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JOINT STANDING COMMITTEE ON MIGRATION

Reference: Review of state-specific migration mechanisms

FRIDAY, 29 SEPTEMBER 2000

HOBART

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JOINT COMMITTEE ON MIGRATION

Friday, 29 September 2000

Members: Mrs Gallus (*Chair*), Senators Bartlett, Eggleston, McKiernan and Tierney and Mr Adams, Mr Baird, Mrs Irwin, Mrs May and Mr Ripoll

Senators and members in attendance: Senators McKiernan and Tierney and Mr Adams, Mrs Gallus and Mrs May

Terms of reference for the inquiry:

To review and report on the suite of State-specific Migration Mechanisms and the extent to which these meet the needs of State and Territory governments for skilled and business migrants with particular reference to:

- The adequacy of consultations with States/Territories on the mechanisms that have been developed;
- The level to which State and Territory Governments have utilised these mechanisms;
- Steps that might be taken to increase take-up; and
- Other mechanisms that might be developed.

Committee met at 9.07 a.m.

CHAIR—I declare open this public hearing of the Joint Standing Committee on Migration, which will review state specific migration mechanisms. These mechanisms relate to the issue of bringing overseas migrants to regional Australia. Tasmania is one of those formally identified designated areas to which these schemes are applied, so it is appropriate that the committee is holding a public hearing in Hobart. This review was referred to the committee in June 1999 by the Minister for Immigration and Multicultural Affairs. The purpose of the review is to examine and report on a range of state specific migration mechanisms and the extent to which these meet the needs of state and territory governments for skilled and business migrants. The terms of reference focus on the adequacy of consultations with state territories, on the mechanisms that have been developed, the level to which state and territory governments have utilised these mechanisms, steps that might be taken to increase take-up, and other mechanisms that might be developed.

At the conclusion of the review, the committee will table its findings, conclusions and recommendations in the parliament and the report will be publicly available. The committee has received 59 submissions from state and territory governments, migration agents and people with an interest in these issues. The committee normally authorises submissions for publication and they are placed on the committee's web site. If anyone would like further details of the review, please feel free to ask any of the committee staff here at the hearing.

I now turn to the proceedings at hand. The committee will take evidence from witnesses as listed in the program. However, if any member of the audience wishes to comment on any aspect of the issues raised, please let Emma Herd know and we will try to make time available for you.

CHIIWA, Mrs Yoshiko (Private capacity)

CHAIR—Welcome. Are you appearing today as a migrant or a business woman?

Mrs Chijiwa—Migrant.

CHAIR—So you are appearing in a personal capacity. Although the committee does not require witnesses to give evidence under oath, you should understand that these are legal proceedings of the parliament and warrant the same respect as proceedings of the parliament itself. Giving false or misleading evidence is a serious matter and may be regarded as a contempt of parliament. I do not believe we have a submission from you, but we have one from your husband, Mr Chijiwa. If there is anything confidential that you would like to say to us, we can go into a private hearing for you to do so. Would you like to make an opening statement, Mrs Chijiwa? Is there anything you would like to tell us about your particular circumstances? Is there anything you want to tell the committee about the regional migration program, or would you prefer for us to just ask questions?

Mrs Chijiwa—Yes, just ask questions.

CHAIR—Can you tell us about when you came to Tasmania.

Mrs Chijiwa—We came to Tasmania with my family in 1990.

CHAIR—What was the program you came under in 1990?

Mrs Chijiwa—My husband's company in Japan transferred him to Tasmania. My husband's company is a mixed Japanese supermarket. They have feedlots between Launceston and Hobart.

CHAIR—When you came, did you think you were coming here temporarily, short term, or did you come here to live?

Mrs Chijiwa—Temporarily, for about three or four years.

CHAIR—You have since decided to stay here permanently, have you?

Mrs Chijiwa—Yes. When we came here, we thought we would just stay here three or four years and then go back. We went back to Japan after 4½ years, but we love it here.

CHAIR—So you came back here?

Mrs Chijiwa—Yes, we came back here in 1995.

CHAIR—When you came back, do you know which scheme you and your husband came back under?

Mrs Chijiwa—He took over a tourism business from friends.

CHAIR—Have you applied for permanent residency?

Mrs Chijiwa—Yes, but it is very hard.

CHAIR—So you are still applying for permanent residency now—you are not yet permanent residents?

Mrs Chijiwa—No, we have already got permanent residency.

CHAIR—You got permanent residency?

Mrs Chijiwa—Yes, this year.

CHAIR—Can you tell us why you decided to stay here in Tasmania?

Mrs Chijiwa—We love it here and my children want to stay here.

CHAIR—Do you think it is difficult for people from Japan to migrate to Australia and to come to Hobart?

Mrs Chijiwa—If it is a very good job, it is no problem; but it is very hard.

CHAIR—What were the difficulties you faced when you came here? You obviously spoke English?

Mrs Chijiwa—No.

CHAIR—You did not speak English?

Mrs Chijiwa—No, when I came here I could not speak English.

CHAIR—Did you get any help with your English speaking at all?

Mrs Chijiwa—Yes. I went to a migrant centre in Launceston for a short time and then I joined a tennis club—a sports club—and my friends helped me.

CHAIR—Through your children, did you make contact with the community?

Mrs Chijiwa—Yes, I had good friends through my daughter, through the school parents. We had conversations, too.

CHAIR—What was the most difficult part about coming?

Mrs Chijiwa—It was a different culture, and they spoke English; but it was not so difficult.

CHAIR—Not so difficult?

Mrs Chijiwa—Yes, I enjoyed it.

CHAIR—If you were writing to people back in Japan, what would you say to them to encourage them to come here? What would you say were the advantages of coming here?

Mrs Chijiwa—We have joined the Tasmanian community. We have contact with them through clubs or—

CHAIR—So you say it is a good community for them to come to from Japan?

Mrs Chijiwa—Yes.

CHAIR—There must be something else here that attracts you because you obviously have community in Japan as well. What else would you be able to tell people in Japan that you find attractive about Tasmania?

Mrs Chijiwa—Normally, foreign people think they are alone in a different country. Please apply everything: sports, school and go out—do not stay at home.

CHAIR—So there is more to do?

Mrs Chijiwa—Yes.

CHAIR—Did the migration department help you in any way when you got here?

Mrs Chijiwa—Not much.

Senator McKIERNAN—Near the bottom of the submission that has been presented to us, this point is made:

I believe this is the point that REBA scheme can work and help to establish the new business.

Do you know what your husband is saying when he makes that statement?

Mrs Chijiwa—I am not sure. Sorry.

Senator McKIERNAN—When your family came to Australia the second time, did you come under REBA? What was the exact visa category you received when you first came in?

Mrs Chijiwa—I think a temporary visa.

Senator McKIERNAN—You later applied for a permanent visa under REBA, regional enterprises?

Mrs Chijiwa—I am sorry; I cannot understand.

Mr ADAMS—To sum up, you originally stayed at Powranna, where your husband was working with the Longford meat company for the supermarket chains, and he saw the

opportunity for that tourist business. Tasmania gets less than half a per cent of the tourists from Japan, and he saw the potential. It was a business opportunity he thought he could come back for. Would that be right?

Mrs Chijiwa—Yes.

Mr ADAMS—But you liked the lifestyle and the education opportunities for your children, and they were two points that helped you decide to come to Tasmania?

Mrs Chijiwa—Yes.

Mr ADAMS—You migrated, basically, to establish a business in Tasmania.

Mrs Chijiwa—Yes.

Mrs MAY—Do you work in your husband's business?

Mrs Chijiwa—Yes.

Mrs MAY—What role do you take on within the business?

Mrs Chijiwa—I look after the office, and sometimes I am doing the Japanese speaking travellers guide. We have got a licence. My husband is doing that as well.

Mrs MAY—Is the business growing, with more Japanese tourists?

Mrs Chijiwa—Yes, we want that.

Mrs MAY—You would like to see that happen?

Mrs Chijiwa—Yes.

Mrs MAY—Are you promoting in Japan as well.

Mrs Chijiwa—Yes, sometimes. We go back every year to Japan and approach some agents.

Mrs MAY—You use agents in Japan to promote your business here in Tasmania?

Mrs Chijiwa—Yes.

Mr ADAMS—Would you encourage relatives to migrate to Tasmania? Would you encourage your family and your husband's family to migrate to Tasmania from Japan?

Mrs Chijiwa—Japan?

Mr ADAMS—Yes, your relatives. Would you expect or would you invite any of them to migrate to Tasmania?

Mrs Chijiwa—At the moment, no.

CHAIR—Can I follow up Mr Adams's question? What family do you have left in Japan? Do you have in Japan a sister or brother?

Mrs Chijiwa—Yes. There are my father, my brother's family, my husband's parents and my husband's sister with family.

CHAIR—Has your brother been to Australia?

Mrs Chijiwa—Not yet. My brother's wife and her son visited two years ago and my parents and his parents visited six or seven years ago.

CHAIR—But they would not like to come here to live?

Mrs Chijiwa—No.

CHAIR—In your case, what attracts you here is the business opportunity. Is that right?

Mrs Chijiwa—Yes.

