Short Digest of Bill

Purpose

To enable the imposition of fees for services provided under the Migration Act 1978.

Background

According to the 1979-80 Budget Speech, fees which are shortly to be imposed upon services previously provided free of charge by the Department of Immigration and Ethnic Affairs are expected to raise about $4 million in a full year. Because of the labour-intensive nature of many of the services and programs of the Department of Immigration and Ethnic Affairs, administrative costs absorb a significant proportion of its annual budget. Under Appropriation Bill (No. 1) 1979-80, the Department is allocated $72 million for 1979-80, $34 million of which (Division 360-1, 360-2, Division 364-1 and 364-2) is for salaries and administrative expenses inside Australia or at overseas posts. The proposed fees would recoup about 11% or 12% of the $34 million.

Of the seven services for which charges are to be levied, three services (processing an application for evidence of resident status, obtaining information by way of cables initiated by applicants or clients, assessment of a person's overseas professional or technical qualifications) are not authorised specifically by the Act, so it is thought that the charges can be levied administratively without reference to or modification of the legislation.

Provisions

Cl.5 amends s.67 to permit but not to necessitate in every case the charging and recovery of fees in respect of applications for entry permits, visas or return endorsements and for English language tests. The wording of s.67 implies that such fees can only be levied in respect of documents issued under the Act, whereas the current practice is for entry permits to be stamps placed in a passport
rather than being "documents". The amendment thus enables this practice to continue and to be subject to fees. The fees (specified in the Second Reading Speech) are to be imposed by regulation.

Cl.3 and 4 propose minor amendments which will enable the Minister to appoint people other than his own Departmental officers to carry out certain responsibilities under the Act, and for it to be an offence for a person to produce false papers or documents to such authorised persons.

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LEGISLATIVE RESEARCH SERVICE