

PART B

PORTFOLIO OVERVIEW

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THE ROLE AND OBJECTIVES OF THE IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS PORTFOLIO

A list of the major entities within the portfolio is below. Entities that are required to report as part of the PB Statements 2004-05 are listed in *italics*¹.

Department of State

- *Department of Immigration and Multicultural and Indigenous Affairs (DIMIA)*

Other *Financial Management and Accountability Act 1997* Agencies

- *Migration Review Tribunal (MRT)*
- *Refugee Review Tribunal (RRT)*

Commonwealth Authorities and Companies Act 1997 bodies

- Anindilyakwa Land Council
- *Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS)*
- Central Land Council
- *Indigenous Business Australia (IBA)*
- *Indigenous Land Corporation (ILC)*
- Northern Land Council
- Tiwi Land Council
- *Torres Strait Regional Authority (TSRA)*
- Wreck Bay Aboriginal Community Council

¹ All agencies in the General Government Sector must contribute to a PB Statement. Agencies in the General Government Sector are those whose primary function is to provide public services which are mainly:

- non-market in nature;
- for the collective consumption of the community;
- involved with transferring or redistributing income; and
- are financed through taxes and other compulsory levies.

Other Statutory Authorities

- Migration Agents Registration Authority (MARA)
- Office of Evaluation and Audit (OEA)

Companies limited by guarantee

- *Aboriginal Hostels Limited* (AHL)
- National Accreditation Authority for Translators and Interpreters (NAATI)

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;
- multicultural affairs;
- entry, stay and departure arrangements for non-citizens;
- ethnic affairs; and
- Indigenous affairs and reconciliation.

In keeping with the principles of the *Charter of Budget Honesty Act 1998* (Charter of Budget Honesty), and to reflect the recent announcements by the government, the appropriations previously provided to the Aboriginal and Torres Strait Islander Commission (ATSIC) and Aboriginal and Torres Strait Islander Services (ATSIS) have been transferred to DIMIA from 2004-05 pending final Administrative Arrangement Orders.

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 new permanent residents, particularly refugee and Special Humanitarian Program entrants and family stream migrants with lower levels of English proficiency, 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;
- promoting the benefits of Australia's cultural diversity within a framework of national unity; and
- providing policy advice and undertaking planning, development and coordination of services to Aboriginal and Torres Strait Islander Australians across a range of areas.

Following the government's decision to restructure the provision and coordination of delivery of Indigenous programs, the government will introduce legislation to abolish ATSIIC with effect from 1 July 2004 and replace it with an advisory group of eminent Indigenous people. The Commission's Regional Councils cease operation on 30 June 2005. The information in this publication has been prepared on the basis that the legislative amendments announced by the government will be passed to facilitate the transfer of ATSIIC's funding and functions to DIMIA, pending new Administrative

Arrangement Orders. ATSIC's primary role was to formulate policy to advance the social, economic and cultural interests and status of Indigenous peoples.

ATSIS will cease to exist with effect from 1 July 2004 following the government's decision to restructure the provision and coordination of delivery of Indigenous programs. The information in this publication has been prepared on the basis that the funding and functions will transfer to DIMIA pending the introduction of new Administrative Arrangement Orders. ATSIS was previously responsible for the delivery of policy advocacy support and program services to Indigenous peoples.

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 a Statement of Corporate Intent 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 territory, 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
- 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 refugees and promote sustainable returns;
- *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

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- *Social Security and Welfare* – mainly covers settlement services administered by DIMIA, provision of advice and support to the Minister on Indigenous issues, and administered Indigenous expenses.

MAJOR OBJECTIVES AND PLANNED ACHIEVEMENTS FOR 2004-05

The portfolio has eight entities that contribute to its core responsibilities of immigration, multicultural affairs, Indigenous affairs and reconciliation. The following is a summary of each agency's aims for 2004-05.

