



Australian

Submission

For decision

s. 37(2)(b), s. 47E(d)

Recommendations

That you

1. s. 37(2)(b), s. 47E(d), s. 47F(1)

2.

3.

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

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

s. 37(2)(b), s. 47E(d)

Key Issues

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

2. s. 37(2)(b), s. 47E(d), s. 47F(1)

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

4. s. 37(2)(b), s. 47E(d), s. 47F(1)

5. s. 37(2)(b), s. 47E(d), s. 47F(1)

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s. 37(2)(b), s. 47E(d), s. 47F(1)

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

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

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

9. s. 37(2)(b), s. 47E(d), s. 47F(1)

10

11

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

13

14. s. 37(2)(b), s. 47E(d), s. 47F(1)

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Background

15. s. 37(2)(b), s. 47E(d), s. 47F(1)

16.

17.

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

19. s. 37(2)(b), s. 47E(d), s. 47F(1)

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

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

21. s. 37(2)(b), s. 47E(d), s. 47F(1)

Consultation – internal/external

22. s. 37(2)(b), s. 47E(d)

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Consultation – Secretary / Associate Secretary

23.

s. 37(2)(b), s. 47E(d)

24.

25.

Client service implications

26.

s. 37(2)(b), s. 47E(d)

Risks and Sensitivities

27.

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

28.

s. 37(2)(b), s. 47E(d), s. 47F(1)

29.

s. 37(2)(b), s. 47E(d)

Financial/systems/legal/deregulation/media implications

30.

s. 37(2)(b), s. 47E(d)

Attachments

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

Attachment B

Statement to Parliament for the purposes of Subsection 198AE

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s. 37(2)(b), s. 47E(d)

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

s. 37(2)(b), s. 47E(d)

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

cc

s. 37(2)(b), s. 47E(d)

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s. 37(2)(b), s. 47E(d)

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

**EXERCISE OF MINISTERIAL DISCRETION UNDER SUBSECTION 198AE(1) OF
THE MIGRATION ACT 1958**

Exercising my power under subsection 198AE(1) of the *Migration Act 1958* (the Act), I have determined that section 198AD of the Act does not apply to three unauthorised maritime arrivals.

The particular circumstances of the unauthorised maritime arrivals is that, unless exempted by me using my power under subsection 198AE(1), they must be taken, as soon as reasonably practicable, to a regional processing country.

I considered 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.

A handwritten signature in blue ink, appearing to read 'Clare O'Neil', with a stylized flourish at the end.

THE HON CLARE O'NEIL MP
Minister for Home Affairs

26 / 07 / 2024