



***Further Discussion paper by
MIA National Executive
'Policy & Planning Committee'***

On DIMIA suggestions for changes to Business Skills

August 2002

This second MIA discussion paper follows an earlier paper provided to DIMIA Business Skills Branch in Canberra by email on 18 March 2002. For completeness, that earlier paper is also attached.

This current discussion paper builds on material previously provided to DIMIA, and provides commentary on a number of options developed by the MIA in response to the DIMIA BSC discussion paper.

This current discussion paper has been prepared after extensive consultation with the membership of the MIA (particularly those members actively involved in Business Skills application), State and Territory Government representatives as well as Business Skills visa holders and potential visa holders.

Preamble:

It was noted in the discussion paper response provided by the MIA to DIMIA in March 2002 that we did not support the proposed changes mooted by DIMIA to the existing range of BSC programs.

In the months that have followed the original MIA discussion response, we have continued to consult widely seeking the views of stakeholders in an endeavour to understand the thinking driving the proposed changes. We have consulted and sought the views of our membership, DIMIA officers, all State and Territory Government representatives, community representatives as well as a range of past, present and potential BSC applicants. We have failed to elicit any rational logic behind the proposals, nor have we found any support for the proposals beyond that expressed by the Northern Territory Government. On the contrary, we have found only trenchant condemnation, opposition and worse, apparent utter resignation, to the proposals. Consequently, we are more resolved than ever that our opposition is justified and that the proposals should not proceed.

We are seeking a meeting with the Minister in this regard.

The MIA's original opposition to the proposals was reconfirmed after the briefing discussions between Ms. Julia Niblett (DIMIA Business Branch) and Len Holt (National Vice-President MIA), which were held in Brisbane subsequent to the original MIA response.

To avoid any misconceptions, let us clearly set out MIA's position on a number of key issues:

- The MIA, and indeed all stakeholders that we have spoken to, strongly support a strong migration program based on the principles of tangible benefit to Australia;
- The MIA strongly supports program integrity;
- The MIA supports policy steps that offer the certainty and security necessary for the creation of an environment which encourages business investment and participation by new arrivals in new business ventures;
- The MIA supports realistic initiatives to encourage dispersal of Business Skills migrants;
- The MIA strongly supports monitoring of Business Skills migrants;
- The MIA supports cancellation of visas where Business Skills migrants have not made reasonable efforts to meet their obligations;
- The MIA supports qualitative long term research into Business Skills outcomes;
- The MIA supports rational policy formulation based on clear program objectives and well researched data;

Although we have sought to find positives in the proposed changes, the MIA is firmly of the view that the proposals will not enhance benefit to Australia; rather they will undermine the benefits that the existing BSC program offers. We can only assume that the proposals are based on some degree of measurable data or rational thinking, but to date have not heard any articulated.

In relation to the BSC proposals provided by DIMIA, the MIA notes;

1. The DIMIA's own data and the Minister's Press Releases over the life of the current Business Skills Program, which confirm that the policies have delivered outstanding success when measured in numbers and benefit to Australia;
2. The BSC discussion paper provided to the MIA by DIMIA Business Branch noted that the present (127, 128 & 131) BSC program operates at an 87% success rate. This figure was modified downwards to 77% by DIMIA in discussions with MIA in Brisbane;
3. The figures do not reflect a 100% success rate and we support well-reasoned efforts to improve the success rate. We caution however that 100% success is unrealistic for any migration program and is only ever likely to be achieved by reducing program numbers to miniscule numbers. We believe however that such dismembering of the program is neither warranted nor sensible;
4. Further DIMIA data provided in the BSC discussion paper, records the fact that for the 1996/97 and 1997/98 years, those entering Australia as Business Skills Migrants have invested a total of \$436 million in businesses in Australia and have directly generated employment for some 8,611 Australian residents;
5. That despite its own data in the discussion paper DIMIA commented "***While we know that BSC has delivered well on some indicators, there are others that continue to be of concern, for example, the lack of dispersal of business migrants across Australia, in particular to regional, rural and low growth areas of Australia, as well as a declining business engagement rate***" – we find this a rather extraordinary statement but will return to this later;
6. The comments of the Minister in his opening speech to the "Migration: Benefiting Australia" Conference on in Sydney on 7 May 2002 where he stated, "***We cannot demonstrate the benefits of a properly administered and orderly immigration program unless we have very good research and statistics. Fortunately, in Australia we have both.***" Clearly, in saying this, the Minister is confirming the validity and integrity of the published data on the success of the BSC program.
7. The Minister's statement when announcing the 2002-2003 Program that "***... the Program has integrity and has a positive impact on Australian living standards, improves income equality and has a highly beneficial impact on Commonwealth and State budgets.***" This

statement would appear to contradict any suggestion or thought that the Business Skills categories as they stand, lack “integrity”.