CHAIR—So if there was not the business opportunity, you would still be in Japan?

Mrs Chijiwa—I think so. My husband likes to work overseas so we decided to live here.

CHAIR—When your husband first decided to come here, how did you feel about it? Were you horrified?

Mrs Chijiwa—Yes. I was surprised. In Japan, we married 20 years ago and then came here for 10 years. In Japan, we changed our address six times. My husband's company transferred everywhere in Japan so we moved everywhere.

CHAIR—You were used to moving?

Mrs Chijiwa—Yes.

CHAIR—So this was just a very big move.

Mrs Chijiwa—Yes.

CHAIR—From right up the top to right down the bottom.

Mrs MAY—What about the Japanese community here in Hobart? Is there a large Japanese community?

Mrs Chijiwa—Yes. We have a Japanese community and the Japan Club. My husband is president.

Mrs MAY—He is president of that club?

Mrs Chijiwa—Yes.

Mrs MAY—And that helps you with settling in and supporting new people?

Mrs Chijiwa—Yes, that is right.

Mrs MAY—Is it a close community?

Mrs Chijiwa—Yes, it is a very close community. It has about 150 people but about 120 people are near Hobart. We have very good relations. Three or four times a year we have a meeting and barbecue.

Mrs MAY—And those people are all working here?

Mrs Chijiwa—Yes.

Mrs MAY—Are they permanent residents who have migrated?

Mrs Chijiwa—Most are permanent.

Mrs MAY—Most of them are permanent.

Mrs Chijiwa—Yes.

CHAIR—Thank you very much, Mrs Chijiwa, for appearing before us today.

Mrs Chijiwa—I am sorry my English is not good.

CHAIR—Your English is very good. If you have any questions, you can ask us later and we may ring your husband or you if we have any other questions. You will receive a transcript of the evidence from Hansard. Thank you very much for appearing before us today.

[9.26 a.m.]

ANDERSCH, Mrs Lyn, Manager, Multicultural Tasmania, Department of Premier and Cabinet

CHAIR—Welcome. Although The committee does not require witnesses to give evidence under oath, you should understand that these hearings are legal proceedings of the parliament and warrant the same respect as proceedings of the parliament itself. Giving false and misleading evidence is a serious matter and may be regarded as a contempt of parliament. Are there any corrections or amendments you would like to make to your submission—although it is a general submission we received from the Tasmanian government, so it is probably not appropriate to ask you?

Mrs Andersch—That is right.

CHAIR—I suspect you do not want to give us any confidential information but if you did you can go in camera. Before we ask you questions on the submission by the Tasmanian government, would you like to make an opening statement on behalf of Multicultural Tasmania?

Mrs Andersch—I represent the state government on national fora on immigration. Do you want to know about what the office does as a bit of background?

CHAIR—Yes, briefly, because I think you are the certifying body, aren't you?

Mrs Andersch—Yes.

CHAIR—We would like to hear how you see the whole regional migration program working.

Mrs Andersch—You just want me to focus on the regional migration program?

CHAIR—Yes.

Mrs Andersch—The office is a policy unit within the Department of Premier and Cabinet and advises government on policy to best meet the needs of migrants in Tasmania. As you said, we are the certifying authority for the regional sponsored migration scheme, which is done with the help of a panel. We do not certify without the panel assessing each individual application. We are also working towards increasing Tasmania's migrant share in the best way possible, mainly to bring in skilled and business migrants. My colleague Alan Campbell will talk more on business migration. That, in a nutshell, is what we do. At the moment we are bringing in, on average over the last three years, around 30 to 35 skilled people. I am talking about primary applicants. If you count family, we are looking at about 90-odd people a year. Migrant intake at the moment is around 300 to 400 people a year and that has been pretty much static for the last few years.

CHAIR—Are the people you are bringing in—the 30 to 35 people who expand into 90 when you include their families—all brought in under the special considerations of the regional program?

Mrs Andersch—They have to have unique skills that are identified to be in short supply within Tasmania.

CHAIR—These are the state sponsored migrants?

Mrs Andersch—No. They are sponsored by the employer. We do not participate at the moment in the state and territory nominated independent scheme, which the state sponsors. We are monitoring, and continue to monitor, the South Australian experience.

CHAIR—Can you tell us why you are not participating in that? South Australia is the only one that seems to be participating—

Mrs Andersch—That is right.

CHAIR—and why you are reluctant to get involved in that?

Mrs Andersch—Originally the reluctance was because of our economic situation. We could not bring in, like South Australia was doing, 100-odd people with particular skills without knowing that they would get jobs. I know that on some occasions South Australian employers would not employ somebody that was brought in. We did not want to find that we brought some people here and the employer would not commit. We had also done a very informal sort of research with employers and found that most employers would have preferred to have seen the person before they committed to them. They would not commit to thinking, 'Well, we'll bring people across.' We have a huge shortage of nurses at the moment and certainly we are looking at that situation. It is not only state wide here; there are other states that have shortages of nurses.

CHAIR—But then if you used that you would bring it under that state sponsored scheme?

Mrs Andersch—Yes.

CHAIR—So where you know there is a definite skill shortage and people are really quite desperate for these people, you are prepared to use the scheme—but you have not used it yet?

Mrs Andersch—Yes, that is right. We have not said we are definitely not going to use it. We still need to have the employers behind us as well, rather than flood a market where the employers are reluctant to employ. We are continually discussing this with Immigration. There may be something that we can work out in a partnership type agreement with Immigration, especially down here where there may be a state specific indication where we can actually bring in maybe 10 nurses, for instance.

CHAIR—What is the status of bringing nurses in under this? Are you still doing it directly with employers, rather than just opening up an area and saying that nurses are welcome to come here?

Mrs Andersch—We are saying nurses are welcome to come here, yes. But because we have the skills database access that Immigration have given us—and you are probably familiar with that—if there are any nurses on that database we actually disseminate that information to the hospitals.

CHAIR—So you direct it back to the employers? Rather than just bringing them here and then having them look for that position, you want to actually connect the position before they come?

Mrs Andersch—Yes. And if hospitals say, ‘Yes, we want 10 nurses. Just bring them in,’ we will certainly look at doing that.

CHAIR—We have got a general overall submission from the government, which I am sure you are aware of. From your point of view, keeping that submission in mind, what would you see are the strengths of the program as you see it operating and where do you see its weaknesses?

Mrs Andersch—The strengths of the program are the fact that we are getting the skilled people here and they are fitting into the jobs very well and they are staying in the jobs. I think we have just had one that has sort of fallen over. Some employers are coming back for people with those particular skills that they need. There are small industries where particular skills are very much in short supply. It is helping Tasmania with getting more skilled people here.

CHAIR—Can you give us an indication of the skills you are looking for? We know the health one.

Mrs Andersch—In the fishing industry, we are looking for a sea captain for a fishing vessel and people who are expert in aquaculture. We have, obviously—and this is a nationwide thing, from my understanding—vacancies for chefs in restaurants. We are looking in universities for people in different areas of academia and for engineers.

CHAIR—Could I take one instance, the shipping captain: the business comes to you and says, ‘We are desperate for a captain.’ What do you do then?

Mrs Andersch—If they have somebody identified, and they usually do—

CHAIR—So they are always—

Mrs Andersch—In Tasmania’s case about 50 per cent of applications come from offshore—people who are not here—and 50 per cent from people who are already here. The captain was already here on a working visa.

CHAIR—So they already had somebody working in the position and they wanted them to get it?

Mrs Andersch—Yes.

CHAIR—Do you get the situation where people come to you and say, ‘We want this,’ but they do not have anybody in mind?

Mrs Andersch—Yes, I do.

CHAIR—If they do that, what do you do then?

Mrs Andersch—The first thing I do is go to the database and see if there is anybody there who could help, and I supply that information off the database to the employer, and leave the employer to make that contact. The other thing we have is the web site, called ‘Migrating to Tasmania’, and we get a lot of inquiries—we are currently working on about 3,000 hits a month. People actually just send us CVs and say, ‘Find me a job.’

CHAIR—What do you do with that?

Mrs Andersch—If the job matches something that an employer wants, we do not turn them away; we will put them in touch with the employer or put the employer in touch with them—that is up to the employer.

CHAIR—You get about 3,000 hits a month?

Mrs Andersch—Yes, but they are not necessarily all requests.

CHAIR—Is there an untapped potential in that? We see Tasmania as fairly underpopulated—you would agree with that?

Mrs Andersch—Yes.

CHAIR—So you are getting these sorts of hits: is there an untapped potential to get more of those people to come here, or would it simply be bringing people here who would not be able to get employment?

Mrs Andersch—There is a fifty-fifty with that. It depends on the people, because sometimes you look at a CV and you know that it is going to be very difficult for that person to get a job. We have links to Immigration, and we will give them more or less a standard reply—but sometimes it is tailored to what their request is about—about how to contact Immigration and which particular Immigration office to contact if they are in a remote area. A lot of people who are contacting us do not realise that we are part of Australia.

CHAIR—I see.

Mrs Andersch—They do not realise that we are a migration office in a country area and we are down on our own. There certainly is potential with the web site, and in using that database.

