

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES HEARING : 22 May 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(BE17/201) - Traditional visitor permit protocols - Programme 1.1: Border Enforcement

Senator Carr, Kim (L&CA) written:

Please outline the protocols including health and character checks traditional visitors to the Torres Strait Islands need to meet

Answer:

The Department manages the free movement provisions of the Torres Strait Treaty within the legislative framework of the *Migration Act 1958* (the Act); under which traditional inhabitants from Papua New Guinea residing in the Protected Zone and adjacent coastal area of the Torres Strait may travel to the protected area (which is in, or in the vicinity of, the Protected Zone and which is also in Australia's migration zone), without a visa or passport, for traditional purposes.

Traditional Visitors to the Torres Strait do not undertake any health or character checks to enable them to travel as a Traditional Visitor; however Councillors exercise their right to approve/not approve visitors to travel on Prior Notices. The Councillor is not required to explain why a permit is not approved (it could be due to a range of factors - water shortages, health, security, community concerns, law and order and infrastructure issues).

People who do not follow Australian laws, Customs or Treaty procedures, or who otherwise may be undesirable, can be banned from travelling under the Treaty firstly by an Island Council ban which can be for a definite or indefinite period. In addition Section 16 of the Treaty provides that the Minister (or delegate) may declare, in writing, that it is undesirable that a specified inhabitant of the Protected Zone continue to be permitted to enter or remain in Australia.