

BUSINESS NSW

11 April 2023

Legal and Constitutional Affairs Legislation Committee
Online submission

Migration Amendment (Australia's Engagement in the Pacific and Other Measures) Bill 2023, and the Migration (Visa Pre-application Process) Charge Bill 2023

Business NSW welcomes the opportunity to provide a submission to the Migration Amendment (Australia's engagement in the Pacific and other measures) Bill 2023.

Business NSW is NSW's peak business organisation with almost 50,000 member businesses. Business NSW works with businesses spanning all industry sectors including small, medium, and large enterprises. Operating throughout a network in metropolitan and regional NSW, Business NSW represents the needs of business at a local, state, and federal level.

Business NSW strongly supports efforts to build greater ties with Pacific nations and recognises that migration has long been a part of the solution to Australia's workforce needs. More than 500,000 skilled migrants have moved to Australia since 2016 and more than 28,000 people are currently living and working in Australia on the PALM (Pacific Australia Labour Mobility) visa or its predecessor programmes.

While the introduction of a pathway to permanent residency for people from the Pacific is a welcome development, there are a number of issues to be managed with the introduction of the Pacific Engagement Visa (PEV) including:

- Applicants who have previously worked or studied in Australia are more likely to be successful in a permanent move.
- A random ballot does not fulfil the need for a permanent pathway for those people who have lived and worked (or currently live and work) in Australia.
- A random ballot risks the loss of highly skilled workers from Pacific countries.

The impact of the PALM visa scheme has been significant, with many businesses, particularly in food manufacturing, reliant on the visa program for large proportions of their workforce despite extensive efforts to recruit Australians.

PALM visa holders have gained experience, employment status and established connections within Australia. It is understood that these two visa programs will run in parallel although PALM visa holders will be eligible to apply for the PEV ballot.

Feedback from our member businesses indicates that while PALM visa holders generally gain skills during their time in Australia, there remain limited pathways to permanency. Many occupations and employees currently on the PALM scheme are not eligible for employer sponsorship, except for those under a Labour Agreement.

In many cases, PALM visa holders have already demonstrated their hard work, skills, and experience, and importantly have pre-existing exposure to Australia. Their relationships with employers and communities will ensure they can smoothly transition to permanent residency, as well as provide support for future migrants.

Accordingly, our preferred approach would be for existing PALM visa holders to be given preference in the ballot, for example, by having two entries in the ballot. An alternative could be for the new visa to be piloted solely with existing PALM visa holders.

We would also recommend, in addition to the introduction of the PEV, an acceleration and expansion of the PALM family visa rollout beyond the initial 200 families.

Business NSW wants to see Australia's relationships with Pacific countries grow even more successful over the long term, and we must structure the proposed Pacific Engagement Visa and all other components of the visa system to ensure that success.

Yours faithfully

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