

QUESTION TAKEN ON NOTICE

ADDITIONAL BUDGET ESTIMATES HEARING: 19 February 2008

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(16) Output 1.2: Refugee and humanitarian entry and stay

Senator Nettle (L&CA 58) asked:

Could you provide the percentage of ministerial interventions that did not go to the minister?

Answer:

In line with the guidelines for referring Ministerial intervention requests to the Minister, 100% of first requests for Ministerial intervention are referred to the Minister.

A request may be finalised by the Department of Immigration and Citizenship without referral to the Minister if:

- (i) a further request for intervention is received and no new information is provided that brings the request within the ambit of the guidelines;
- (ii) the request is inappropriate to consider according to the guidelines, for example, where the person making the request is involved in migration-related litigation;
- (iii) the intervention power has not been enlivened (for example there is no Refugee Review Tribunal decision); or
- (iv) the person has withdrawn his or her request.

In Financial Years 2005-06 and 2006-07, between 30-36% of further requests were finalised without referral to the Minister. These figures include further requests made under sections 351, 417, 48B, 195A and 197AB of the *Migration Act 1958*.