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Australian Government
Department of Home Affairs

Submission
For decision

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

Recommendations

That you:

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

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

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

5.

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

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

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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)
2. s. 33(a)(i), s. 33(a)(ii), 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), s. 47F(1)
- 4.
5. s. 33(a)(i), s. 37(2)(b), s. 47E(d), s. 47F(1)
6. s. 33(a)(i), s. 33(a)(iii), s. 37(2)(b), s. 47E(d), s. 47F(1), s. 47G(1)(a)
7. s. 33(a)(i), s. 37(2)(b), s. 47E(d), s. 47F(1)

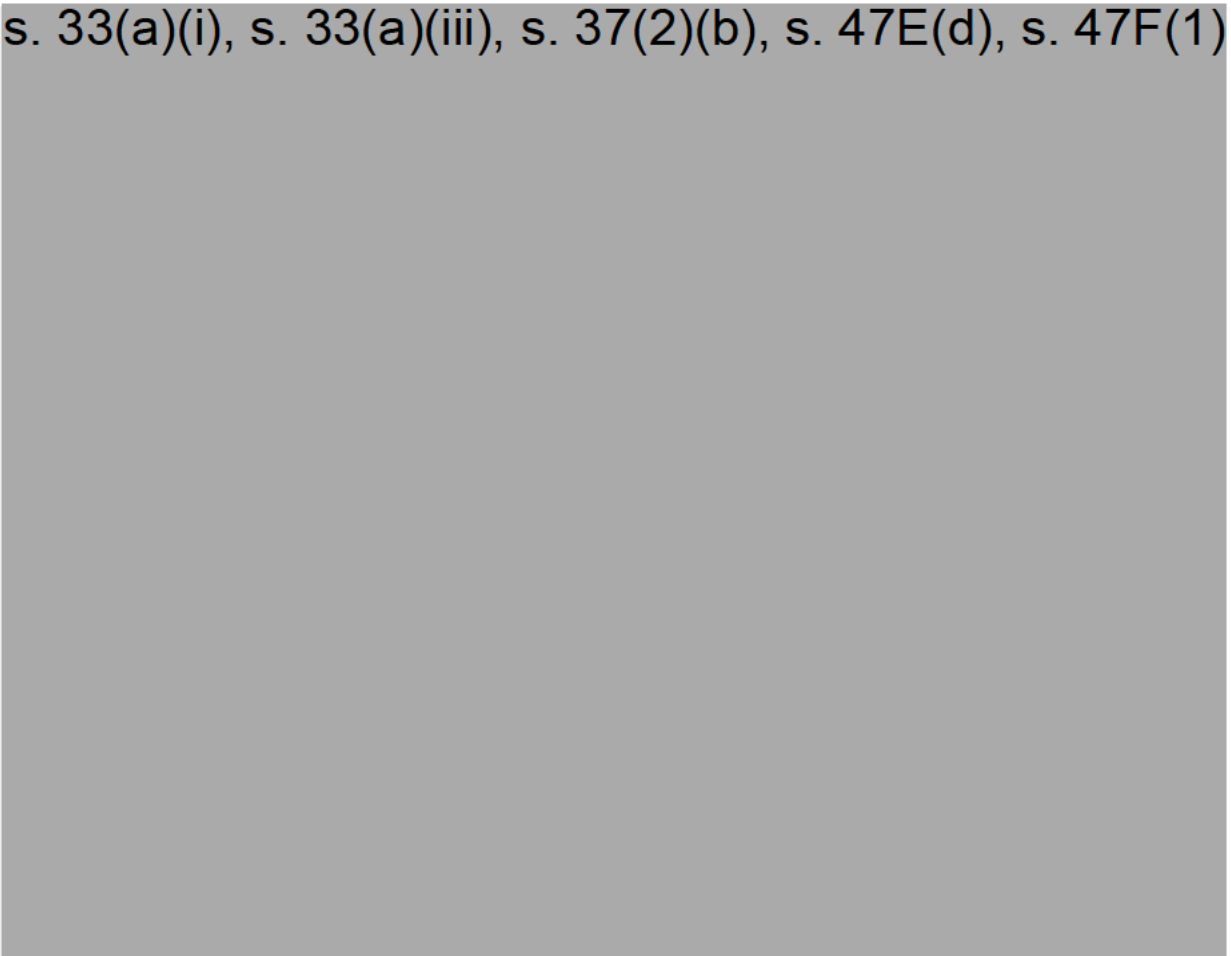
s. 33(a)(i), s. 33(a)(iii), s. 37(2)(b), s. 47E(d), s. 47F(1)

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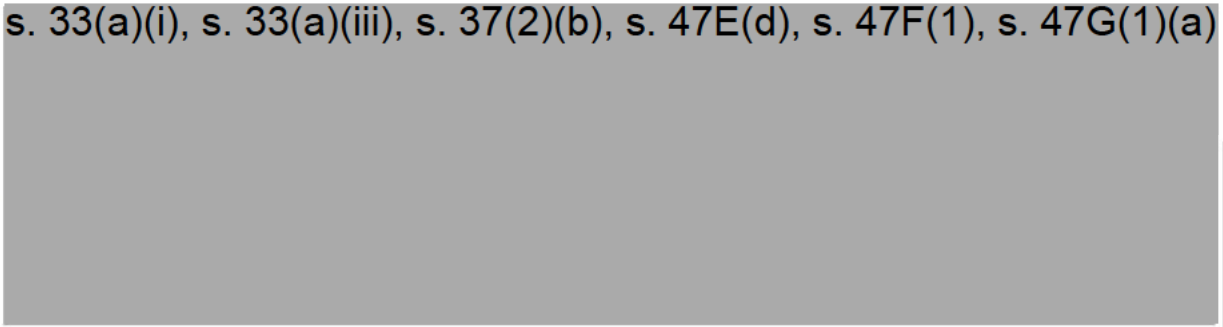
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s. 33(a)(i), s. 33(a)(iii), s. 37(2)(b), s. 47E(d), s. 47F(1)

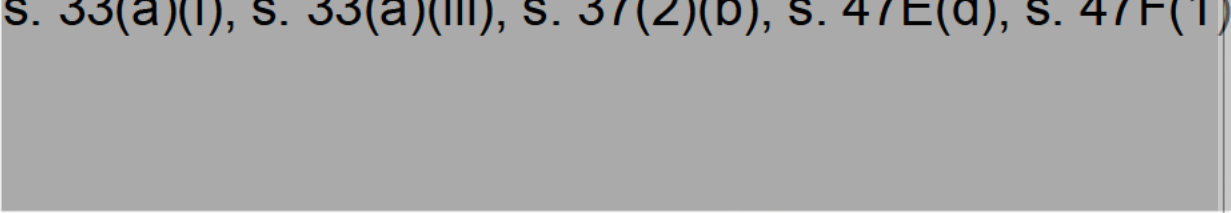


s. 33(a)(i), s. 37(2)(b), s. 47E(d)

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



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)

Consultation – internal/external

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

Consultation – Secretary / ABF Commissioner

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

Risks and Sensitivities

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

25.

26.

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Financial/systems/legal/deregulation/media implications

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

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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)

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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 31 October 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:

31.10.25

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

THE HONOURABLE TONY BURKE MP
Minister for Home Affairs