Australian Government

Department of Immigration and Border Protection

Regulator Performance Framework

Self-Assessment

2015–16

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Introduction

This is the first self-assessment for the Department of Immigration and Border Protection (the Department) under the Australian Government's Regulator Performance Framework. The reporting period covers the first year of the new Department – and within it, the Australian Border Force (ABF) – which commenced operations on 1 July 2015. The new Department brings together the former Immigration Department and the Australian Customs and Border Protection Service with a clear mission and purpose: 'To protect Australia's border and manage the movement of people and goods across it'.

The Department helps promote and advance Australia's economic prosperity and social cohesion by facilitating trade, travel and migration. In 2015–16, we facilitated the movement of legitimate trade and travellers across our border, processing more than 40 million international air and sea travellers and crew, granted 7.7 million temporary visas, 35 million import air cargo consignments, and completed 3 million import sea cargo reports. We also inspected more than 57 million international mail items and collected more than $17 billion in revenue.

In 2015–16, the Department administered 22 Acts, which provided a legislative framework for our functions and services. During the same period, the Department delivered significant reform of the Student and progressed work on reforms to Skilled Migration and Temporary Activity visa programmes. Thirteen Bills were introduced to the Australian Parliament during 2015–16. In that period, nine Portfolio Bills passed both Houses of Parliament and became Acts upon Royal Assent being given. Two of those Acts were introduced in the previous year. Further, 16 Amendment Regulations and 102 additional legislative instruments were made.

From September 2013 until the end of June 2016, the Department has reduced regulatory burden on businesses, community groups and individuals by over $191 million. This reduction is comprised of a number of new initiatives, including Australian Trusted Trader (ATT) – which bolsters trade facilitation and security through incentivising industry self-compliance. By 2020, ATT is expected to grow to include more than 1,000 Trusted Traders, covering 30 per cent of Australia's two-way trade volume and 50 per cent of Australia's two-way trade value. Over the next 10 years, ATT is forecast to deliver $3.2 billion to the economy. This whole of economy benefit is strongly entwined with the negotiation of Mutual Recognition Arrangements (MRAs) and the facilitation of Australian exports that would follow.

In 2015–16, the Department enhanced our collaboration with domestic, regional and global partners at the policy and operational levels, including the sharing of information. The Department also reinvigorated our engagement with business and industry and launched two strategies: Trade, Customs and Traveller, and Migration and Mobility. The Department also held its annual Industry Summit in November 2015 in order to engage with industry stakeholders at a strategic level, and to consult and co-design future innovations and forward-thinking approaches to addressing challenges at the border. Such outreach endeavours reflect our appreciation that collaboration and joint ventures are essential to identify innovative approaches to better manage the border continuum.

The Department's Digital Transformation Programme also assisted business areas to design end-to-end digital services, focussing on user needs to help manage the increasing volumes of people and goods that cross the border, as well as make processes faster, simpler and easier to use for businesses, travellers and traders. During 2015-16, the Department worked closely with the Digital Transformation Agency (DTA) to develop and trial an Import Permit Validation Service which aims to remove the need for importers to provide paper permits to the Department.

This self-assessment outlines many of our achievements. We continue to work closely with stakeholders including business and industry partners to ensure that the Department's approach to, and management of, regulation achieves our mission and purpose.

Strategic alignment

Mission

To protect Australia's border and manage the movement of people and goods across it

Vision

We are Australia's trusted global gateway

The Department is the gateway between Australia and the world, facilitating trade, travel and migration while protecting Australia from threats to the border. In everything we do, we must uphold the trust of the Australian people and Government that stems from the privileged place we hold at the border and in the community.

Our Strategic Objectives

1. Protect Australia

2. Promote responsive migration

3. Advance trade and revenue

4. Lead border innovation

Purposes

Manage the movement of people and goods to contribute to a strong economy

Manage the movement and stay of people to contribute to a cohesive society

Manage the border to contribute to a safer, secure Australia

Regulatory Reform Agenda

The Department is committed to the Government's regulatory reform agenda. Reducing red tape will improve the efficiency of business and the community engaged in migration, travel and trade, and enhance Australia's economic competitiveness, innovation and productivity.

Regulatory Key Performance Indicators (KPIs)

KPI1 – Regulators do not unnecessarily impede the efficient operation of regulated entities

KPI2 – Communication with regulated entities is clear, targeted and effective

KPI3 – Actions undertaken by regulators are proportionate to the regulatory risk being managed

KPI4 – Compliance and monitoring approaches are streamlined and coordinated

KPI5 – Regulators are open and transparent in their dealings with regulated entities

KPI6 – Regulators actively contribute to the continuous improvement of regulatory frameworks

Departmental operations in 2015–16

189,770
places delivered as part of the permanent migration programme in 2015–16

17,555
visas under the permanent Refugee and Humanitarian programme in 2015–16

7.7 million
temporary visas granted, including:

32,400
Temporary Graduate visas

214,600
Working Holiday Maker visas

448,700
other Temporary visas

4.8 million
Visitor visas

310,800
Student visas

85,600
Temporary Skilled visas

1.9 million
Special Category visas

2.5 million
client interactions, including call centre enquiries managed

40.7 million
international air and sea travellers and crew processed

133,100
Australian citizens conferred

34.9 million
air cargo consignments reported

3.1 million
import sea cargo reports

57.3 million
international mail items inspected

Over four years (2019–20) the volumes of goods and people crossing our border is expected to continue to increase:

20%
international passengers and crew arriving and departing Australia

28%
imported air cargo consignments

13%
imported sea cargo reports

Our regulatory self-assessment

KPI 1 Regulators do not unnecessarily impede the efficient operation of regulated entities

Measure 1.1

We demonstrate an understanding of the operating environment of the industry or organisation, or the circumstances of individuals and the current and emerging issues that affect the sector.

Key achievements

- strong performance against this measure
- the Department held its annual Industry Summit in November 2015 to engage with our industry stakeholders at a strategic level
- the Department worked closely with the Digital Transformation Agency (DTA) to develop and trial an Import Permit Validation Service which aims to remove the need for importers to provide paper permits to the Department.

Overall analysis

During the reporting period, the Department actively engaged with stakeholders to gain a greater understanding of their operating environments. Our regulatory activities have significant span, covering trade, travel and migration, and as such our stakeholder engagement activities were equally broad.

To inform policy development and implementation approaches, the Department is outward looking and interactive, making the best use of the expertise of stakeholders. The Department promotes a culture of engagement and consultation in a genuine and timely way with affected businesses, community organisations and individuals. This approach has been further emphasised by the Australian Border Force (ABF), who have made developing "…a culture centred on integrity and professionalism in client interactions and relationships with industry and partners" one of the eight key areas of focus to 2020. Frontline ABF operations require working in close partnership with other organisations such as the Australian Federal Police, state and territory police, the Australian Crime Commission, Department of Defence, Department of Agriculture and Water Resources, child protection agencies and human rights organisations. For example, the ABF undertakes maritime surveillance and response activities, including mitigating and eliminating threats to border integrity in Australia's maritime jurisdiction, through working with state law enforcement partners and a standing multi-agency taskforce with the Australian Defence Force.

The Department's annual Industry Summit was held in November 2015 to engage with industry stakeholders at a strategic level, and to consult and co-design future innovations and forward-thinking approaches to addressing challenges at the border. The Industry Summit also saw the launch of the Department's two complementary Industry Engagement Strategies: Industry Engagement Strategy 2020 - Trade, Customs and Traveller and Migration and Mobility. These strategies were developed in consultation with industry stakeholders and provide a framework for engagement between the Department and industry on a broad range of policy, operational and regulatory issues. The strategic content reflects the diverse environments in which we engage with industry and the importance of trusted partnerships in furthering our relationship.

Ongoing mechanisms of stakeholder engagement included standing consultative meetings with the Ministerial Advisory Council on Skilled Migration, the National Committee on Trade Facilitation (NCTF), the National Passenger Facilitation Committee, the Passenger Data Steering Committee and

the National Sea Passenger Facilitation Committee. The terms of reference for these groups were developed jointly with industry.

The Department's Industry Advisory Groups (IAGs) worked on policy development, programme design and operational implementation. Examples of the Department's IAGs working with industry include the Regulatory Reform Working Group (which reports to the NCTF), the Tobacco IAG and the Alcohol IAG, and the Australian Trusted Trader (ATT) IAG. Development of ATT involved ongoing stakeholder consultation through the ATT IAG, and informed all facets of the policy design process and the resulting options considered by the Department. In particular, a number of themes emerged as key considerations in determining the type of programme that would best serve Australia's economic competitiveness, trade performance, and rising volumes of trade in line with the emergence of global value chains.

Regional Stakeholder Group meetings are also convened by the Department's senior representatives in each state and territory on both national and regional issues. The Department also participated in many formal industry-convened forums, such as annual conferences organised by customs brokers' peak bodies.

Engagement with industry also occurred through discussion papers, meetings, presentations and surveys. The Department regularly called for submissions and advice from industry on current and emerging issues. For example, the review of all customs licensing arrangements under the *Customs Act 1901*, including the licensing of customs brokers, depots and warehouses, and Department of Immigration and Border Protection Notices (DIBP Notices). The request for submissions and advice were promoted on the Department's website and through IAGs.

Discussion papers seeking views from industry and the Australian public were also released on the new Entrepreneur visa being established as part of the National Innovation and Science Agenda, and the Temporary Skilled Migration Income Threshold (TSMIT) provision of the Subclass 457 visa.

Within the Labour Agreement Programme, the Department worked closely with Australian industry bodies and Australian employers from a range of agricultural, primary industry, and manufacturing backgrounds. The programme allows for specialised skilled migration arrangements to be negotiated with Australian businesses who cannot access mainstream migration programmes, and subsequently fill critical labour shortages that cannot be met through Australian employees.

