

Dear Sir or Madam,

I, one of the applicants in the pipeline awaiting a GSM visa finalization, fully understand that Australian GSM program should be dominated by the demand of Australian employer and sustainable economic growth, instead of by applicants nominating a limited number of occupations. Meanwhile, I want to present some concerns about Migration Amendment (Visa Capping) Bill 2010 in the following passages.

1. According to Migration Amendment (Visa Capping) Bill 2010 Second Reading Speech, House of Representatives, currently there are large numbers of **valid** applications.....,why it is called valid application, obviously all the applications were compliant with the requirements and policies issued by the Department of Immigration or related authorities at the time the lodges were made. If Migration amendment (Visa Capping) Bill 2010 is passed and the Minister of Immigration office apply it to those valid applications already made before it takes into effect, the retroactive change to certain extent will tarnish and damage Australia's reputation and the value of justice and fair go, commonly recognized internationally and nationally. Besides, the principle of non-retroactivity of law is common view worldwide.
2. The majority of the applicants waiting for a GSM visa finalization are residents for Australian tax purpose, they paid GST and income tax, which contributes to the growth of the whole economy and also create job opportunities in Australia. Most of them have set up a plan in a longer run in terms of buying a property and having a baby. Once the Act is retroactive to them, undoubtedly, their lives will be totally influenced mentally and financially. As such, they are victims of Migration Amendment (Visa Capping) Bill 2010, even though their applications are valid in the legislative framework at the time the applications were made.
3. Once Migration Amendment (Visa Capping) Bill 2010 is passed, I strongly recommend a transparent mechanism should be set up, which is a system transfer a clear and dynamic information to the GSM visa applicants and potential applicants how many applications approved and how many quotes remained when the Minister of Immigration Office set a cap on a subclass visa on the basis of certain characteristics. Transparency is extremely important after Migration Amendment (Visa Capping) Bill 2010 is passed.

Yours faithfully,