CHAIR—Is some of that potential untapped, and is there a way of tapping into it? You say fifty-fifty; let us say it is just a third. If there were even a thousand people in that who had potential, and after that was sorted out there were 500 people, that would still be a positive. Are we missing out on getting those people here and, if so, why?

Mrs Andersch—Getting those people into Australia or Tasmania?

CHAIR—Tasmania.

Mrs Andersch—Yes, I think so. That is why, when they make inquiries, I give them the option of registering on the database. That way, they are able to register without actually applying for a visa, and then go to the next step, because it is cheaper to just register. Hopefully, they get on the skills database, because some of them say, ‘Here is my CV; could you put me on the skills database.’

CHAIR—At that point, once they are on the skills database, we need business to actually start to access it?

Mrs Andersch—Yes, that is right.

CHAIR—My next question is—and I think I have led you astray, as I have led you way away from my original question—getting back to the businesses: are you confident that businesses know to access that database?

Mrs Andersch—When the database comes in every month, the summary of the database is supplied to all the large businesses and employing agencies. It went to a whole number of people initially, and some of them have asked not to be sent the information—that they will contact us if they need it. So those people obviously do not get it regularly, but there are about five or six who continue to get that. I have had to, for instance, give something like 200 CVs on accountants to a particular business so that they could go through it.

CHAIR—If I were a small business—not necessarily a big business because I suspect big businesses are covered—and I employed three people, but I needed another specialised person, what would be the likelihood that I knew about the scheme?

Mrs Andersch—If they have somebody that they want or they have to go overseas to get somebody, they will initially contact Immigration and Immigration will then send them.

CHAIR—Would they know to contact Immigration, or would they say, ‘I keep advertising and I don’t get anyone’? Would they know that they can perhaps get someone that way?

Mrs Andersch—The only people that I get will contact me and say, ‘You are the certifying authority.’

CHAIR—So they would know about the scheme?

Mrs Andersch—Yes.

CHAIR—Do you know what percentage of smaller businesses know that they have access to a scheme such as that?

Mrs Andersch—No. We have not actually marketed it to any great extent. When I speak to people in Rotary clubs or whatever, I will always promote regional sponsored migration. The office is quite tiny and the staffing has been increased only recently. We are now putting through a draft multicultural policy and, once that policy has been accepted by Cabinet, we will probably look at marketing a little bit more. It has been a matter of the resources available and how to do the marketing.

CHAIR—I am sure that my colleagues also have many questions. Rather than hogging the questioning myself, I had better turn over to my deputy.

Senator McKIERNAN—I would like some clarification of your figures. I notice that there is a discrepancy between what you have under point 2 on page 4 of your submission and the figures the Department of Immigration gave us. For example, in 1998-99 they say that 45 people came in, whereas you say you had 27 applications and 65 people.

Mrs Andersch—Yes. The difference is that we work on a calendar year and we work on the certification.

Senator McKIERNAN—A calendar year? It says 1998-99.

Mrs Andersch—Yes, but we were working on a calendar year and we were looking at what we had certified, and what we had certified might reach over to the other year. While we have said 1998-99, we have taken six months of one calendar year and six months of the other.

Senator McKIERNAN—Which is a financial year.

Mrs Andersch—Yes, I realise that. Our financial year figures might be slightly different: that is what I am saying.

Senator McKIERNAN—So that we know we are comparing apples with apples rather than apples with pears—

Mrs Andersch—Do you want some actual figures, because I can leave you this sheet?

Senator McKIERNAN—If you could do that, it would help.

Mrs Andersch—I will give you the details. The actual totals are handwritten so you need to take that into account.

Senator McKIERNAN—You tell us in the bottom paragraph on page 4 of your submission that in 1998-99 91 people were approved to migrate. Whereas earlier in the piece you said—

Mrs Andersch—That is the total number.

Senator McKIERNAN—You said there were 27 applications and 65 people in 1998-99.

Mrs Andersch—Yes.

Senator McKIERNAN—Then two paragraphs later the total comes to 91 people.

Mrs Andersch—Maybe that is a typographical error.

Senator McKIERNAN—Could you clarify that for us?

Mrs Andersch—Yes, you will see that in the actual submission.

Senator McKIERNAN—Thank you very much. You talk about people coming in with ‘unique skills’. Could you give us an example of the unique skills—perhaps some of the lesser known ones—that have been able to take advantage of the scheme?

Mrs Andersch—We brought in a TV technician—this example fell over unfortunately. That does not sound unique but in Devonport it was very hard for the employer to find anybody. That employer came to us and said, ‘Help me’, and we connected him with database information. It depends on where you are: in Devonport that was a unique skill and a position that was impossible to fill.

Down here we have gone from geologists to skin specialists and plastic surgeons to work in the Royal. We get a lot of queries about doctors. Obviously, we have problems in bringing doctors in—there are a couple of applications on my desk at the moment. Incat has brought in somebody with particular marketing skills to expand into the country where they want to expand. There may be people who have the language skills of a particular country where a little business here wants to expand or sell to. Those are the sorts of unique skills. Apart from a lot of nurses and marketing people with those skills, and chefs of course, we are always getting queries about IT specialists, but, by the time you connect with the IT person, they have gone.

Senator McKIERNAN—Technology has moved on.

CHAIR—They have gone somewhere else.

Mrs Andersch—That is right.

Senator McKIERNAN—Moving on to a further point in your submission at page 6 under the regional established businesses of Australia, a point is made about the working party to increase the number and proportion of migrants settling outside major metropolitan areas. Now the major metropolitan area in Tasmania would be Hobart, yet that is included as a regional area.

Mrs Andersch—The whole of Tasmania is classified as a regional area for the terms of immigration. My colleague Alan Campbell will tell you more about the business migration area. However, we both sit on the working party on business migration. The sticking point for Tasmania is that Melbourne is classified as a region for the purposes of regional migration.

Senator McKIERNAN—I want to bring it a bit closer to home to you because the sticking point at Smithton yesterday was that Hobart, a capital city, is included as a regional area and would have to compete on an equal basis with a place like Smithton, or even Devonport, or for that matter even Launceston.

Mrs Andersch—We do not discriminate. If there is a business going to be happening in Smithton, we are not going to say no. We are not going to deny a person coming in.

Senator McKIERNAN—But you are not giving any advantage to that area and that truly is a regional area in the strictest sense of the word. If you are going to put an argument about Melbourne, Adelaide or about Darwin being included—

Mrs Andersch—We are not worried about Adelaide and Darwin.

CHAIR—Thank you for that. I appreciate that!

Mrs Andersch—The states and territories are really concerned about Melbourne being classified as a regional area.

Senator McKIERNAN—With what dividing line then do you separate the major centres of activity, a capital city, from regional Australia?

Mrs Andersch—The regional schemes were brought in initially to assist regional areas of low growth. We do not see in the states and territories that Melbourne is an area of low growth. We do not mind the outside of Melbourne—

Senator McKIERNAN—Do you recall my question?

Mrs Andersch—Yes, I recall your question about Smithton and Hobart.

Senator McKIERNAN—No, my question is: how do you delineate between a capital city and a regional centre in Australia? What is the dividing line between them? Is it population?

Mrs Andersch—It is the growth. If you were a business and you want to set up, you are overseas doing your homework and you have a choice between Adelaide, Melbourne and Hobart, you are going to go to Melbourne, and that is our argument.

Senator McKIERNAN—So your dividing line is growth. Were I to put an argument to you that Hobart is growing while the rest of regional Tasmania is declining in growth and in population, are you saying that that really does not matter?

Mrs Andersch—It matters, but what I am also saying is that, if you are offshore and you want to set up a business in Smithton, we are not going to persuade you to come and set up a business in Hobart. Do you understand what I am saying?

Senator McKIERNAN—I do not accept this concept of regional Australia including capital cities like Melbourne, Adelaide, Hobart and Darwin. I think regional Australia is regional Australia, places like we were yesterday—almost a little bit of Ireland transposed into Tasmania. There was an earlier question about the good working relationship you have with the department, but then you say that that breaks down in Canberra.

Mrs Andersch—Yes, in Canberra, with the decision makers. We have certainly got an excellent relationship here. The local office is very supportive of any submissions that we might be putting to Canberra, but Canberra tend to look at numbers and figures. I suppose it is their way of thinking. Yes, there is a relationship problem with Canberra, which we continue to work on.

CHAIR—Do they ever knock you back after you have recommended someone, asked for a special—

Mrs Andersch—No. I am talking about migration issues as a whole, policy—those sorts of things.

Senator McKIERNAN—In regard to point D on page 5, 'Review of points allocation for FTE's under REBA', how much of a difference will this make to applications that may or may not be on foot, without getting into individual specific cases? What is the rationale for making this particular recommendation?

Mrs Andersch—My colleague Alan Campbell will probably be better able to answer that question on business.

Senator McKIERNAN—Thank you very much.

CHAIR—Before I hand over to Mrs May, can I just follow up on what the deputy chair was asking about the different regional areas? Do you think there would be grounds for developing two sets of regional areas? For instance, there could be an area like Hobart, which needs more growth, as one area, and areas like Smithton, which are so regional that they should have perhaps more concessions as a regional 2 area?

