

To whom it may concern,

I would like to submit my opinion in regards the Migration Amendment (Visa Capping) Bill 2010.

I came to Australia in the year 2000, and finished my high school and university studies. I am now working as an accountant in a company by waiting my pr application which has been lodged in early July 2009.

Since I lodged my 885 Skilled – Independent (Residence) Visa application, the DIAC changes the processing priority sequence few times. I had patiently waited my application before there's the Bill came out for the VISA Capping. The Visa Capping Bill made me so upset, and doubtful about this fair Country. If the Bill has been passed by Royal Assent, how about the people like me who already work at the occupations which lodged in the visa application. Please provide more details about how the Visa Capping will be applied once the applicants already work as the occupations which they already lodged in the visa application.

I have been Australia for nearly ten years, it's more than one-third of my age as I am only 26 years old. I really enjoy my life here, and decided to stay and work here as I truly like Australia by her fairness. I tried my best to study and finally I found the job. Australia provided me good education environment, and she still keeping educate and influence me through my daily life. I'd like to stay and contribute myself in return to Australia.

In my opinion is if you have certain maximum number of visas that may be granted in a specified financial year, the visa applications which excess the maximum should be not be accepted in the application stage. It will break Australian fairness to cap the visa applicants as everyone lodged applications according to the requirement at the initial stage. If the Section 91AC of the Bill has been passed, as a fair Country, I think it will be advisable if the Migration Act 1958 need to give certain exemption to those people who already lodged their application before the Section 91AC commenced.

Furthermore, the amendment of the Act will bring the fact which is everyone with the hope to lodge their visa application, and later the DIAC return the application and fee to the applicants. I don't think it will bring the benefit to Australia. Alternatively, disadvantages will become as people with uncertainty, family migration applicants will face the issues to settle their children, young migration applicants will keep delaying to settle their family; DIAC will repeat jobs by review and return application, allocate fee received and refund after number of visas have been capped, extra unnecessary costs will occur. Potentially, if the legislation has been amended according to the Bill, it will also bring about the future migration's concern if they would like to consider other countries without waiting for uncertainty. Australia needs to draw more skilled migration and investor to grow up. Think about if Australia put the registration book at the gate, which the book shows the number of people already registered and it already shows excess the maximum numbers the gate will let through, people won't be interested to register as it's not free for register.

Meanwhile, I'd like to discuss my situation as I think many people will have the same query as me. I lodged my 885 Skilled – Independent (Residence) Visa application as an accountant and it's on the MODL. Later the priority arrangement changed, even people has job ready they are still waiting for the decision without timeframe. From my understanding, the purpose of the permanent residence visa is to make skilled and qualified people to stay and contribute themselves to the occupations which are shortage/demanded in Australia. The current priority arrangement put the Professional Year and IELTS band of 7. These are possibility those people get their permanent visa and will not work as the occupations which they've applied. I think for applicants who get job already, should have the priority status as they've already fill the shortages of the demand jobs which that is the final purpose to approve people with permanent visa to stay.

I just heard about on shore applications won't be capped or ceased from one of the migration agent today and I hope it will become true, however if it's merely hearsay, I hope you've read my letter through and will really seriously consider my submission. I look forward to hearing from you and I would appreciate your immediate attention to this matter.

Yours faithfully,