Short Digest of Bill

Purpose

To amend the Migration Act 1958 by making two minor machinery changes.

Background and Provisions

Clause 3 amends s.5 by redefining "proclaimed airport" and "proclaimed port" to comply with the provisions of the Customs Amendment Bill (No. 3) 1980 which replaces the concept of establishing ports and appointing airports by proclamation with a system of appointments by the Minister.

Clause 4 reverses one of the defences to an offence under sub-section 11C(1) of the Migration Act 1958 committed by a carrier who brings persons to Australia without visas or return endorsements. The Act as amended by the Migration Amendment Act 1979 provides a defence by reference to sub-section 11C(1)(b) of the Act for a carrier who has reasonable grounds for believing that a person so carried is not exempted by the Minister. The Bill alters the defence to protect a carrier who has reasonable grounds for believing that such a person has been exempted by the Minister.