

PART B

Portfolio Overview

PORTFOLIO OVERVIEW

The portfolio consists of the:

- Department of Immigration and Multicultural and Indigenous Affairs (DIMIA);
 - Aboriginal and Torres Strait Islander Commission (ATSIC);
 - Aboriginal and Torres Strait Islander Services (ATSIS);
 - Aboriginal Hostels Limited (AHL);
 - Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS);
 - Indigenous Business Australia (IBA);
 - Indigenous Land Corporation (ILC);
 - Migration Review Tribunal (MRT);
 - Office of Evaluation and Audit (OEA);
 - Refugee Review Tribunal (RRT);
 - Registrar of Aboriginal Corporations; and
 - Torres Strait Regional Authority (TSRA).
- The following non-statutory bodies advise the portfolio: the Council for Multicultural Australia, the Refugee Resettlement Advisory Council, and the Immigration Detention Advisory Group. There is also extensive consultation with the Migration Agents Registration Authority (MARA).

In addition, the portfolio represents the Commonwealth interest in one company limited by guarantee - the National Accreditation Authority for Translators and Interpreters (NAATI) Limited.

MAJOR AREAS OF RESPONSIBILITY

The tasks assigned to the portfolio are:

- arrangements for the settlement of migrants and humanitarian entrants, other than migrant child education;
- border (immigration) control;
- citizenship;
- entry, stay and departure arrangements for non-citizens;
- ethnic affairs;
- Indigenous affairs and reconciliation; and
- multicultural affairs.

Department of Immigration and Multicultural and Indigenous Affairs

DIMIA's mission is *Australia, enriched through the entry and settlement of people; valuing its heritage, citizenship and cultural diversity; and recognising the special place of Indigenous people as its original inhabitants*. The Department's business is managing the permanent and temporary entry of people to Australia, enforcing immigration law, successfully settling migrants and refugees, promoting the benefits of citizenship and cultural diversity and working with other portfolio agencies and government departments to advance the social, economic and cultural interests and status of Indigenous people.

The services provided by the portfolio overseas and in Australia include:

- issuing visas for migrants, temporary entrants (eg. skilled workers), business visitors, students and tourists, including identifying those entitled to lawful entry into Australia prior to arrival;
- processing people moving into and out of Australia;
- assessing the character, health and bona fides of applicants applying for entry into Australia;
- meeting Australia's international protection obligations and contributing to the resettlement of refugees and those in humanitarian need through the delivery of the Humanitarian Program;
- locating, detaining and removing unlawful non-citizens;

- identifying and reducing irregular migration, people smuggling, trafficking in persons and other immigration malpractice and fraud;
- increasing the ability of eligible settlers, particularly the recently arrived, to participate in Australian life, through settlement programs including English language tuition and translating and interpreting services;
- promoting the value of Australian citizenship and making decisions on citizenship status;
- contributing to maintaining and further enhancing an appreciation of Australia's cultural diversity within a framework of national unity; and
- providing policy advice and undertaking planning, development and direct delivery of services to Aboriginal and Torres Strait Islander Australians across a range of areas including housing, infrastructure, employment, business support, economic development, land acquisition, land management, temporary accommodation and research into Indigenous issues.

Aboriginal and Torres Strait Islander Commission

The Aboriginal and Torres Strait Islander Commission (ATSIC) was established on 5 March 1990 by the *Aboriginal and Torres Strait Islander Commission Act 1989* (the Act).

It comprises 18 members all of whom are Indigenous, elected by Indigenous Australians to represent their interests, and is the Commonwealth Government's principal Indigenous advisory body on Aboriginal and Torres Strait Islander issues.

Provisions exist under the Act for the establishment of 35 Regional Councils across Australia. Though established under the Act, Regional Councils are independent bodies. They consult with their local communities and represent their interests. A key function of Regional Councils is the development of a Regional Plan, which aims to improve the economic, social and cultural status of Aboriginal and Torres Strait Islander residents of the region. By identifying funding priorities within the region, the plans ensure Councils have direct input into the ATSIC budget process.