8. The findings of the “Second Generation Australians” Report for the DIMIA. In his Media Release in response to this report the Minister for Citizenship and Multicultural Affairs, Gary Hardgrave, stated that ***“The 25- to 44-year-old children of migrants from Malaysia or China have the highest proportion of second generation Australians with university qualifications and in professional occupations”***. Minister Hardgrave further stated that the study ***“had shown that those whose parents arrived in Australia in the post-war years had achieved better educational and occupational outcomes than those with Australian-born parents”***.
9. A major driver for migration from many BSC source countries includes the search for economic and consequent personal security. Why then is DIMIA proposing to undermine the sense of “security” offered by the current program by moving from a “Migration” program to a “Temporary entry” program? We note that this appears to be the evolving philosophy of migration policy in recent years, as evidenced by the introduction of TPVs, and proposals to introduce temporary visas into the Skilled Program, adding to the temporary entry regime for spouses. This clear philosophical shift in BSC policy needs to be explained and rationalised. Is this a planned long-term policy approach?
10. Briefing papers provided to the MIA differ quite markedly from others, in that they are less than those provided to the State and Territory Government representatives. This naturally causes us considerable concern.

Against this background we have identified the matters set out below as chief concerns and issues in regard to the proposals. This discussion paper also sets out some options for improvements to current BSC compliance rates. In our original response, the MIA provided comment derived from the material contained in the DIMIA BSC Discussion Paper. We were then asked to provide a second response as a result of the verbal briefing provided to Len Holt in Brisbane (referred to above).

It was not until quite some time after that briefing that the MIA discovered that we were not in possession of all available documentation as prepared by DIMIA, and certainly not that which was provided by DIMIA to the State & Territory representatives. While this may have been a simple oversight, there is nonetheless a concern that the MIA is attempting to respond from a position of relative ignorance. We believe we still have not received all appropriate material.

The DIMIA BSC discussion paper initially mentioned an 87% success rate for the Program. Although the verbal briefing in Brisbane modified this to 77%,

the MIA has not been provided with details of the qualitative research on which we presume this revision is based. We are unable to comment on why the numbers have worsened to the extent of 11% between the first and second briefings. We note that there was no comment provided in Brisbane as to the other published outcomes in relation to investment and employment, so we assume the \$436 million in business investment and 8,611 jobs remain unchallenged.

As was pointed out in our original response, these statistics support the view that the BSC program is an overall success, and on that basis the existing BSC program must be regarded as a significant net contributor to the welfare of the national economy. All published data and published comment on the BSC Program supports the notion that it exhibits integrity and is delivering excellent results. As mentioned, the MIA has to date seen nothing that would in any way support the view that wholesale changes were required to the existing criteria. If change is considered necessary than it is highly desirable that it is confined to fine-tuning the existing programs.

Rather than fine-tuning, the proposals the MIA has to date seen represent a wholesale change in approach and thinking. This notwithstanding the absolute lack of quantitative data or research provided by DIMIA to support the proposed November 2002 changes. It is inconceivable that any form of major planned policy change should be completely unsupported by serious long-term research. As already noted DIMIA's own data over the life of the current BSC program has been positive and has highlighted the success of the program. At no time in the course of the current "consultations" or previous discussions has the MIA, or other stakeholders we have consulted, been made aware of any published data that would either dispute the published data or support the unseemly haste which appears to be driving the proposed changes. This is doubly surprising, if not alarming, given the Minister's comments in his address to the "Migration: Benefiting Australia" Conference. Taking the Minister at his word it is obvious that well researched data exists, and that the research and data is as reported. That is, it confirms that the BSC program has been an outstanding success and has delivered (and is delivering) significant benefits to Australia. The very benefits identified in policy as program objectives.

If indeed research exists, the MIA strongly recommends that DIMIA publish its research into the long-term outcomes of the program, and any other available research and profiling of long term successful and less successful BSC applicants. Unless this research data is published we can only conclude that the proposed changes are simply "change for changes sake", and that all we otherwise risk is the dismantling of a very successful program together with the very serious risk of adding to the appeal of other migrant receiving countries like Canada and New Zealand.

