



Australian Government
Department of Home Affairs

Submission

For decision
PDMS Ref. Number: MS24-001284
Date of Clearance: 04/09/2024

To Minister for Home Affairs, Minister for Immigration and Multicultural Affairs, Minister for Cyber Security

Subject Report on Unauthorised Maritime Arrivals pursuant to Section 198AJ of the Migration Act 1958

Timing For consideration by 9 September 2024, as agreed by Senior Adviser s.22(1)(a)(ii), in order to table the Report in Parliament.

Recommendations

That you:

1. note the requirement in s198AJ(1) of the *Migration Act 1958* to table a Report on Unauthorised Maritime Arrivals (Report); and

noted / please discuss
2. endorse the Report covering the period of 2023-24 (**Attachment A**) for tabling before both Houses of Parliament.

endorsed / not endorsed

Minister for Home Affairs, Minister for Immigration and Multicultural Affairs, Minister for Cyber Security

Signature.....

Date:...../...../ 2024

Minister's Comments

Key Issues

1. Section 198AJ of the *Migration Act 1958* (the Act) requires you to table a Report about Unauthorised Maritime Arrivals (UMA) (Report) in each House of Parliament within 15 sitting days after the end of a financial year. In the 2024 parliamentary sitting calendar, the 15th sitting day falls on 11 September 2024.
2. s. 33(a)(iii) [REDACTED]
3. s. 33(a)(iii) [REDACTED]
- s. 42(1) [REDACTED]

Background

4. Subsection 198AJ(1) of the Act requires each Report to include information relevant to:
 - a. arrangements made by regional processing countries during the financial year for:
 - i. assessing protection claims made by UMAs; and
 - ii. the accommodation, health care and education of the UMAs.
 - b. the number of claims assessed by the country in the financial year.
 - c. the number of UMAs determined to be covered by the definition of refugee in Article 1A of the *1951 Convention Relating to the Status of Refugees* as amended by the *1967 Protocol relating to the Status of Refugees*.
5. s. 33(a)(iii) [REDACTED]

Consultation – internal/external

6. s. 33(a)(iii) [REDACTED]
7. The submission was consulted with Migration and Citizenship Law Branch and the Joint Agency Task Force Operation Sovereign Borders was made aware of the tabling commitments and pending tabling action.

Consultation – Secretary / Associate Secretary Immigration / ABF Commissioner

8. The Secretary, Associate Secretary Immigration and ABF Commissioner were not consulted on this submission.

Client service implications

9. Nil.

Risks and Sensitivities

10. Tabling of the Reports may attract some media attention; however, the Reports do not contain any information that is not already in the public domain and are not controversial in content or by nature. There was no media reporting in relation to previous tabling of Reports.

Financial/systems/legal/deregulation/media implications

11. There are no financial, systems, legislation or deregulation implications associated with this submission.
12. The Department will work closely with Media Operations in the event of any media interest.

Attachments

Attachment A Section 198AJ Report on Unauthorised Maritime Arrivals (2023-24)

Authorising Officer Cleared by: Joe Feld A/g First Assistant Secretary Regional Processing Taskforce Date: 4 September 2024 Mob: s.22(1)(a)(ii)
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Contact Officer Shan Strugnell, Assistant Secretary, Regional Processing Taskforce Mob: s.22(1)(a)(ii)

CC

- Associate Secretary Immigration
- DS Executive
- Group Manager Legal
- GM Immigration Operations
- FAS Executive Coordination
- Assistant Secretary Legislation
- Commander JATF OSB