The Office of the Migration Agents Registration Authority (OMARA) also participated in a number of formal engagement activities with industry. During the reporting period, OMARA:

- established an Independent Reference Group (IRG) comprising the business, education, legal and consumer sectors as well as the professional association to guide the implementation of the 2014 OMARA Review reforms. The IRG met twice and provided useful advice and guidance on a range of areas relevant to the review including Continuing Professional Development, Entry-level Qualifications and fees for registered migration agents;
- met twice with the Migration Agent Registration Entrance Advisory Committee to discuss provision of the prescribed course and exam;
- engaged with the Law Council of Australia and the Migration Institute of Australia and presented at both conferences; and
- met with the New Zealand Immigration Advisers Authority in 2015–16 to discuss issues of mutual interest and to explore possibilities for harmonisation of regulatory approaches.

In the reporting period, the Department consulted with a range of stakeholders to inform Government's decisions on the size and composition of the 2016–17 Migration Programme (Skilled, Family and Special Eligibility streams) and the Humanitarian Programme, and held Minister's consultations on the 2016–17 Humanitarian Programme with representatives from the United Nations High Commissioner for Refugees, refugee and settlement peak bodies and community organisations in Sydney and Melbourne.

In 2015–16, the Department developed additional digital client services in recognition that digital solutions provide greater efficiency for clients and are welcomed by industry. During the reporting period, we expanded ImmiAccount services, increasing online lodgement, trialling web chat services, engaging clients via social media and using online booking systems to reduce regulatory burden. On 30 June 2016, ImmiAccount was extended to the Approved Destination Status (ADS) agents in China. Organisation Accounts for ImmiAccount allowed agents and service delivery partners to use ImmiAccount for higher volume transactions, increasing to more than 56,000 accounts in 2015–16. The Department also undertook user experience research with organisations that use ImmiAccount to identify and understand issues and concerns, and is working this feedback into future business releases.

The Department also worked closely with the DTA and the Department of the Environment and Energy to develop and trial an Import Permit Validation Service which aims to remove the need for importers to provide paper permits to the Department. Since 29 April 2016, importers have been able to electronically submit permits and clear goods relating to the Convention on International Trade in Endangered Species of Wild Fauna and Flora. If the trial proves successful, the Department will work on making more permits types available through this service.

In addition to the above the Department:

- engaged with key tourism industry and government stakeholders in relation to inbound tourism from China on the ADS advisory panel;
- established a consultative forum comprising each of the State and Territory Registries of Births, Deaths and Marriages to seek feedback on proposed reforms and identify emerging risks relating to change of name processes for non-citizens;
- convened a Government working group and consulted with industry stakeholders on proposed amendments to the Subclass 457 visa training requirements; and
- held regular bilateral meetings with AusTrade to discuss the Business Innovation and Investment Programme.

Measure 1.2

We take actions to minimise the potential for unintended negative impacts of regulatory activities on regulated entities or affected supplier industries and supply chains.

Key achievements

- strong performance against this measure
- the Department established a dedicated team to assist industry through the implementation of the China and Australia Free Trade Agreement (ChAFTA) which entered into force on 20 December 2015

Overall analysis

The Department's extensive use of stakeholder engagement activities through the reporting period enabled us to identify and take appropriate action to minimise the potential for unintended negative impacts of regulatory activities on regulated entities.

The Department engaged with industry and consulted on changes to practices before implementation. This included, where relevant, circulating DIBP Notices for consultation prior to publication. The ABF discussed issues at relevant industry meetings, such as the Trade and Goods Compliance Advisory Group. Recent discussion papers include the ChAFTA, Depot Licensing and Tariff Concession Orders.

During the reporting period the Department engaged publicly before implementation of decisions made by the Comptroller-General of Customs to revoke more than 800 Tariff Concession Orders. In each case, the proposed revocation was gazetted, and public comments sought, before the decision was made. This allowed individual users to provide evidence of any recently-changed circumstances for the Comptroller-General to consider. This process accords with principles of administrative fairness.

The Department complied with the Australian Government's requirements to complete a regulatory impact statement (RIS) for all changes except minor or machinery in nature, in accordance with the Agenda. In 2015–16, two significant measures that the Department completed RISs on were 'Deregulation of the student visa programme and future directions for streamlined visa processing' and 'the Office of the Migration Agents Registration Authority Review'. These were assessed by the Office of Best Practice Regulation as being compliant and consistent with best practice. In addition, the Department published a post-implementation review in 2015–16 following amendments made to the Temporary Work (Skilled) Migration (Subclass 457) Programme in 2013.

The Department established a dedicated team to assist industry through the implementation of the ChAFTA which entered into force on 20 December 2015. The Department provided support to the Department of Foreign Affairs and Trade, the lead agency on ChAFTA, by presenting at a series of industry workshops on rules of origin in all capital cities (except for Darwin and Hobart). The presentations, targeted at customs brokers and freight forwarders, were well-received, with around 1 000 people attending. In response to industry feedback, the Department also prepared a paper to clarify operational policy related to Certificates of Origin under ChAFTA. The team continues to assist traders and customs brokers to ensure they are best positioned to take advantage of the preferential treatment afforded under ChAFTA.

As discussed in KPI 1.1, during 2015-16 the Department also undertook extensive engagement with industry through the OMARA Independent Reference Group (IRG) on issues relevant to the regulation of immigration assistance in Australia. The OMARA convened two meetings with the IRG who provided input on the implementation of proposed changes to the educational standards for entry to the profession and the Continuing Professional Development framework. OMARA consulted with the Migration Institute of Australia and the Law Council of Australia on a number of issues, including the cessation of agent cards and certificates, and on the introduction of a risk-based approach to the processing of re-registration applications for agents; as well as with the Law Council of Australia and the NSW Legal Services Commission in regard to handling of complaints against lawyer agents once they are removed from OMARA's regulatory scheme.

Measure 1.3

We implement continuous improvement strategies to reduce the costs of compliance for those we regulate.

Key achievements

- strong performance against this measure
- the Department worked closely with Industry to develop and pilot ATT during the reporting period
- the Department implemented information technology solutions, such as the rollout of SmartGates for travellers to help in streamlining legitimate trade and travel and save stakeholders time while continuing to undertake risk-based compliance activities

Overall analysis

In 2015–16, the Department, in partnership with industry, delivered a co-designed 12-month ATT pilot programme. ATT is a voluntary accreditation programme that recognises businesses with a secure supply chain and compliant trade practices, offering tailored trade facilitation benefits to accredited businesses. ATT supports legitimate trade, enhances supply chain security and reduces the regulatory burden on industry by reducing levels of inspection and reporting requirements for eligible businesses assessed as low risk. AAT became fully operational from 1 July 2016. AAT will benefit a range of industry partners into the future, including importers, exporters and service providers such as freight forwarders and customs brokers.

Following the launch of the single border.gov.au website in July 2015, the Department progressed the next phase of improvements to make it easier for users to find and understand information on the website. A wide range of detailed research about visa and citizenship information on the website was conducted to identify areas for improvement. The research included in-depth interviews and surveys. The Department has used this research to improve the website and Visa Finder tool. One of the improvements was the launch of a trial of the Citizenship Appointment Booking Service in Melbourne on 16 March 2016. The service provides individuals with an online tool to reschedule their appointments, to provide identity and biometric information, and take the Citizenship Test.

Within the traveller environment, the Department witnessed a record high Christmas period in 2015-16, facilitating over seven million arrivals and departures through Australian international airports during December and January. Over the reporting period, the ABF processed more than 40 million international air and sea travellers, over 87 per cent of who were cleared within 30 minutes.

In this context, the continued rollout of SmartGates at international airports has been a critical enabler to manage increasing traveller volumes and to enable travellers, irrespective of passport type, to quickly and seamlessly pass through departures processing. Unlike most overseas jurisdictions, by using new technology, automated processing in Australia is not restricted to ePassport or registered / trusted travellers.

The successful rollout of the departures SmartGates was delivered in close cooperation with industry. During the reporting period, 77 departure SmartGates were successfully rolled out and operational at seven of Australia's eight international airports, with all Australian international airports having departure SmartGates operational by July 2016. At 30 June 2016, approximately 6.9 million departing travellers had been successfully processed through the gates with around 85 per cent of all eligible travellers using the SmartGates to self-process through the border.

The Department collects administered revenue on behalf of the Government in support of fiscal and policy objectives. Revenue collection by the agency consist of both taxation and non-taxation revenue. Taxation revenue includes Customs Duty, Visa Application Charges and Passenger Movement Charges. Non-taxation revenue includes Citizenship fees, fines and prosecutions. The total revenue collected by the department on behalf of the government was $17.3b for the 2015/16 financial year. Revenue is recognised when it can be reliably measured and in line with the relevant accounting policies stated in the Department's financial statements.

The Department continued to improve and expand its payment options for clients over the reporting period. Key improvements made related to visa and citizenship services included implementing PayPal, and improving Service Delivery Partner arrangements by decommissioning legacy systems.

In 2015–16, the Department was also proactive in engaging in reviews of existing frameworks and legislation to ensure it met the needs of government and industry. For example, the Department undertook a review of fees and charges, which involved extensive consultation with industry. This led to legislative amendments to support a more equitable charging structure at the border.

Another example of the Department's commitment to continuous improvement strategies to reduce the cost of compliance for clients during the reporting period included moving Child visas outside the managed Migration Programme to support the Government's commitment to reform and improvement of the processes relating to inter-country adoption in 2015–16. This resulted in improved processing times given the greater availability of places. The percentage of Child visa applications finalised within the published service standard increased to 82 per cent from between 70-75 per cent in the years 2011–12, 2012–13 and 2013–14. In addition, the Child visa application pipeline reduced from 2 329 persons at 30 September 2015 to 2 274 persons at 30 June 2016.

