



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



HOUSE OF REPRESENTATIVES

PERSONAL EXPLANATIONS

SPEECH

Tuesday, 16 November 2010

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

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Date Tuesday, 16 November 2010
Page 2514
Questioner
Speaker Bowen, Chris, MP

Source House
Proof No
Responder
Question No.

Mr BOWEN (McMahon—Minister for Immigration and Citizenship) (3.37 pm)—Mr Speaker, I wish to make a personal explanation.

The SPEAKER—Does the minister claim to have been misrepresented?

Mr BOWEN—I do.

The SPEAKER—Please proceed.

Mr BOWEN—Yesterday, the member for Cook claimed that I had misrepresented him by pointing out that his claim that offshore refugee and skilled migration visas are not subject to judicial review is wrong. In fact, the member for Cook has misrepresented me and misrepresented the law. The Migration Act requires that any valid visa application must be considered against the visa criteria and if the application meets the criteria it must be granted and if it does not it must be refused, regardless of whether the application is made offshore or in Australia. Furthermore, any decision to refuse a visa application is subject to review by the High Court. The member for Cook appears patently unaware of this.