

**MIGRATION REVIEW
TRIBUNAL**

MIGRATION REVIEW TRIBUNAL

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MIGRATION REVIEW TRIBUNAL

Section 1: Overview

The Migration Review Tribunal (MRT) provides final independent merits review of certain administrative decisions of DIMA. The MRT is required to provide a review that is fair, just, economical, informal and quick.

The MRT is prescribed under the *Financial Management and Accountability Act 1997*, and administers the MRT application for review fee.

Table 1.1: Agency outcomes and output groups

Outcome	Description
Outcome 1	
Contribute to ensuring that administrative decisions of Government are correct and preferable in relation to non-humanitarian entrants	The MRT provides final independent merits review of certain administrative decisions of DIMA. The MRT is required to provide a review that is fair, just, economical, informal and quick

Section 2: Resources for 2006-07

2.1: APPROPRIATIONS AND OTHER RESOURCES

The MRT has an agreement with the Department of Finance and Administration (Finance) to have funding reviewed on the basis of a formula using fixed and variable costs. The MRT will receive 75 per cent of its appropriation as a fixed amount and the remaining 25 per cent is dependent on the number of cases finalised in a year.

Table 2.1 shows the total resources from all origins for 2006-07, including appropriations. The table summarises how revenue will be applied by outcome, administered and departmental classification.

The total appropriation for the MRT in the 2006-07 Budget is \$21.4 million.

Table 2.1: Appropriations and other revenue 2006-07¹ ('000)

Agency/Outcome/ Non-operating	Departmental			Administered			Total			
	Appropriation Bill No. 1 \$'000	Appropriation Bill No. 2 \$'000	Special Appropriation \$'000	Receipts (a) \$'000	Appropriation Bill No. 1 \$'000	SPPs \$'000		Other (b) \$'000	Special Appropriation \$'000	Receipts (a) \$'000
Outcome 1										
Contribute to ensuring that administrative decisions of Government are correct and preferable in relation to migration programme entrants	21,402	-	-	310	-	-	-	-	-	21,712
Equity injections	-	-	-	-	-	-	-	-	-	-
Loans	-	-	-	-	-	-	-	-	-	-
Previous years' outputs	-	-	-	-	-	-	-	-	-	-
Administered assets and liabilities	-	-	-	-	-	-	-	-	-	-
Special capital Appropriation	-	-	-	-	-	-	-	-	-	-
TOTAL	21,402	-	-	310	-	-	-	-	-	21,712

(a) Departmental and administered receipts from other sources (i.e. other than appropriation amounts) that are available to be used.

(b) Includes new administered expenses and administered assets and liabilities.

Notes:

1. Under the appropriation structure, Bill No. 2 includes Specific Purpose Payments (SPPs), New Agency Outcomes (NAOs), administered capital and departmental capital via departmental injections and loans.

Refer to Budgeted Departmental Income Statement for application of agency revenue.

2.2: 2006-07 BUDGET MEASURES

The MRT has no measures, for this reason Table 2.2 is not presented.

2.3: OTHER RECEIPTS AVAILABLE TO BE USED

Table 2.3 provides details of other receipts available to be used and include FMA Act s.31 receipts, CAC body receipts that are available to be spent, special accounts (non-appropriation receipts) and resources received free of charge.

Table 2.3: Other receipts available to be used

	Estimated receipts 2005-06 \$'000	Budget estimate 2006-07 \$'000
Outcome 1		
Departmental other receipts		
Proceeds from sale of assets	17	10
Goods and services	-	300
Total departmental other receipts available to be used	17	310

2.4: MOVEMENT OF ADMINISTERED FUNDS FROM 2005-06 TO 2006-07

The MRT has no movement of administered funding from 2005-06 to 2006-07. For this reason, Table 2.4 is not presented.

2.5: SPECIAL APPROPRIATIONS

The MRT has no special appropriations. For this reason, Table 2.5 is not presented.

2.6: SPECIAL ACCOUNTS

The MRT has no special accounts. For this reason, Table 2.6 is not presented.

2.7: ADMINISTERED CAPITAL AND DEPARTMENTAL EQUITY INJECTIONS AND LOANS

The MRT has no administered capital, departmental equity injections or loans.