The Commission sets national policy frameworks, and objectives and guidelines for all program outputs to be delivered by Aboriginal and Torres Strait Islander Services (ATSIS). Regional Councils establish priorities and policy directions at the regional level in line with local priorities.

The Commission also provides guidance and assistance to Regional Councils in the broad formulation of draft regional budgets; and to facilitate achievement of objectives of regional plans.

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As its overall objective, ATSIC continues to work towards the achievement over time of a situation of justice and equity in which Aboriginal and Torres Strait Islander peoples have economic and social status sufficient to attain the civil, social and economic rights enjoyed by other Australians.

Aboriginal and Torres Strait Islander Services

The establishment of Aboriginal and Torres Strait Islander Services (ATSIS) on 1 July 2003, while an interim measure, represents a significant change in the management and administration of program funds previously appropriated to the Aboriginal and Torres Strait Islander Commission (ATSIC). It signals an intention to provide better opportunities for ATSIC to focus on national policy development and advocacy; and for ATSIC Regional Councils to focus on regional-level planning and the coordination of services with the three levels of government, while seeking to improve the overall accountability for relevant program resources.

As an Executive Agency, with program resources appropriated to it under the *Financial Management and Accountability Act 1997* (FMA Act), ATSIS will provide a range of policy, program and administrative services to ATSIC to assist it to achieve its national objective. Consequently, ATSIS will have a close relationship with the Commission, particularly in terms of ensuring its programs are delivered in conformity with the policies and priorities of ATSIC and, where appropriate, by Regional Councils (eg, as established in ATSIC Regional Councils Plans).

Aboriginal Hostels Limited

Aboriginal Hostels Limited (AHL) is a company limited by guarantee and wholly owned by the Commonwealth Government. AHL operates under its own Constitution and an Interim Deed of Agreement made between the Commonwealth and the Company. AHL provides temporary accommodation services for Aboriginal and Torres Strait Islander people in areas of greatest need.

Australian Institute of Aboriginal and Torres Strait Islander Studies

The Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS) is an independent statutory authority created by the *Australian Institute of Aboriginal and Torres Strait Islander Studies Act 1989*. It is governed by its own Council, which has a majority of Aboriginal and Torres Strait Islander members.

The Institute promotes, publishes and conducts research into fields relevant to Aboriginal and Torres Strait Islander studies and maintains a cultural resource collection. The Institute also assists in training people, particularly Aboriginal peoples and Torres Strait Islanders, as research workers in fields relevant to Aboriginal and Torres Strait Islander studies and seeks to encourage understanding in the general community of Aboriginal and Torres Strait Islander societies.

Indigenous Business Australia

Indigenous Business Australia (IBA) was established by the *Aboriginal and Torres Strait Islander Commission Amendment Act 2001* which came into effect on 17 April 2001. IBA assists and enhances Aboriginal and Torres Strait Islanders' economic advancement, primarily through:

- facilitating Aboriginal and Torres Strait Islander equity involvement in sound commercial ventures; and
- providing a framework to promote greater involvement by Indigenous Australians in small business.

Indigenous Land Corporation

The Indigenous Land Corporation (ILC) was established by section 191A of the *Aboriginal and Torres Strait Islander Commission Act 1989* to assist in addressing the dispossession of Indigenous peoples. Its purpose is to assist Aboriginal persons and Torres Strait Islanders to acquire and to manage Indigenous-held land so as to provide economic, environmental, social and cultural benefits.

Migration Review and Refugee Review Tribunals

The Migration Review Tribunal (MRT) and the Refugee Review Tribunal (RRT) provide independent merits review of migration decisions of DIMIA, being general visa decisions and protection visa decisions, respectively.

Torres Strait Regional Authority

The functions of the Torres Strait Regional Authority (TSRA) are outlined in section 142A of the *Aboriginal and Torres Strait Islander Commission Act 1989*. These are primarily to meet national, State and regional needs and priorities of Torres Strait Islanders and Aboriginal persons living in the Torres Strait area by:

- recognising and maintaining the special and unique Ailan Kastom of Torres Strait Islanders living in the Torres Strait area;
- formulating, implementing and monitoring the effectiveness of programs for Torres Strait Islanders and Aboriginal persons living in the Torres Strait area;
- developing policy proposals to assist, advise and cooperate with Torres Strait Islander and Aboriginal communities, organisations, and individuals at national, State, Territory and regional levels; and

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- providing advice to the Minister regarding Torres Strait Islander regional issues and such other functions as are conferred on the TSRA by law of a State or an internal Territory.