Department of Immigration and Multicultural and Indigenous Affairs

The five outcomes of DIMIA clearly reflect what the agency 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;*
- *sound and well-coordinated policies, programs and decision-making processes in relation to Indigenous affairs and reconciliation;*
- *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; and*
- *effective delivery of policy advocacy support and program services to Aboriginal and Torres Strait Islander peoples.*

Within this context, DIMIA's strategic priorities by outcome in 2004-05 are described below:

Outcome 1

- 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, particularly for regional Australia;
- 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 and Humanitarian Programs and improving the delivery of visa services, 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, and authorities in countries of origin, first asylum, transit and destination);
- continue to manage and process applications for protection visas onshore, including applications from Temporary Protection Visa holders;
- effectively manage detention issues, including pursuing major infrastructure and policy issues, managing outsourced contracts and ensuring appropriate arrangements for women and minors;
- 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;

Outcome 2

- 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;
- proactively support an improved understanding of immigration and multicultural affairs issues in the community;
- promote the value of Australian citizenship;
- continue to develop and implement strategies to maintain the integrity of citizenship application processing;
- promote improved performance by Commonwealth Agencies in the implementation of the *Charter of Public Service in a Culturally Diverse Society*;
- encourage community harmony;
- promote and communicate the economic benefits of cultural diversity and continue to support business to realise the benefits of diversity in terms of profitability and competitiveness;

Outcome 3

- 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; and
- advise the government on portfolio legislation and administrative arrangements.

Outcome 4

Following the government's decision to restructure the provision and coordination of delivery of Indigenous programs, the government will introduce legislation to abolish ATSIC with effect from 1 July 2004 and replace it with an advisory group of eminent Indigenous people. The Commission's Regional Councils cease operation on 30 June 2005. The information in this publication has been prepared on the basis that the legislative amendments announced by the government will be passed to facilitate the transfer of ATSIC's funding and functions to DIMIA, pending new Administrative Arrangement Orders. ATSIC's primary role was to formulate policy to advance the social, economic and cultural interests and status of Indigenous peoples.

Outcome 5

ATSIS will cease to exist with effect from 1 July 2004 following the government's decision to restructure the provision and coordination of delivery of Indigenous programs. The information in this publication has been prepared on the basis that the funding and functions will transfer to DIMIA pending the introduction of new Administrative Arrangement Orders. ATSIS was previously responsible for the delivery of policy advocacy support and program services to Indigenous peoples.

Portfolio agencies will provide a range of policy, program and administrative services to ensure Indigenous programs are delivered in conformity with the policies and priorities of government.

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 under the four categories of benefit; 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 continue to refine the strategy during the budget period.

The ILC will continue to require applicants to develop property management plans and business plans for land acquisition and land management assistance.

The ILC will continue to work with the applicants to develop a total package of support which includes 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, cultural, social and environmental benefits.

The ILC stated in its National Indigenous Land Strategy 2001-2006 that the strategy would be reviewed annually. During the course of the financial year 2004-05 the ILC will further review its policy, practice and outcomes.

The ILC will continue its "Property Remediation Program" during the 2004-05 financial year addressing both the physical and social infrastructure issues on properties purchased by the ILC.

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 broader operational efficiencies.