Mrs Andersch—That would be a reasonable thought to—

CHAIR—So we would see Adelaide and Hobart as regional 1, but Coober Pedy and Smithton as regional 2. Can you see that working if you could have special concessions?

Mrs Andersch—Wouldn't that make the bureaucratic mire even more difficult to get through.

CHAIR—I am just asking because you deal with that bureaucratic mire.

Mrs Andersch—I think it would just exacerbate what we have got now.

CHAIR—So it would create more problems.

Mr ADAMS—There could be more points for a subregion.

CHAIR—That is what I was thinking about.

Mrs Andersch—That would be worth thinking about.

CHAIR—So if you got into an R2 area you would get an extra five points for being in an R2 area.

Mrs MAY—In your submission you talk about feedback from employees, and employers too I would imagine, under the RSMS of the time lag from bringing these specialised people in. Can you just expand on that a little?

Mrs Andersch—That is because they have got to go through the immigration process if they are offshore and the time lag is about being offshore. Unless they are brought in on a working visa, you pay for that, and then you apply for RSMS onshore, you pay for that. So that is a double payment. The employer sees that as a double payment. Often it is the employer who pays for the visa. If you are doing the whole process for RSMS and the person is offshore, it depends on how far along they have been processed. Some of them who come off the database may be quicker. It could take nine months or more. That is a long time for an employer to wait.

Mrs MAY—It is a long time. Can you tell us how you could see that we could fast track that so that we are not losing those skilled people either?

Mrs Andersch—Why can't we just bring them in on a working visa and pay for the one and do the processing onshore.

Mrs MAY—You also talk about expanding the age.

Mrs Andersch—Yes, please.

Mrs MAY—You feel that is not suitable to Tasmania. Are you missing people?

Mrs Andersch—States and territories are still arguing about making the age at a higher level, at 50. I know we can argue exceptional cases, but I think a person of 50 has still got another 10 or 15 years minimum to impart. The skill is already there. We are not having to retrain that person. Other people have got a lot to learn from these people.

Mrs MAY—So with the expansion of age you are giving yourself a better opportunity to hook into some people out there with those skills.

Mrs Andersch—For somebody who sees the regulations and says, ‘Gosh, I am 46,’ it is going to discourage them from applying, and probably they have very high skills. I have certified exceptional cases and they have gone through. I think one was close to 60..

CHAIR—Just before I move on to Mr Adams, can you tell us whether there definitely have been people who have missed out, that you know of, because of their age?

Mrs Andersch—I do not know of any off the top of my head. I cannot think of any.

CHAIR—Okay, it is just the general principle that you think the age is too young.

Mrs MAY—I just have one more question. You talked about the promotion—and you have a submission before Premier and Cabinet. Your resources have been fairly small. I note your comment that some people do not even know where Tasmania is, let alone that it is part of Australia. What bodies would you use to promote Tasmania overseas, to encourage people to come here?

Mrs Andersch—Apart from using the web site, my office, together with the Department of State Development—where my colleague works—have put together a publication which we will make available overseas. The Department of Immigration has offered to send it to the consulates and embassies to gauge their reaction. We will also use public servants and members of the public travelling overseas to market it—they often come to us and ask for some information that they can take overseas. It is very early stages at the moment.

Mrs MAY—Would you work in with ethnic communities?

Mrs Andersch—Those are the people who come to us. I have a lot of interaction with what is now called the Multicultural Council of Tasmania—they changed their name from the Ethnic Communities Council—and with the different associations of the migrant communities as well.

Mr ADAMS—I just wanted to deal with this policy issue at the national level. In your submission, you talk about not having enough time to put in. The ministerial council deals with that after the officials have dealt with it at a policy level. I am interested in how that breaks down and what we can put in our recommendations to help assist that process.

Mrs Andersch—At the ministerial council level?

Mr ADAMS—Is the breakdown at the ministerial council level?

Mrs Andersch—No. We are dealing with Immigration in Canberra on a very regular, almost monthly, basis. At the workshop level it will sometimes break down. It depends on what sort of submissions we are making. I will give you a quick scenario: we had a concern about women suffering domestic violence and how those who are married onshore are not eligible for any social services if they leave a relationship. They are allowed to go to a shelter for up to three months; however, it sometimes takes longer than that for Immigration to look at the genuineness of their case. So these women have no support at all. It took us the better part of two years to argue the case and get some sort of support for these ladies. If they appeal and lose and they go for review again they are still not getting the support. Meanwhile, while these people are

suffering, the bureaucracy is still thinking about it or talking about it. It should not take two years is what I am saying.

Mr ADAMS—The time taken for the decision making is also too long.

Mrs Andersch—Yes.

Mr ADAMS—That is a major policy issue because the government is—

Mrs Andersch—I understand the ramifications and the reasons for it, but there are still people down there at the ground level who need looking after.

Mr ADAMS—Sure, but I would have thought that should have come back to ministerial council.

Mrs Andersch—I took it to three or four standing committees and at least two different ministerial council levels before it was fixed up.

Mr ADAMS—How many employer-sponsored nominees of people have we had who have been knocked back?

Mrs Andersch—Immigration would be better able to tell you. I think it was only about two or three over the last few years. The idea of the panel—we have got the immigration officer on the panel—is that we do not want to see certified people being knocked back.

Mr ADAMS—No. Who makes up the panel?

Mrs Andersch—The immigration officer, who will ultimately make the decision on approval; a member of Workplace Standards Tasmania, who will look at the contracts; and an officer from the Department of Employment, Workplace Relations and Small Business, who will look at the shortages.

Mr ADAMS—There is a lot of bureaucracy, isn't there?

Mrs Andersch—Yes.

Mr ADAMS—We have the database, and the Chair was talking about this earlier. I put to you that I think 85 per cent of small business in Tasmania does not know that the database exists for skilled migration. Do you say I am wrong when I say that?

Mrs Andersch—I do not know. I would say that you are probably right. But we have circulated it to quite a number of people and they have said, 'Don't send it to us any more.'

Mr ADAMS—They have seen the database, but it is information—

Mrs Andersch—It is just information on the database.

Mr ADAMS—If you have a shortage of a person for a skilled position within your business, you can seek somebody from overseas to fill that vacancy so that your business is not held back because of the lack of skill; therefore, businesses do not have to pack up and leave Tasmania because they do not have the skills. These are the ramifications that go further down the track.

Mrs Andersch—But in Tasmania, until the last year or so, we also have to look at how to market RSMS without having those in the broader community thinking that they are sitting without a job and we are telling the employer to bring somebody else in from overseas. It is a very fine line that we have to walk here.

Mr ADAMS—When we have failed, we have failed. The figures have gone from 1,015 in 1987 to 369 in 1989. We do not have the figures for 1999 or the figures have been somewhat confused because of mythology. We are not actually doing anything, we are losing migration and we are probably losing businesses because they cannot get the skills. So Tasmania is actually losing.

Mrs Andersch—The figures since I have been in this office have been pretty much static. I think when I first came into the office about seven years ago there was something like 500 people coming in per year.

Mr ADAMS—On skilled migration?

Mrs Andersch—No. We are talking about the total migration.

Mr ADAMS—I can only go on the figures that I am presented with.

Mrs Andersch—In 1987, you were talking about skilled migrants coming in—

Mr ADAMS—No. I am talking about the percentage of Australia's migration intake that Tasmania attracts. Are you disputing my figures?

Mrs Andersch—No, I am not disputing the figures. I was not sure whether you were talking about the total migration program or the skilled migration program.

Mr ADAMS—I am talking about the total migration. From 1979 to 1980, it was 1,015 for Tasmania.

Mrs Andersch—Yes, that is right.

Mr ADAMS—And there has been a decline from that time. I take it that it is still declining. The figure I saw for last year was about 240. What I am telling you is that there has been a total decline. I am not totally going to blame you and say that we have failed. The office is there. I know there have been attempts by different governments to turn it around, and they certainly have not achieved anything.

Mrs Andersch—Those are the figures for this year, if you want them.

Mr ADAMS—Basically, you accept my argument that 85 per cent of small business does not know that they have access to this program to apply to—

Mrs Andersch—If you say so. I have not done any research on it.

Mr ADAMS—No. I am making the assertion. You can reject the assertion or you can accept the assertion.

Mrs Andersch—I am accepting it.

Mr ADAMS—The database is updated on a monthly basis—

Mrs Andersch—With a summary and detail.

Mr ADAMS—No problems with that? That works okay?

Mrs Andersch—Yes.

Mr ADAMS—We have got a shortage of nurses, which you have highlighted. There is the issue of doctors. I have a considerable number of problems in my electorate with attracting doctors; I have people crying in my office because the doctors are leaving their regions. We have this enormous problem getting doctors into Australia to replace people that do not want to go out of the cities. Have you got applications for doctors?

Mrs Andersch—I have got one sitting on my desk at the moment. One council has inquired about getting a doctor into their area and I have suggested that they should be the employer. Some councils are quite reluctant to be the employer so it is about finding an employer.

Mr ADAMS—Can you tell the committee the difficulties of process for a doctor to come into Tasmania?