2.8: REVENUE FROM INDEPENDENT SOURCES

Supplementary Table 1: Revenue from independent sources

	Estimated actual 2005-06 \$'000	Budget estimate 2006-07 \$'000
ADMINISTERED REVENUE		
Outcome 1		
MRT fees	8,310	8,570
Total Outcome 1	8,310	8,570
Total administered revenue	8,310	8,570
DEPARTMENTAL REVENUE		
Outcome 1		
Proceeds from Sale of assets	17	10
Goods and Services	-	300
Total Outcome 1	17	310
Total departmental revenue	17	310

Section 3: Outcomes

This section explains how the resources identified in Section 2 will be used to deliver outputs and administered items to contribute to the outcome for the Migration Review Tribunal.

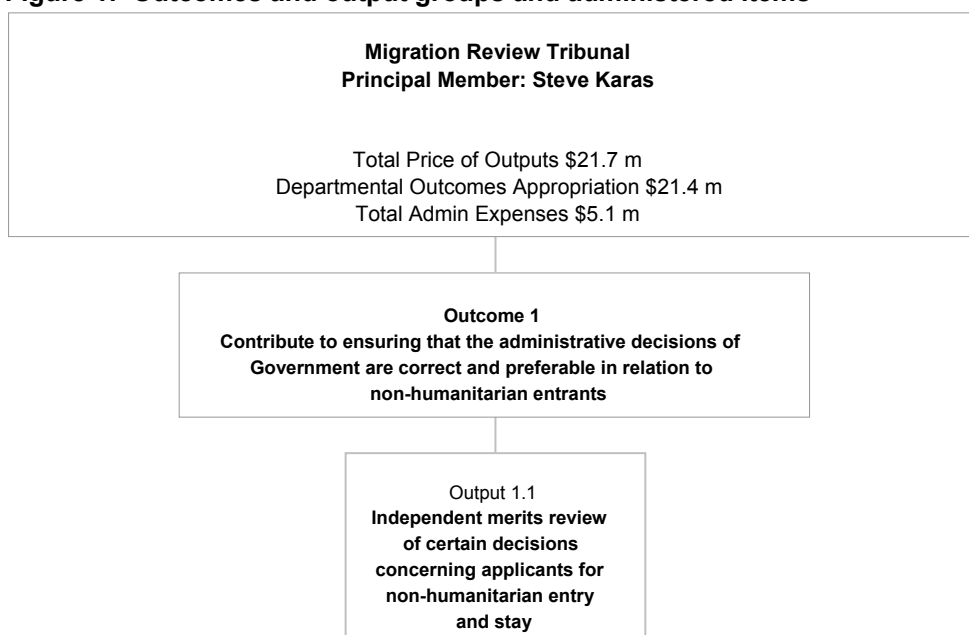
3.1: SUMMARY OF OUTCOMES, OUTPUTS AND ADMINISTERED ITEMS

The MRT works towards achieving one outcome specified by government. The outcome is *to contribute to ensuring that the administrative decisions of government are correct and preferable in relation to non-humanitarian entrants.*

Output cost attribution

There is one output for the MRT which is the *independent merits review of certain decisions concerning applicants for non-humanitarian entry and stay.* All costs are allocated to this output.

Figure 1: Outcomes and output groups and administered items



Changes to outcomes and outputs

MRT has had no changes to the number, wording or structure of its outcome or outputs since Budget 2005-06.

3.2: OUTCOMES — DEPARTMENTAL AND ADMINISTERED

Departmental appropriations by outcome

As identified in Section 3.1, the MRT works towards achieving one outcome. All departmental appropriation is allocated to this outcome. An analysis of departmental resources for this outcome is provided in Section 5.1: Analysis of Budgeted Financial Statements.

Administered appropriations by outcome

The MRT has no administered appropriation.

3.3: OUTCOMES RESOURCING

Outcome 1 resourcing

Table 3.1 shows how the 2006-07 Budget appropriations translate to total resourcing for Outcome 1, including administered expenses, revenue from government (appropriation), revenue from other sources (departmental) and the total price of outputs.

