QUESTION TAKEN ON NOTICE

ADDITIONAL BUDGET ESTIMATES HEARING: 21 FEBRUARY 2011

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(81) Program 1.1:   Visa and Migration

Senator Cash asked:

How many times did the Minister intervene to grant a visa? What type of visa was granted? What is the breakdown by country of origin? How does this compare to 2008/2009?

Answer:

The Minister has the power to intervene to grant visas under sections 195A, 345, 351, 391, 417, 454 and 501J of the *Migration Act 1958* (the Act).

There have been no grants through Ministerial Intervention (MI) under sections 345, 391, 454 and 501J of the Act during the specified period.

Below is information about visa grants through MI under sections 417, 351 and 195A of the Act[1]:

Number of visas granted through MI under sections 417, 351 and 195A of the Act

Visa grants under MI	2008- 09	2009-10	2010-11(Year to Date)
Visa grants under s417	610	558	271
Visa grants under s351	206	260	198
Visa grants under s195A	82	58	28
Total	**898**	**876**	**497**

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[1] Current program year figures for visa grants through MI under sections 417 and 351 are generated from DIAC Systems data as at 25 February 2011. Figures for visa grants through MI under sections 417 and 351 for program years 2008-09 and 2009-10 are from DIAC Systems data as at 02 July 2010.

Current program year figures for visa grants through MI under section 195A are generated from internal records maintained by DIAC's Character and Case Management Branch as at 25 February 2011. Figures for visa grants through MI under section 195A for program years 2008-09 and 2009-10 are also from internal records by DIAC's Character and Case Management Branch as at end of the respective program year.

Types of visas granted through MI under section 417 of the Act

Type of visa	2008- 09	2009-10	2010-11 (Year to Date)
136 (Skilled independent)	3	0	0
151 (Former resident)	49	336	165
155 (Five year resident return)	135	24	5
202 (Global special humanitarian)	49	14	3
204 (Woman at risk)	1	0	0
457 (Business long stay)	2	3	1
485 (Skilled-Graduate)	0	1	0
495 (Skilled-Independent Regional (Provisional))	0	1	0
593 (Higher education sector)	0	1	0
676 (Tourist)	73	78	28
685 (Medical treatment long stay)	2	0	0
786 (Temporary Humanitarian Concern)	1	0	0
801 (Spouse)	19	15	3
802 (Child)	3	0	0
804 (Aged Parent)	1	0	0
820 (Spouse (extended eligibility)	14	1	0
835 (Remaining Relative)	121	9	2
836 (Carer)	5	23	50
838 (Aged Dependent Relative)	45	16	12
845 (Established business in Australia)	0	2	0
856 (Employer Nomination Scheme)	82	33	0
857 (Regional Sponsored Migration Scheme)	0	1	0
858 (Distinguished Talent)	1	0	0
864 (Contributory Age Parent)	1	0	0
866 (Protection)	2	0	0
880 (Skilled-Independent Overseas Student)	1	0	0
890 (Business Owner (residence))	0	0	2
Total	**610**	**558**	**271**

Types of visas granted through MI under section 351 of the Act

Type of visa	2008- 09	2009-10	2010-11 (Year to Date)
101 (Child)	0	1	1
115 (Remaining Relative)	1	2	2
116 (Carer)	1	0	0
117 (Orphan Relative)	1	0	0
120 (Labour agreement)	0	0	4
143 (Contributory Parent)	0	3	0
151 (Former resident)	46	117	76
155 (Five year resident return)	1	0	1
176 (Skilled - Sponsored)	4	0	0
202 (Global Special Humanitarian)	2	0	0
410 (Retirement)	0	0	1
444 (special category for New Zealand citizens)	0	1	0
457 (Business (long stay))	7	12	3
475 (Skilled – Regional Sponsored)	0	1	0
476 (Skilled – Recognised Graduate)	0	0	1
485 (Skilled – Graduate)	0	1	17
571 (Schools sector)	1	1	1
572 (Vocational education and training sector)	1	1	1
573 (Higher education sector)	3	1	3
580 (Student Guardian)	0	1	1
676 (Tourist)	25	47	51
685 (Medical treatment (Long stay))	7	16	17
801 (Spouse)	9	5	1
802 (Child (Residence))	4	0	0
814 (Interdependency)	0	1	0
826 (Interdependency)	0	1	0
835 (Remaining Relative)	32	12	7
836 (Carer)	9	17	2
837 (Orphan Relative)	2	0	0
838 (Aged Dependent Relative)	3	0	0
845 (Established business in Australia)	0	2	0
851 (Resolution of Status (Permanent))	0	1	0
856 (Employer Nomination Scheme)	32	7	4
857 (Regional Sponsored Migration Scheme)	3	3	0
880 (Skilled – Independent Overseas Student)	1	0	0
885 (Skilled – Independent)	3	6	4
890 (Business Owner (Residence))	4	0	0
892 (State/Territory Sponsored Business Owner (Residence))	4	0	0
Total	**206**	**260**	**198**

