

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES HEARING : 23 May 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(BE17/139) - Skilled visas - Programme 2.3: Visas

Senator Watt, Murray (L&CA 97 and 98) asked:

Senator WATT: What was the reason for backdating the legislation or backdating it to the minister's announcement?

Mr Pezzullo: To avoid a rush. Like many announcements of government policy subject to the legislation passing, they take immediate effect so that no-one can, in a sense, ramp up applications in the intervening period.

Senator WATT: Is it a bad thing for people who meet the eligibility requirements to seek citizenship in a rush?

Mr Pezzullo: We do not like rushes.

Senator WATT: If they are people who have met all of the eligibility criteria, what would be the harm?

Mr Pezzullo: For doing more stringent checks and therefore we would prefer to check, subject to the law of the land under the new regime.

Senator WATT: Was any legal advice sought on backdating that legislation?

Mr Pezzullo: All proposed legislation is scrutinised through the cabinet process, including legal risk and legal issues.

Senator WATT: Who was that legal advice about backdating that legislation sought from?

Mr Pezzullo: It is normally the government solicitor, but we will take it on notice.

Answer:

Legal advice was sought from the Australian Government Solicitor (AGS).