Mrs Andersch—I think nationwide the concern is the AMC sees that we have got an oversupply of doctors and that means that we should not be getting doctors into the country. That is number one, isn't it? Number two is that we do not get doctors who want to go into the regional areas. They want to stay in the capital cities and hence we, especially in Tasmania, are suffering in the outlying areas. There is a process that is now coming in—the division of GPs in the north is handling this—where they can be brought in. I think there is a piece of paper Mr Wooldridge has got to sign off on before anything happens and he has not signed off on it yet, from what I was told in a quick email only yesterday.

CHAIR—This is signed off on the individual case or on the program in general?

Mrs Andersch—No. On the program in general.

CHAIR—I thought that was already under way.

Mrs Andersch—That is what I thought. But I was given a call, because of a doctor's application on my desk, to say that she will sit for the exam and she is going to turn 46 in the first week of November so please certify now because—

Mr ADAMS—We all have problems getting letters from state and federal ministers for health on these issues and trying to solve the problems does not seem to be on too many people's agendas as far as I am concerned. It is more about protecting oneself and one's own income base.

The other point is the 3,000 hits per month on your web site; the chairman has touched on this subject. There must be opportunities or potential here for migration with that amount of people. I take it that some people do not know exactly what Tasmania is or whatever but there must some people there. Do we send a package of information to these people?

Mrs Andersch—At the moment the web site is very bare bones, if you like, with a lot of links to real estate and shopping and a lot of information on Tasmania. In terms of a package, that is virtually what they can access. If they are asking for jobs in particular then I send them a letter to say these are more web sites to go to if necessary. If you are really serious then you need to go to a particular office in the country, wherever they are, or the nearest embassy or consulate for immigration. The invitation is always there for them to return to us if they need any more assistance.

Mr ADAMS—So you try to open up a communication link with people that have hit the site?

Mrs Andersch—Yes.

Mr ADAMS—You were saying that the feedback from employers on nominees of the scheme is positive from most employers. How many have we had fall over?

Mrs Andersch—One.

Mr ADAMS—That is pretty good value. We have received evidence where there are sometimes difficulties—more of an employer-employee type situation, which is a conflict area which can develop. Have we not had too many of those in Tasmania?

Mrs Andersch—No. As I said, only the one, where the employer felt quite upset because he felt that the employee had used him to get here—and that is going to happen—because he had been through the hoops to get this person here.

Mr ADAMS—I asked this question to most people coming before the committee in positions like yours: for people coming into regions, what about having a five-year timespan before they could become a national citizen?

Mrs Andersch—A permanent resident or citizen?

Mr ADAMS—Before they became a citizen of Australia. You get advantage coming to a region with increased points or whatever, but you would have to stay in that region for the five years.

Mrs Andersch—I would say five years is a bit long.

CHAIR—But that would be actually three years, because you would have to have the three years before you could apply. You need to be a permanent resident two years before you apply for citizenship.

Mr ADAMS—Do you have a view on that?

Mrs Andersch—I think to tie somebody down to a particular region for five years may be a bit long. I would like to see a shorter time. As for regional sponsored migration, they are virtually tied down for two years because of the social services area. We are already part way there. But if you are talking in terms of business migrants and people who are opening businesses there, maybe two or three years.

Mr ADAMS—It is harder there, because businesses change.

Mrs Andersch—That is right.

Mr ADAMS—But for most people that do establish a business, it is not so much a difficulty in that area.

Mrs Andersch—With the skills migration, we are already pretty much tying them down for two years anyway.

CHAIR—When we were in Smithton yesterday, we met two families. They had come out as primary producers in the dairy industry. Both families said exactly the same thing: that once they arrived they got absolutely no support from Immigration at all. They did not know what they had to do. They went through everything overseas—but once they arrived, boy were they on their own! Nobody contacted them; nobody told the local community they were coming; they were just there. Whose responsibility is it to contact these people to follow up? They did not even know what they had to do to get their permanent residency. Both of them were under a misapprehension that they would get it automatically once they were here. There was a lack of information going to them and a lack of support. Is that your responsibility or is it the immigration department's? Whose responsibility should it be to help those people who arrive, especially when it is not in Hobart?

Mrs Andersch—If I had known they were coming—and this is done on an ad hoc basis because of my staffing situation—then we would have in some way have made some sort of connection. But my understanding—and Immigration will be best to answer this—is that before they leave their country of origin they are given huge packages of information; so I am told. I get this sort of inquiry almost on a weekly and sometimes on a daily basis, where people say, 'I'm lost with immigration. Could you please help me.' I am told that they get a lot of information about an area that they are going to or if they are coming to Australia they get the

information. We certainly assist refugees and we try to do that. We do a lot of voluntary work outside.

CHAIR—Forget the refugees. These people are coming for REBA. You are saying that if you knew you would contact them?

Mrs Andersch—That is right.

CHAIR—That is clearly what they need. They need somebody to say: ‘If you have problems and questions, here ...; the next step is ...; do you realise that...’ You would be responsible for doing that if only somebody told you they were here?

Mrs Andersch—Yes. But Immigration will not tell you because of privacy concerns.

CHAIR—Right.

Mr ADAMS—Regions have probably got more support mechanisms than other areas.

Mrs Andersch—And certainly councils. I have spoken to councils and they are very supportive of that. They say, ‘If we knew we would help.’

CHAIR—The councils said exactly the same. They said, ‘We didn’t know these people were arriving; otherwise we would have been there to assist them.’

Mrs Andersch—That is why my office is set up. The councils are showing a lot of interest in our multicultural liaison officers within every state government department. I do not want to see a migrant go through a bureaucratic mire—going to somebody who says, ‘This is not my problem, this is the other department’s problem.’

CHAIR—Let me put something to you. Should they, before they left—and forget the great big bundle of stuff that nobody can ever go through anyway—have just been given a large sheet of paper saying: ‘Any inquiries on arrival, ring ...’ with your number?

Mrs Andersch—That is fine. I have a free call number into my office. They can be given that.

CHAIR—To get over the privacy considerations, if they were given your number—maybe on some sort of printed up card with a proper cover which says, ‘This is who you contact when you get there’—then that would resolve those problems, because once they contacted you then you could ask permission to tell the local council and get them involved and provide information?

Mrs Andersch—That is fine. There is no problem with that. There is that sort of card produced by Immigration, with information on every certifying body in each state and territory, that is available offshore. So maybe that can be adjusted.

CHAIR—Thank you very much, Mrs Andersch. We appreciate you coming before us today. If we have any more questions of you, we will contact you. In the meantime, Hansard will send you a copy of the transcript of your evidence today.

Mrs Andersch—Thank you.

CHAIR—Is it the wish of the committee that documents tabled by the Multicultural Tasmania be accepted as an exhibit? There being no objections it is so ordered.

[10.18 a.m.]

ANDERSCH, Mrs Lyn, Manager, Multicultural Tasmania, Department of Premier and Cabinet

CAMPBELL, Mr Alan Eric, General Manager, Trade, Marketing and Major Events, Tasmanian Department of State Development

CHAIR—Welcome. Although we do not require you to give evidence under oath you will realise that these are proceedings of the parliament and have the same legal status and that the giving of any false or misleading information could be regarded as a contempt of parliament. We have a general submission from the Tasmanian government. Are there any additions or changes you would like to make to that or would you like to make an opening statement?

Mr Campbell—I prepared some notes addressing the questions which were raised in your little brochure, so I could certainly go through those.

CHAIR—Thank you, Mr Campbell. May I say on behalf of the committee that we are already well aware of your existence, having talked to the people in Smithton who I believe you are helping.

Mr Campbell—I am pleased that they have acknowledged that, because when I read this morning's newspaper I was quite concerned by a few of the things I read. This is the clipping. I have highlighted something you said; sorry.

CHAIR—That is all right.

Mr Campbell—Regarding the adequacy of the consultations with the states and territories on the mechanisms that do in fact exist, I think it is important to realise that most of Tasmania's business migrants enter Australia on the 457IE visa and obviously convert to EBA or REBA at a later stage. Certainly from a business migration point of view into Tasmania, this has been the most successful visa class. We, of course, recognise that some improvements could be effected and I think that the cases you have mentioned in the north highlight the fact that there is absolutely no monitoring of 457IE entrants to Australia. Once they are in Australia, the Department of Immigration and Multicultural Affairs cannot tell you where they are. It is not necessarily so that I would know of all of them but I do happen to know these particular cases.

Nevertheless, Tasmania certainly appreciates the consultation that has occurred over the last few months in respect of proposed changes to the 457IE and obviously, by implication, changes to the EBA and REBA as well thereafter. As you are aware, those are not in effect yet but there is great discussion about some changes. I also appreciate the helpfulness of the DIMA office in The Rocks in Sydney. This is where Tasmanian applications for EBA and REBA are processed. In fact, Mrs Chijiwa and her husband were the first REBA applications processed nationwide—in June of this year—by that office.

Tasmania was also one of the main proponents of the REBA scheme some years ago and we appreciate DIMA's acceptance of the proposal as put at that stage. If there is to be some criticism, I believe that it relates to metropolitan Melbourne being included as a designated area for sponsorship of business migrants and I would like to highlight recommendation 22 of the BAP report which states:

That consistent with the exclusions in New South Wales, Queensland and Western Australia, the Victorian Government be requested to exclude Melbourne from its designated area.

