



Australian Government

Submission

For decision

s. 33(a)(i), s. 33(a)(iii), s. 37(2)(b), s. 47E(d), s. 47F(1)

Recommendations

s. 33(a)(i), s. 33(a)(iii), s. 37(2)(b), s. 47E(d), s. 47F(1)

s. 33(a)(i), s. 37(2)(b), s. 47E(d)

Released by Department of Home Affairs
under the Freedom of Information Act 1982

s. 33(a)(i), s. 37(2)(b), s. 47E(d)

s. 33(a)(i), s. 37(2)(b), s. 47E(d)

Key Issues

1. s. 33(a)(i), s. 33(a)(iii), s. 37(2)(b), s. 47E(d), s. 47F(1)

2.

3.

4.

5. s. 33(a)(i), s. 33(a)(iii), s. 37(2)(b), s. 47E(d)

6. s. 33(a)(i), s. 33(a)(iii), s. 37(2)(b), s. 47E(d), s. 47F(1)

7. s. 33(a)(i), s. 37(2)(b), s. 47E(d)

8. s. 33(a)(i), s. 37(2)(b), s. 47E(d), s. 47F(1)

9. s. 33(a)(i), s. 37(2)(b), s. 47E(d)

Consultation – internal/external

10. s. 33(a)(i), s. 37(2)(b), s. 47E(d)

Consultation – Secretary

11. s. 33(a)(i), s. 37(2)(b), s. 47E(d)

Client service implications

12. s. 33(a)(i), s. 37(2)(b), s. 47E(d)

Sensitivities

13. s. 33(a)(i), s. 37(2)(b), s. 47E(d)

14.

Financial/systems/legislation/deregulation/media implications

15. s. 33(a)(i), s. 37(2)(b), s. 47E(d)

Attachments

s. 33(a)(i), s. 33(a)(iii), s. 37(2)(b), s. 47E(d), s. 47F(1)

Attachment B

Statement to Parliament for the purpose of subsection 198AE(4) of the
Migration Act 1958 (ADMIN22/080)

s. 33(a)(i), s. 37(2)(b), s. 47E(d)

s. 22(1)(a)(ii)

s. 33(a)(i), s. 37(2)(b), s. 47E(d) s. 22(1)(a)(ii)

s. 33(a)(i), s. 37(2)(b), s. 47E(d)

s. 33(a)(i), s. 37(2)(b), s. 47E(d)

s. 47C(1)



Commonwealth of Australia

**STATEMENT TO PARLIAMENT FOR THE PURPOSES OF
SUBSECTION 198AE(4) OF THE *MIGRATION ACT 1958***

**EXERCISE OF MINISTERIAL DISCRETION UNDER
SECTION 198AE OF THE *MIGRATION ACT 1958***

Exercising my power under section 198AE of the *Migration Act 1958* (the Act), I have determined on 29 June 2022 that section 198AD of the Act does not apply to a class of unauthorised maritime arrivals.

I consider that it was in the public interest to make a determination in respect of the unauthorised maritime arrivals that section 198AD of the Act does not apply to these persons. My reasons for thinking that the determination is in the public interest are because of the particular circumstances of the unauthorised maritime arrivals.

Dated: 1/8/22

A handwritten signature in blue ink, appearing to read 'Clare O'Neil', written in a cursive style.

THE HONOURABLE CLARE O'NEIL MP
Minister for Home Affairs