Torres Strait Regional Authority

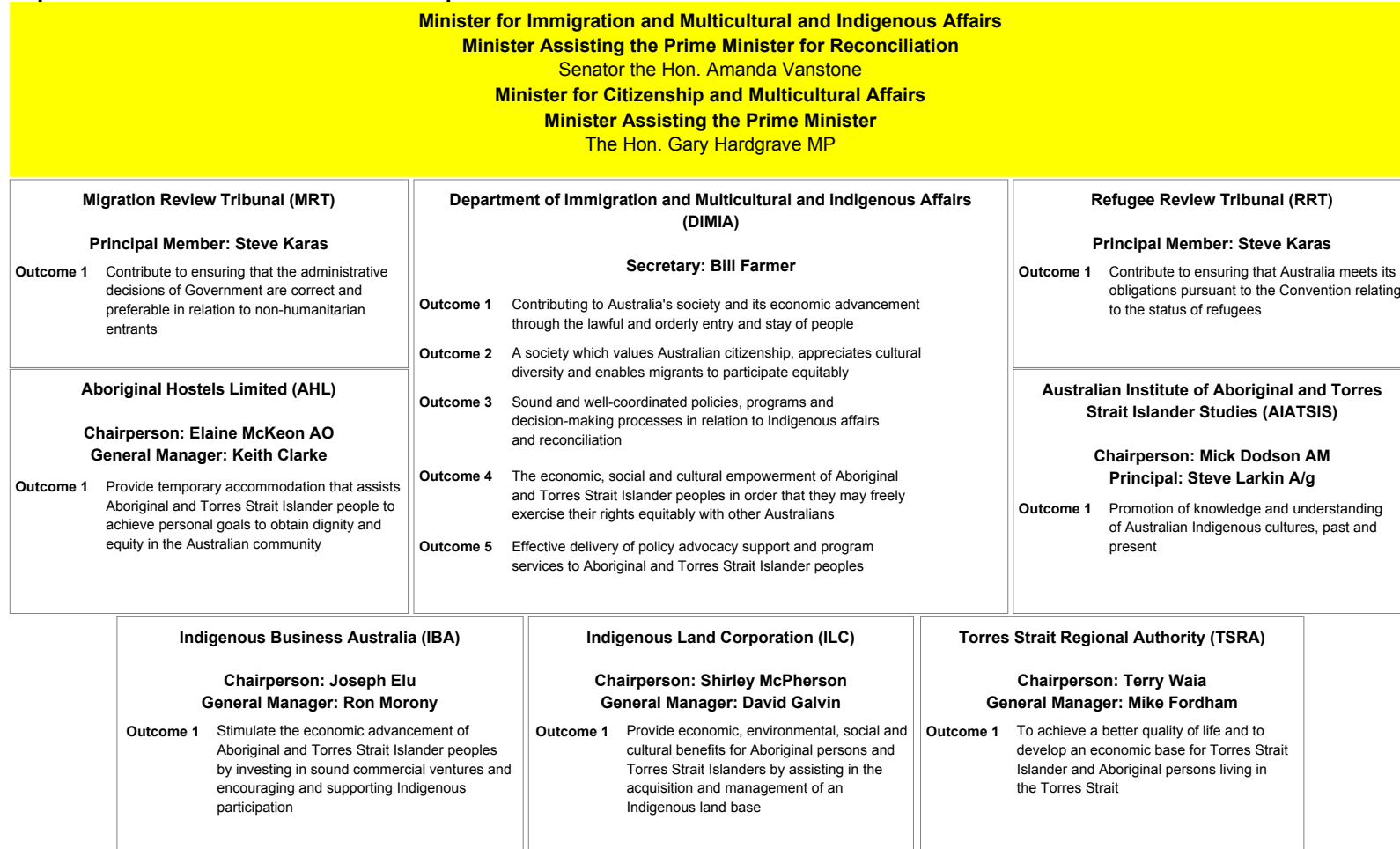
The major objective of the TSRA for 2004-05 is to accomplish the outcome: *to achieve a better quality of life and to develop an economic base for Torres Strait Islander and Aboriginal persons living in the Torres Strait*. In order to do this, the following are planned:

- 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

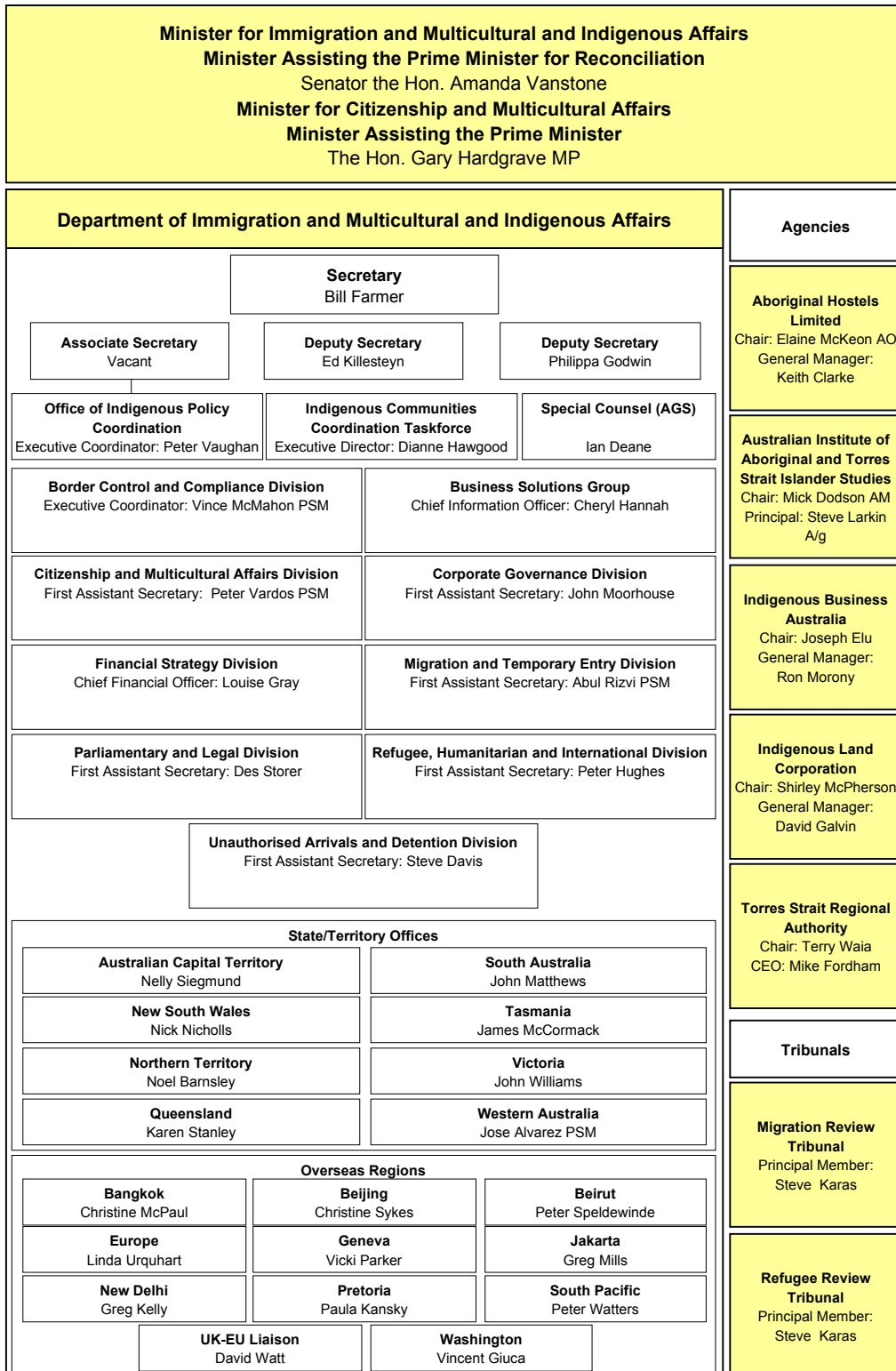
opportunities to engage in international issues impacting on Indigenous people worldwide;

- 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.

Map 1A: Structure of outcomes for the portfolio



Map 1B: Corporate structure of the portfolio



2004-05 Budget appropriation — portfolio level

The appropriation from government to each portfolio agency for the delivery of departmental outputs and administered programs in 2004-05 is outlined in Table 1.0 below. Details of associated revenue and expenses are provided at Section 3 in Parts C for each relevant agency.

The contribution of agencies to the total revised portfolio appropriation revenue of \$2.6 billion is illustrated in the following chart.