I personally am somewhat confused at the moment about what is a region, what is a designated area, what is a rural area and indeed what is a state. I do not understand this any more. 'What is not regional?' may be a better question.

Senator McKIERNAN—Mr Campbell, we are clearing up all that muddy water here.

Mr Campbell—Is this only in the Australian Capital Territory? I really have no idea any more.

Senator McKIERNAN—No. That is designated as well.

Mr Campbell—It is designated more appropriately than metropolitan Melbourne, possibly. If I may get on to the level to which the state and territory governments have utilised these mechanisms, referring to business migration, as I mentioned, most of them come on the 457IE visa category and there is no monitoring of that visa category so it is difficult to give accurate numbers. However, I believe that, for Tasmania, I can quite safely say that, in 1999-2000, we had 18 arrivals—business migrants. I notice that DIMA says there were also another 14. I am not sure if they were on a 127 or a 129 but certainly I know of 18 who have arrived here. When I say 18, I am talking about principal applicants only, not the family. We have 15 awaiting relocation—their visas have been approved—and we have 12 awaiting approval of visas in foreign countries. This compares to last year's 23 arrivals and the previous year's 10 arrivals.

It is important to note that, now that EBA and REBA have been in operation for some time and businesses have passed the 24-month qualifying month period, Tasmania has led by having the first few in Australia approved under those two schemes. In fact, I think we have the first four or five nationwide.

Another combination of 457 EBA and REBA is very beneficial for Tasmania. The state certainly regards the scheme very highly, simply because applicants are obviously committed to Tasmania and have truly put their money where their mouths are. They are making an economic contribution to the state.

With the proposed changes to 457 EBA and REBA, more positive strategies have been developed and will be implemented, and I will get to those in a minute. Really, this is for two reasons—the improving economic outlook of Tasmania and the improved security that the new arrangements will probably provide to migrants.

Senator McKIERNAN—Could I interrupt, Mr Campbell. You have an advantage over us because we were not aware of the pending changes coming forward. So, when you are talking about these changes coming forward, we are in the dark. I wonder whether you could—

Mr Campbell—I hope I have not let the cat out of the bag?

CHAIR—This is the 1 November changes you are talking about?

Mr Campbell—Yes.

CHAIR—The committee became aware of that only yesterday, and then only circuitously, when I made a phone call to Canberra. So the parliament has not been actually informed about it.

Senator McKIERNAN—Nor the opposition.

CHAIR—I said the parliament.

Mr Campbell—I am still going through the proposal.

Senator McKIERNAN—I understand these changes are going to come forward by regulation. Regulations are subject to disallowance. So that has got to be kept in mind. You were giving evidence to the committee on something that the committee itself, even though it is a parliament inquiry, had no knowledge of. So that puts us in a very difficult position.

Mr Campbell—I can rephrase it if you like.

Senator McKIERNAN—How do you mean?

Mr Campbell—When I come to what can be done.

Senator McKIERNAN—Can you tell us what has been proposed to be done? We got this information yesterday from a witness at the table who told us that there are changes coming in on 1 November.

CHAIR—In fact, I heard about it when I rang the minister's office. But I suspect what has happened is that this is still in the formation stage—

Mr Campbell—This is quite correct.

CHAIR—And it was as a result of when you had been appearing before on behalf of the people in Smithton and had gone to the minister, and he asked the department to do something about it. The minister himself was not sure exactly what the department had proposed. He got back to the department yesterday and they said, 'This is basically what we are doing.' So, although the parliament has not heard that, because it has not been actually codified, the intention is to help these people. Is that right, Mr Campbell?

Mr Campbell—It is only an intention and a proposal at this stage.

CHAIR—And the department, I understand, believe this is a good idea to help?

Mr Campbell—There have been meetings between the states and the territories and DIMA.

CHAIR—But it has not actually come out as a regulation through the parliament to approve?

Mr Campbell—Absolutely not at this stage, and that has been made clear to all people.

Senator McKIERNAN—With the exception of this committee, which is inquiring into these matters.

Mr ADAMS—Which is driving the change.

Senator McKIERNAN—We thought we were; we thought we were actually making a contribution. But the information we were getting yesterday was that perhaps, Mr Campbell, you know a lot more about this than we do, which puts me, as the deputy chair of the committee, in somewhat of a very difficult position.

CHAIR—I guess Mr Campbell is part of the negotiations.

Mr Campbell—And part of the working group on that.

Senator McKIERNAN—I understand that. But my position is deputy chair of the Joint Standing Committee on Migration, investigating state sponsored migration schemes to see how they can be improved. But we then find out from witnesses and indirectly through the chair that there are great changes on foot and they actually have a start-up date. We were informed of a start-up date of 1 November, and that it was going to apply to Tasmania. We are inquiring into an Australia-wide scheme. So we have a bit of difficulty. If you can enlighten us on what has been proposed—

CHAIR—Poor Mr Campbell. We have put you terribly on the spot.

Mr Campbell—I do not know whether I should ask for this to go into a confidential phase or not, to be quite honest with you.

CHAIR—Do you feel that any of the information you have might be confidential? If so, we can move into an in camera stage, if you feel that you would be releasing information that you would rather not be in the public domain. That is up to you. If you believe it is quite an open discussion that you have had around the department that is public knowledge, then it is fine to stay on the public record. I do not believe there has been any deliberate misinformation. I think what has happened is that while this committee has been doing its inquiries, something has reached a critical state in regard to some of these applications, which need to be addressed fairly quickly, and that has gone on in the department without anybody actually making this committee aware that those negotiations were going on. I suspect that is all that has happened—

as usual, a slight stuff-up on communication. But it is up to you to decide if there is something confidential or not.

Mr Campbell—No, I do not think it is confidential.

CHAIR—Okay, so go ahead.

Mr Campbell—I will get to that when I refer to the mechanisms that might be used.

Senator McKIERNAN—‘Might be used’—you are not going to tell us what is going to happen?

Mr Campbell—Yes, I am going to. I will address the steps that might be taken to increase take-up.

Senator McKIERNAN—‘That might be taken’—but the information we were given yesterday was that there is a new regulation coming into effect on 1 November, which is only just over 30 days from now.

Mr Campbell—Interim.

CHAIR—Interim—to help specific cases?

Mr Campbell—Yes.

Senator McKIERNAN—Can you give us that information—what this interim regulation is going to be?

Mr Campbell—Yes, but I would like to do that in confidence.

CHAIR—I will tell you what I put on the record yesterday, and that might help you decide whether you want to give it in confidence. It is my understanding that for applications that have not been finalised by 1 November—that are still pending or have not started—there will be an opportunity, if people do not meet the criteria of employment and therefore the points, to have the Tasmanian government ask for exceptional circumstances.

Mr Campbell—That is correct.

CHAIR—That is my understanding, and I had that on the record yesterday.

Mr Campbell—That is correct.

CHAIR—So you are happy to say that?

Mr Campbell—That is fine.

Senator McKIERNAN—That is only the Tasmanian government?

Mr Campbell—No.

Senator McKIERNAN—Then what the chair said was not correct?

Mr Campbell— I believe that that is nationwide.

Senator McKIERNAN—It is nationwide, so a state or territory government could do the accrediting—would that be the correct terminology—the signing off?

Mr Campbell—Yes. The states and territories would be consulted on the particular application: whether they see it as contributing, making a net economic gain.

Senator McKIERNAN—So they will be consulted—they will not be the body that gives the tick to the application?

Mr Campbell— It is not my understanding at this stage that we would give the tick.

CHAIR—But you will give support?

Mr Campbell—The processing will still be with DIMA, and they will seek our support.

Senator McKIERNAN—It will be Australia wide—this is not just Tasmania?

Mr Campbell—I believe it is Australia wide.

CHAIR—That is your understanding at the moment?

Mr Campbell—Yes. Generally speaking, there are no special arrangements. This is a migration policy Australia wide, not for particular states as opposed to another state. My understanding is that it is for the lot.

CHAIR—So if any state wants to make a special appeal on behalf of people, they can say, 'This is for the economic benefit of this state, so we would appreciate it if DIMA allowed these people to have the extra points.'

Senator McKIERNAN—That helps to clarify the information that we were given yesterday and, might I say, the information we have been given so far this morning. So we are getting closer to what is being envisaged. I do, however, still protest about the manner in which we found out—but that is a matter for the committee to address at a later time.

CHAIR—Would you like to go on—sorry, we did interrupt you somewhat.

Mr Campbell—Like the rest of Australia, Tasmania certainly has not been very actively involved in providing sponsorship under the 129 and the 130 visas.

CHAIR—Would you like to clarify that. I think we are getting into visa specifics that are perhaps beyond this committee at this stage.

Mr Campbell—The 129 visa is a state sponsored business owner, and the 130 is a state sponsored senior executive. I believe that this is really for two reasons. Firstly, there has been limited demand from prospective applicants. According to DIMA's figures, in 1998-99 there were 16 business owners nationwide who were given sponsorship, and in the previous year there were nine nationwide. One needs to ask the question, 'Why?' I do not know the answer. I suspect that, if they do not make the points test, they do not make the points test—it is as simple as that, I think, although I really am not sure.

