIMATES HEARING : 08 February 2016

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(AE16/122) - Statutory Review Provisions - Internal Product (DIBP)

Senator Ludwig, Joe (L&CA) written:

Please list all current legislation, covered by the department's portfolio, which contain a statutory review provision/s. For each, please provide:

1. What work has been done towards preparing for the review? If none, why not?
2. Please provide a schedule or a workplan for the review
3. When did/will this work begin?
4. When is/was the review due to commence.
5. What is the expected report date.
6. Who is the minister responsible for the review
7. What department is responsible for the review
8. List the specific clauses or legislation under review caused by the statutory provision.
9. List the terms of reference.
10. What is the scope of the review.
11. Who is conducting the review. How were they selected? What are the legislated obligation for the selection of the person to conduct the review?
12. What is the budgeted, projected or expected costs of the review?
13. When was the Minister briefed on this matter?
14. What decision points are upcoming for the minister on this matter?
15. List the number of officers, and their classification level, involved in conducting the review
16. Will the report will be tabled in parliament or made public. If so, when?

Answer:

There are no statutory review provisions in legislation administered by this portfolio.

However, the *Australian Citizenship Amendment (Allegiance to Australia) Act 2015* amended two non-portfolio Acts to require reviews of certain provisions of the Australian Citizenship Act 2007 (the Citizenship Act). The *Independent National Security Legislation Monitor Act 2010* was amended to extend its review function to sections 33AA, 35 and 35A (and any related provisions) of the Citizenship Act.

The *Intelligence Services Act 2001* was amended to extend review requirements to certain provisions of the Citizenship Act. The amendments require the Parliamentary Joint Committee on Intelligence and Security to review, by 1 December 2019, the operation, effectiveness and implications of sections 33AA, 35, 35AA and 35A (and any related provisions) and to report to Parliament and the responsible Minister.