



Australian Government
Department of Home Affairs

Submission

For decision
PDMS Ref. Number MS23-002025
Date of clearance: 05/04/2024

To Minister for Immigration, Citizenship and Multicultural Affairs

Subject Possible Ministerial Intervention under section 417 of the Migration Act 1958 in relation to:

s. 47F(1)

Timing Not time critical. Please note this is a second stage submission.

Recommendation

That you:

- 1. indicate whether you wish to exercise your power under section 417 of the Migration Act 1958 (the Act) to grant s. 47F(1) a s. 47F(1); and
 - intervene / not intervene
- if you agree to exercise your power, please sign the Statement to Parliament at Attachment A.
 - signed/not signed

AND

- 2. s. 47F(1)
 - noted / please discuss

Minister for Immigration, Citizenship and Multicultural Affairs

Signature..... *ASLLS*

Date..... *27/4* 2024

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Minister's Comments

Key Issues

S. 47F(1)

Health

S. 47F(1)

Character

S. 47F(1)

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OFFICIAL: Sensitive Personal-Privacy**S. 47F(1)****Options for future management**

9. If you are inclined to exercise your Ministerial Intervention power under section 417 of the Act to grant s. 47F(1) [REDACTED], [REDACTED] will be permitted to live in Australia permanently with immediate access to Medicare and Centrelink. Holders of this visa are able to propose certain family members for permanent residence.
10. If you are inclined to intervene in s. 47F(1) [REDACTED] case to grant s. 47F(1) [REDACTED] a s. 47F(1) [REDACTED], please sign the Statement to Parliament at Attachment A.
11. Should you decline to intervene in s. 47F(1) [REDACTED] case under section 417 of the Act, the Department of Home Affairs (the Department) will engage with him in respect of s. 47F(1) [REDACTED] departure from Australia.

Consultation – internal/external

12. This submission did not involve consultation with any internal or external stakeholders.

Consultation – Secretary/Associate Secretary Immigration/ABF Commissioner

13. This submission did not involve consultation with the Secretary, Associate Secretary Immigration or ABF Commissioner.

Client service implications

14. There are no client service implications in this case.

Sensitivities

15. The information contained in this submission is classified and should not be publicly released without the authority of the Department of Home Affairs. In accordance with our long standing practices, should you wish for unclassified media lines to be prepared in relation to this issue please contact the Home Affairs Media Coordination team at media@homeaffairs.gov.au.

OFFICIAL: Sensitive Personal-Privacy**Financial/systems/legislation/deregulation implications**

16. None identified.

Attachments

Attachment A Section 417 Statement to Parliament

Attachment B MS23-001098 – First Stage Submission

Authorising Officer
<p>Cleared by:</p> <p>§.22(1)(a)(ii)</p> <p>A/g Director, Ministerial Intervention Status Resolution Programs and Capability Branch</p> <p>Date: 05/04/2024 Ph: §.22(1)(a)(ii) Mobile: §.22(1)(a)(ii)</p>

Contact Officer §.22(1)(a)(ii) A/g Director, Ministerial Intervention, Status Resolution Programs and Capability Branch,
Mobile §.22(1)(a)(ii)

CC Minister for Home Affairs, Minister for Cyber Security
Associate Secretary Immigration
Group Manager, Immigration Compliance
First Assistant Secretary, Character, Cancellation and Case Resolution Division
Assistant Secretary, Status Resolution Programs and Capability Branch
Senior Director, Status Resolution Network
Director, Status Resolution VIC/TAS

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EXERCISE OF MINISTERIAL DISCRETION
UNDER SECTION 417 OF THE *MIGRATION ACT 1958*

- STATEMENT TO PARLIAMENT -

1. Exercising my powers under subsection 417(1) of the *Migration Act 1958* (the Act), I have substituted a decision of the Administrative Appeals Tribunal (Migration and Refugee Division) to affirm a decision to refuse the grant of a Protection visa to the subject of that decision, with a decision to grant the person a s. 47F(1) visa.

S. 47F(1)



THE HON ANDREW GILES MP
Minister for Immigration, Citizenship and Multicultural Affairs

27/6/2024

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