So the first reason is the limited demand from prospective applicants and the second one is that Tasmania needs to be sure that the applicant is genuinely committed to establishing and operating a business in the state, not merely using the state sponsoring ability as a stepping stone into some other area of Australia which is perhaps personally more desirable—in other words, the 15 points have taken them over the line, but they really do want to live in one of the larger metropolitan areas.

Tasmania welcomes business migrants for their positive economic, budgetary and employment impacts for Tasmania. And we see that being achieved through the retention of business migrants. That retention seems to come best from those on the 457IE visa, who are certainly very committed to Tasmania.

In relation to steps that might be taken to increase take up, at the Commonwealth level some of the perceived barriers to entry have already been changed or have been proposed for change. In respect of the 127 and 129 visas, those changes have already been effected—I do not know if you are aware of those—by a change in the net assets calculation.

CHAIR—We did get information on that.

Mr Campbell—From \$300,000 to \$200,000, and for state sponsored from \$200,000 to \$100,000.

CHAIR—Yes.

Mr Campbell—And there are discussions currently occurring on the changes to 457IE, EBA and REBA.

CHAIR—What are the changes?

Mr Campbell—The changes that are being spoken about are that the states and territories will, in fact, sponsor the 457IE visas—at this stage there is no sponsorship—and they will convert, at a later date, into regional, established businesses.

CHAIR—What is the advantage of the states—

Mr Campbell—It will improve the monitoring for a start.

CHAIR—So this is what we were talking about before—that there was a problem with monitoring. Once you get under the state sponsor you get into a monitoring situation?

Mr Campbell—Yes. Then, on the EBA and REBA, the points test is likely to disappear and be tied to the sponsorship of the 457IE visa, operating a business in business, looking after them on a daily basis and obviously making an economic contribution to the state. That is the broad thrust.

CHAIR—So where, under state sponsorship, they come out on the new REBA or EBA and make an application for permanent residency, there are no points for permanent residency?

Mr Campbell—That is part of the proposal at this stage.

CHAIR—But this is only a proposal at this stage?

Mr Campbell—Only a proposal.

CHAIR—So if you are not giving points, how do you then assess? Is it just your panel at the state level that assesses this?

Mr Campbell—At the state level we would have a committee—even on the sponsorship of 457 visas—to judge each of the proposals.

CHAIR—And you think the system would work better this way?

Mr Campbell—I believe so, yes, because a lot of the migrants are on the 457IE visa, because they really have to get here, establish a business, have financial reports for two financial years—and they must do that all within four years.

CHAIR—Yes.

Mr Campbell—They have a lot of insecurity. All of them talk about this insecurity.

CHAIR—Insecurity as to whether they are actually going to get the permanent residency?

Mr Campbell—One of them asked me, ‘If I have a heart attack and cannot work and run my business, what happens to me?’ This is really of serious concern to these people.

CHAIR—Sorry I am starting to question, but this is obviously of particular interest to the committee. Take that very situation you mentioned—of somebody having a heart attack and unable then to support their family and to run that business—how would the state deal with that? What would you be doing? What would you be saying? Effectively, these people who came here to run a business will be going onto welfare because the main businessperson has had a heart attack and the family cannot run the business without him. Can you talk us through how you would see that working.

Mr Campbell—If these proposed changes come through?

CHAIR—Yes, if these proposed changes come through.

Mr Campbell—One of the steps we will be taking will be to address exactly what the government's policy will be on that. Normally these businesses tend to be smaller businesses, with the husband and wife involved, sometimes with more extended families, so the possibility exists that maybe the wife would continue the business.

CHAIR—So you would see the state looking at each individual case on its merits?

Mr Campbell—Yes, at this stage. I also think that it would be helpful if Tasmanian applications for the EBA and REBA schemes were to be done here in Hobart at DIMA. Because of the smaller numbers that come from Tasmania, I believe the processing time could be speeded up and they would not in these terribly long queues that exist at the moment.

Mr ADAMS—They are done in Sydney at the moment.

Mr Campbell—Yes, at the Rocks.

CHAIR—How long are the queues?

Mr Campbell—I do not know.

CHAIR—Time-wise?

Mr Campbell—Six to nine months probably. It would also give the opportunity for both the applicant and DIMA staff to have face-to-face discussions, visits to the premises, whatever, and a lot of very simple issues could be resolved quite quickly. As an example, one of the applicants was sent a form saying they must have their medical tests, so he phoned me and said, 'Why must I fly to Sydney for this?'

CHAIR—There was a misunderstanding?

Mr Campbell—They just put the wrong form in. Silly little things like that can be resolved with a local phone call.

CHAIR—I imagine if he had flown out to Sydney it would not have been a silly little thing at all!

Mr ADAMS—We start to define region, don't we?

Mr Campbell—I must touch again on the issue of regionality and designated areas because I really do believe that we need a clear definition. The perceived definition at this stage seems to be that regional Australia does not include the major metropolitan areas. My notes here say that politicians speak of regional Australia and I think we all know that they are referring to non-metropolitan areas, the big ones.

At the Tasmanian level, what might be done? With improving economic conditions and more certainty for migrants in some flexibility on the visas, Tasmania certainly intends to become more active in promoting the state as a location for business migrants. This will encompass, in

the first instance, a survey of current migrants to determine their economic impact and reasons for choosing Tasmania over other areas; increased promotional materials—for example, brochures and an improved website which will be espousing Tasmania's advantages; increased promotion in targeted markets; and increased promotion of specific business opportunities to targeted audiences in various markets. The industry development plan that has been drawn up is a fundamental driver to these targeted opportunities. I believe that the strong advantage we have comes from our small size, and the state certainly has a detailed understanding of its strengths and weaknesses. These are things that we will put into practice in targeting migrants overseas. One of the things that we can also do is make greater use of existing business migrants who have established themselves here, as well as the community associations, and also increase the facilitation for new arrivals to get into business. As it happens, because we are fairly small we do know most of the migrants who come here and we have discussions with them from time to time. That is the sum of what I wanted to say.

CHAIR—You have raised this issue of regions. You would have heard the question that I put to the previous witness. Is there a case to have two regions? For instance, maybe you could get 15 points for going to Hobart or Adelaide, as they are short of migrants. And, for the more remote regions—for instance, for the bush, the Smithtons and the Coober Pedys—you could get 20 points. So you would have two areas, one of which would be the capital cities other than Melbourne, Sydney, Perth or Brisbane. You would exclude those major capital cities where there is growth occurring. They would get the 15 points for those but if they got out of those capital cities into the remote areas, they would get 20. Would that work?

Mr Campbell—This is a very difficult question. I am hesitating because I really need to think about it quite carefully.

CHAIR—You would have to decide what is regional Victoria and whether that gets 15 or 20. That is a matter of stipulative definition, I suspect.

Mr Campbell—It all ties back to this 457 visa, in my opinion. It is an interesting question.

CHAIR—You have sidestepped that.

Mr Campbell—No, I am not sidestepping it. I think it needs great consideration.

CHAIR—What is your gut reaction—and we won't hold you to it?

Senator McKIERNAN—But we can quote you.

CHAIR—We can quote you, but we will put that it was a gut reaction, and you may change your mind later. Just off the top of your head now, do you think this would assist in this regionality development?

Mr Campbell—I think about what my colleague said and that, with business migration, there are 14 visas already.

CHAIR—You think it would just extend the number of visas and the whole area would become much more complicated.

Mr Campbell—Yes, it gets very confusing for foreigners.

CHAIR—It gets confusing for us, too.

Mr Campbell—Yes, and for me at times. I do not want to see more visa classes, truly. And then we are going to go into states and rural areas—

CHAIR—I can see the point you are making: although it might assist in regionality, it has the problem of just multiplying an already complicated visa system.

Mr Campbell—Yes. On the 129 visa, state-sponsored business, where they get permanent migration before they even arrive in Australia, one would need to be very convinced that they are going to establish and stay in a particular region to warrant greater sponsorship points. With the farming community, it is probably quite an easy one.

CHAIR—This takes me to another question, and then I will hand over to my colleagues. Tasmania is not operating the states-territories sponsored nominations scheme at the moment.

Mr Campbell—STNI? No.

CHAIR—If it had been, would the Magees and the van Adrichens, the Dutch couple, have been able to come under ‘state nominated’ and would they have got their permanent residency at the beginning, so they would not have had any of that concern?

Mr Campbell—No, because that is not intended for business enterprises. It is for individuals.

CHAIR—They could not have got it as an individual and brought the family?

Mr Campbell—I am not too familiar with that. Could I confer with my colleague, Lyn Andersch?

Mrs Andersch—As I understand it, it is for skilled migrants—in other words, for them to come and work for an employer. So it is for nurses and things like that.

CHAIR—It is not for self-employed, family businesses.

Senator McKIERNAN—If I understand what has been said so far, the proposed changes will have effect only on the 457 visa?

Mr Campbell—Yes, and, by implication, REBA.

Senator McKIERNAN—What are the proposed changes for the 457, which gives long stay temporary residence in Australia?

Mr Campbell—It is really trying to tie it more appropriately to the regional established business.

