

QUESTION TAKEN ON NOTICE

ADDITIONAL ESTIMATES - 25 FEBRUARY 2014

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(AE14/088) PROGRAMME – 1.1: Visa and Migration

Senator Boyce (L&CA 115-116) asked:

Senator Cash: That is correct. It was outlined clearly in that report that Minister O'Connor specifically phoned the Prime Minister at the time, Ms Gillard, and asked for an exemption in relation to having to provide a regulatory impact statement. The Prime Minister granted that exemption, giving no reasons as to why. If I am incorrect, I am more than happy for the department to correct me, but that was certainly our understanding.

Senator BOYCE: The department cannot now advise why that would have been?

Dr Southern: No. We can certainly go back over the records and provide a response to you on notice, but off the top of my head I do not recall what the reasons were at the time.

Senator BOYCE: What I am interested in is whether the reasoning was that there was a tight time schedule. [...]

Dr Southern: I just do not have a recollection of the reasons and the process at the time. As I said, we can certainly revisit the records and provide an answer to you on notice. [...]

Senator BOYCE: Have a look at it and let me know, if there are genuine time pressures involved in doing it, what difference it might have made if it had waited.

Answer:

The department can confirm that whilst a Regulation Impact Statement was required for the introduction of labour market testing contained in *The Migration Amendment (Temporary Sponsored Visas) Bill 2013*, the then Prime Minister Julia Gillard MP granted an exemption to this requirement on the basis of exceptional circumstances. The department was not informed of the reasons why the Prime Minister granted an exemption in this particular case.