KPI 2 Communication with regulated entities is clear, targeted and effective

Measure 2.1

We provide guidance and information that is up to date, clear, accessible and concise through media appropriate to the target audience.

Key achievements

- good performance against this measure
- following feedback from the 2015 Industry Summit, a review and update of the website content navigation and usability was conducted over 2015–16
- during the reporting period the Department undertook 838 awareness activities with business, industry and stakeholder groups
- the ABF reintroduced the Goods Compliance Update

Overall analysis

In 2015–16, the Department provided up to date guidance that was clear, accessible and concise through avenues appropriate for our diverse stakeholder audiences including traders, employers, individuals, and migration agents.

A review and update of the website content navigation and usability following feedback from the 2015 Industry Summit was conducted over 2015–16. In line with the commitment to redesign and improve the trade and customs, and migration industry related content led to the development of an innovative industry hub, co-designed with industry. This new feature, released at the Industry Summit on 31 October 2016, will report on and customise the departmental news feed to target stakeholder interests. The hub will improve communication with industry and make crucial information on regulatory matters more readily available.

The Department continued to provide policy advice through Department of Immigration and Border Protection Notices (DIBP Notices) and other publications which are readily available on its website. In 2015–16, the Department published 36 DIBP Notices, 12 classification guidelines and precedents.

The ABF also reintroduced the Goods Compliance Update in 2015–16. This quarterly newsletter provided information on the ABF's areas of trade and goods compliance focus and how traders and customs brokers may mitigate the risk of non-compliance. Decisions made under the Tariff Concession System were publicly advertised every Wednesday in the Commonwealth of Australia: Tariff Concession Gazette. The Gazette was published on the Department's website and provided by email on request. It was also made available to third-party service providers to distribute to their own customers. Also, a range of forms that the Department uses to facilitate the importation of goods were reviewed and updated in 2015–16 to ensure they were writable and met accessibility requirements.

In 2015–16, the Department undertook user research to design and develop the online appointment booking service for those seeking to become Australian citizens. The research data informed the design of the service to ensure easy use for our diverse client base. ImmiAccount services were extended and communicated to organisations and individual account holders, and the usage of the myVEVO App and VEVO online continued to grow and the online lodgement of visa applications grew by approximately 10 per cent.

Migration agents were provided with access to extensive information on the Office of the Migration Agents Registration Authority (OMARA) website, including:

- the register of migration agents for consumers to check a person's registration
- online complaints form
- consumer information in 34 languages
- information about registration requirements for new and repeat registration applicants
- guidance material for agents such as the Code of Conduct and practice guides, an Ethics Toolkit and a Client Monies toolkit
- The Policy and Procedures Manual which provides information about how registration applications and complaints against agents are assessed
- updates on the implementation of the Review Recommendations.

Service Centres, Translating and Interpreting Service National and OMARA

The Department's primary on-shore call service centre, the Sydney Service Centre, is a high demand service and experiences significant caller volumes. In 2015–16 the Sydney Service Centre answered between 61 per cent and 65 per cent of calls within 10 minutes. This was an improvement on the result for 2014–15. Throughout 2015, improvement measures were implemented to increase productivity and quality. These included industry standard coaching methodology, a revised recruitment plan and new performance goals. As a result, performance has improved at a sustainable rate. A call-back service is one measure that has been introduced for clients with enquiries about Visitor, Citizenship, Living and Family products. This service is designed to offer a call-back when call wait times are greater than 13 minutes and the call-back is usually delivered the same day.

The Service Centre's Interactive Voice Recorder was updated to provide clients with an estimated waiting time so they can make an informed decision about whether to wait to speak to a departmental officer or request a call-back. We also encouraged clients to consider digital self-service options to resolve their issues, including the Department's website, the Visa Entitlement Verification Online (VEVO) system and ImmiAccount.

Translating and Interpreting Service (TIS) National, based in Melbourne, answered over 1.2 million calls in 2015–16, answering 56.7 per cent of immediate phone calls within 30 seconds. TIS met the service standards of connecting to an interpreter within three minutes in 99.3 per cent of cases and the on-site service standard of confirming a service within three days in 86 per cent of occasions. A review of staff to call ratios has commenced to address abandonment rates.

During 2015–16, the OMARA continued to provide full statements of reason for all adverse decisions made in regard to registration applications and the consideration of complaints. When the OMARA makes findings that the conduct of an agent fails to meet the required standards of professional conduct for migration agents and imposes a disciplinary decision on the agent, a full copy (de-identified) of the decision record was published on the OMARA website as a consumer protection measure and to inform the migration agent profession of the required standard of conduct.

Measure 2.2

We consider the impact on regulated entities and engage with industry groups and representatives of the affected stakeholders before changing policies, practices or service standards.

Key achievements

- strong performance against this measure
- in 2015–16 the ABF established the Trade and Goods Compliance Advisory Group (CAG) as a collaborative forum with members representing industry and the Department
- the Department participated in regular meetings with Registered Migration Agents and community associations though the Client Reference Group (CRG) to provide detail on policies and procedures and garner feedback for further improvement
- the Department engaged in significant consultation with industry groups and stakeholders on proposed changes to several temporary visa programmes
- the Department implemented recommendations from the OMARA review relating to the consolidation of OMARA into the Department, the transfer of information, harmonisation with New Zealand under the Trans-Tasman Migration Registration Arrangements, and the establishment of the Independent Reference Group

Overall analysis

The Department recognises the need to involve affected parties or their representatives in the design and implementation of policies and practices. This approach has seen us work closely with a broad range of stakeholders during the reporting period, as outlined above at KPI 1.

In 2015–16, the ABF established the CAG, an ongoing collaborative forum with members representing industry and the Department. The focus of the CAG is to recommend solutions to trade and goods compliance issues, and the forum is often used to consult on new policy or policy reform, as well as DIBP Notices and / or factsheets prior to publication.

Additionally, it is also the practice of ATT programme management to engage Trusted Traders in consultations regarding any significant changes to policy or proposed future programme changes that may impact them. An example of this was the establishment of the Streamlined Reporting Working Group, which consists of representatives from industry and government who are working to develop models for implementation of the ATT benefit.

The Department's three key National Committees that address trade, customs and passenger mobility issues and associated working groups met regularly with industry during the reporting period to consult on the impact of proposed changes. These groups are:

- The National Committee on Trade Facilitation (NCTF), a forum for the discussion of strategic issues affecting Australian Industry stakeholders in the international trade environment. The committee discusses opportunities for reform and improvements to the international trade environment.
- The National Passenger Facilitation Committee (NPFC), established to meet Australia's international obligations under the International Civil Aviation Organisation Convention on International Civil Aviation 1944. The NPFC provides a whole of Government forum for the discussion of strategic initiatives relating to air travel facilitation and associated infrastructure issues that affect the airline, airport and tourism industries. The NPFC is a decision-making body that provides a strategic forum for engagement between government agencies and industry partners to improve facilitation of passengers through airports, while maintaining appropriate border security.

- The National Sea Passenger Facilitation Committee (NSPFC), a whole of government forum for the discussion, development and implementation of initiatives to improve international sea passenger facilitation and enhance border security, and provide issue resolution, policy guidance and endorsement to activities in this area. The NSPFC meets biannually with the objective of collaboratively improving international sea passenger facilitation and other elements of international ocean going cruise vessel visits, while maintaining, or where possible, enhancing Australia's border protection capability.

The Department also regularly engaged with stakeholders before adjusting policy within the immigration and citizenship policy framework. Information was sought on the potential impact of policy options being considered via public discussion papers. To improve efficiency and effectiveness, stakeholder views on the potential impact were consolidated, considered and used to decide the most appropriate option to address concerns in the programme.

Industry stakeholders were consulted in relation to the development and implementation of the Simplified Student Visa Framework. The Department participated in many events and provided access to information through our website. In addition, information sessions were held in all major cities, as a webinar and in our key markets outside of Australia. All registered providers were invited to participate in Australia and many agents attended sessions outside of Australia.

Following significant consultation during 2014–15, the Department progressed a range of reforms to simplify the Skilled Migration and Temporary Activity (SMTA) visa framework. In the 2015-16 Budget, the Government endorsed the implementation of the simplified visa framework. The Department has progressed work to develop new legislation and systems capability, with changes to the Temporary Activity visas to commence on 19 November 2016. More information about the changes to the Temporary Activity visas can be found at: www.border.gov.au/Trav/Work/temporary-activity-visa-changes.

During 2015–16, the Department also participated in regular meetings with Registered Migration Agents and community associations though the Client Reference Group (CRG) to provide details on policies and procedures and garner feedback for further improvements. The OMARA also utilised other avenues, including its dedicated website and through other channels such as the Agents Gateway. In relation to the OMARA review, the Department considered stakeholder views and continued to implement those recommendations supported by Government. In 2015–16, the Department implemented recommendations relating to the consolidation of OMARA into the Department, the transfer of information, harmonisation with New Zealand under the Trans-Tasman Migration Registration Arrangements, and the establishment of the Independent Reference Group.

Further information on departmental reviews, inquiries and responses is available on the Department's website at: border.gov.au/about/reports-publications/reviews-inquiries.

Measure 2.3

Our decisions and advice are provided in a timely manner, clearly articulating expectations and the underlying reasons for decisions.

