



15 March 2018

Hon Peter Dutton  
Minister for Home Affairs  
Minister for Immigration & Border Protection  
Parliament House  
PO Box 6022  
Canberra ACT 2600

Dear Minister

**Re: Support for change to response time to a Notice of Intention to Consider Cancellation issued to refugees with permanent protection visas**

At the Council meeting of 13 March 2018, the City of Greater Dandenong adopted a Notice of Motion supporting changes to the response time prescribed in the *Migration Act 1958*. Council agreed to write to State and Federal Ministers with responsibility for immigration and to local Members of Parliament to support this change.

The City of Greater Dandenong is the most culturally diverse community in Australia and we are a Council that welcomes refugees and people seeking asylum. Council has become aware of instances where people holding permanent protection visas have applied for Australian Citizenship and were subsequently issued with a Notice of Intention to Consider Cancellation (NOICC).

It is of concern to Council that the *Migration Act 1958* stipulates only a 14 day response time to this NOICC. This period may be insufficient for a refugee respondent to adequately prepare support documentation to respond to issues raised. If a permanent visa is cancelled, the person becomes an unlawful non-citizen and is liable to be placed in immigration detention losing any entitlement they have as a permanent resident to income support, Medicare and work rights. If the visa cancelled is a protection visa, the person is not able to make a further application for a protection visa unless they are given permission to do so by the Minister for Home Affairs.

Council does not agree that 14 days is reasonable and fair amount of time and requests that the response time to a Notice of Intention to Consider Cancellation be extended to at least 28 days, with a further option for extension, to be at the discretion of the administering case officer.

We seek your favourable support in this matter.

Yours sincerely



Cr Youhorn Chea  
Mayor

cc Hon Alan Tudge, Federal Minister for Citizenship and Multicultural Affairs  
Hon Angus Taylor, Federal Minister for Law Enforcement  
Hon Alex Hawke, Federal Assistant Minister for Home Affairs  
Hon Tony Burke, Federal Shadow Minister for Citizenship and Multicultural Australia  
Hon Shayne Neumann, Federal Shadow Minister for Immigration and Border Protection  
Senator Hon Jacinta Collins, Federal Shadow Assistant Minister for Citizenship & Multicultural Australia  
Julie Owens MP, Federal Shadow Assistant Minister for Citizenship and Multicultural Australia  
Hon Mark Dreyfus QC, Federal Member for Isaacs  
Hon Anthony Byrne, Federal Member for Holt  
Clare O'Neil, Federal Member for Hotham  
Julian Hill, Federal Member for Bruce  
Premier Hon Daniel Andrews, State Member for Mulgrave  
Hon Robin Scott, Victoria State Minister for Multicultural Affairs  
Mr Hong Lim, Vic State Parliamentary Secretary for Multicultural Affairs and State Member for Clarinda  
Hon Martin Pakula, State Member for Keysborough  
Hon Luke Donnellan, State Member for Narre Warren North  
Gabrielle Williams, State Member for Dandenong  
Sonya Kilkenny, State Member for Carrum  
Mr Jude Perera, State Member for Cranbourne  
Tim Richardson, State Member for Mordialloc  
Michael Gidley, State Member for Mt Waverley  
Ms Judith Graley, State Member for Narre Warren South  
Hon Gavin Jennings, MLC for South Eastern Metropolitan Region  
Mrs Inga Peulich, MLC for South Eastern Metropolitan Region  
Hon Gordon Rich-Phillips, MLC for South Eastern Metropolitan Region  
Hon Adem Somyurek, MLC for South Eastern Metropolitan Region  
Nina Springle, MLC for South Eastern Metropolitan Region