

Section 501 cancellations 2014-15 by power and character test ground.

s501 Grounds**	s.501 Power*					Total
	s501(2)	s501(3)	s501(3A)	s501A(2)	s501A(3)	
s501 (6)(a)	73		486	7	1	566
s501 (6)(a); s501 (6)(e)(i)			3			3
s501 (6)(b)		3				3
s501 (6)(b); s501 (6)(c)(ii)		1				1
s501 (6)(c)(i)			1			1
s501 (6)(d) (ii)			1			1
s501 (6)(d) (v)		2				2
s501 (6)(e)(i)			2			2
Total	73	6	493	7	1	580

* Powers:

- s501(2) discretionary cancellation power with natural justice (Minister or delegate);
- s501(3) is the power available to the Minister to make decisions without natural justice, in the national interest;
- s501(3A) is the mandatory cancellation power that applies to non-citizens serving a full-time sentence of imprisonment in a custodial facility, who have a previous 12 month sentence of imprisonment or been found guilty or convicted of a sexually based crime involving a minor;
- s501A is the Minister's personal power to set-aside and substitute a non-adverse decision where it is in the national interest to exercise those powers. This can be done with notice (501A(2)), or without notice (501A(3)).

** Grounds (for full version of the character test please refer to http://www.austlii.edu.au/au/legis/cth/consol_act/ma1958118/s501.html):

- s501(6)(a) – substantial criminal record (as defined by one or more grounds under s.501(7));
- s501(6)(b) – ‘association’ or ‘membership’ to a group/person reasonably suspected of having been involved in criminal conduct.
- s501(6)(c)(i) – past and present *criminal* conduct
- s501(6)(c)(ii) – past and present *general* conduct
- s501(6)(d) – ‘risk’ provisions relates to (i) criminal conduct (ii) harass/molest/intimidate/stalk a person (iii) vilify a segment of the community (iv) incite discord in the community/segment of the community (v) representing a danger to the community.
- s501(6)(e) – convicted of a sexually based offence involving a minor (i) or; found guilty of a sexually based offence involving a minor (ii)