Key achievements

- good performance against this measure
- during the reporting period, the Department continued to openly engage with industry, including through delivering seminars and information sessions on rules of origin whenever a new Free Trade Agreement or other major tariff-related change entered into force
- throughout 2015–16, improvement measures were implemented to increase productivity and quality at the Department's primary onshore call service centre, the Sydney Service Centre
- changes to the service model at face-to-face Client Service Counters in Australia resulted in improved client waiting times
- the Department is improving its correspondence with clients to be clearer and more consistent
- the Department is using online services to make correspondence more readily available to the client

Overall analysis

The Department recognises the primary importance of information and education in encouraging and supporting voluntary compliance. The Department provides a number of channels for communication with industry and other agencies including our website, email, meetings, presentations and regular information updates through digital and face-to-face channels.

Trade

Under the Tariff Advice System, the Department provided tariff classification, valuation and rules of origin advice free of charge during the reporting period. The system allowed importers to seek an advance ruling on the classification of specific goods before they imported them. This system provided certainty for importers and helped them to make business decisions about future imports of specific goods before they committed to importation.

The ABF provided Advance Rulings on origin, valuation and tariff classification for goods being imported into Australia. This service assisted industry to make informed business decisions about future imports of specific goods, prior to committing to importation. The ABF improved the timeliness of Advance Rulings over 2015–16, and the average timeframe for advice is within the service standard of 30 days.

More than 2 500 legal decisions are made annually in the Tariff Concession System. During 2015–16, 100 per cent of these decisions were made within the required timeframes. All decisions made under the Tariff Concession System were advised to applicants in a timely manner, and key reasons for each decision were outlined. For revocation and objection decisions contested by third parties, extensive statements of reason were made justifying the decision, relevant parts of legislation, and the legal considerations made based on precedents of the Federal Court. The quality of decision-making was demonstrated by a high rate of success in defending appeals, with none of the 2 500 decisions made in 2015–16 being overturned. Decisions made under the Tariff Concession System are publicly advertised each Wednesday in the Commonwealth of Australia: Tariff Concession Gazette. The gazette is published on the Department's website, and met all publication deadlines for the reporting period.

Further, the Department continued to openly engage with industry, communicating the reasons for decisions made such as for import permission requests. DIBP Notices were made available through the Integrated Cargo System (ICS) to ensure they reached their target audience in the quickest and most direct way. The Department also continued to deliver seminars and information sessions on rules of origin whenever a new Free Trade Agreement or other major tariff-related change enters into force to ensure industry understands new opportunities and obligations. This was the case for the China-Australia Free Trade Agreement (ChAFTA) which entered into force in December 2015.

Visa programmes

Visa applications for temporary entrants were decided within service standards in 88.8 per cent of cases. The stated service standard was met in the Visitor, Temporary Work (Skilled) visa (subclass 457) and Temporary Resident (Other) visa categories.

The permanent Migration Programme was successfully delivered within planning levels. However, as the demand greatly exceeded available places, 52.4 per cent of permanent visa applications were not finalised within service standards. For permanent entrants, 47.6 per cent of permanent visa applications were finalised within service standards. The stated service standard was met for the Child visa programme and was not met for the General Skilled Migration, Employer Sponsored, Business Innovation and Investment, Partner, Parent, and Other Family programmes.

The Department has commenced a programme of work to improve its correspondence to be more reader friendly, restructuring the letters to move the key elements of the correspondence up front with more procedural information being attached as a fact sheet.

The Department has also increased the amount of correspondence that is available to the applicants through ImmiAccount, its online client service portal. This allows clients to retrieve copies of correspondence that has been sent to them without needing to contact the Department.

Measure 2.4

Our advice is consistent and supports predictable outcomes.

Key achievements

- during 2015–16, the Department established processes for assessing import permission requests for regulated and restricted goods to ensure consistent and regular engagement, and consistent advice was provided on permission documentation and conditions of import
- the Department's Sydney Service Centre has mechanisms in place to ensure that responses to enquiries by clients and the public contain consistent information
- the ABF implemented quality assurance processes, which included peer review and regular assessment of previous decisions, to ensure ongoing consistency with advance rulings on origin, valuation and tariff classification for goods being imported into Australia

Overall analysis

The Department has several mechanisms in place to ensure our advice is consistent and supports predictable outcomes.

During the reporting period, the Department commenced the electronic processing and provision of some import permissions as part of its digital transformation under the Import Permit Validation Service. Import permissions are standardised for each prohibited import good. There are a range of standardised import conditions that address the regulatory requirements and that may be selected and applied to permits to ensure consistency in treatment of goods and applicants. The introduction of electronic processing of import permissions expedited and ensured consistency in their assessment and provision. This transformation is ongoing. The Department used internal policy documents and operating procedures to support the consistent and methodical processing of import permissions and provision of consistent import advice.

Further, the ABF implemented quality assurance processes, which included peer review and regular assessment of previous decisions, to ensure ongoing consistency with advance rulings on origin, valuation and tariff classification for goods being imported into Australia. The OMARA also provided regular updates on the implementation of the OMARA review online.

Information Officers at the Sydney Service Centre utilised a knowledge management system, known as the Enterprise Knowledge Management System (EKSS). The EKSS contained standard scripts, as well as operational and procedural advice to ensure that information provided to our clients was consistent and accurate. The EKSS was also used by our staff servicing enquiries received through the Department and ABF Facebook sites, as well as web chat, which was run over some pages on the Department's website.

In addition to the Department's call centres, in 2015–16 the Department had dedicated email inboxes where complex enquiries and requests on import / export permissions for prohibited goods (such as weapons, tablet presses, firearms, and polychlorinated biphenyls) were handled within the Department by appropriately trained staff. These inboxes were regularly monitored, with enquiries about the import / export of goods responded to with automatically generated emails, acknowledging the receipt of an enquiry and timeframes within which to expect a response. Enquiries were then followed up with advice specific to the issue(s) raised by the enquirer within timeframes.

During the reporting period the Department maintained LEGEND as the Department's database of migration and citizenship legislation and policy. LEGEND provides access to the most current legislation and policy, with updates made on an ongoing basis so that changes to legislation and other material are generally available on the day of commencement. Policy documents are also provided with a global commencement date. LEGEND has the ability for users to search current and / or historical legislation and policy information at a set point in time. LEGEND is also available and widely used by migration and citizenship industry professionals including the migration agents and the Administrative Appeals Tribunal. The benefit of this database for the Department is the global availability of legislation and policy to inform policy owners, decision makers and legal officers which in turn allows for consistency in decision making and legal advice.

KPI 3 Actions undertaken by regulators are proportionate to the regulatory risk being managed

Measure 3.1

We apply a risk-based, proportionate approach to compliance obligations, engagement and regulatory enforcement actions.

Key achievements

- strong performance against this measure
- in 2015–16 the Department developed and published a set of criteria for adopting international standards and risk assessments to improve efficiency and to minimise the differences between some compliance requirements and those in other countries
- we utilised risk assessments to identify persons of interest for additional scrutiny, enabling streamlined services for the majority of travellers
- streamlined visa processing arrangements were available for Student visa applicants intending to study at providers who had a lower immigration risk rating.

Overall analysis

During 2015–16, the Department applied a risk-based, proportionate approach to compliance obligations, engagement and regulatory enforcement actions. Central to this approach is a focus on fostering high levels of voluntary compliance while dealing effectively with those who do not comply with the law. We recognise that behaviour falls on a spectrum ranging from active compliance to simple error, indifference, to intentional / criminal non-compliance. Consequently, our treatments and responses range from, but are not limited to, education and awareness initiatives for those genuinely endeavouring to be compliant, to sanctions, including the issuing of Infringement Notices, to penalties and prosecution, for serious and systemic breaches.

The Department's compliance regime relating to the movement of people operates pre-border, at border and post-border. This includes a universal visa system, including checking against a central holding of person and travel document alerts; the Advance Passenger Processing (APP) system, which operates at check-in to verify travellers' authority to travel to and enter Australia as well as providing advance notice of a traveller's expected departure; a network of airline liaison officers at key international airports overseas, 24-hour support to airlines operating flights to and from Australia; border threat management; border clearance of travellers and their baggage; and post-arrival compliance measures.

To assist compliance, the Department has worked in collaboration with other border agencies and industry to develop innovative technological solutions and business processes to deliver a streamlined and simplified border experience which provides certainty to industry and minimises the regulatory burden while enhancing border security. The Seamless Traveller initiative, which includes the rollout of SmartGates and will be delivered over five years, is an example of our innovation and commitment to co-designing with industry and other government departments. Seamless Traveller will see increased automation of border processes.

During the reporting period, our approach included access to streamlined processing through online visa and citizenship application lodgement, conducting Advance Passenger Processing, using a risk-based processing framework for the consideration of repeat registration applications for migration agents, and using data analysis, review, evaluation and research techniques to determine risks within programmes and identify policy options to treat those risks.

Compliance interventions for travellers and the aviation and maritime industries

There were 20.42 million arrivals and 20.25 million departures through Australian airports and seaports in 2015–16, an increase of 6.9 per cent on the previous year. These movements included 36.02 million air passengers, 1.93 million air crew, 1.36 million sea passengers and 1.37 million sea crew. People entering Australia, including Australian citizens, must provide evidence of their identity and evidence of their authority to enter. The Department assesses all passengers arriving or departing for immigration clearance.

The ABF uses passenger name records, advance passenger processing and expected movement record data with information and intelligence attained from a range of Departmental functions and several key partner agencies to conduct further risk assessments of travellers. These additional risk assessments are conducted to identify persons of interest in addition to the scrutiny applied to their visa applications and is conducted regardless of their visa status. Most of these checks are not intrusive to the travellers. These layers ensure travellers are appropriately authorised and identify people of interest for intervention early in the traveller pathway. During 2015–16 assessments using this information led to 267 145 referrals by the ABF resulting in 3 258 refusals of immigration clearance.

