

APPENDIX B.12

DEPARTMENT OF IMMIGRATION AND BORDER PROTECTION

Summary

The Immigration and Border Protection portfolio reported 16 measures¹ during the year, with a total net regulatory saving of \$60.7 million per year.

The Immigration and Border Protection portfolio continued to deliver on the Australian Government's regulatory reform agenda during 2015. This was a time of significant change for the portfolio, with the integration of the Australian Customs and Border Protection Service and the Department of Immigration and Border Protection into one department, and the establishment of the Australian Border Force.

This integration has given the portfolio greater agility to deliver regulatory efficiencies in an increasingly complex operating environment. Reforms reported in 2015 reflect our focus on innovative ways to manage the movement of people and goods in and out of Australia to enhance trade, travel and migration, while maintaining our significant contribution to national security, the economy, and Australian society.

Key reforms that have led to a reduction in regulatory burden on business, individuals and community organisations have included the ceasing of visa labels, the Seamless Traveller initiative, simplifying the student visa programme, and changes to the immigration health requirements.

¹ Measures counted here only include decisions with a regulatory impact. Measures with a zero regulatory impact have been excluded.

Regulatory measures reported since the 2015 Spring Repeal Day²

With an impact of greater than \$2 million

Immigration and
Border Protection

Amendments to immigration health examinations

- On 20 November 2015 new immigration health arrangements were put in place. Changes were made to the Health Matrix which specifies the health examinations visa applicants must undertake.
- The new matrix is designed to more efficiently facilitate the granting of visas for temporary entrants by focussing on higher risk groups, while safeguarding the Australian community from public health threats. This will save time for some lower-risk visa applicants.
- The Department of Immigration and Border Protection estimates that this will lead to an annual saving of \$2 million in compliance costs.

² These measure descriptions relate to new decisions taken and reported between the Spring 2015 Repeal Day and 31 December 2015. Descriptions of regulatory increases or regulatory decreases generally capture those measures with a regulatory change in excess of \$2 million per annum.

2015 regulatory measures, previously reported in conjunction with the Autumn and Spring Repeal Days

These measures below are reproductions of the 2015 Autumn and Spring Repeal Day overview descriptions and have not been amended.³ Where necessary, supplementary information is shown as blue text.

Immigration & Border Protection	Improving access to the Tourist Refund Scheme (Autumn)
<ul style="list-style-type: none">• On 24 November 2014, the Assistant Minister for Immigration and Border Protection announced a limited self-service facility which augments the application process for the Tourist Refund Scheme (TRS), saving travellers time and money.• The TRS reimburses tourists for goods and services tax (GST) paid on some purchases made in Australia. This measure improves access to the scheme by introducing a limited self-service utility available to clients on internet or mobile devices prior to the time of departure. The proposed change will allow the Department of Immigration and Border Protection to retrieve the pre-entered TRS information saving travellers time queuing where queues can be lengthy during peak departure times under the current manual system.• The Department of Immigration and Border Protection has estimated that this will lead to an annual saving of \$0.8 million in compliance costs.	

³ To align this table with the 2015 calendar year, any measures accounted for in the previous annual report have been excluded.

Immigration & Border Protection	Implementing recommendations from the 457 review (Autumn)
	<ul style="list-style-type: none"> • As part of the 2015 Autumn Repeal Day, the Assistant Minister for Immigration and Border Protection will announce the Government's response to the independent review into the integrity of the 457 visa programme. Implementation of the report's 22 recommendations has begun and is due to be completed by the end of 2015. • Reforms to the 457 visa programme will benefit both businesses and applicants through: <ul style="list-style-type: none"> - streamlining the processing of sponsorship, nomination and visa applications; - reforming sponsorship requirements to reduce the time and cost to businesses; - increasing the sponsorship approval period from 12 to 18 months for start-up businesses; and - providing greater flexibility in relation to English language requirements. • The OBPR has agreed that this will lead to an annual saving of \$29.9 million in compliance costs.
Immigration & Border Protection	Introducing the Seamless Traveller initiative (Spring)
	<ul style="list-style-type: none"> • On 12 May 2015 the Minister for Immigration and Border Protection announced the Seamless Traveller initiative, which will benefit travellers and industry, particularly air and seaport operators. • The Seamless Traveller initiative will see the roll out of new passenger processing technology at air and sea ports. New biometric capability will reduce manual processes allowing a fast, seamless self-processing experience for up to 90 per cent of travellers. • The OBPR has agreed that this will lead to an annual saving of \$32.9 million in compliance costs.
Immigration & Border Protection	Simplifying the student visa programme (Spring)
	<ul style="list-style-type: none"> • On 16 June 2015 the Assistant Minister for Immigration and Border Protection and the Minister for Education and Training announced a series of regulatory reforms to improve the student visa programme. • The number of student visa subclasses will be reduced from eight to two and a new single immigration risk framework for all international students will be introduced. All education providers, including smaller providers, will now have access to streamlined visa processing for at least some countries. In addition, streamlined visa processing will apply to all education sectors and course types. • The Department of Immigration and Border Protection has estimated that this will lead to an annual saving of \$24.1 million in compliance costs.

