



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)

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

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

7.

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

9. 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)

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

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Key Issues

1. s. 33(a)(i), s. 37(2)(b), s. 47E(d)
[Redacted]
2. s. 33(a)(i), s. 33(a)(ii), s. 37(2)(b), s. 47E(d)
[Redacted] s. 33(a)(i), s. 37(2)(b), s. 47E(d)
[Redacted]
3. s. 33(a)(i), s. 33(a)(iii), s. 37(2)(b), s. 47E(d), s. 47F(1)
4. [Redacted]
5. s. 33(a)(i), s. 37(2)(b), s. 47E(d)
[Redacted]
6. s. 33(a)(i), s. 37(2)(b), s. 47E(d), s. 47F(1)
[Redacted]
7. [Redacted]
8. [Redacted]
9. s. 33(a)(i), s. 33(a)(iii), s. 37(2)(b), s. 47E(d), s. 47F(1), s. 47G(1)(a)
10. [Redacted]
11. [Redacted]

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

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

13. s. 33(a)(i), s. 37(2)(b), s. 42(1), s. 47E(d), s. 47F(1)

14. 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. 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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19. 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)

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

21. 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)

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

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

24.

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)

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

Background

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

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

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

Consultation – internal/external

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

Consultation – Secretary / ABF Commissioner

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

Risks and Sensitivities

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

34.

35.

36.

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

Financial/systems/legal/deregulation/media implications

38. 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)

Contact Officer 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)



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 18 June 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:

18. 7. 25

A handwritten signature in black ink, reading 'Tony Burke'.

THE HONOURABLE TONY BURKE MP
Minister for Home Affairs



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 18 July 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:

2.9.25

A handwritten signature in black ink, appearing to read 'Tony Burke', written over a horizontal line.

THE HONOURABLE TONY BURKE MP
Minister for Home Affairs