11 October 2013

CHANGES TO IMMIGRATION PORTFOLIO: UPDATE

Following Prime Minister Tony Abbott’s announcement of his new Federal Ministry, the Federal Government released details of the responsibilities of each of the new portfolios. As there were significant changes to the Immigration portfolio, the Refugee Council of Australia (RCOA) released a summary of the new arrangements. Since then, the Government has modified these arrangements and clarified some changes which were initially unclear. This is an update of the summary released by RCOA on 18 September.

The former Department of Immigration and Citizenship (DIAC) has become the Department of Immigration and Border Protection (DIBP). The Immigration portfolio has gained responsibility for customs and border control but lost responsibility for settlement services, multicultural affairs and adult migration education.

Settlement and multicultural affairs – transferred to the Department of Social Services

Responsibility for multicultural affairs and for settlement support for migrants and refugees with permanent visas is now with the Department of Social Services, under Minister for Social Services, Kevin Andrews. His office says responsibility for these programs will rest with Parliamentary Secretary to the Minister for Social Services, Senator Concetta Fierravanti-Wells. These programs include:

- Humanitarian Settlement Services
- Settlement Grants Program
- Complex Case Support
- Diversity and Social Cohesion Program
- Multicultural Arts and Festivals Grants
- Building Multicultural Communities Program.

However, responsibility for unaccompanied refugee and migrant children (including settlement support) will remain with DIBP, as will responsibility for ethnic affairs.

Adult migrant education – transferred to the Department of Industry

The Adult Migrant English Program (AMEP) is moving to the Department of Industry, which has responsibility for vocational training. On 18 September, the Government announced that AMEP was going to Employment but this was subsequently changed. Industry Minister is Ian McFarlane and his Parliamentary Secretary is Bob Baldwin. When Minister McFarlane’s office was contacted on 4 October, no decision had been made as to whether the Minister or the Parliamentary Secretary would have primary responsibility for AMEP.

Functions of the Immigration portfolio

The Department of Immigration and Border Protection (DIBP) retains responsibility for all forms of entry to Australia, citizenship and ethnic affairs (as opposed to multicultural affairs). All programs related to unaccompanied minors will remain with DIBP. Half of the community liaison officers who previously worked with DIAC will move to the Department of Social Services to administer multicultural programs and half will remain with the ethnic affairs function of DIBP to enable the Minister to connect with
communities on migration visa issues, status resolution, citizenship and engaging the diaspora on messaging relating to border protection. DIBP also picks up responsibility for Customs and border control.

Minister for Immigration and Border Protection, Scott Morrison, will have responsibility for implementing the Operation Sovereign Borders strategy, policy relating to boat arrivals and asylum seekers, decisions on the refugee intake and the size of the various aspects of the migration program, and ministerial intervention decisions for complex individual cases. He will retain responsibility for any settlement support or social support for people who arrived by boat, whether in community detention, on Bridging Visas or on Temporary Protection Visas. Assistant Minister for Immigration and Border Protection, Senator Michaelia Cash, will have responsibility for operational aspects of the migration program.

Minister Morrison’s chief of staff is Ann Brandon-Baker (formerly Ann Duffield), who was his chief of staff as Shadow Minister until February 2013 and previously worked for Philip Ruddock during his time as Immigration Minister. She also served as a member of the Refugee Review Tribunal. Bob Correll, the former Deputy Secretary of Department of Immigration and Citizenship who was Mr Morrison’s chief of staff for seven months, is remaining in Mr Morrison’s office until Christmas to assist in recruitment of staff and the development of policy.
**APPENDIX**

**Functions of the Department of Immigration and Border Protection**

The Department of Immigration and Border Protection is responsible for:

- Entry, stay and departure arrangements for non-citizens
- Border immigration control
- Citizenship
- Ethnic affairs
- Customs and border control (except quarantine and inspection)

It will administer the following legislation:

- Aliens Act Repeal Act 1984
- Australian Citizenship Act 2007
- Australian Citizenship (Transitionals and Consequentials) Act 2007
- Customs Act 1901
- Customs Administration Act 1985
- Customs Depot Licensing Charges Act 1997
- Customs Securities (Penalties) Act 1981
- Customs Tariff Act 1995
- Customs Undertakings (Penalties) Act 1981
- Customs (Tariff Concession System Validations) Act 1999
- Immigration (Guardianship of Children) Act 1946
- Migration Act 1958
- Migration Agents Registration Application Charge Act 1997
- Migration (Health Services) Charge Act 1991
- Migration (Sponsorship Fees) Act 2007
- Migration (Visa Application) Charge Act 1997
- Migration (Visa Evidence) Charge Act 2012

**Functions transferred from the Immigration portfolio**

To the Department of Social Services
Arrangements for the settlement of migrants and humanitarian entrants (other than migrant children and the provision of migrant adult education)
- Multicultural affairs

To the Department of Industry
- Adult migration education
  - Administration of the Immigration (Education) Act 1971 and Immigration (Education) Charge Act 1992

**Further details**


The Administrative Arrangements Order (which details responsibilities for each Department) released on 18 September 2013 can be found at: [http://www.dpmc.gov.au/parliamentary/docs/aa0_20130918.rtf](http://www.dpmc.gov.au/parliamentary/docs/aa0_20130918.rtf)

Note that this document is expected to be updated to reflect the changes outlined above.