



The Hon Kevin Andrews MP

Minister for Immigration and Citizenship

Dr Mohamed Haneef

Dear Dr Haneef

RE: INTERVENTION UNDER SECTION 197AB OF THE MIGRATION ACT 1958 (THE ACT) - RESIDENCE DETERMINATION

I have decided to exercise my non-compellable public interest power under section 197AB of the Act and make a Residence Determination in favour of you to reside at the following address:

The Point Motel
21 Lambert Street
Kangaroo Point
Brisbane Queensland

The effect of this Residence Determination enables you to reside at the above address, instead of being detained at a place covered by the definition of immigration detention in subsection 5(1) of the Act (for example a Residential Housing Project (RHP), Immigration Detention Centre, or other secured detention arrangements).

While this Residence Determination enables you to move about in the community without being accompanied or restrained by an officer under the Act, it is a form of immigration detention and does not give you the lawful status, or the rights or entitlements of a person living in the community who is the holder of a valid visa. This Residence Determination is not a visa grant.

You must comply with the conditions specified in the attached Schedule (Schedule A). It is very important for you to understand that continuation of this Residence Determination is based on compliance with each of these conditions.

Please note that this Residence Determination applies only to the address specified above. As such, this address must not be changed other than as indicated in the attached conditions.

If conditions are breached, or there are material changes in your circumstances and I consider that it is in the public interest to do so, I may at any time vary or revoke this Residence Determination under section 197AD of the Act.

Parliament House Canberra ACT 2600 Telephone (02) 6277 7860 Facsimile (02) 6273 4144

If this Residence Determination is revoked you may be required to be detained in secured detention arrangements. My department will provide further information on variation and revocation of a Residence Determination.

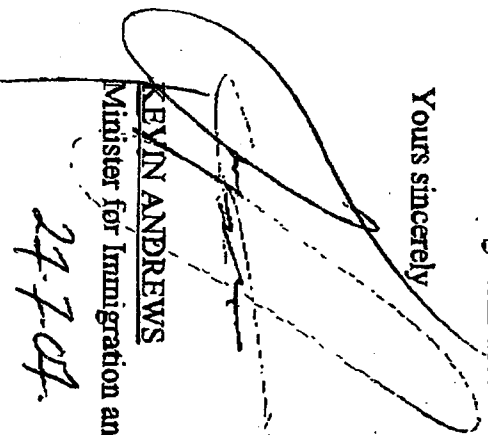
The following office of my department is responsible for your detention under this Residence Determination:

QLD Residence Determination
Department of Immigration and Citizenship
313 Adelaide St
BRISBANE QLD 4000

Contact: Mr Harnish Lindsay
Deputy State Director
Tel: (07) 3360 5048
Mob: 0447 990 012

Mr Lindsay will be in contact with you shortly to discuss your reporting arrangements and the obligations associated with this Residence Determination.

Yours sincerely



KEVIN ANDREWS
Minister for Immigration and Citizenship

27.7.07

SCHEDULE A

CONDITIONS ATTACHED TO RESIDENCE DETERMINATION

CONDITION 1

You must reside at the address specified by the Minister. It is expected that you will remain at that residence unless prior approval has been granted by DIAC for you to temporarily stay at another address or except in the case of a medical or other emergency that may endanger the health and/or safety of a person covered by the residence determination. All such emergency situations must be reported to DIAC immediately.

CONDITION 2

You must enter into, sign and comply with an agreement with the Department of Immigration and Citizenship (DIAC) for your care arrangements. This includes familiarising yourself with the information package to be provided by DIAC which provides information on welfare and safety while living in the community. You must follow the instructions provided in the information package including the Accident/Emergency Plan provided by DIAC and take all steps necessary to maximise your welfare and safety, and the welfare and safety of any minor children covered by the Residence Determination.

CONDITION 3

You must report to DIAC once per day by telephone. You must report in person, once per week, to the Compliance counter at the Department's State Office in accordance with details specified by DIAC. You must be available for DIAC to visit you at your place of residence at specified times and accept non-scheduled visits by DIAC officers at that residence.

CONDITION 4

You must not engage in paid work or receive a salary while you are under a Residence Determination. However, it is possible for you to engage in suitable unpaid voluntary work with prior approval from DIAC.

CONDITION 5

You must not engage in any vocational studies or training while you are under a Residence Determination. However, primary and/or secondary education is available for minors. English language training is also available for minors enrolled in primary or secondary education.

CONDITION 6

You must not become involved in activities disruptive to, or violence threatening harm to, the Australian community or a group within the Australian community.

CONDITION 7

You must abide by all Commonwealth, State or Territory laws applicable to the State to which your Residence Determination applies.

CONDITION 8

You must abide by any Council laws or by-laws that may be applicable to the area of residence and the residential address at which you live whilst in the community.

CONDITION 9

You must comply with reasonable directions of any third party who provides your accommodation and any rules or regulations pertaining to that accommodation – including any requirements imposed by that third party in relation to visitors.

CONDITION 10

You may have visitors at unscheduled times in accordance the requirements of the third party that has provided your accommodation. Visitors must not stay until such times or behave in ways that may inconvenience, disturb or endanger children or other persons residing near or in your accommodation. Visitors must not stay overnight, unless prior consent has been given by the provider of your accommodation and DIAC.

CONDITION 11

You and visitors must not engage in any form of commercial activity, trading, gambling or other activity for which your accommodation is not intended.

CONDITION 12

You must report to DIAC any changes in circumstances immediately. You must advise DIAC if you wish to request a variation of your Residence Determination 28 days prior to the date that you wish the change to commence. Any request for a variation of Residence Determination is subject to approval from the Minister of Immigration and Citizenship. Failure to seek approval or to wait for approval will result in you being deemed to have breached your conditions, which may lead to the revocation of your Residence Determination.