Chart 1.0: Percentage of total appropriation by agency

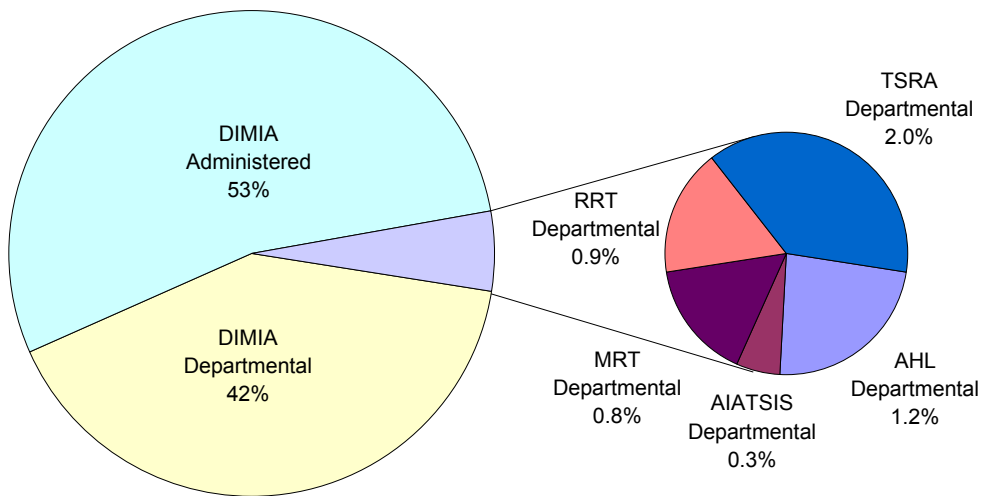


Table 1.0: Total appropriation for agencies in the portfolio

	2003-04 Actual available ¹ \$'000	2004-05 Budget estimate \$'000
DIMIA		
Administered		
Administered appropriations (Bill No. 1)		
Outcome 1	126,605	102,930
Outcome 2	145,427	168,639
Outcome 3	20,554	4,500
Outcome 5 ²	-	1,016,496
Specific purpose payments to the states and territories (Bill No. 2)		
Outcome 2	1,487	2,140
Administered Assets and Liabilities (Bill No. 2)		
Outcome 5 ²	-	13,700
Special Appropriations		
Outcome 1	4,000	5,000
Outcome 4 ²	-	45,200
Departmental		
Departmental appropriations (Bill No. 1)		
Outcome 1	670,732	701,244
Outcome 2	113,169	120,943
Outcome 3	3,351	5,807
Outcome 4 ²	-	9,696
Outcome 5 ²	-	173,035
Departmental equity injections (Bill No. 2)	14,520	55,198
Total appropriation	1,099,845	2,424,528
ATSIC²		
Administered special capital appropriation		
Outcome 1	91,982	-
Special Appropriations		
Outcome 1	99,463	-
Departmental appropriations (Bill No. 1)		
Outcome 1	8,253	-
Total appropriation	199,698	-
ATSI²		
Administered appropriations (Bill No. 1)		
Outcome 1	956,967	-
Administered Assets and Liabilities (Bill No. 2)		
Outcome 1	13,700	-
Departmental appropriations (Bill No. 1)		
Outcome 1	168,924	-
Departmental equity injections (Bill No. 2)	220	-
Total appropriation	1,139,811	-

Table 1.0: Total appropriation for agencies in the portfolio (continued)

	2003-04 Actual available \$'000	2004-05 Budget estimate \$'000
AHL		
Departmental		
Departmental appropriations (Bill No. 1)		
Outcome 1	31,435	31,944
Departmental equity injections (Bill No. 2)	12	-
Total appropriation	31,447	31,944
AIATSIS		
Departmental		
Departmental appropriations (Bill No. 1)		
Outcome 1	7,639	7,739
Departmental equity injections (Bill No. 2)	3	-
Total appropriation	7,642	7,739
MRT		
Departmental		
Departmental appropriations (Bill No. 1)	21,470	21,554
Outcome 1		
Previous years' outputs (Bill No. 4) ³	431	-
Total appropriation	21,901	21,554
RRT		
Departmental		
Departmental appropriations (Bill No. 1)	21,598	23,113
Outcome 1		
Previous years' outputs (Bill No. 4) ³	2,236	-
Total appropriation	23,834	23,113
TSRA		
Departmental		
Departmental appropriations (Bill No. 1)		
Outcome 1	51,034	52,042
Departmental equity injections (Bill No. 2)	9	-
Previous years' outputs (Bill No. 2) ³	-	23
Total appropriation	51,043	52,065
Total appropriation for the Portfolio	2,560,421	2,560,943

Notes:

- 1 2003-04 actual available appropriation is included to allow a comparison of the proposed 2004-05 appropriation with what was made available for use in 2003-04. Available appropriation is the amount available to each agency by authority of the Appropriation Acts for that year and does not include transfers of non-lapsing funding. Available appropriation is equal to: Budget appropriation + Additional Estimates appropriation + Departmental Items/Adjustments and Borrowings (DIAB) + Advance to the Finance Minister (AFM) - Savings - Rephasings - Other reductions.
- 2 ATSIC and ATSSIS funding and functions transfer to DIMIA Outcomes 4 and 5, respectively, from 1 July 2004.
- 3 Previous years' outputs appropriations provide funding for outputs that were delivered in a previous year. Such activities are funded initially from existing cash balances, which are then replenished by the previous years' output appropriation in the subsequent financial year.