

## QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES HEARING: 1 November 2005

IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

### (148) Output 1.3: Enforcement of Immigration Law

Senator Nettle asked:

1. How does a detainee under a residence determination request a change in the conditions of a determination?
2. Who is delegated to make decisions or variations in conditions of a residence determination?

*Answer:*

1. The primary contact for a detainee under residence determination arrangements in the community is their Departmental Liaison Officer in the State or Territory in which the detainee resides. The Departmental Liaison Officer has regular contact with each detainee under residence determination in their region. If a detainee seeks a change in the conditions of their residence determination, he or she needs to first discuss the matter with the Departmental Liaison Officer. If appropriate, the request would be referred to the Minister for possible consideration.
2. Sections 197AD, 197AE and 197AF of the *Migration Act 1958* provide the Minister with non-delegable and non-compellable public interest powers to make, vary or revoke a Residence Determination. Only the Minister may specify and vary the conditions attached to a residence determination.