

HOUSE OF REPRESENTATIVES

Supplementary Order Paper

Friday, the 23rd Day of June 1978

IMMIGRATION AMENDMENT (NO. 2) BILL

Proposed Amendments

Hon. Mr GILL, in Committee, to move the following amendments:

Proposed clause 3c: To insert on page 3, before clause 4, that following clause:

3c. Deportation of prohibited immigrants—Section 20 (1) of the principal Act is hereby amended by inserting, after the expression “Part II”, the words “(except sections 14 (2B) and 19A)”.

Clause 5: To add to the proposed section 33B (1), on page 13, the words “Instead, in respect of any such arrest that is wrongful, the person who called the member of the Police to his assistance shall be liable in the same manner as he would have been if he had personally arrested the person.”.

EXPLANATORY NOTE

Proposed clause 3c: This amendment is consequential upon sections 2 and 4 of the Immigration Amendment Act 1977. Those sections make it an offence for a person required by the Act to have a work permit to work without one, and for any person to employ any such person if he knows that that person does not have the necessary permit. The effect of section 20 at present is to render any employee or employer convicted of such an offence liable to deportation, in addition to the monetary penalties prescribed in the respective provisions. The amendment removes that liability.

Clause 5: The proposed section 33B (1) provides that where a member of the Police is called to the assistance of an Immigration Officer and arrests a suspect, the member is not liable for the arrest if it subsequently proves to have been wrongful. This amendment makes it clear that, in such a case, the Immigration Officer is liable for wrongful arrest.
