

References: FA 15/12/01755; ADF2015/70036

1. The number of non-citizens referred to the Department and/or the Minister for cancellation of their visa in the years 2013, 2014 and 2015.

The Department received a total of

- 1053 character (section 501) cancellation referrals in the 2012-2013 financial year (FY).
- 1035 character (section 501) cancellation referrals in the 2013-2014 FY
- 1042 character (section 501) cancellation referrals in the 2014-2015 FY

All referrals are initially made to and assessed by the Department.

2. The number of non-citizens who have had their visa's cancelled based on character grounds in 2013, 2014 and 2015

There were a total of:

- 139 visas were cancelled under section 501 in the 2012-2013 FY.
- 76 visas cancelled in the 2013-2014 FY; and
- 580 visas cancelled in 2014-2015*.

* On 11 December 2014, legislative changes to section 501 came into effect including new character requirements and a mandatory cancellation provision that applies to non-citizens serving a full-time term of imprisonment in Australia who have, at any time in the past, either been sentenced to a period of 12 months or more in prison; or have had a charge proven for, or have been found guilty of, a sexually based crime involving a child.

3. The number of non-citizens whose visas are pending to be revoked based on character grounds.

As at 31 December 2015 there are 1730 cases awaiting assessment of liability for cancellation consideration on character grounds.

Please note that visas are not "revoked". Visas may be cancelled on discretionary grounds or mandatory grounds. Mandatory cancellations may be revoked and the visa reinstated. Revocation requests are requests by non-citizens for the Minister or his delegate to consider revoking (effectively setting-aside) a mandatory cancellation decision. The revocation provision is under section 501CA of the Migration Act 1958.