FUNCTIONAL CLASSIFICATION OF EXPENSES

Administered expenses of the portfolio are reported under the following Functional Classifications in Budget Paper No.1, Statement 6:

- *Education* - mainly covers the Adult Migrant English Program (AMEP) administered by DIMIA;
- *Foreign Economic Aid* - covers initiatives to address the situation of displaced Afghan and Iraqi refugees;
- *Other Economic Affairs* - covers DIMIA's expenses for the lawful and orderly entry and stay of people in Australia, Australian citizenship, and the expenses of the MRT and RRT; and
- *Social Security and Welfare* - mainly covers settlement services administered by DIMIA, provision of advice and support to the Minister on Indigenous issues, and Indigenous expenses administered by ATSIC.

MAJOR OBJECTIVES AND PLANNED ACHIEVEMENTS FOR 2003-04

The portfolio has ten agencies that contribute to its core responsibilities of immigration, multicultural affairs, Indigenous affairs and reconciliation. These agencies have major objectives and planned achievements for each financial year. The following is a summary of each agency's aims for 2003-04.

Department of Immigration and Multicultural and Indigenous Affairs

The three outcomes of DIMIA clearly reflect what the portfolio is working to achieve, that is, *contributing to Australia's society and its economic advancement through the lawful and orderly entry and stay of people; a society which values Australian citizenship, appreciates cultural diversity, and enables migrants to participate equitably; and sound and well-coordinated policies, programs and decision-making processes in relation to Indigenous affairs and reconciliation.*

Within this context, DIMIA's strategic priorities in 2003-04 are to:

- deliver the annual Migration and Humanitarian Programs within the overall parameters set by Government;
- continue to implement strategies to maximise the economic, budgetary and social benefits from both permanent and temporary immigration;
- continue to work with the community to improve the framework for delivery of programs and services that equip eligible settlers to participate equitably in Australian society in line with the Government's response to the Settlement Services Review;
- continue to assist the tourism and education industries to expand, including into new markets, with a high degree of immigration integrity;
- pursue DIMIA's better business solutions agenda that places a high priority on issues such as maintaining the integrity of the Migration Program, ensuring accessibility for clients, cost effective services and transparent processes;
- continue to implement strategies to promote managed migration, and to combat and deter irregular migration and people smuggling activities (including working with international organisations, multilateral fora and authorities in countries of origin, first asylum, transit and destination);
- effectively manage detention issues, including pursuing major infrastructure and policy issues, managing outsourced contracts and ensuring appropriate arrangements for minors;

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- facilitate the effective management of asylum seekers and operations of offshore processing centres in third country locations and on Christmas Island;
- continue working with the Department of Finance and Administration on development of a new Immigration Reception and Processing Centre (IRPC) on Christmas Island;
- proactively support an improved understanding of immigration and multicultural affairs issues in the community;
- promote the value of Australian citizenship;
- implement the performance management framework for the Charter of Public Service in a Culturally Diverse Society;
- proactively encourage community harmony;
- contribute to reconciliation between Indigenous and non-Indigenous Australians;
- continue to address disadvantage to ensure Indigenous Australians are able to participate fully in the nation's social and economic life;
- provide strategic coordination and leadership on policies, programs and services affecting Indigenous Australians;
- promote policies and processes that empower Indigenous Australians to achieve their aspirations;
- support the review of the role and functions of the ATSIC; and
- implement processes and strategies to ensure the newly ATSI is well placed to work with ATSIC in the delivery of key services to Indigenous communities and individuals.

Aboriginal and Torres Strait Islander Commission

The Aboriginal and Torres Strait Islander Commission (ATSIC) will continue to be the Commonwealth Government's principal advisory body on Aboriginal and Torres Strait Islander issues.

