

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES HEARING : 26 May 2015

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(BE15/109) - TPV's - Programme 1.4: IMA Onshore Management

Senator Hanson-Young, Sarah (L&CA 90) asked:

Senator HANSON-YOUNG: The question I had was in relation to the 28 days that people have to respond to that invitation. Does that mean they have to have filled out the 50-odd-page application for a TPV and lodged it within 28 days?

Mr Kukoc: We will follow up with them. Sometimes we might not have the right contact address so we will follow up with them or with any other person who might have information—a previous migration agent provider or anybody else who we might have information about. We do have an ability to monitor their address because most of them are on bridging visas out there in the community and there is a code of behaviour that many of them have signed to get working rights. An important part of the code of behaviour is that they regularly update the address with us when they change the address. So we will follow up with them and make sure that they do lodge the application.

Senator HANSON-YOUNG: So that 28 days is a soft marker; it is not a hard marker. People are not going to be disqualified from being able to apply for a visa if they do not respond within 28 days?

Mr Kukoc: I need to take this on notice, particularly to make sure that there is no such thing as a legislative cut-off. I do not think so; I think you are right that we are aiming to get the application lodged within 28 days.

Answer:

People will not be disqualified from applying if they do not apply within 28 days. The Department is encouraging people to make contact with the processing area if they are unable to lodge within the 28 day timeframe so that the Department has a record of their engagement in the process. Where it becomes apparent people are choosing not to engage in the process the Minister may exercise his power under subsection 46A(2) of the *Migration Act 1958* to revoke his determination to lift the bar.