

## Worksheet: Sequence 4 — Shaping multicultural Australia since 2000

# The *Border Protection Bill 2001* in your words

The legal wording of Bills and Acts of Parliament can be confusing and the purpose of this brief investigation is to explore:

'How and why did the *Border Protection Bill 2001* change the *Migration Act 1958*?' Understanding the powers given to the Australian government by the Bill will help answer the focus questions.

In this activity read each section of the Bill and underline/highlight key words and phrases. Then write in your own words a summary sentence below each section.

- ship means any floating vessel and includes a barge
- territorial sea, in relation to Australia, means sea areas within Australia's recognised territory

### Section 4: Giving a direction that ship be removed from Australian territorial sea

An officer may, in his or her absolute discretion, direct the master or other person in charge of a ship that is within the outer limits of the territorial sea of Australia to take the ship, and any person on board the ship, outside the territorial sea.

*In your words:*

### Section 5: Enforcement of direction

Where a direction has been given under Section 4, an officer may detain the ship, and take it, or cause it to be taken, outside the territorial sea of Australia. For this purpose, reasonable means, including reasonable force, may be used by the officer or another person.

*In your words:*

### Section 7: Liability for actions taken under this Act

The Commonwealth government of Australia or its officers/officials cannot be taken to civil or criminal court for their actions if they are in 'good faith'

*In your words:*

### Section 8: No proceedings available to prevent removal of ship

Proceedings may not be instituted or continued by any person in any court to prevent a ship, or any persons on board a ship, being removed to a place outside the territorial sea of Australia as a direction given under Section 4.

*In your words:*

### Section 9: No applications for protection visas

Any application for a protection visa under the Migration Act 1958, made by a person who is on board a ship at the time when a direction is given under Section 4 in respect of the ship, is not a valid application.

*In your words:*

### Section 10: Act has effect in spite of any other law

This Act has effect in spite of any other law.

*In your words:*

### Your summary

*The Border Protection Bill 2001 meant that:*