

~~PROTECTED~~Australian
Border Force**Submission**

For decision

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

[Redacted]

Recommendations

That you:

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

[Redacted]

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

[Redacted]

3.

[Redacted]

4.

[Redacted]

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

[Redacted]

6.

[Redacted]

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Consultation – internal/external

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

Consultation – Secretary / ABF Commissioner

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

Risks and Sensitivities

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

17.

18.

19.

20.

Financial/systems/legal/deregulation/media implications

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

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~~PROTECTED~~**Attachments**

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

Attachment B Draft 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

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)

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

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

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

cc

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

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

Ref: ADMIN 25/200



Commonwealth of Australia

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

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

Exercising my power under subsection 198AE(1A) of the *Migration Act 1958* (the Act), on 11 December 2025 I have revoked a determination made on 10 December 2025 that section 198AD of the Act does not apply to specified 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 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:

11 December 2025

A handwritten signature in blue ink, appearing to read 'P Conroy', with a long horizontal stroke extending to the right.

THE HONOURABLE PAT CONROY MP
Acting Minister for Home Affairs

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Australian

Submission

For decision

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

Recommendations

That you:

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

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

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

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

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

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

8.

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

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

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

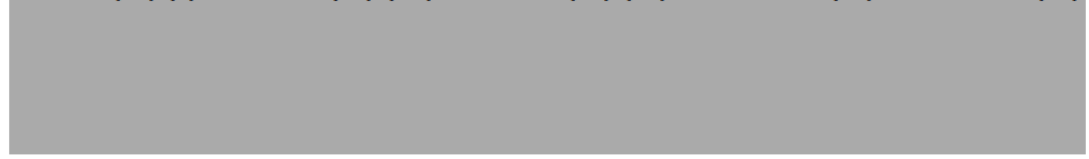
5. s. 33(a)(i)

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

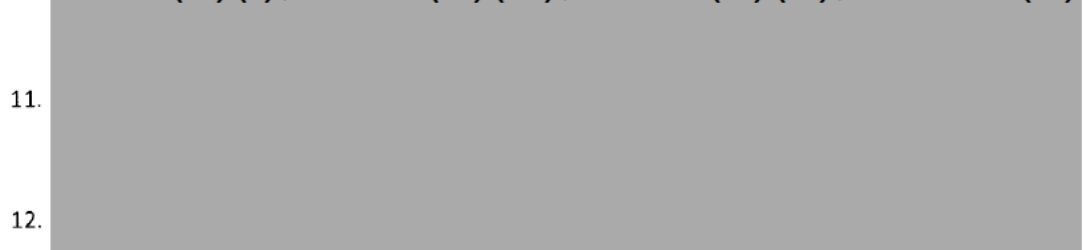


s. 33(a)(i), s. 33(a)(iii), s. 37(2)(b), s. 47E(d), s. 47F(1), s. 47G(1)(a)



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

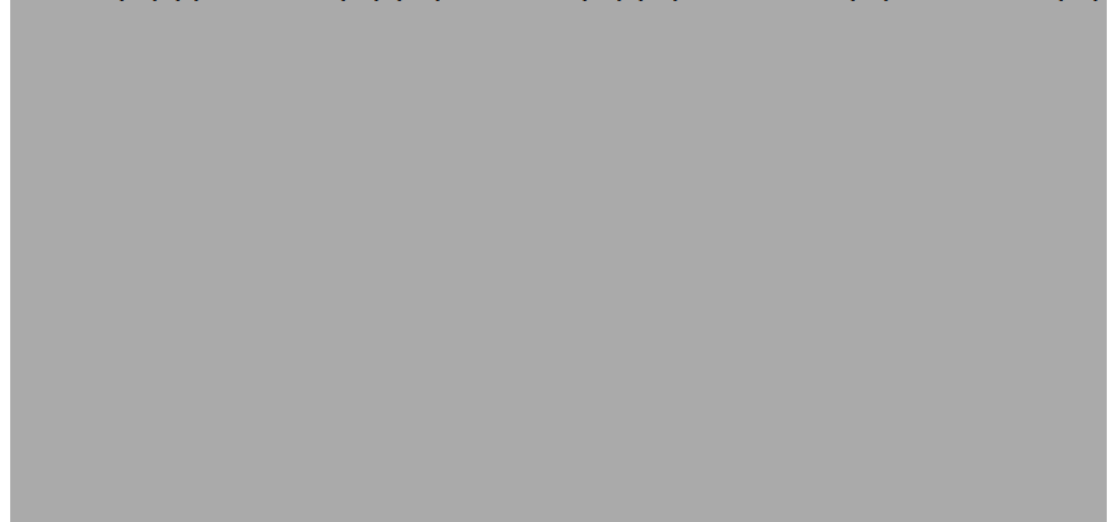
10. s. 33(a)(i), s. 33(a)(iii), s. 37(2)(b), s. 47E(d)



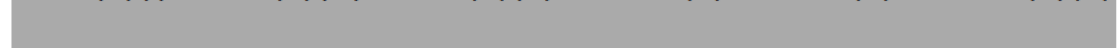
11.

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



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

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

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)

Consultation – internal/external

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

Consultation – Secretary / ABF Commissioner

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

Risks and Sensitivities

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

21.

22.

23.

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

Financial/systems/legal/deregulation/media implications

25. 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 Draft 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

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)

cc

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

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

Ref: ADMIN25/262



Commonwealth of Australia

**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 on 10 December 2025 that section 198AD of the Act does not apply to specified 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: 10.12.25


THE HONOURABLE TONY BURKE MP
Minister for Home Affairs

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