Table 3.1: Total resources for Outcome 1 (\$'000)

	Estimated actual 2005-06 \$'000	Budget estimate 2006-07 \$'000
Administered items		
Refund of fees	4,910	5,060
Total administered expenses	4,910	5,060
Departmental appropriations		
Output Group 1.		
Output 1.1 - independent merits review of certain decisions concerning applicants for non- humanitarian entry and stay	21,014	21,402
Subtotal Output Group 1	21,014	21,402
Total revenue from government (appropriations)	21,014	21,402
Contributing to price of departmental outputs	99.8%	98.4%
Revenue from other sources		
Proceeds from Sale of assets	17	10
Resources received free of charge	32	32
Goods and Services	-	300
Total revenue from other sources	49	342
Total price from departmental outputs		
(Total revenue from government and from other sources)	21,063	21,744
Total estimated resourcing for Outcome 1		
(Total price of outputs and administered appropriations)	25,973	26,804
	2005-06	2006-07
Average staffing level (number)	174	174

Performance information for Outcome 1

Table 3.2: Performance information for Outcome 1

Effectiveness — overall achievement of the outcome	
Decisions are correct and preferable	
Extent to which the MRT contributes to the quality and consistency of decision making	
Performance information for departmental outputs	
Output 1.1 — Independent merits review of certain decisions concerning applicants for non-humanitarian entry and stay	\$21.4 million
Quantity	
Cases finalised	9,000
Quality	
Level and outcome of appeals against Tribunal decisions	
Complaints received	
Extent to which time standards are met	

Evaluations for Outcome 1

The MRT seeks feedback from stakeholders through regular community liaison meetings and liaison meetings with DIMA. Monthly activity and financial reports are reviewed by the Senior Management Group and by the Joint Management Board. There is an internal audit program and there are management initiated reviews to enhance the flexibility, accountability and cost effectiveness of output delivery. The Australian National Audit Office (ANAO) is conducting a general performance audit on the effectiveness of the MRT and the Refugee Review Tribunal (RRT).

Competitive Tendering and Contracting (CTC)

The MRT manages a number of contracts with external service providers. Service providers are selected and engaged in accordance with Commonwealth Procurement Guidelines.

Section 4: Other reporting requirements

4.1: PURCHASER-PROVIDER ARRANGEMENTS

The MRT currently purchases its financial system from DIMA. The MRT also has arrangements with DIMA to use DIMA's travel provider.

The MRT has a Memorandum of Understanding with the Administrative Appeals Tribunal (AAT) for the provision of counter services and serviced offices in Perth, Adelaide and Brisbane.

The MRT receives corporate, research and library services from the RRT. The MRT is charged a fee for this service which is based on direct costs, comprised mainly of staff and rent.

The MRT introduced a joint case management system (CaseMate) in 2006, which is shared with the RRT, and charges a fee to the RRT which is based on direct costs.

Cross agency overview

The MRT and the RRT have established a Joint Management Board and other joint corporate governance arrangements, are co-located and are continuing to implement measures to find efficiencies in the operations of the tribunals through common staff service arrangements, common infrastructure, and common purchasing. Members and staff are cross-appointed to both tribunals. The management of the allocation of work to members between the tribunals permits the tribunals to deal with changing caseloads.

Responsibility

The reporting of these arrangements forms part of the MRT's Annual Report.

Control arrangements

The MRT is accountable for its operations, and there are joint corporate governance arrangements in place across MRT and RRT operations.

Resourcing

Charges are funded from within the MRT's resources.

Performance against outcomes of purchased outputs

The services which are provided by other agencies are support services and the effectiveness will be reported in the MRT's annual report. The services provided or sourced support the efficient delivery of the MRT's single outcome.

4.2: COST RECOVERY ARRANGEMENTS

The MRT has no cost recovery arrangements. Fees and charges for courts and tribunals are excluded from the government's cost recovery policy (which generally encompasses fees and charges related to the provision of government goods and services to the private and other non-government sectors of the economy).

Section 5: Budgeted financial statements

5.1: ANALYSIS OF BUDGETED FINANCIAL STATEMENTS

An analysis of the MRT's budgeted financial statements for the 2006-07 Portfolio Budget Statements is provided below.