The Department continued to comply with standards under Annex 9 of the Convention on International Civil Aviation and provided a comprehensive response as part of the triennial review of Annex 9. In some areas, the Department had stronger measures favoured by Australia's comprehensive visa system. The Department also continued to comply with the standards set by the International Maritime Organisation for the facilitation of passenger travel by sea and supports its measures for the facilitation of international maritime traffic.

Compliance interventions for trade and goods

The Department has developed intelligence-informed and risk-based targeting policies to guide the ABF's compliance interventions in the trade and goods environment. Responses to instances of non-compliance have been proportionate to the offence committed and take into account the impact, or potential impact, on the community or economy, the compliance history of the entity and any mitigating circumstances. For example, a recent response by the ABF to address issues related to timeliness and accuracy of information reported in a cargo report, has been to work with some of Australia's largest cargo reporters through education and awareness campaigns. This engagement has led to improvements in both of these areas of cargo reporting. Import permission assessments have also been undertaken with support of partner law enforcement agencies proportionate to the risks associated with those imports. In addition, the philosophy of the Australian Trusted Trader (ATT) programme is based on differentiating traders to allow for the ABF to ensure a proportional and targeted compliance approach for low risk traders who are participating in the programme.

Office of Migration Agents Registration Authority (OMARA)

During 2015–16, the OMARA continued to use a complaints handling risk matrix in considering how to efficiently and appropriately investigate complaints lodged against registered migration agents. The use of this risk matrix supports appropriate allocation of resources to address the risk to consumers and support program integrity. The OMARA implemented a risk based processing framework for the consideration of repeat registration applications for migration agents.

Streamlined visa processing

The Department utilises intelligence-informed and evidence-based risk tools to streamline visa processing and manage risk within the visa and citizenship caseloads. This includes use of data analysis of trends, emergent risk and threats. Streamlined visa processing arrangements were available for Student visa applicants intending to study at providers who had a lower immigration risk rating. Students applying under Streamlined visa processing arrangements generally had lower evidence requirements for financial capacity and English language.

Online citizenship lodgement

In 2015–16 82 294 (42 per cent) of conferral citizenship applications were lodged online out of a total of 196 392 applications. In 2015–16 9 575 (44 per cent) of descent citizenship applications were lodged online out of a total of 21 545 applications. In November 2016, eLodged applications will also be made available for citizenship evidence applications.

Measure 3.2

Our preferred approach to regulatory risk is regularly reassessed. Strategies, activities and enforcement actions are amended to reflect changing priorities that result from new and evolving regulatory threats, without diminishing regulatory certainty or impact.

Key achievements

- strong performance against this measure
- in 2015–16 the Department continued to develop enhanced performance measures using assurance, capability and evaluation principles to ensure that policy risks are identified and treated in accordance with the risk management as articulated in the Corporate Plan.

Overall analysis

The Department actively considered regulatory risk over the reporting period in consideration of changing priorities that result from new and evolving regulatory threats while considering stakeholder impact. The effective management of risk is critical to achieving the Department's mission, vision and purposes. Active risk management ensures that we can derive maximum benefit from opportunities, and helps us to identify and address issues that may jeopardise the achievement of our purposes. In 2015–16, the Department continued to operate in an inherently complex and high-risk environment and we have a wide range of diverse risks, including to our operational activities. During this period, we continued to ensure the integrity of our visa and trade programmes, the resolution of immigration status, the facilitation of movement of people and goods across our border.

We also implemented risk-based processing of repeat migration agent registration applications, with early results indicating that the process has not diminished the quality of decisions and has improved the speed of decision making on a large percentage of applications. Internal evaluation indicates that expanding the priorities of the OMARA beyond registration and other monitoring activities, including file audits based on high visa refusal rates and referrals from visa processing areas of the Department, is an effective way of addressing new and evolving regulatory threats without diminishing regulatory certainty or impact.

During 2015–16, the Department was focussed on introducing a new assessment framework for the Irregular Maritime Arrival legacy caseload. To ensure robust decision making, several layers of pre and post decision assurances were in place. This provided a regular flow of information to inform risk settings and training priorities. Reflecting the increased maturity of the process, the assurance approach will be adjusted in 2016–17, supporting decision makers and the integrity of the programme through targeted audits at six-monthly intervals.

Measure 3.3

We recognise the compliance record of regulated entities, including using earned autonomy where this is appropriate. All available and relevant data on compliance, including evidence of relevant external verification is considered.

Key achievements

- strong performance against this measure
- during 2015–16, ATT was developed and piloted which recognises businesses with a secure supply chain and compliant trade practices, and rewards accredited businesses with a range of trade facilitation benefits, including priority trade services and differentiated examinations
- the Department progressed the Simplified Student Visa Framework, under which education providers who recruit genuine students who comply with their visa conditions receive a lower immigration risk rating

Overall analysis

During the reporting period the Department used analysis of compliance data and information on the impact on regulated entities to determine if it was necessary to amend policy. Entities that self-regulate and maintain a high level of compliance with Australia's border laws experienced a more seamless border processing experience. Entities that are unknowingly non-compliant were provided with increased assistance and guidance. Entities who decided to actively not comply with Australia's border laws, were deliberately non-compliant or were criminal, experienced greater intervention at the border and thorough investigations, and the potential for prosecution.

ATT is underpinned by the principle of sharing responsibility for border management between the Trusted Trader and the Department. To support ongoing management of programme, Trusted Traders are expected to voluntarily disclose any supply chain security or trade compliance incidents or irregularities to the Portfolio. The self-disclosure of incidents or irregularities by the Trusted Trader would impact how the Department treats the incident or irregularity, with the overarching aim of supporting ongoing compliance. This commitment to shared responsibility is a central aspect of ongoing management of the programme.

In 2015–16, the Department implemented measures and refined its processes in a number of areas to recognise the compliance record of regulated entities, expanding the Accredited Sponsorship scheme to streamline processing of 457 nominations and visa applications from low-risk sponsors, creating the ATT programme, and implemented risk-based processing of repeat migration agent registration applications. During the reporting period, the Department also gave active consideration to the impact of policy reforms on low-risk applicants, and where appropriate, policy reforms were designed to minimise impact on low-risk applicants.

Importantly, the development of the Simplified Student Visa Framework (SSVF) will also enhance integrity by delivering a more targeted approach to risk management. All students are subject to the same core visa requirements such as being a Genuine Temporary Entrant and meeting health and character criteria. Under the SSVF, a combined country and education provider risk framework guides a student's evidentiary requirements. This Framework will allow the Department to be satisfied that the students are genuine and they have sufficient funds to support themselves and their accompanying family members while they are in Australia.

KPI 4 Compliance and monitoring approaches are streamlined and coordinated

Measure 4.1

Our information requests are tailored and only made when necessary to secure regulatory objectives, and only then in a way that minimises impact.

Key achievements

- strong performance against this measure
- the Department continued to collect and process export and import information through the Integrated Cargo System (ICS), resulting in most declarations being progressed without intervention
- during 2015–16, the Department ensured compliance records of registered migration agents informed the relevant processing level assigned to each regulated entity and allowed for a streamlined process and increased client autonomy, where appropriate

Overall analysis

The Department continued to collect and process export and import information through ICS. The system performs a range of checks to ensure only valid codes are used and all mandatory information is included, and alerts users to possible errors. The Department's checks aimed at ensuring compliance with legislation in an environment of self-regulation and risk assessment. In practice, this means that most declarations were processed without intervention.

During the reporting period, the Department ensured compliance records of registered migration agents informed the relevant processing level assigned to each regulated entity and allowed for a streamlined process and increased client autonomy, where appropriate. This was done to minimise impact on our stakeholders. Further, monitoring activities were also informed by the risk-based streamlined processing framework. The Complaints Handling Risk Matrix includes assessment of an agent's compliance record when categorising complaints. Compliance records of registered migration agents inform the processing level assigned to each regulated entity. Individuals with a low risk are given a streamlined annual registration process. The Department also sought, through template forms, only the necessary detail to assess requests for import permissions.

When writing to visa applicants, their sponsors and authorised representatives, departmental officers are able to use the Department's Enterprise Correspondence Service (ECS) to draw on legally cleared text which they can then supplement with additional information relevant to the client's individual circumstances.

In many cases, the client can then respond to the Department's requests for information through their individual ImmiAccount, allowing for their response to be available to the decision maker at the earliest opportunity.

Measure 4.2

The frequency of information collection is minimised and coordinated with similar processes including those of other regulators so that, as far as possible, information is only requested once.

Key achievements

- strong performance against this measure
- the Office of the Migration Agents Registration Authority (OMARA) continued its annual registration renewal process and information requested of migration agents for monitoring activities did not duplicate information required as part of registration renewal
- validity of the APEC Business Travel Card was expanded from three to five years with effect from 1 September 2015, reducing the frequency with which card holders need to provide information
- the continued roll-out of dynamic document checklists for online application forms has better enabled stakeholders to ensure that they provide correct and complete information and documentation

Overall analysis

During the reporting period, the Department sought to minimise the burden on stakeholders by minimising the frequency of information collection. In accordance with this measure, OMARA continued to make requests for information relevant to registration once per year as part of the annual registration renewal process. Information requested of migration agents for monitoring activities in 2015–16 did not duplicate information provided as part of registration renewal. In addition, requests for information in relation to the consideration of complaints were made judiciously and proportionately in accordance with the complexity of the complaint. The Department has also sought to further reduce the regulatory burden on industry by digitising import processes (such as processes for import permits), as outlined at Measure 1.1.

Dynamic document checklists have been implemented for a number of key visa subclasses. This means that applicants are able to check during the application process that they have all the correct information and documentation included prior to submitting their visa application. More complete applications reduce the need for further correspondence or interaction with an applicant prior to a decision being made, which will simplify and improve the client experience. As the checklists are successfully implemented, further subclasses will be added, including online visitor visa applications from China and Temporary Activity visas.