ATSIC, along with Regional Councils, will assist with the development of regional plans aimed at improving the economic, social and cultural status of Aboriginal and Torres Strait Islander residents throughout Australia.

Specifically, the Commission will set the national policy framework, and objectives and guidelines for all program outputs to be delivered by Aboriginal and Torres Strait

Islander Services (ATSIS) and will provide guidance and assistance to Regional Councils in the broad formulation of draft regional budgets and the achievement of regional plans.

ATSIC will continue to work towards the achievement over time of a situation of justice and equity in which Aboriginal and Torres Strait Islander peoples have economic and social status sufficient to attain the civil, social and economic rights enjoyed by other Australians.

In 2003-04 ATSIC will:

- formulate and implement programs for Aboriginal and Torres Strait Islander peoples;
- monitor the effectiveness of programs for Aboriginal and Torres Strait Islander peoples, including programs conducted by bodies other than ATSIC;
- develop policy proposals to meet national, State, Territory and regional needs and priorities of Aboriginal and Torres Strait Islander peoples;
- provide advice to the Minister on matters relating to Aboriginal and Torres Strait Islander affairs; and
- take action to protect Aboriginal and Torres Strait Islander cultural material and information.

Aboriginal and Torres Strait Islander Services

Aboriginal and Torres Strait Islander Services (ATSIS) is a new agency which will commence operations on 1 July 2003. The formation of ATSIS, while an interim measure, represents a significant change in the management and administration of program funds previously appropriated to ATSIC.

In creating ATSIS the Government has provided an opportunity for ATSIC to provide a greater focus on national policy development and advocacy for Indigenous peoples. It will also allow ATSIC Regional Councils to focus on regional-level planning and the coordination of services across the various levels of national, State/Territory and local governments.

ATSIS will provide a range of policy, program and administrative services ATSIC to assist it achieve its national objectives. ATSIS will have a close relationship with ATSIC, particularly in terms of ensuring its programs are delivered in conformity with the policies and priorities of ATSIC and, where appropriate, by Regional Councils.

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In 2003-04 ATSIIS will:

- formulate and implement programs for Aboriginal and Torres Strait Islander peoples;
- provide advice on the administration of legislation;
- undertake research and develop and provide policy advice and advocacy support ATSIIS;
- monitor the effectiveness of programs for Aboriginal and Torres Strait Islander peoples, including programs conducted by bodies other than the Executive Agency;
- advise the Minister and coordinate with other agencies in relation to the Executive Agency's functions; and
- undertake such other relevant tasks as the Minister may require from time to time.

Aboriginal Hostels Limited

AHL will continue to provide:

- suitable, affordable, temporary accommodation services to Aboriginal and Torres Strait Islander people in areas of greatest need; and
- accommodation services operated by AHL or by organisations funded under the Community Hostel Grants program to support government programs in health, substance use rehabilitation, aged care, homelessness, employment, education and training.

Australian Institute of Aboriginal and Torres Strait Islander Studies

AIATSIS will continue to:

- undertake and promote Aboriginal and Torres Strait Islander studies;
- assist in the publication of the results of such studies;
- conduct research in fields relevant to Aboriginal and Torres Strait Islander studies; and
- establish and maintain a cultural resource collection consisting of materials relating to Aboriginal and Torres Strait Islander studies.

Indigenous Business Australia

IBA will continue to seek to:

- assist and enhance Aboriginal and Torres Strait Islander self-management and economic self-sufficiency; and
- advance the commercial and economic interests of Aboriginal and Torres Strait Islander peoples by accumulating and using capital assets for the benefit of the Aboriginal and Torres Strait Islander peoples.

Indigenous Land Corporation

In December 2002 the ILC launched its new National Indigenous Land Strategy (NILS) to achieve outcomes - economic, environmental, social and cultural, for land management and from land purchased on behalf of Indigenous Australians.

The strategy, which emphasises long-term sustainability and tangible benefits, sets out the land acquisition and land management policies of the ILC. The ILC will now purchase land and provide land management assistance under four streams for economic, environmental, social and cultural reasons.