Budgeted departmental income statement

This statement provides a picture of the expected financial results for the MRT by identifying full accrual expenses and revenues, which highlights whether the MRT is operating at a sustainable level.

The MRT's funding is based on an agreement with Finance, and receives funding for fixed costs plus variable costs based on the MRT's total operating costs. Total expenses for 2006-07 are estimated at \$21.7 million, which will lead to an anticipated nil surplus.

Budgeted departmental balance sheet

This statement shows the financial position of the MRT. It helps decision-makers to track the management of assets and liabilities.

Financial assets will increase in out years due to lower capital expenditure and non-cash expenses (depreciation).

Non-financial assets will decrease in out years as a result of lower capital expenditure and depreciation.

Budgeted departmental statement of cash flows

Budgeted cash flows, as reflected in the statement of cash flows, provide important information on the extent and nature of cash flows by categorising them into expected cash flows from operating activities, investing activities and financing activities.

Departmental capital budget statement

Shows all planned departmental capital expenditure (capital expenditure on non-financial assets), whether funded through capital appropriations for additional equity or borrowings, or from funds from internal sources.

The MRT replaces assets on a regular basis as part of its ongoing asset maintenance programme.

Departmental non-financial assets – summary of movement

Shows budgeted acquisitions and disposals of non-financial assets during the budget year.

Capital purchases include audio-visual upgrade and final costs for the case management system.

Schedule of administered activity

Schedule of budgeted income and expenses administered on behalf of government

This schedule identifies the main revenues and expenses administered on behalf of the government.

The MRT administers a fee of \$1,400 for lodging an application for review. Fees are refundable to applicants if decisions are made in their favour. Revenue totalling \$8.6 million represents estimated fees for 2006-07, and expenses of \$5.1 million represent anticipated refunds.

Schedule of budgeted assets and liabilities administered on behalf of government

This schedule shows the assets and liabilities administered on behalf of the government. Financial assets of \$3,000 are the cash on hand at 30 June 2007.

Schedule of budgeted administered cash flows

This schedule shows cash flows administered on behalf of the government.

The \$8.6 million for fees represents the anticipated receipts for 2006-07, which in turn are remitted to the official public account. Cash of \$5.1 million received from the official public account is used for refunds of fees to successful applicants.

5.2: BUDGETED FINANCIAL STATEMENTS TABLES

Table 5.1: Budgeted departmental income statement for the period ended 30 June

	Estimated actual 2005-06 \$'000	Budget estimate 2006-07 \$'000	Forward estimate 2007-08 \$'000	Forward estimate 2008-09 \$'000	Forward estimate 2009-10 \$'000
INCOME					
Revenue					
Revenues from Government (note 1)	21,046	21,434	21,659	21,939	22,197
Revenue from sales of assets	17	10	-	-	-
Goods and Services	-	300	300	300	300
Total Revenue	21,063	21,744	21,959	22,239	22,497
Total Income	21,063	21,744	21,959	22,239	22,497
EXPENSE					
Employees	13,500	14,200	14,768	15,359	15,973
Suppliers	6,205	6,481	6,138	5,794	5,451
Depreciation and amortisation	510	1,063	1,053	1,086	1,073
Write-down of assets	1	-	-	-	-
Value of assets sold	24	-	-	-	-
Total Expenses	20,240	21,744	21,959	22,239	22,497
Operating Result from continuing operations	823	-	-	-	-
Net surplus or deficit attributable to the Australian Government	823	-	-	-	-
Note 1 - Revenues from Government					
Appropriation	21,014	21,402	21,627	21,907	22,165
Resources received free of charge					
- Audit fees	32	32	32	32	32
Total Revenue from Government	21,046	21,434	21,659	21,939	22,197

