

To whom it may concern

Subject: Opposing the Visa Capping Bill 2010

In light on the proposed bill introduced by Senator Chris Evans I have written a submission as detailed below on the ramifications of the bill should it be introduced to me as an individual and to my employer and the commitment I have made to applying for a Permanent residence visa in Australia.

I have invested 5 years of my education in Australia, I completed a Bachelor of Media in Murdoch University in year 2007, upon completion of my studies I had intended to apply for a permanent visa however I had decided to further study a skill that was in need and I was passionate about so that I could contribute to the economy and the workforce. Hence I enrolled at the Australian School Of Tourism and Hospitality for a Certificate III in commercial cookery and a Diploma of Hospitality.

The private college I attended and gained my qualification was excellent and the education I received from there fully prepared me to enter the workforce I was offered full time employment before my course had finished and when I graduated I entered the workforce as a cook. I had also worked part time in the industry during my course (20 hours a week as permitted by the student visa). I applied for a permanent 886 sponsored visa in November 2009 and was sponsored by the state on Western Australia where I currently reside and have been for the previous 5 years.

I now currently hold two part time jobs in the industry as a cook at two different establishments and have never had a problem securing a job I fully intend to pursue my nominated career. In the time that I have been in Western Australia I have built a life and secured relationships and commitments to the state, employers and the country. I believe I and so many others like me who have applied for their visas onshore are a significant part of the community. In the time invested here we have integrated ourselves into the community. At both my current work places there are 6 of us on bridging visas with a pending decision who work full time in our nominated occupation. We have all invested time and money in gaining the qualifications in lodging our visas this includes medicals, tuition fees and English language assessments.

It is unreasonable that the visas that have already been applied for be capped and ceased without a chance of being assessed. This is a contradiction to the rule of law, extremely unfair and unjust to the people who have invested time and money and built their lives in this country in the process of applying for their visas.

If this bill is passed my employers will lose their employees who have trained with them and are actively working and involved in their business. In 28 days I will have to pack my belongings and depart Australia where I have called my home for the last 5 years and invested in my future. It will be a great let down and disappointment to many applicants if they were not given a chance to be assessed. This new proposed bill has caused a great deal of stress and anxiety for many as we put our life on hold due to the uncertainty. I believe that many applicants have proven their commitment to the country through hard work and determination to deny them a chance of being assessed is morally wrong.

This bill gives the Minister too much power in determining the outcomes of peoples lives, it will be a deterrent to future applications and skilled individuals in choosing Australia as the policy keeps changing and the framework is so easily controlled by an individual. Because onshore applications have already settled into the workforce and community they pose less of a risk to the economy, many of them have permanent jobs and have the skills gained in the country. Simply treating their

applications as having never been made will uproot these individuals and their partners or children who have migrated with them causing them undue stress.

I had met immigration policy when I applied for my permanent visa at the time and underwent all requirements I believe I deserve a fair chance of being assessed for a visa. I would recommend that the immigration department process the onshore visas that have already been applied for in clearing the backlog of visas in the pipeline. I understand that there is a new SOL in effect from July and the immigration laws based on the skills needed have changed but it is unfair to treat previous applications as if they never existed, because they have played a part in the community and economy and they deserve some fairness in their process especially many of us have held faith in the department of immigration in giving us a chance. It would be a shame should Australia deny thousands of people a chance when they had clearly put some loyalty in the country.

Kind Regards

Jason Samuel