The Bill proposes to amend the Migration Act 1958 to give effect to recommendations made by a Joint Management Review (comprising an external consultant, a Public Service Board member, a departmental member and a member on exchange from the Canadian Employment and Immigration Commission) which in 1977-78 inquired into and reported on migrant entry control policies and procedures. The Review was not concerned with migration policy, so that its recommendations relate essentially to the control of migrant entry, the increase of existing penalties for offences under the Act and the provision of some new penalties related to migrant entry controls.

There are 5 major provisions in the Bill:

(i) a statutory basis is given to the existing visa system in proposed s.11A, 11B and 11C. People intending to travel to Australia may obtain from an authorized officer a visa or return endorsement (proposed s.11A) and the master, owner, agent and charterer of a vessel who transports a person to Australia who is not an Australian resident or a person exempt from holding a visa and who is not holding a visa shall be liable to a fine of up to $2000 for each offence (proposed s.11C). A visa is not an entry permit (proposed s.11(i)). Entry permits may be granted to an immigrant upon arrival in Australia or after he has entered Australia (proposed s.6(5)) and may be subject to restrictions as to the kind of work which the immigrant may undertake without written permission from an authorized officer (proposed s.6(6A)).

The visa is thus an indication that the holder is likely (but not guaranteed) to be allowed to enter Australia. It avoids problems, such as refusal of entry after the journey to Australia has been undertaken, in all but exceptional circumstances.
(ii) provision is made in proposed s.21A and s.22 for the Commonwealth to be paid by deportees for the deportation fares and costs of custodial maintenance while awaiting deportation. Proposed s.22(2) (a) and (b) makes the Commonwealth liable for the cost of services provided by carriers in the transportation of deportees from Australia.

(iii) provision is made in proposed s.27(aa) for a deportee from Australia who re-enters Australia without making the officer who grants the entry permit aware of the circumstances of an earlier deportation to be punished by a fine of up to $1000 or imprisonment for up to 6 months.

(iv) proposed s.6(6A) provides that an entry permit may be issued subject to restrictions upon the kind of work an immigrant may undertake. Proposed s.31B provides for it to be an offence for an immigrant to fail to comply with restrictions imposed under s.6(6A) or for a prohibited immigrant to work in Australia. As noted in the Minister's Second Reading speech, there are possibly some tens of thousands of prohibited immigrants (estimated to total 57,000) who have jobs in Australia at a time when many citizens and legal immigrants are looking for employment.

(v) the Schedule to the Bill provides for increases in penalties for some offences under the Act. With the exception of the penalty under s.52 ($1000 fine or 2 years' imprisonment; proposed $2000 fine or 1 year's imprisonment) fines are proposed to be increased from $1000 to $2000, from $400 to $1000, or from $200 to $500 while periods of imprisonment are not proposed to be altered with the two exceptions of s.52 and s.62(1).