**Table 5.2: Budgeted departmental balance sheet
as at 30 June**

	Estimated actual 2005-06 \$'000	Budget estimate 2006-07 \$'000	Forward estimate 2007-08 \$'000	Forward estimate 2008-09 \$'000	Forward estimate 2009-10 \$'000
ASSETS					
Financial assets					
Cash	244	315	337	318	273
Receivables	1,258	1,058	1,358	1,658	1,858
Total financial assets	1,502	1,373	1,695	1,976	2,131
Non-financial assets					
Land and buildings	1,089	941	793	645	497
Infrastructure, plant and equipment	748	808	683	685	800
Intangibles	2,645	2,665	2,405	2,045	1,685
Other non-financial assets	129	129	129	129	129
Total non-financial assets	4,611	4,543	4,010	3,504	3,111
Total assets	6,113	5,916	5,705	5,480	5,242
LIABILITIES					
Interest bearing liabilities					
Leases	1,823	1,626	1,415	1,190	952
Total interest bearing liabilities	1,823	1,626	1,415	1,190	952
Provisions					
Employees	1,460	1,460	1,460	1,460	1,460
Total provisions	1,460	1,460	1,460	1,460	1,460
Payables					
Suppliers	657	657	657	657	657
Total payables	657	657	657	657	657
Total liabilities	3,940	3,743	3,532	3,307	3,069
EQUITY*					
Parent entity interest					
Reserves	558	558	558	558	558
Retained surpluses or accumulated deficits	1,615	1,615	1,615	1,615	1,615
Total parent entity interest	2,173	2,173	2,173	2,173	2,173
Total equity	2,173	2,173	2,173	2,173	2,173
Current assets	1,631	1,502	1,824	2,105	2,260
Non-current assets	4,482	4,414	3,881	3,375	2,982
Current liabilities	1,960	1,960	1,960	1,960	1,960
Non-current liabilities	1,980	1,783	1,572	1,347	1,109

*Note: 'equity' is the residual interest in assets after deduction of liabilities.

Table 5.3: Budgeted departmental statement of cash flows for the period ended 30 June

	Estimated actual 2005-06 \$'000	Budget estimate 2006-07 \$'000	Forward estimate 2007-08 \$'000	Forward estimate 2008-09 \$'000	Forward estimate 2009-10 \$'000
OPERATING ACTIVITIES					
Cash received					
Appropriations	20,501	21,402	21,627	21,907	22,165
Goods and services	-	300	300	300	300
Total cash received	20,501	21,702	21,927	22,207	22,465
Cash used					
Employees	14,240	14,200	14,768	15,359	15,973
Suppliers	6,087	6,449	6,106	5,762	5,419
Transfers to/(from) OPA	(2,200)	(200)	300	300	200
Total cash used	18,127	20,449	21,174	21,421	21,592
Net cash from or (used by) operating activities	2,374	1,253	753	786	873
INVESTING ACTIVITIES					
Cash received					
Proceeds from sales of property, plant and equipment	-	10	-	-	-
Total cash received	-	10	-	-	-
Cash used					
Purchase of property, plant and equipment	2,442	995	520	580	680
Total cash used	2,442	995	520	580	680
Net cash from or (used by) investing activities	(2,442)	(985)	(520)	(580)	(680)
FINANCING ACTIVITIES					
Cash received					
Other	-	-	-	-	-
Total cash received	-	-	-	-	-
Cash used					
Repayments of lease incentive	120	197	211	225	238
Total cash used	120	197	211	225	238
Net cash from/(used by) financing activities	(120)	(197)	(211)	(225)	(238)
Net increase or (decrease) in cash held	(188)	71	22	(19)	(45)
Cash at the beginning of the reporting period	432	244	315	337	318
Cash at the end of the reporting period	244	315	337	318	273

Table 5.4: Departmental statement of changes in equity – summary of movement (Budget 2006-07)

	Accumulated results \$'000	Asset revaluation reserve \$'000	Other reserves \$'000	Contributed equity/ capital \$'000	Total equity \$'000
Opening balance as at 1 July 2006					
Balance carried forward from previous period	1,615	558	-	-	2,173
Adjustment for changes in accounting policies	-	-	-	-	-
Adjusted opening balance	1,615	558	-	-	2,173
Income and expense					
Income and expenses recognised directly in equity:					
Gain/loss on revaluation of property	-	-	-	-	-
Sub-total income and expense	-	-	-	-	-
Net operating result	-	-	-	-	-
Total income and expenses recognised directly in equity	-	-	-	-	-
Transactions with owners					
Distribution to owners	-	-	-	-	-
Contribution by owners	-	-	-	-	-
Sub-total transactions with owners	-	-	-	-	-
Transfers between equity components	-	-	-	-	-
Estimated closing balance as at 30 June 2007	1,615	558	-	-	2,173