The new strategy will tailor assistance to applicants who have developed a property management plan or business plan and submitted it with their applications for land acquisition or land management assistance. Applications will be assessed by taking into account the capacity and commitment of the applicant, capability of the land and the sustainability of the land use to achieve economic, environmental, social and cultural benefits.

Under the ILC's new strategy, the purchase of land for an applicant will be accompanied by a total package of support which will include capacity development, so that they can develop appropriate organisational structures to effectively manage their land, develop and maintain viable enterprises and conduct a range of other activities that deliver economic, environmental, social and cultural benefits.

The ILC stated in its National Indigenous Land Strategy 2001-2006 that the strategy would be reviewed annually. A review process has been initiated. During the course of the financial year 2003-04 the ILC will further review its policy, practices and outcomes to improve its national policy and operational framework.

The ILC will build upon the positive steps it has taken in the delivery of coordinated regional solutions by strengthening its working relationship with relevant agencies and continuing to work with ATSIC Regional Councils, Native Title Representative Bodies and other regionally representative organisations. This commitment to coordination will assist in the delivery of economic, environmental, social and cultural benefits.

Migration Review Tribunal and Refugee Review Tribunal

The MRT will continue to ensure that administrative decisions by the Government are fair and merits based in relation to non-humanitarian entrants. The RRT will continue to contribute to meeting Australia's international refugee obligations through independent merits review of refugee decisions.

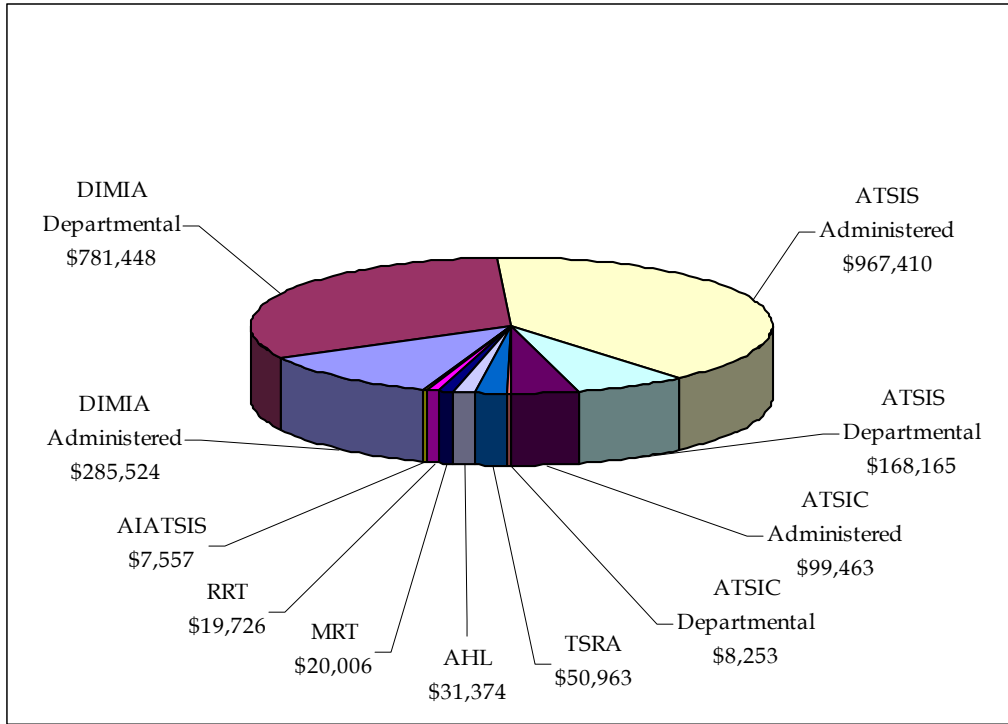
The Government announced on 10 February 2003 that the proposal to reform the federal merits review tribunal system and create the Administrative Review Tribunal would not be pursued by the Government in this Parliament. The Migration Review Tribunal and Refugee Review Tribunal will continue to identify and pursue administrative efficiency measures through the co-location of the Tribunals and amalgamation of corporate support functions.