Types of visas granted through MI under section 195A of the Act

Type of visa	2010-11 (Year to Date)
051 (Bridging – Protection Visa Applicant)	2
070 (Bridging – Removal Pending)	8
151 (Former Resident)	12
155 (Five Year Resident Return)	2
457 (Business (Long Stay))	1
685 (Medical Treatment (Long stay))	2
838 (Aged Dependent Relative)	1
Total	**28**

Information about the type of visas granted through MI under section 195A of the Act is not available for past program years.

Country of origin of persons granted visas through MI

The tables below provide details of the top ten nationalities of persons that were granted visas though MI under sections 417 and 351 of the Act for program years 2008-09, 2009-10 and current 2010-11 program year to 25 February 2011.

Other nationalities of persons granted visas through MI under sections 417 and 351 of the Act for the above specified periods included:

Afghanistan, Albania, Algeria, Angola, Argentina, Armenia, Belarus, Botswana, Bosnia-Herzegovina, Brazil, Bulgaria, Canada, Chile, Colombia, Congo, Cote d'Ivoire, Cuba, Czech Republic, Denmark, Ecuador, Ethiopia, France, Gambia, Gaza, Ghana, Greece, Guyana, Hong Kong, Iran, Iraq, Ireland, Israel, Italy, Japan, Jordan, Kazakhstan, Kenya, Kiribati, Kyrgyzstan, Laos, Latvia, Libya, Lithuania, Macedonia, Malaysia, Malawi, Maldives, Moldova, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Nigeria, Palestine, Papua New Guinea, Peru, Poland, Portugal, Romania, Russia, Samoa, Sierra Leone, Singapore, Slovakia, Somalia, Spain, Sudan, Sweden, Switzerland, Taiwan, Timor East, Turkey, Uganda, Ukraine, Uruguay, Uzbekistan and Zambia.

A very small number of visa grants were also made to stateless individuals.

Top ten nationalities granted visas through MI under section 417 of the Act for program years 2008-09, 2009-10 and 2010-11 as at 25 February 2011

2008- 09		2009-10		2010-11 (Year to Date)	
Indonesia	94	Indonesia	78	Indonesia	55
Fiji	89	China,	64	Fiji	29
Sri Lanka	46	Bangladesh	56	China	26
China	34	Sri Lanka	40	Bangladesh	23
Bangladesh	33	Fiji	36	India	14
Korea, Republic of	32	Lebanon	26	Sri Lanka	13
Lebanon	28	Korea, Republic of	21	Korea, Republic of	11
Philippines	24	Pakistan	20	Egypt, Arab Republic of	8
Tonga	16	Philippines	18	Philippines	8
Pakistan	15	Tonga	17	Lebanon	7
Other	199	Other	182	Other	77
Total	**610**	**Total**	**558**	**Total**	**271**

Top ten nationalities granted visas through MI under section 351 of the Act for program years 2008-09, 2009-10 and 2010-11 as at 25 February 2011

2008- 09		2009-10		2010-11 (YTD)	
United Kingdom	19	Fiji	31	United Kingdom	22
Tonga	14	United Kingdom	28	Fiji	14
Korea, Republic of	14	Korea, Republic of	17	South Africa	13
South Africa	12	Tonga	15	Philippines	13
Lebanon	12	Indonesia	15	China	12
Fiji	12	Vietnam	14	Indonesia	9
China	12	Sri Lanka	13	Vietnam	9
Cambodia	8	Lebanon	11	Zimbabwe	9
Germany	8	United States	9	Tonga	7
Sri Lanka	7	Thailand	5	India	6
Other	88	Other	102	Other	84
Total	**206**	**Total**	**260**	**Total**	**198**

The nationalities of individuals granted visas through MI under section 195A of the Act cannot be divulged, owing to privacy considerations. As the visa grants for some visa types are very small, there is a risk that persons granted these visas under section 195A could be potentially identified if information about their country of origin is provided.