Table 5.5: Departmental capital budget statement

	Estimated actual 2005-06 \$'000	Budget estimate 2006-07 \$'000	Forward estimate 2007-08 \$'000	Forward estimate 2008-09 \$'000	Forward estimate 2009-10 \$'000
PURCHASE OF NON-FINANCIAL ASSETS					
Funded internally by					
Departmental resources	2,442	995	520	580	680
Total	2,442	995	520	580	680

Table 5.6: Departmental property, plant, equipment and intangibles — summary of movement (Budget year 2006-07)

	Buildings	Other infrastructure plant and equipment	Computer software	Total
	\$'000	\$'000	\$'000	\$'000
As at 1 July 2006				
Gross book value	1,514	1,644	2,932	6,090
Accumulated depreciation	425	896	287	1,608
Opening net book value	1,089	748	2,645	4,482
Additions:				
by purchase	-	355	640	995
Depreciation/amortisation expense	148	295	620	1,063
As at 30 June 2007	941	808	2,665	4,414
Gross book value	1,514	1,999	3,572	7,085
Accumulated depreciation	573	1,191	907	2,671
Closing net book value	941	808	2,665	4,414

Table 5.7: Schedule of budgeted income and expenses administered on behalf of Government for the period ended 30 June

	Estimated actual 2005-06 \$'000	Budget estimates 2006-07 \$'000	Forward estimate 2007-08 \$'000	Forward estimate 2008-09 \$'000	Forward estimate 2009-10 \$'000
INCOME ADMINISTERED ON BEHALF OF GOVERNMENT					
Revenue					
Non-taxation					
Other sources of non-taxation revenue	8,310	8,570	8,570	8,570	8,570
Total non-taxation	8,310	8,570	8,570	8,570	8,570
Total income administered on behalf of Government	8,310	8,570	8,570	8,570	8,570
EXPENSES ADMINISTERED ON BEHALF OF GOVERNMENT					
Refund of fees	4,910	5,060	5,060	5,060	5,060
Total expenses administered on behalf of Government	4,910	5,060	5,060	5,060	5,060

Table 5.8: Schedule of budgeted assets and liabilities administered on behalf of Government as at 30 June

	Estimated actual 2005-06 \$'000	Budget estimate 2006-07 \$'000	Forward estimate 2007-08 \$'000	Forward estimate 2008-09 \$'000	Forward estimate 2009-10 \$'000
ASSETS ADMINISTERED ON BEHALF OF GOVERNMENT					
Financial assets					
Cash	3	3	3	3	3
Total financial assets	3	3	3	3	3
Total assets administered on behalf of Government	3	3	3	3	3
LIABILITIES ADMINISTERED ON BEHALF OF GOVERNMENT					
Payables					
Other payables	-	-	-	-	-
Total payables	-	-	-	-	-
Total liabilities administered on behalf of Government	-	-	-	-	-

Table 5.9: Schedule of budgeted administered cash flows for the period ended 30 June

	Estimated actual 2005-06 \$'000	Budget estimate 2006-07 \$'000	Forward estimate 2007-08 \$'000	Forward estimate 2008-09 \$'000	Forward estimate 2009-10 \$'000
OPERATING ACTIVITIES					
Cash received					
Cash from Official Public Account	4,910	5,060	5,060	5,060	5,060
Other taxes, fees and fines	8,310	8,570	8,570	8,570	8,570
Total cash received	13,220	13,630	13,630	13,630	13,630
Cash used					
Cash to Official Public Account	8,310	8,570	8,570	8,570	8,570
Other	4,910	5,060	5,060	5,060	5,060
Total cash used	13,220	13,630	13,630	13,630	13,630
Net cash from/(used by) operating activities	-	-	-	-	-
Net increase or (decrease) in cash held					
	-	-	-	-	-
Cash at beginning of reporting period	3	3	3	3	3
Cash at end of reporting period	3	3	3	3	3