



**Australian Government**

**Australian Law Reform Commission**

## **Priorities for Law Reform**

### Potential Topic Five: Immigration law

The information below describes one of seven potential law reform topics proposed by the ALRC for comment by stakeholders and the general public as part of its Priorities for Law Reform project.

Through an online survey, individuals and organisations will have the opportunity to provide comments on potential law reform topics and make their own suggestions about areas of law they believe are in need of reform. For more information about the project, please visit <https://www.alrc.gov.au/inquiries/where-next-law-reform>.

The *Migration Act 1958* (Cth) seeks to strike a balance between a number of objectives, including national security and broad economic considerations. There is wide concern with the application of, and deficiencies in, the *Migration Act*. The Act and related regulatory instruments provide an unwieldy legal framework. The Act itself contains over 500 sections and is one of the largest pieces of Commonwealth legislation.

Further adding to the complexity is the fact that the law in this area changes frequently — with some describing it as an ‘ever-shifting’ system. The *Migration Act* has been amended over 30 times since 2010, resulting in a legal framework that is arguably no longer fit for purpose. In addition, many suggest that law reform may be necessary to bring Australia in line with its international obligations.

This law reform project would provide a considered and thorough review of Australia’s overarching approach to immigration.