In line with the decision made by the APEC Business Mobility Group, the Department agreed to extend the validity of the APEC Business Travel Card (ABTC) from three to five years as of 1 September 2015. The ABTC recognises the need for fast and efficient travel for business people within the APEC region, allowing approved business travellers access to facilitated short-term entry to 21 participating member economies. The ABTC removes the need to individually apply for visas or entry permits, saving time, and allows multiple entries into participating economies during the five years the card is valid. Card holders also benefit from faster immigration processing on arrival via access to fast-track entry and exit through special APEC lanes at major airports in participating economies. The change to validity will reduce the frequency with which card holders have to apply.

Measure 4.3

We utilise existing information to limit the reliance on requests from regulated entities and share the information among other regulators, where possible.

Key achievements

- strong performance against this measure
- the Department has provided access to the ICS to a number of Australian Government agencies
- the Department also shared data with other agencies to create linked data sets that provide richer information for the public and policy makers

Overall analysis

In 2015–16, the Department sought to utilise existing information to limit the reliance on requests from regulated entities and shared information among other regulators where possible and in accordance with legislation. For example, the Department has provided access to the ICS to a number of Australian Government agencies including the Department of Agriculture and Water Resources and the Department of Industry, Innovation and Science. In addition, digital checking of visa entitlements was fully implemented and information collected from the protection process that raised concerns was provided to the relevant federal security regulator.

Under the Five Country Conference (FCC) biometric data-matching programme, the Department is developing the capability to automate the exchange of non-FCC citizens' fingerprint biometric data with other FCC partners. Full automation of biometric data exchange, and the subsequent legal requirements to carry out this sharing, has commenced and will be rolled out progressively to all FCC partners in coming years.

All biometrics collected for non-nationals are matched against both the Department's own records and national law enforcement fingerprint records held in the Australian Criminal Intelligence Commission's National Automated Fingerprint Identification System (NAFIS). The Department matches selected biometrics against the fingerprint databases of other FCC partners.

In 2015–16 there were 74 628 fingerprint records shared with FCC partners. Checks continue to reveal identity, law enforcement and immigration history information on individuals that would otherwise not be known to the Department. This includes information on individuals on known or suspected terrorist lists. The FCC data-matching process is making a significant contribution to improving identity management.

The Department also worked closely with the Digital Transformation Agency and the Department of the Environment and Energy to develop and trial an Import Permit Validation Service which aims to remove the need for importers to provide paper permits to the Department. Since 29 April 2016, importers have been able to electronically submit permits and clear goods relating to the Convention on International Trade in Endangered Species of Wild Fauna and Flora. If the trial proves successful, the Department will work on making more permit types available through this service.

In April 2016 the Department implemented a 12-month pilot import data-sharing arrangement on certain building products with relevant State and Territory regulators to inform their compliance and enforcement activities for non-conforming building products. This was an important cross-jurisdictional contribution to address safety concerns about these goods.

The Department engages with other government organisations to provide timely information about the visa status of foreign nationals to enable them to access the services to which they are entitled. An example of this is the information sharing arrangements with Medicare where the Department sends the visa status electronically allowing Medicare to issue a Medicare Card to eligible visa holders in a timely manner.

Through its Visa Entitlement Verification Online (VEVO) service, the Department provides registered employers with an easy and convenient method of confirming a foreign national's visa status and their entitlement to work in Australia. Alternatively, individual foreign nationals can send information about their visa status directly from VEVO to an employer or any third party of their choosing.

Data availability and use

During 2015–16, the Department continued its commitment to continuous improvement in its collection, maintenance, use and release of data. The Department leveraged new and sophisticated tools and analytic techniques to maximise the value of big data, in collaboration with academic, industry and government partners. The Department worked to advance the availability of data across trade, travellers and migration aims to improve accountability and transparency, the development of evidence-based policy and operations, the delivery of client-centred government services, analysis and research to inform public debate, and innovation and productivity.

The Department also published a range of anonymised migrant, traveller and goods data and aggregated statistics on its website (border.gov.au) and the Australian Government online repository for data (data.gov.au). Anonymised unit record data was also released to approved entities through a secure Australian Government platform (govdex.gov.au) on a cost recovery basis. Some departmental data shared with other agencies was published on their websites and interactive platforms, such as the Australian Bureau of Statistics' (ABS) TableBuilder platform or the Department of Social Services' (DSS) Settlement Reporting Facility.

The Department shared data with other agencies to create linked data sets that provide richer information for the public and policy makers. For example, the Australian Census and Migrants Integrated Dataset (ACMID) integrated permanent migrant records from the Settlement Database with Census 2011 records, and the Personal Income Tax and Migrants Integrated Dataset brought together taxation and visa data. The collaborative arrangement between the Department, the ABS and DSS facilitated innovative linkage projects such as the ACMID. All projects had rigorous controls applied to ensure privacy and protect the data. Under these arrangements, the three agencies funded and set work priorities for the ABS National Migrants Statistics Unit. The Department also collaborated with the ABS to link temporary migrant data with Census data, to provide insights into the economic and social outcomes of Australia's temporary residents.

Apart from what is publicly released online, the Department also provided data to academics and other researchers under formal agreements and in response to one-off requests as part of its research programme. Anonymised data was also provided to the media if requested and in line with relevant legislation.

Measure 4.4

We base monitoring and inspection approaches on risk and, where possible, take into account the circumstance and operational needs of the regulated entity.

Key achievements

- strong performance against this measure
- the Department ensured that border monitoring and inspection approaches were based on risk and, where possible, took into account the circumstance and operational needs of the regulated entity

Overall analysis

During 2015–16, the Department ensured that border monitoring and inspection approaches were based on risk and, where possible, took into account the circumstance and operational needs of the regulated entity. Throughout 2015–16 the Department used a range of intelligence and border systems to identify border risks and non-compliant activities for the movement of people and goods.

For example, we achieved more than 99 per cent compliance with visa stay conditions following use of the intelligence-based risk assessment. In addition, over the reporting period more than 3.8 million customs import declarations were finalised, 1.51 million export declarations were finalised, 1.6 million import / export declaration lines were assessed as a result of voluntary disclosures, and 102 988 targeted import / export declarations were assessed pre-clearance.

In 2015–16, the Department undertook a 12-month pilot of the Australian Trusted Trader Programme (ATT). ATT recognises businesses with a secure supply chain and compliant trade practices, and rewards accredited businesses with a range of trade facilitation benefits. These benefits include being recognised as low risk, and hence being subject to a lighter touch at the border through differentiated examinations. From 2016–17, Trusted Traders will also have access to trade facilitation benefits in countries where Australia has signed a Mutual Recognition Arrangement. This will result in a reduction in regulatory burden and increased trade facilitation into key export mark.

KPI 5 Regulators are open and transparent in their dealings with regulated entities

Measure 5.1

Our risk-based frameworks are publicly available in a format which is clear, understandable and accessible.

Key achievements

- strong performance against this measure
- the Department developed the Streamlined Student Visa Framework (SSVF), which was formally launched on 1 July 2016
- key risk assessment tools such as visa processing guidelines and assessment levels were made available to industry and the general public on the Department's website
- the ABF communicated the areas of compliance focus to industry members through regular website updates, the quarterly Goods Compliance Update, presentations at key industry forums and targeted letters

Overall Analysis

The Department aims to build security, safety, and resilience across all domains, identify opportunities for business improvement, innovation and assist in allocation of resources through the implementation of a departmental risk management policy and framework in accordance with Section 16 of the *Public Governance, Performance and Accountability Act 2013* and the Commonwealth risk management policy. A key aspect of the Department's risk management framework was to identify and effectively manage our enterprise risks and their controls during 2015–16. Enterprise risks are those that are so important that they must be visible to senior management to allow effective oversight to take place. Each enterprise risk was assigned to a senior executive for management, and oversight across the risks was undertaken by the Department's Risk Working Group.

During 2015–16, the Department was open and transparent in its dealings with regulated entities, providing relevant information, including risk frameworks and supporting materials through a variety of mediums. To improve compliance, the Department undertook education activities aimed at improving travellers', traders' and visa-holders' levels of awareness of Australia's border laws. This approach has increased the understanding of, and increased compliance with legislated obligations for those seeking to abide by Australian law. It has also enabled the ABF to direct more resources to detect, prevent and deter serious non-compliance and criminal activity.

In 2015–16, the Department implemented measures and refined its processes in a number of areas to recognise the compliance record of regulated entities, expanding the Accredited Sponsorship scheme

to streamline processing of 457 nominations and visa applications from low-risk sponsors, creating the Australian Trusted Trader Programme, and implemented risk-based processing of repeat migration agent registration applications. During the reporting period, the Department also gave active consideration to the impact of policy reforms on low-risk applicants, and where appropriate, policy reforms were designed to minimise impact on low-risk applicants.

Importantly, the development of the SSVF will also enhance integrity by delivering a more targeted approach to risk management. All students are subject to the same core visa requirements such as being a Genuine Temporary Entrant and meeting health and character criteria. Under the SSVF, a combined country and education provider risk framework guides a student's evidentiary requirements. This Framework will allow the Department to be satisfied that the students are genuine and they have sufficient funds to support themselves and their accompanying family members while they are in Australia.

The Department provided current and accurate information to education providers through multiple channels including the website, industry groups, conferences, during teleconferences or face-to-face meetings and through emails.

In relation to trade and goods, the Department established a Trade and Goods Compliance Advisory Group (CAG) in 2015–16 as a collaborative forum for industry, the Department and the ABF to develop solutions to emerging and existing trade and goods compliance issues. Two meetings of this group were held in 2015–16 and the minutes from these meetings are published on the Department's website. The Department also published a quarterly newsletter updating industry on the ABF's national goods compliance programme.