Should, contrary to the Minister's statements, DIMIA not in fact have long term qualitative research, the MIA repeats its request that DIMIA immediately engage external specialists tasked with conducting targeted qualitative research. This should be conducted with a view towards looking at outcomes at least 5 years out from migration, and seeing whether this helps to develop a clear undisputed profile of both successful and unsuccessful applicants. Policy formulation could then be based on substantiated knowledge rather than political whim, and stakeholders could understand the factors driving change.

Our view of the existing BSC program includes the fact that the 127, 128 and 131 subclasses (together with their onshore variants) be left as they are until appropriate research is available to suggest that other alternatives exist.

We are on record as supporting a desire for a BSC program offering measurable benefits while at the same time providing overall program integrity. At this point, it appears that DIMIA is responding to a perceived political desire for "**integrity, dispersal and effectiveness**", the three words mentioned to the MIA at the Brisbane meeting. If we understand these comments correctly, the implication is that DIMIA or the Minister is challenging the "integrity" of the BSC program. This is surprising given the Minister's statement when announcing the 2002-2003 Program. To quote "... the Program has integrity...". Is DIMIA challenging the Minister's view on the "integrity" of the Program? We believe not. More likely the Discussion Paper reference to "integrity" is simply a reiteration of a standard Migration Program catch phrase rather than a suggestion that "integrity" does not already exist.

This leaves "dispersal" and "effectiveness". We understand "dispersal" in this context but are not sure what is meant by "effectiveness". At face value, it would appear that "effectiveness" is closely aligned to "integrity" in the sense that the BSC Program delivers outcomes consistent with Program objectives. DIMIA's own data clearly establishes that it does so. Without clarification or advice to the contrary we surmise that given the Program has "integrity" and given that the data shows outstanding outcomes, the BSC is already "effective".

It seems then that a significant driver (and perhaps then, the only driver) behind the proposed changes is "dispersal". The MIA has no argument with this being factored in as one of the Program's overall policy objectives, however, we suggest it is very shallow if this is the only objective. Our view of course is that a policy based merely on "dispersal" is likely to turn away many potential applicants with the ability to make contributions to the overall business and economic climate in Australia.

We return again to the DIMIA BSC Discussion Paper comment which noted, “While we know that BSC has **delivered well on some indicators**, there are others that continue to be of concern, for example, the lack of dispersal of business migrants across Australia, in particular to **regional, rural and low growth areas** of Australia, as well as **a declining business engagement rate**”. This statement reflected by the highlighted words, warrants closer consideration.

- “**delivered well on some indicators**” – this is faint praise indeed when the same paragraph quotes data demonstrating outstanding outcomes on the very same indicators or outcomes on which the policy was based (jobs, trade, economic activity).
- “Concern (with) the lack of dispersal ... **regional, rural and low growth areas**”. Long accepted data shows a high failure rate for new businesses in the first year or two of operation. It is reasonable to assume an even higher failure rate for new businesses in the economically less favourable environments of “regional, rural and low growth areas”. It is also reasonable to assume that the difficulties of a new business in “low growth” areas will be exacerbated when combined with businesspeople who are new to Australia, its economy and systems. We also note that increasingly, Australian businesses, Government (part owned) and private service providers and associated infrastructure are being withdrawn from “regional, rural and low growth areas”. Why then should we attempt to push our new business migrants into this most unsupportive environment? The MIA was under the belief that Australia was actively looking for success stories rather than the reverse.
- “**a declining business engagement rate**” – without supporting data this is no more than an unsubstantiated generalisation.

It may be that the only logical result will be a far larger ‘dispersal effect’ than was ever imagined or intended, including dispersal to Canada and New Zealand.

Dispersal can, in our view, be more appropriately achieved with stronger Immigration and State Government incentives. MIA believes that stronger incentives are needed than those that exist currently for BSC applicants. We would be pleased to discuss this.

It would appear to the MIA that the almost blind desire to alter the existing BSC program reflects the prevailing sense of urgency that seems to have crept into the migration program generally over the despair occasioned by the Government’s handling of the asylum seekers issue.

Our contention of course is that the ball is squarely in the court of DIMIA, who have the processes in hand to enable the existing BSC program to deliver on all three points.