Torres Strait Regional Authority

The major objective of the TSRA for 2003-04 is to accomplish the outcome: *to achieve a better quality of life and to develop an economic base for Torres Strait Islander and Aboriginal persons living in the Torres Strait*. In order to do this, the following are planned:

- to provide and maintain business and housing loans, and provide grants to communities to establish viable business enterprises;
- to ensure coordination of Commonwealth/State training programs, and ensure that TSRA programs are working effectively;
- continue to progress remaining native title land claims towards consent determination;
- to preserve cultural heritage and integrity, improve access to human and legal services, provide and improve community infrastructure and provide opportunities to engage in international issues impacting on Indigenous people worldwide;
- to increase the number of Torres Strait Islander and Aboriginal people in the region with access to adequate housing, infrastructure facilities and essential municipal services; and
- to improve the health standards of the Indigenous population by providing appropriate and sustainable infrastructure and ensuring adequate environmental health programs are implemented.

Chart 1: 2003-04 appropriations for agencies in the portfolio (\$'000's)



Note: The 2003-04 appropriations chart does not include capital appropriations.

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Map 1 A: Structure of portfolio outcomes

<p>Portfolio Minister The Hon Philip Ruddock MP</p> <p>Minister for Citizenship and Multicultural Affairs The Hon Gary Hardgrave MP</p>			
<p>Migration Review Tribunal (MRT)</p> <p>Principal Member: Steve Karas Outcome 1: Contribute to ensuring that the administrative decisions of Government are correct and preferable in relation to non-humanitarian entrants</p>	<p>Department of Immigration and Multicultural and Indigenous Affairs (DIMIA)</p> <p>Secretary: Bill Farmer Outcome 1: Contributing to Australia's society and its economic advancement through the lawful and orderly entry and stay of people Outcome 2: A society which values Australian citizenship, appreciates cultural diversity and enables migrants to participate equitably Outcome 3: Sound and well-coordinated policies, programs and decision-making processes in relation to Indigenous affairs and reconciliation</p>		<p>Refugee Review Tribunal (RRT)</p> <p>Principal Member: Steve Karas Outcome 1: Contribute to ensuring that Australia meets its obligations pursuant to the Convention relating to the status of refugees</p>
<p>Aboriginal and Torres Strait Islander Commission (ATSIC)</p> <p>Chairperson: Geoff Clark Outcome 1: The economic, social and cultural empowerment of Aboriginal and Torres Strait Islander peoples in order that they may freely exercise their rights equitably with other Australians</p>	<p>Aboriginal and Torres Strait Islander Services (ATSIS)</p> <p>CEO: Wayne Gibbons Outcome 1: Effective delivery of policy advocacy support and program services to Aboriginal and Torres Strait Islander Peoples</p>	<p>Aboriginal Hostels Limited (AHL)</p> <p>Chairperson: Elaine McKeon AO General Manager: Keith Clarke Outcome 1: Provide temporary accommodation that assists Aboriginal and Torres Strait Islander people to achieve goals and obtain dignity and equity in the Australian community</p>	<p>Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS)</p> <p>Chairperson: Mick Dodson Principal: Russell Taylor Outcome 1: Promotion of knowledge and understanding of Australian Indigenous cultures, past and present</p>
<p>Indigenous Business Australia (IBA)</p> <p>Chairperson: Joseph Elu General Manager: Ron Morony Outcome 1: Stimulate the economic advancement of Aboriginal and Torres Strait Islander peoples by investing in sound commercial ventures and encouraging and supporting Indigenous participation</p>		<p>Indigenous Land Corporation (ILC)</p> <p>Chairperson: Shirley McPherson General Manager: David Galvin Outcome 1: Provide economic, environmental, social and cultural benefits for Aboriginal persons and Torres Strait Islanders by assisting in the acquisition and management of an Indigenous land base</p>	<p>Torres Strait Regional Authority (TSRA)</p> <p>Chairperson: Terry Waia General Manager: Mike Fordham Outcome 1: To achieve a better quality of life and to develop an economic base for Torres Strait Islander and Aboriginal persons living in Torres Strait</p>

Map 1 B: Corporate structure of the Portfolio