The Office of the Migration Agents Registration Authority's (OMARA) risk based eligibility criteria for streamlined processing was published on the OMARA website. The complaints handling risk matrix was available in the OMARA Policy and Procedures Manual.

Measure 5.2

We are open and responsive to requests from regulated entities regarding the operation of the regulatory framework, and approaches implemented by regulators.

Key achievements

- strong performance against this measure
- the Department published a range of formal publications to advise the public on our regulatory operations and regulatory changes over the coming years, including the Department's Corporate Plan, Annual Report, Strategy 2020 and ABF 2020
- the Independent Reference Group on the implementation of the Independent Review of OMARA met twice in 2015–16 and provided useful advice and guidance on a range of areas relevant to the review including Continuing Professional Development, Entry-level qualifications and fees for registered migration agents

Overall analysis

In 2015–16, the Department was open and responsive to requests from regulated entities. The Department processed 31 800 items of ministerial correspondence and prepared approximately 2 800 responses for the Minister's signature. The Department was also highly responsive to feedback received through the Global Feedback Unit from clients regarding Departmental services. Responses to clients were respectful and addressed concerns raised within the specified timeframe. Issues that were raised through email, consultative fora or logged in issues registers were actioned in a timely manner and discussed at working groups and committee meetings. The Department also responded consistently and informatively to numerous requests on the operation of regulatory border controls, including on regulated and restricted goods, as well as referring industry clients to specific contacts in other regulatory agencies where necessary.

Performance against service standards and compliance with freedom of information statutory timeframes were published in the Department's Annual Report, and made available to regulated entities. During 2015–16 there was a 10.2 per cent increase in freedom of information requests received compared with the previous financial year. The total number of requests received, including amendment requests, was 23 836, with 22 913 requests finalised. A significant proportion of this increase is due to requests by illegal maritime arrivals seeking documents prior to applying for the new Temporary Protection visas and Safe Haven Enterprise visas. The Department had a compliance rate of 68.6 per cent of requests finalised within the statutory timeframe.

During 2015–16, the Department published a range of formal publications to advise the public about our regulatory operations and regulatory changes over the coming years, including the Department's Corporate Plan, Annual Report, Strategy 2020 and ABF 2020. The Department also made improvements to its website to provide additional information and greater useability.

In addition to published material, the Department engaged with industry through Ministerial Advisory Councils (MACs) to provide independent advice to the Minister on issues identified as a priority. Members are appointed by the relevant minster, on the basis of their expertise to and experience in their relevant field. The Department has two Ministerial Advisory Councils, namely the Minister's Council on Asylum Seekers and Detention (MCASD) and the Ministerial Advisory Council on Skilled Migration (MACSM). MCASD provides independent advice to the Minister on policies, processes, services and programs necessary to achieve timely, fair and effective resolution of immigration status for people seeking migration outcomes in Australia. MACSM is a tripartite body comprising of unions, business and government representatives who provide advice to the Minister for Immigration and Border Protection on Australia's temporary and permanent skilled migration programmes. There is a legislative requirement for MACSM to meet at least quarterly.

In addition to MACs, the Department also engages regulated entities through advisory bodies, high level fora on trade, customer and traveller, asylum seekers and the humanitarian program, and migration and mobility. Examples of these groups are:

- The Tourism Visa Advisory Group is chaired by the Department and facilitates consultation with key tourism industry stakeholders including key non-government peak bodies, state and territory tourism authorities and other government agencies. It includes in its membership key industry stakeholders such as Qantas and Virgin. TVAG is an information-sharing forum in which the Department seeks stakeholders' views and feedback on policy matters.
- The Education Visa Consultative Committee, which facilitates consultation between the Department and key international education sector stakeholders including key non-government peak bodies, states and territories, representatives of business and unions and other Government agencies such as the Department of Education and Training and Austrade.
- The role of the APEC Business Mobility Group (BMG) is to facilitate trade and investment activity by enhancing the mobility of business people in the APEC region. The BMG has been chaired by the Department since its inception in 1997 and has progressed numerous border security initiatives, including the APEC Business Travel Card and the Regional Movement Alert System.

Measure 5.3

Our performance measurement results are published in a timely manner to ensure accountability to the public.

Key achievements

- strong performance against this measure
- the Department published comprehensive performance information in its 2015–16 Annual Report, made available to regulated entities on the Department's website on 10 October 2016

Overall analysis

The Department worked strongly to ensure that performance measurement results were published in an accessible manner and in a timely fashion.

In accordance with the *Public Governance, Performance and Accountability Act 2013*, the Department published its 2015–16 Annual Report, which included significant detail on the Department's performance against its performance measures in October 2016. The Department also published the 2015–16 Corporate Plan in August 2015, which outlined the strategies and priorities that we will focus on to deliver our outcomes for the Australian Government, and through the Government, the Australian people over the next four financial years. It set out the Department's key objectives and priorities, our purpose, operating environment and planned performance.

Research and statistical reports are also published at: border.gov.au/about/reports-publications/research-statistics, including an overview of statistical information for 2015–16 called '2015–16 at a glance'. The research pages provided the public with an awareness and understanding into impacts on the Australian environment, economy, culture, and workforce to increase awareness of Australia's immigration programmes, including studying, working and living in Australia. The statistics pages provide the public with increased awareness and understanding of details relating to trends in immigration and statistics related to our immigration, migration, asylum and humanitarian programmes.

In relation to trade and goods, the Department established a Trade and Goods Compliance Advisory Group (CAG) in 2015–16 as a collaborative forum for industry, the Department and the ABF to develop solutions to emerging and existing trade and goods compliance issues. Two meetings of this group were held in 2015–16 and the minutes from these meetings are published on the Department's website. The Department also published a quarterly newsletter updating industry on the ABF's national goods compliance programme.

In relation to the migration programme, statistics for all Temporary visa products were published online, while risk rating reports were regularly sent to education providers. Reports on the Student visa programme were sent to providers participating in Streamlined Visa Processing arrangements twice in 2015–16 in accordance with the Guidelines.

KPI 6 Regulators actively contribute to the continuous improvement of regulatory frameworks

Measure 6.1

Regulators establish cooperative and collaborative relationships with stakeholders to promote trust and improve the efficiency and effectiveness of the regulatory framework.

Key achievements

- strong performance against this measure
- the Department continues to engage with international partners, including the aviation and maritime sectors, and foreign Governments to ensure that international regulatory frameworks meet best practice and are harmonised with Australia's national interests
- the Department worked collaboratively with the airline industry prior to the full commencement of outward Advance Passenger Processing (APP) infringements in July 2016, in order to ensure that industry stakeholders were given sufficient time and opportunity to understand the new requirements
- the Department co-designed industry engagement strategies with key stakeholders to improve communication and consultation

Overall Analysis

Through a range of engagement and collaboration strategies the Department has worked to establish and build upon relationships with our stakeholders, to ensure effective operation of our regulatory frameworks.

The Department has a layered approach to stakeholder engagement which is focused at both international and national partnerships in traveller facilitation and enforcement. In 2015–16, the Department's international engagement included, but was not limited to, foreign governments, the Facilitation Committee of the International Maritime Organization (IMO) and the International Air Travel Association (IATA) Passenger Experience Management Group. Through these fora, the Department, in conjunction with other Australian Government agencies such as the Australian Maritime Safety Authority, the Civil Aviation Safety Authority, and the Department of Industry, Innovation and Science, worked with international stakeholders to influence the design and span of international regulatory frameworks. This has provided us with an opportunity to ensure harmonisations and efficiencies are realised and our industry partners are supported.

In 2015–16, the Department collaborated with industry in trialling outwards Advance Passenger Processing (APP) for maritime cruise vessels. The National Sea Passenger Facilitation Committee collectively explored a future border processing model for sea travellers and established a working group to co-design and guide the development of the future model.

The Department also has a proactive approach and is continuing to work closely with airlines to ensure they can consistently meet their reporting obligations under Australia's APP system. An example of the Department's commitment to working with industry is the Department's leadership in developing the APP Cooperative Compliance Framework (APP CCF) in partnership with airlines. The APP CCF will formalise how the Department will work with carriers to help them improve their APP reporting compliance.

As outlined at Measure 1.1, the Department's 2015 annual Industry Summit saw the launch of the Department's two complementary Industry Engagement Strategies: Industry Engagement Strategy 2020 - Trade, Customs and Traveller and Migration and Mobility. These strategies were developed in consultation with industry stakeholders and provide a framework for engagement between the Department and industry on a broad range of policy, operational and regulatory issues. The strategic content reflects the diverse environments in which we engage with industry and the importance of trusted partnerships in furthering our relationship.

The Department also consulted with a range of stakeholders and released discussion papers seeking views from industry, the Australian public, refugee and settlement peak bodies and community organisations to inform: the new Entrepreneur visa being established under the National Innovation and Science Agenda; and the Temporary Skilled Migration Income Threshold provision of the Subclass 457. We held quarterly meetings with the Tourism Visa Advisory Group and the Education Visa Consultative Committee to address education and tourism industry concerns on immigration matters. We also held Minister's consultations on the 2016–17 Humanitarian Programme with representatives from the United Nations High Commissioner for Refugees, refugee and settlement peak bodies and community organisations in Sydney and Melbourne.

During the reporting period the Department's Ethnic Liaison Officer (ELO) Network continued to contribute to the Department's objective of promoting responsive migration through strengthening social cohesion. The ELOs aim to increase positive social relationships and to create a sense of belonging and promoting trust while understanding the dynamics within the community and across communities. This includes sharing information obtained from communities who may see examples of indicators for Countering Violent Extremism across government and sharing whole-of-government messages such as the Living Safe Together campaign.

