

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES – 26 – 27 MAY 2014

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(BE14/355) PROGRAMME – 1.2: Visa and Citizenship

Senator Carr (Written) asked:

Can the department provide information about the criteria for a medical treatment visas?

What are the procedures for which people apply for a medical treatment visa to Australia?

Do you know the average length of stay for a medical treatment visa applicant?

Is there rehabilitation time incorporated into that visa when and if appropriate?

How long has the current program operated for? How many have been granted to date this financial year? I am just reading these questions out so you can take them on notice. Is there noncompliance? What is the compliance rate?

Answer:

The Medical Treatment visa is to provide a temporary visa option for people seeking medical treatment in Australia. The primary criteria for grant of the visa are that:

- the applicant is seeking medical treatment (including consultation), other than for the purposes of surrogate motherhood. Applicants need to provide evidence of this through a medical treatment plan;
- the arrangements to carry out the treatment (or consultation) must be concluded;
- the applicant is not a threat to public health;
- arrangements for the payments of all costs are concluded, including expenses of person accompanying the applicant;
- payment of costs will not be charged to the Australian Government, unless evidence is provided that relevant government authority has approved the payment of those costs;
- no Australian citizen/permanent resident will be disadvantaged;
- the applicant genuinely intends to stay temporarily in Australia for the purpose for which the visa is granted;
- the applicant has, or has access to, adequate means of support while in Australia; and
- the applicant satisfies public interest criteria including character, integrity and (if applicable) parental responsibility requirements.

A person may also be eligible for a medical treatment visa if they are:

- an organ donor;
- coming to Australia as a patient under arrangements between the Queensland Department of Health and the Western Province of Papua New Guinea;

- in Australia, aged 50 years or older, have been refused a permanent visa on health grounds and are unfit to depart Australia.

People apply for a medical treatment visa using Form 48ME – *Application to visit Australia for medical treatment*.

The average length of stay for Subclass 602 visa holders where the lawful until date was between 1 July 2013 and 31 May 2014 is 37 days.

Rehabilitation time can be incorporated into the visa grant period, where this is consistent with the person's medical treatment plan.

The Medical Treatment (Subclass 602) visa was introduced on 23 March 2013.

This visa replaced the Medical Treatment (Long Stay)(Subclass 685) visa and the Medical Treatment (Short Stay)(Subclass 675) visa which were closed to new applications on 22 March 2013.

Medical Treatment visas granted in 2013-14 to 31 May 2014

Visa Subclass	2013-14 to 31/05/2014
602 Medical Treatment	2 603
675 Medical Treatment (Short Stay)*	6
685 Medical Treatment (Long Stay)*	8
Total	2 617

* These visas were closed to new applications on 22 March 2013.

The most recent data on overstay numbers for the Medical Treatment Visa is the 2011-12 programme year, when there were 2 994 visa grants and 88 overstays. Overstays do not necessarily signal non-compliance, however, because there can be genuine medical reasons for a person remaining longer in Australia.