

**RESPONSE TO OMBUDSMAN'S STATEMENT MADE
UNDER SECTION 486O OF THE *MIGRATION ACT 1958*
- STATEMENT TO PARLIAMENT -**

General Comments

I refer to the Commonwealth Ombudsman's statements tabled in Parliament on 29 November 2006. The eight reports tabled today bring the total number presented to the Parliament to 81.

Statement 074/06

The Commonwealth Ombudsman has recommended that the decisions on my public interest powers under section 417 of the *Migration Act 1958* (the Act) and the assessment in relation to the visit by the PRC officials be progressed without delay and, in any case, within the statutory period prescribed in section 486P of the Act for the tabling of this report in the Parliament. Secondly, that I consider exercising my power to grant this person a Bridging Visa with work rights, while the issues concerning her immigration status and removal from Australia are resolved.

I currently have two submissions before me under sections 417 and 195A to consider whether to exercise my power to intervene in this case. I will make this decision shortly. I can advise that a section 48B assessment was conducted and found not to raise issues which would fall within my Ministerial guidelines.

Statements 075/06, 076/06, 080/06

The Commonwealth Ombudsman made no recommendations in these cases as the individuals have been removed from Australia.

Statement 077/06

The Commonwealth Ombudsman has recommended that the decisions on the combined detention intervention and section 417 request be progressed without delay and, in any case, not later than the statutory period prescribed in section 486P of the Act for tabling of the report in the Parliament. Secondly, he has recommended that I consider exercising my power to grant this person a Removal Pending Bridging Visa, or other visa with work rights while this person's immigration status is determined. I note also the comments in relation to whether this person should be granted a permanent visa to remain in Australia if his nationality and identity cannot be resolved within a reasonable time.

I can advise that my Department is currently preparing a combined submission under sections 417 and 195A for my consideration.

Statement 078/06

The Commonwealth Ombudsman made no recommendations on this case as the person returned voluntarily to his home country.

Statement 079/06

The Commonwealth Ombudsman made no recommendations on this case as the person has been granted a Temporary Protection Visa.

Statement 081/06

The Commonwealth Ombudsman recommends that I consider intervening to grant this person a Bridging Visa with work rights while issues concerning her immigration status and removal from Australia are resolved.

I can advise that I intervened and lifted the section 48A bar to allow this person to lodge a fresh Protection Visa application. This person was granted a Permanent Protection Visa (XA-866) on 17 October 2006.



AMANDA VANSTONE
Minister for Immigration and Multicultural Affairs

Dated: 24/11/2006