The Department participated in the International Trade Remedies Forum, an initiative of the Minister for Industry, Innovation and Science. The forum brought together a variety of stakeholders to advise government on anti-dumping outcomes. This work will be progressed in the 2016–17 reporting year,

as the Department works with stakeholders through a committee to assess compliance and anti-circumvention in anti-dumping.

Measure 6.2

We engage stakeholders in the development of options to reduce compliance costs. This could include industry self-regulation, changes to the overarching regulatory framework, or other strategies to streamline monitoring and compliance approaches.

Key achievements

- strong performance against this measure
- the Department worked closely with industry to co-design the Australian Trusted Trader (ATT) programme, piloted through 2015–16 and made fully operational on 1 July 2016
- the Department consulted with affected stakeholders on deregulation of the student visa programme and future directions for streamlined visa processing

Overall Analysis

The Australian Government has committed in its Industry, Innovation and Competitiveness Agenda to make it easier and cheaper to do business, particularly for small business by reducing the burden of regulation, reducing the burden of taxation and improving access to high-quality, low-cost inputs to business by opening the economy to greater domestic and international competition.

As outlined in the Industry Engagement Strategy 2020: Trade, Customs and Traveller, the Department is working with our industry stakeholders to explore ways to reduce regulatory and compliance costs where possible, as well as ensuring our approach to regulation and compliance requirements is considered in this context. In 2015–16, the Department established the Trade and Goods Compliance Advisory Group as a collaborative forum for industry, the Department and the ABF to recommend solutions to trade and goods compliance issues. The group was established as a collaborative forum for industry, the Department and the ABF to recommend solutions to trade and goods compliance issues and enhance the trade and goods compliance framework and affect positive compliance behaviours, including maximising voluntary compliance and working with industry to co-design solutions to existing and emerging issues. The group met twice in the reporting period and its terms of reference and minutes from the meetings are published on the Department's website.

As a measure to further open our economy to domestic and international competition and investment, the Government committed to consult with industry to co-design a 'trusted trader' programme to streamline customs procedures where industry could demonstrate a secure supply chain and trade compliant practices to provide better certainty of trade. The Department's Trusted Trader Industry Advisory Group was established to bring together representatives from industry advocacy groups, different industry sectors and government. The Industry Advisory Group provided advice, feedback and input into the design and development of the ATT programme. The IAG met three times over the reporting period.

During 2015–16, the Department's Digital Transformation Programme assisted business areas to design end-to-end digital services focussing on user needs to help manage the increasing volumes of people and goods that cross the border, as well as make processes faster, simpler and easier to use for businesses, travellers and traders. The Department also participated in the Digital Transformation Agency exemplar work programme and running 'in-house' digital service projects against the Digital Service Standard, including the Citizenship Appointment Booking Service Exemplar. A trial of the citizenship project was launched in Melbourne in March 2016 and provided individuals with an online tool to reschedule their appointments to provide identity and biometric information and sit the Citizenship Test. User satisfaction ratings from the trial have consistently been above 90 per cent and it is expected to result in significant red tape savings when rolled out nationally.

Through the Australian Government's Regulation Impact Statement Process (RIS) process, the Department ensured that affected stakeholders were consulted on deregulation of the student visa

programme and future directions for streamlined visa processing. A RIS was also developed on the Review of the Migration Agents Registration Authority.

Measure 6.3

We regularly share feedback from stakeholders and performance information (including from inspections) with policy departments to improve the operation of the regulatory framework and administrative processes.

Key achievements

- strong performance against this measure
- the Department held inter-departmental committees (IDC) to discuss the operation of the Complying Investment Framework for the Significant Investor Visa and Premium Investor Visa (subclass 188). The most recent IDC was co-chaired with Austrade in May 2016 and was used to discuss potential changes to the Framework to enhance compliance
- the Department held cross-portfolio discussions on the 'Supporting Innovation through Visas' measure of the National Innovation and Science Agenda on 26 February 2016 and discussed topics included the consultation process and policy settings for the visa changes required under the measure

Overall analysis

The Department maintained an open and accountable client feedback culture that is fair, lawful and reasonable, which was committed to providing services in ways that are considerate of the impact on our stakeholders. Information about how and where stakeholders could provide feedback was displayed at all Department offices and on our website.

In 2015–16, the Department actively shared information and feedback across portfolios and with non-government entities to ensure that regulatory frameworks continued to operate effectively and efficiencies were realised where possible.

During the reporting period the Department hosted quarterly meetings of the Education Visa Consultative Committee and the Tourism Visa Advisory Group, and provided support to the Ministerial Advisory Council on Skilled Migration.

The Department routinely engaged with the Department of Social Services, which delivers settlement and support services for humanitarian and other eligible migrants, and also attended the NSW Regional Development Australia meeting in December 2015, chaired by the Department of Industry. This was a one-off meeting to provide background information on the Safe Haven Enterprise Visa.

During the reporting period the Department's Ethnic Liaison Officer (ELO) Network continued to contribute to whole-of-government information sharing and collaboration on social cohesion issues and reporting on emerging risks in migrant communities. The ELO Network is closely linked with the Department of Social Service's Multicultural Community Liaison Officer (MCLO) Network and other national community liaison networks.

The Department cooperated closely with other policy agencies to improve the operation of the customs and passenger regulatory framework and administrative processes. These agencies include the Office of Transport Security, the Department of Foreign Affairs and Trade, the Department of Agriculture and Water Resources, the Department of Industry, Innovation and Science, the Australian Competition and Consumer Commission, the Department of Defence, Attorney-General's Department and others.

Through its international network and with the Department of Foreign Affairs and Trade, the Department also worked with regional customs administrations to facilitate trade and support exporters. For example, the Department has liaised closely with the General Administration of China

Customs to resolve issues arising from the implementation of the China-Australia Free Trade Agreement.

The Department also actively participated in whole of government discussions on coastal shipping and foreign fishing. Submissions were also made on the Senate Inquiry into Flags of Convenience shipping and its associated risks. The Department continues to engage with industry, other government agencies and seafarer representatives on the collaborative management flag of convenience matters.

The Regulator Performance Framework and external validation of regulatory self-assessment

The Australian Government has committed to reducing the cost of unnecessary or inefficient regulation imposed on individuals, business and community organisations by at least $1 billion a year. To give effect to this objective, the Government defined six mandatory key performance indicators (KPIs) covering reducing regulatory burden, communications, risk-based and proportionate approaches, efficient and coordinated monitoring, transparency, and continuous improvement.

The Framework applies to those Commonwealth entities and functions that have statutory responsibility to administer, monitor, or enforce regulation by undertaking some or all of the following activities:

- licensing and/or approvals processes, including registration/accreditation, that control entry to or participation in a market
- monitoring and compliance activities, including imposing and collecting fees
- enforcement actions for non-compliance and complaints resolution
- providing advice and guidance regarding compliance with regulation, including education around compliance.

As part of the Regulatory Reform Agenda, the Government tasked each Portfolio to establish a Ministerial Advisory Council (MAC) or other equivalent stakeholder consultation mechanism to consider regulation reform and the regulatory performance framework.

The National Committee on Trade Facilitation was chosen as the primary means for consultation with industry on trade and customs issues. Additionally, the Ministerial Advisory Council on Skilled Migration was chosen for consultation on immigration matters.

Both bodies have validated this self-assessment report.

About the Ministerial Advisory Council on Skilled Migration

The Ministerial Advisory Council on Skilled Migration (MACSM) is a tripartite body comprising industry, union and government representatives which provides advice to the Minister and Assistant Minister for Immigration and Border Protection on Australia's temporary and permanent skilled migration programmes and associated matters.

About the National Committee on Trade Facilitation

The National Committee on Trade Facilitation (NCTF) provides a forum for the discussion of strategic issues affecting Australian Industry stakeholders in the international trade environment. The NCTF will discuss opportunities for reform and improvements to the international trade environment. The NCTF will fulfil the obligations required by the World Trade Organization's Agreement on Trade Facilitation, and serve as the Department of Immigration and Border Protection's Ministerial Advisory Committee on Deregulation for trade facilitation issues.

A Regulatory Reform Working Group has been established under the NCTF specifically to consider regulatory matters relating to trade regulation.

Appendix: Departmental-administered legislation

In 2015–16, the Department administered the following Acts, which provide a legislative framework for its functions and services:

- *Aliens Act Repeal Act 1984* (repealed on 10 December 2015)
- *Australian Border Force Act 2015*
- *Australian Citizenship Act 2007*
- *Australian Citizenship (Transitionals and Consequentials) Act 2007*
- *Commerce (Trade Descriptions) Act 1905*
- *Customs Act 1901*, other than Part XVB and Part XVC
- *Customs Licensing Charges Act 1997*
- *Customs Securities (Penalties) Act 1981*
- *Customs Tariff Act 1995*
- *Customs (Tariff Concession System Validations) Act 1999*
- *Customs Undertakings (Penalties) Act 1981*
- *Immigration (Guardianship of Children) Act 1946*
- *Import Processing Charges Act 2001*
- *Import Processing Charges (Amendment and Repeal) Act 2002*
- *Maritime Powers Act 2013*
- *Migration Act 1958*
- *Migration Agents Registration Application Charge Act 1997*
- *Migration (Health Services) Charge Act 1991*
- *Migration (Sponsorship Fees) Act 2007*
- *Migration (Visa Application) Charge Act 1997*
- *Passenger Movement Charge Act 1978*
- *Passenger Movement Charge Collection Act 1978*

The Amendment Act and Regulations are available on the ComLaw website, administered by the Attorney-General's Department at comlaw.gov.au.