Dear Sir/Madam,

I hereby would like to take the opportunity to voice my opinion on the new visa capping bill that immigration minister Mr. Evans would like to have passed in Parliament.
Being a former international student who has applied onshore for permanent residence, my husband and I could potentially be affected by this new rule.
We arrived in Australia in August 2007 on a working holiday visa. After a bit of exploring this beautiful country we quickly were able to start working in SOL/MODL listed occupations.
My husband is a highly skilled, well remunerated, IT professional with specific skills that are in high demand. Unfortunately even though the company he works for is willing to sponsor him, he cannot apply for the PR visa. The main reason behind this is that the skill assessment by ACS is too generic and does not recognise the narrow technological niches he specialises in.
At the time we were looking to move off the Working Holiday visa and the 457 business visa would have been the obvious choice. Unfortunately we were affected by the 457-business visa review happening in 2007. At that moment it looked like we would have to give up our dream and return to Europe. Nevertheless we persevered as we had already fallen in love with Australia, the lifestyle and its people. So we consulted the services of an immigration agent who investigated our possible options.
As I was a bookkeeper in my home country, I decided that it would be a good investment to study a master of accounting in order to secure a higher skilled job. After having studied for 2 years, easily meeting IELTS 7 and working part-time, we were so happy and relieved we finally met all the necessary requirements and could send off our application in April. Finally it was as we could see the light at the end of the tunnel and find some certainty in our life again. Now with the news of this bill it seems that this has been taken away again.
We understand that the minister needs to be able to adapt to the industry demand and economic needs and that he wants to apply this cap and cease policy for future applications. In the least, people who apply after this has been made into law will know what they sign up for. However, cancelling existing valid applications is an unfair practice that has a devastating effect on the life of many people. Onshore applicants who have met all the requirements and joined the processing queue have planned and build their lives around these existing rules as a beacon of certainty.
Many of these applicants, who applied onshore, are already on a bridging visa for months to years and are generally not allowed to go overseas. Just as my husband and I, they are patiently waiting their turn while investing in their lives here in Australia. They have jobs, friends, personal & financial commitments. They pay taxes, contribute to the economy and more than often, family and overseas friends are coming to Australia on holidays. In short, they have a life and this cap and cease policy proposed by Mr. Evans can end all this with just a 28 days notice without any possibility to prepare or appeal.
The DIAC application fee would be refunded, but that just pales in comparison with what we have invested; not only in fees for professional advice, IELTS, medicals, police checks and other documents, but moreover in personal commitment, time and contribution. A cancellation of our visa application would mean a financial and emotional fiasco. Also would both our employers need to start looking for skilled

replacements again and this created uncertainty will add to their reluctance to hire non-permanent residents in the future.
In an interview with the National Interest, Mr. Evans explained that he wants to focus on people who can show they have the ability to find employment. That sounds fair enough, although how will this be proven or determined by the immigration department? As an example: We have applied for permanent residence based on my Australian degree and there is no reference, nor points assigned in my application for my current employment as an accountant. The PR application based on my student visa did not offer any possibility to provide any employment information, neither for me or my husband.
The last six months the GSM program has undergone several unexpected and last moment announced changes which have put us and many other applicants in a stressful and uncertain situation. If this cap and cease policy goes ahead, this means that on any given day we could wake up with the news that we'll have to give up our life and jobs and start packing our bags.
The Australian immigration system is often put forward as an example of being a fair and transparent system where one is able to rely on stable honest rules. These retrospective impacting changes to the system are not in the least fair and may further discourage skilled immigration and jeopardise Australia's fair-go reputation.
For all the reasons above, we would like to ask you not to pass this bill in Parliament. Behind every application there are lives, relations and dreams for a better future. Applications are not just a pile of paperwork that needs to be processed.

Yours Faithfully,
A Committed Australian-hopeful