We would not for a moment suggest that the current program could not stand some minor fine tuning, but the MIA remains strongly opposed to the “provisional” visa concept, and the major policy shift this entails.

DIMIA will recall that our initial response paper canvassed a number of issues relating to what we saw as ‘fixable’ matters with the existing BSC program. The MIA repeats its view that the only sensible manner in which “success” rates can be lifted from 87% (or 77% as suggested verbally to the MIA in Brisbane) to something closer to 100% success rate requires initiatives at the **very early stages** of the migration application process. In saying that, it should be remembered that DIMIA has an extensive spread of A-based officers around the world, all of whom should be trained in the integrity, survey and monitoring components of the BSC program.

DIMIA has previously acknowledged to the MIA that not all BSC migrants were being actively counselled in regard to their signed BSC undertaking, despite strong assurances to the contrary from offshore posts. The MIA made the statement in the initial response that it is very common knowledge to members of the MIA that some posts DO NOT interview every BSC applicant. We further commented that the reporting process to DIMIA in Canberra must therefore be regarded as at least unreliable, or at worst unrepresentative and misleading. Similarly, we reported that there are many instances available to MIA members of the onshore equivalent (subclasses 840, 841 and 844) applications proceeding to interview and subsequent grant, without any discussion by case officers in relation to the reporting / monitoring requirements. Our view is that this must again distort the comments being provided to DIMIA Canberra.

The MIA is of the opinion that a number of active measures can be immediately put in place to add policy and legislative stiffening or support to the existing BSC program. In saying this, we would remind DIMIA that these processes already exist in legislation, but are either ignored or under utilised.

Keeping in mind that we are discussing a better than 75% success rate, there are a number of potential options concerning DIMIA’s expressed concerns, most of which were contained in the original response paper from MIA and which we re-emphasise again now:

- DIMIA to encourage or insist by regulation on ‘pre-application’ business visits by intending BSC applicants. Visits made by a potential migrant prior to application and subsequently taking up residence will effect their ability to make more informed decisions concerning their

business activities in Australia. This of course brings about other issues like difficulties at some posts in granting subclass 456 visas, and perhaps the bona fides of intending BSC applicants. The MIA's view would be that sufficient integrity measures and control mechanisms are available in the form, for example, of the increasingly common 8503 Schedule 8 condition. The pre-application visit is the time that the various State / Territory representatives could encourage potential migrants to settle in regional locations, perhaps through the utilisation of viable business attraction / encouragement packages.

- That DIMIA look to have Registered Migration Agent's involved at an early stage. It should be remembered that the overwhelming majority of BSC applications are 'agent assisted', and a signing off with the BSC client on a 'counselling statement' significantly backs up the policy and legislative intentions of the existing Declaration. It also assists in ensuring that registered migration agents conform to requirements of the Code of Conduct, although the Code may need a specific adjustment to reinforce the requirement.
- A significantly heightened DIMIA focus on 'counselling' applicants at interview on their post arrival BSC obligations. As was pointed out in our original response paper, the interview is normally a very stressful occasion for applicants and any vague 'counselling' will tend to be quickly forgotten by applicants, unless there is some tangible reminder that applicants can take with them. The interview is a final stage; often simply confirming known facts yet it appears common, if not normal, practise for officers to leave applicants in suspense at the conclusion with a "we will write to you". There appears no reason why decisions should not be conveyed on the spot, and once the anxiety is removed, the officer could then move on to targeted 'counselling'. This should be reconfirmed by requiring both the applicant and interviewer to re-read and sign the undertakings at the conclusion of the interview. This process would overcome the problem of officers simply forgetting to counsel applicants and would provide a final reminder to applicants. The MIA has provided some comments that address the fact that as of 1 July 2002, all BSC applications are required to be lodged in Perth, Hong Kong or Taiwan, and these follow elsewhere in this paper.
- A form of intensified combined training for active BSC agents and DIMIA BSC primary decision makers put in place to make it mandatory for BSC applicants to 'sign off' on the fact that they have read and understood their BSC obligations.
- The **urgent and immediate** re-introduction of the 12-month simple 'tap on the shoulder' BSC survey / monitoring regime by DIMIA to supplement the existing 24 and 36 months surveys. This could, in our

view, maintain the all-important focus as part of an upgraded survey / monitoring arrangement. As the MIA pointed out in the original response, a gap of two years is far too long, and it could be argued that people can and do become complacent or forgetful in the busy post arrival stages of their business relocation. In this regard, it is interesting to note that Migration Series Instruction (MSI) 133 (Date of Issue: 30/5/96) "Visa Cancellation under Subdivision G - CANCELLATION OF BUSINESS VISAS" (at Grounds for Cancellation at 4.1.1), mentions the following:

*Mandatory monitoring and cancellation – "S 137 provides discretion to issue a notice requiring the holder of a business visa to provide specific information at specified times for up to three years after entering Australia. Business skills migrants are required to provide the information by participating in monitoring of their business activity in Australia for three years after initial arrival. Monitoring involves the completion of survey forms at **12, 24 and 36 months** giving information regarding business engagement, level of company turnover, employment rates, level of exports etc."*

Clearly, DIMIA has stepped completely around MSI 133, which remains in force and specifically calls for surveys / monitoring at 12, 24 and 36 months.

It is the strong view of the MIA that there is a clear need for greater efforts on the part of both DIMIA and registered migration agents. These heightened efforts must be attached to the whole area of BSC monitoring and surveys with a view to ramping up the policy intentions of the BSC program.

Combined DIMIA / MIA training

With the passing of time since the first MIA response paper, we have entered a stage in BSC processing where applications are required by legislation (with effect from 1 July 2002) to be lodged at one or another of three processing centres in Perth, Hong Kong or Taiwan.

This development, in the view of the MIA, makes our original suggestions regarding focused training for BSC assessing staff far more easily managed and implemented than we had originally considered. As was mentioned in our original response, this presents an opportunity for specific training to be extended out significantly to include combined MIA / DIMIA training specifically related to:

- The Business Skills profile form;
- The expectations and obligations of a business skills visa holder;
- Compulsory participation in the survey and monitoring processes at **12, 24 and 36 months**;
- The need to notify changes of address in Australia for three years after arrival;

- That business skills visas may be cancelled in certain prescribed circumstances, and an understanding of the detailed cancellation process.

In our view, the training mentioned above must be provided to BSC assessors, as well as to departing PMO's and CMO's who will be required to play pivotal roles in the process as detailed earlier. Presumably, these staff will be able to conduct some of the background work prior to the visa applicant lodging an application at one of the three processing centres, and hence, the requirement for them to have a broad understanding of the BSC monitoring process.

We have previously argued that there is an existing format for this training available as the primary vehicle for such an activity, that being the well-established MIA Continuing Professional Development (CPD) activities conducted throughout Australia every month. It would not be feasible for this training to be held at numerous locations throughout Australia, given that the preponderance of the BSC relevant training provided to departing PMO's and CMO's would either presumably now occur in either Perth or Canberra.

The view of the MIA would be that appropriately experienced RMA's, familiar with both onshore and offshore BSC applications could be invited to attend combined training with the selected DIMIA officers in Canberra or Perth. A degree of liaison between DIMIA and the MIA national office in Sydney would be required to set in place appropriate arrangements to facilitate this training, which for transparency sake would need to include RMA's who are not current members of the MIA.

The training would take advantage of existing DIMIA training expertise, and would also involve external commercial expertise provided by the MIA as was previously mentioned.

Our intention would in time be that these combined training regimes include specialised training in specific accounting issues, again provided in co-operation between the DIMIA and MIA. However, the essential primary activity in the early stages would be related to practical training associated with the BSC obligations of a business skills visa holder.

We now have in place a situation where consideration and processing of BSC applications, from the perspective of DIMIA, can be far more consistently managed from the perspective of DIMIA. With only three processing centres, the opportunity exists for a concerted targeting of activity and effort to emphasis with our mutual clients the all-important surveys / monitoring aspects of the existing BSC program. Our view is that the chance should be recognised and made use of so that the clear advantages that the existing program already delivers can be better realised. We would see the following

steps as important in the entire process:

- Screening by posts of individuals wishing to take advantage of pre-application research based trips to Australia. This to include pre-application discussions wherever appropriate to reinforce the survey / monitoring aspects of the program. This added level of counseling should be made possible by the freeing up of resources previously diverted to the Skilled and BSC categories at overseas posts.
- On approval, applicants at overseas posts should be handed or mailed an information sheet that makes their obligations abundantly clear. This is to reinforce the signed Declaration that forms part of their application. Applicants also to be handed a sheet requiring that they provide their contact details on arrival to a centralised DIMIA contact as well as the hosting State / Territory Government. This will provide an opportunity to remind visa holders of the penalties for failing to do so, and should be couched in a fashion that actively encourages applicants to comply. Part of the encouragement process might include specifically targeted material and information from the respective State Government in regard to business opportunities, and business establishment assistance programs available through State Government agencies.
- On application, confirmation of lodgment should be provided to the appropriate State / Territory Government, to enable them to commence their own internal processes designed to assist DIMIA in the three survey periods.
- Resourcing issues within the Business Branch in Canberra need far closer examination, the intent being significantly faster and more certain turn-around times for 12, 24 and 36-month surveys than has been the case in the past. There are significant and frustrating time delays in the process at present, and this requires closer attention. These delays did not exist previously, largely as a result of the fact that monitoring was not always undertaken.
- To address dispersal / regional concerns, the MIA believes it is important to involve the State Governments at an early date so that they can then implement strategies to encourage migrants to consider dispersing away from centres that certain State Government's may consider are attracting too many migrants. It is interesting to note, however, that our discussions have not identified dispersal as a major issue with any of the State Governments, and we attach a copy of an editorial from the Australian Newspaper of 10 July 2002, which makes interesting reading in this regard.

Conclusion

In the view of the MIA, there are very clear and transparent reasons for maintaining the very successful existing BSC program.

If, however, we are to have “change for change’s sake”, we would not support the proposals thus far outlined by DIMIA.

The MIA continues to strongly recommend retention of permanent residence as the only sensible option for those who are able to meet either the existing subclass 127, 128 or 131 criteria, with a fast-tracked application strategy for applicants who can satisfy additional or heightened criteria. It is stressed that this suggestion in no way whatsoever diminishes or waters down our very strong objections to the proposed ‘provisional’ BSC proposal.

For the sake of this response, we will call those applicants that are able to satisfy additional criteria as **High Net Worth Applicants** or **High Calibre Applicants**. In our view, these applicants would be able to evidence the following minimum standards:

- Demonstrated business acumen over a specific period. It is most important to try to understand that Chartered accountants (big five or otherwise) deliberately manage profitability and asset depreciation to minimise their client’s taxation exposure. Taking this into account, an assessment of business acumen needs to understand and accept that reality.
- Minimum 15% ownership interest in a qualifying business
- Minimum turnover of A\$1 million in two of the last four completed financial years.
- Minimum of A\$500,000 net assets in business over the above qualifying period.
- Aged less than 55 years at time of application. If over the age of 55 years, the applicant would require State / Territory written support.
- A history of employment creation, rather than a set number of employees.
- Must have visited State / Territory of choice, and have conducted research specific to business intentions and have consulted the respective State / Territory Development office of choice.
- Must have an appropriate (to the intended business) level of capital available for transfer together with a plan for the transfer of those funds over a period of two years. The applicant would require additional funds appropriate to their resettlement.
- Must have a researched business plan, supported and signed off by the relevant State / Territory. This suggestion, if implemented, must be fast tracked.

As a trade off for having achieved this heightened level, the applicants should receive streamed or priority processing from the responsible processing centre.

The MIA would be interested to assist in the further development of this initiative, but reiterates its very strong suggestion that the existing BSC program remain in place with the suggested minimum ramping up of the survey / monitoring processes.

It should not be forgotten that, in previously accepting a less than desirable level of active monitoring (as was the case prior to the Australian National Audit Office Report), there was a sudden, almost “overnight” although in our view appropriate change in emphasis on monitoring by DIMIA. Far stricter and far more administratively sound monitoring is now in place as a result of DIMIA’s response to the ANAO Report, although without the added ‘buffer’ provided by the 12 month survey as mentioned. We recognise and support DIMIA’s response to the ANAO report, while also recognising that by ignoring the 12, 24 and 36 month surveys for as long as it has, is a problem that for one reason or another is the sole creation of the DIMIA.

To suggest now that applicants should pay for the problems this omission has created, by signing on for provisional residence, is counter productive and dangerous to the continued success of the BSC program generally.

The MIA is asking that some patience and allowance is applied, to enable heightened monitoring activity to settle down, and that the policy objectives be given a chance to continue to be achieved at the 77% or better success rate currently publicly quoted.

The MIA wishes to work with DIMIA in any way possible to achieve a stable, long-term policy approach. The current higher level of cancellation for non-compliance with obligation is a short-term issue, not a long term one. Basically, we all agree with the proposition that non-compliance means cancellation. We cannot however agree that a wholesale change of the current system is a relevant solution.