
Hello Sophie, thank you for your email below inviting Migration Solutions to make a submission to the Inquiry.

The explanatory memorandum contains information and statements which are false, misleading and erroneous, and which are likely to mislead someone relying on this document to inform them with regards to the matters set out in this Bill.

Strengthening sponsorship and nomination processes is very important to uphold and increase the integrity of the migration program, however, many statements in the memorandum are incorrect and not true.

If the Government truly believed that an increased TSMIT was vital to protecting migrants in Australia from exploitation and to ensure that they earn enough money to live comfortably, the same conditions would therefore apply to any visa which gives the visa holder the right to work in Australia such as the working holiday visa or subclass 485 visa.

There are far more important, meaningful, targeted and sophisticated ways to increase the integrity of the migration program than by publishing sponsors data and increasing the TSMIT. As an example, specifically there should be a mandatory online annual sponsorship reporting and visa applicants should have to provide an Australian Tax File Number with any visa application.

These two matters alone would significantly increase the integrity of the program far more than increasing the TSMIT or publishing the names of approved sponsors. The implementation of this could be rolled out across other areas where exploitation is far greater than it is within the 482 visa program, namely within the student visa program, the subclass 485 program and within the working holiday visa program.

If a 482 visa holder provides their TFN to the Department of Home Affairs at time of visa application for example, the Department can access ATO data through their Single Touch Payroll system to ensure that 482 visa holders, are being remunerated correctly and that superannuation contributions are being made by the employer/sponsor. Providing a TFN would enable a range of other compliance and integrity benefits including ensuring that 482 visa holders are not breaching condition 8607 by working for another employer. Currently Immigration information on visa holders and data collected through STP system cannot be cross-referenced with the ATO effectively if at all.

This would also provide valuable data and information regarding international student visa holders, 485 visa holders and working visa holiday makers, in addition to a range of other data rich reports that could be informed by this data.

As you may be aware Single Touch Payroll (STP) is an Australian Government initiative to streamline employers' reporting to government agencies.

STP information includes:

- Salaries and wages,
- Pay as you go (PAYG) withholding,
- Superannuation liability information.

I assisted a family who were significantly exploited by their employer who was an approved employer. Increasing the TSMIT or publishing the employers name would have not done anything to protect the family from the horrendous exploitation they endured at the hands of their approved employer (approved by the Immigration Department). The Departments reference for this matter is ADF2016/63874, I encourage you to and the Legal and Constitutional Affairs Legislation Committee to make themselves familiar with this matter and then form their own opinion if increasing the TSMIT or publishing the names of approved employers/sponsors will improve the integrity of the Australian migration program.

Tinkering around the edges will not increase the protection of vulnerable visa holders, nor will increasing the TSMIT.

This is a very disappointing Bill, I had expected and hoped for far more.

Mark

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