Immigration &
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Ceasing Australian visa labels
(Spring)

- As part of the 2015 Spring Repeal Day, the Minister for Immigration and Border Protection introduced the Migration Legislation Amendment (Cessation of Visa Labels) Bill 2015.
 - On 1 September 2015 the Migration Amendment (Visa Labels) Regulation 2015 amended the Migration Regulations 1994 (the Regulations) to repeal Division 2.4 of Part 2 of the Regulations. This removed the remaining legal obligation to issue a visa label at a person's request and on their payment of the visa evidence charge. Visa labels have been made redundant by the digital checking of visa details now available to visa holders, registered Australian organisations and airline staff. Ceasing Australian visa labels removes unnecessary expense, delays and inconvenience for clients and third-party stakeholders, and completes the Department of Immigration and Border Protection's long standing visa label reduction strategy.
 - The Bill implements the final steps in the Government's policy of transitioning to label-free visas by repealing the *Migration (Visa Evidence) Charge Act 2012* and amending provisions in the *Migration Act 1958* relating to visa labels.
 - The OBPR has agreed that this will lead to an annual saving of \$2.9 million in compliance costs.
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Immigration & Border Protection	Repeal the redundant Customs (Tariff Concessions Validations) Act 1999 (Spring)
	<ul style="list-style-type: none"> • As part of 2015 Spring Repeal Day, the redundant <i>Customs (Tariff Concession System Validations) Act 1999</i> will be repealed. • This Act validated decisions made in relation to Tariff Concession Orders that relied on faulty delegations. This Act has no operation in relation to decisions made after June 1999 and has no impact on business or individuals. The Act is redundant and can be repealed. • NB: This measure was part of the Omnibus Repeal Day (Spring 2015) Bill. There are no regulatory savings or burden associated with this proposal.
Immigration & Border Protection	Implementing the recommendations of the 2014 OMARA review (Spring)
	<ul style="list-style-type: none"> • On 8 May 2015 the Assistant Minister for Immigration and Border Protection announced that the Government has agreed to implement the majority of recommendations of the 2014 Independent Review of the Office of the Migration Agents Registration Authority (OMARA) report. Implementation will commence in late 2015. • The implementation of the review’s findings will ensure that registered migration agents continue to have the necessary skills by strengthening requirements for entry into the profession, improving arrangements around professional development, and reviewing the Code of Conduct. These changes recognise that migration agents are providing important and complex advice to their clients and will improve outcomes for consumers of migration services, who are often amongst the most vulnerable in the community. This measure will also remove the requirement for lawyers to register with the OMARA, in recognition that they are already subject to one of the strictest regulatory regimes of any profession through State or Territory legal authorities. • The Office of Best Practice Regulation has agreed that this will lead to an annual increase of \$2.9 million in compliance costs.

International standards and risk assessments

As part of the Industry Innovation and Competitiveness Agenda, announced in October 2014, the Government adopted the principle that if a system, service or product has been approved under a trusted international standard or risk assessment, then our regulators should not impose any additional requirements for approval in Australia, unless it can be demonstrated that there is a good reason for doing so.

The portfolio aims to adopt international standards and risk assessments where possible. Many of the standards administered or enforced by the portfolio are consistent with international treaties and conventions.

The criteria for adopting international standards and risk assessment are currently being finalised, noting feedback following extensive public consultation. The final criteria will be published in due course on the Department of Immigration and Border Protection's website at <http://www.border.gov.au/about/access-accountability/regulatory-reform>.

Further information

If you have a question about the information provided here, please email Ms Agnieszka Holland, Assistant Secretary, Governance & Parliamentary Branch, Policy Group, Department of Immigration and Border Protection at agnieszka.holland@border.gov.au.