Senator McKIERNAN—How?

Mr Campbell—Because it will be sponsored by the states so there is greater awareness of what people who come in on a 457 are doing and where they are establishing businesses. It will give them greater security about what is going to happen in two years: if they have not employed the three people they need at the moment to get 60 points or two people to get 40 points, they will not be disqualified automatically. Farmers are a good example because the employment is possibly occurring downstream.

Senator McKIERNAN—The families we met yesterday did not have a problem with the 457.

Mr Campbell—No, it is the REBA.

Senator McKIERNAN—Yes. Is the 457 issued offshore? Can the 457 be issued onshore? We can check that out.

Mr Campbell—Yes.

Mr ADAMS—We might get some evidence about that later; it is a matter we need to clear up.

Mr Campbell—I do not have the documents with me. I do not believe it can be issued onshore.

Senator McKIERNAN—That was my understanding.

Mr Campbell—I do not believe it can even be renewed onshore.

CHAIR—If someone is here as a student and an employer wants to hire them as a chef, what visa do they go onto then?

Mrs Andersch—They can come under RSMS.

CHAIR—But they are already here.

Mrs Andersch—They are already here and they can be sponsored under RSMS.

CHAIR—So that is not the one?

Mrs Andersch—No.

Mr Campbell—A 457IE visa means that they are coming here to establish a business.

CHAIR—So they have to be offshore?

Mr Campbell—Yes.

Senator McKIERNAN—What changes are being proposed to 457?

Mr Campbell—To the existing visa? Nothing other than it will have state sponsorship.

Senator McKIERNAN—That is what I am coming to: it will have state sponsorship. If, as I believe, it is issued offshore, that sponsorship will happen offshore before the people come to Australia.

Mr Campbell—Yes.

Senator McKIERNAN—Mr Campbell, you told us earlier that the state would be able to verify that, in two out of four years, the potential migrants were established here and were productive in their business. How can the state do that if the sponsorship occurs offshore before the families or the potential migrants come to Australia?

Mr Campbell—Before they arrive on the 457, a lot of them would have been to Tasmania to look at opportunities and to research and satisfy themselves—

Senator McKIERNAN—Can you write that into a regulation for me?

Mr Campbell—Yes, I agree with you.

Senator McKIERNAN—In which way do you agree with me?

Mr Campbell—In the same way that Tasmania does not sponsor the 129 and the 130, we will not sponsor 457IE visas if we are not convinced of the benefit to Tasmania.

Senator McKIERNAN—I think the proposed changes you are talking about are to the applications and to the visa classes for permanent residency in Australia, as opposed to a 457 which gives long stay, temporary residency in Australia.

CHAIR—I think that is what you are saying.

Mr Campbell—Yes.

Senator McKIERNAN—I questioned you about 457; we have gone down that path. The changes are not to 457 but to the applications for permanent residency.

Mr Campbell—Down the track, yes.

Senator McKIERNAN—Those visas for permanent residency in Australia, the range of visa classes, and we will not go through them all, for some of them there is the ability to apply onshore and for others there is the ability to apply offshore, but what I understand is being proposed is that there will be some form of relaxation in the regulations governing the applications onshore. Are there going to be similar relaxations in the criteria that is required for the offshore applications?

Mr Campbell—No, not that I am aware of. What you are saying is that on the basis of their existing business overseas, where they can apply and get permanent residence, no, that has not been part of our discussions.

Senator McKIERNAN—So we are actually talking about changes to the onshore permanent visa class?

Mr Campbell—Where you have an established business, yes.

Senator McKIERNAN—Onshore only?

Mr Campbell—Yes.

Senator McKIERNAN—You talked about, and I think I am quoting you properly here, ‘great discussions about the proposed changes.’ I think they were your words.

Mr Campbell—Great discussions?

Senator McKIERNAN—Yes.

Mr Campbell—Yes.

Senator McKIERNAN—When did those discussions commence?

Mrs Andersch—It was at the skills migration workshop. Last year we had about six meetings. This year we are having a teleconference next week and another one, a face-to-face meeting, in November.

Senator McKIERNAN—Who is involved in the working party on those discussions, apart from yourselves? Do you work directly with the Hobart department of immigration persons?

Mrs Andersch—No, Canberra.

Senator McKIERNAN—Are all states and territories involved?

Mrs Andersch—Yes.

Senator McKIERNAN—Is it a videoconference link-up?

Mrs Andersch—No. We are actually meeting face-to-face in different areas.

CHAIR—It moves around?

Mrs Andersch—Yes. It is for a whole day. Usually each one of these meetings is for a whole day. The Department of State Development person and my equivalent office, the multicultural person, is there to discuss state and territory perspectives.

CHAIR—Thank you.

Mrs MAY—Concerning those onshore changes again, and I think this was demonstrated yesterday with the families we saw, looking at their permanent residence they have not met the criteria that they came under, and you were saying you would look at the merit of that established business in Australia for the permanent residence. With that merit, would you be looking at the economic or financial contribution those people are making to Australia? Would you be setting benchmarks, or would each case be looked at individually on turnover? With the cases yesterday we saw they were not meeting the employment criteria but their argument was that the money they had put in, the investment they had made in this country, was equivalent. The Magees even made a statement yesterday that they would just sell up and go home if we did not accept their permanent residence applications. Can you expand a little on what has been discussed about reaching benchmarks or the merits of a business that has been established, under proposed changes?

Mr Campbell—Yes, there are some threshold minimum criteria for sure. I do not have those with me, unfortunately, but obviously they must be established in a business. They must be involved in managing that business on a day-to-day basis. I cannot remember the minimum turnover figure.

Mrs MAY—So there would be a minimum turnover?

Mr Campbell—I think so, from memory. I really am not too sure on that one. Obviously, it must be a successful business as well.

Mrs MAY—But small business can run into problems. We know here in our own country the rate of small businesses that go to the wall in the first couple of years, so we are really asking a lot of these people to establish a successful business in a very short period of time.

Mr Campbell—Yes.

Mrs MAY—Yesterday you were also talking about promotion overseas. One of the people who appeared yesterday, Mrs Magee, had been invited by Ireland to participate in the promotion of Tasmania and coming here. Would you see yourself working with successful business migrants here, maybe using their contacts overseas?

Mr Campbell—Absolutely, yes. I think this is a very good advertisement to use the migrants.

Mr ADAMS—I will just go on from that, Mr Campbell. Traditionally, migration in other parts of Australia is centred on one country—certain migrants coming in and then others building on that with family migration—and there has been a build-up of staying in that area and that region. We do not seem to have focused on that very much in recent times in Tasmania, but do you see that as a potential?

Mr Campbell—Yes, certainly. Also, there is the family skilled regional sponsored category. Yes, I do see that as a very positive thing, but of course they need to be permanent residents or Australian citizens first. The REBA scheme has not been in that long; the two years really started in June of this year. So I do see a chain reaction as being quite potential.

Mr ADAMS—Good, that answers that. You answered in relation to people coming in, and we understand that if they are going to buy a farm, put down a vineyard or do something like that when they come in then they are putting down some roots. But the new world is that of mobile IT. At the top end of the cutting edge of new businesses in the world are people who are pretty mobile and can live in lots of different areas. With their lifestyle, where they live would be a part of their decision making. How do you see that benefiting Tasmania, in terms of migration and encouraging new businesses here?

Mr Campbell—That is why we are wanting to do a survey, in the first instance, of the migrants who are here, to establish the reasons why they came to Tasmania and the priority that they give to certain factors, so that marketing materials can obviously appropriately push the higher priority things.

Mr ADAMS—Have you started that survey? Have you got the survey finished?

Mr Campbell—No, it is going out next week.

Mr ADAMS—Does the state look for holes in the business sector in Tasmania? Is it proactive in trying to find businesses that it thinks the state needs, or does it leave it to the market or someone to apply or whatever?

Mr Campbell—As you know, in Tasmania there has recently been an audit of the various industries, and an industry development plan. Certainly that does highlight some particular areas, and that is why some of the things that we will be doing will be targeted to specific industries. It really results from that industry development plan. Already there has been some effort made in a particular country overseas to target particular businesses.

Mr ADAMS—That will also go for the skill development as well as new business, will it? There will be skill levels that will be highlighted by those audits?

Mr Campbell—Yes.

Mr ADAMS—What about the replacement of exports that are coming into Tasmania that we can develop ourselves? Are you proactive in your department in that area? Is there someone looking at that?

Mr Campbell—Import replacement? Tasmania's imports are—and I am talking international—not particularly large and are mainly acquired through distribution arrangements in the rest of Australia. That area has not been specifically looked at but the industry development plan should be a guideline for identifying gaps in production and service delivery, et cetera. So in fact that could cover that question.

Mr ADAMS—Other businesses might need to bring in packaging or other imports from mainland Australia or overseas to meet their needs. Is your department interested in that sense of business enlargement or —

Mr Campbell—Yes. My department is involved in business development in its broadest sense.

Mr ADAMS—So there are opportunities there. With the Business Migration Program has the issue come up of people's need for access, or of having no access, to Medicare? They need to pay full fees at universities and have other education needs. Have those issues been raised with you?

Mr Campbell—They do come up from time to time, but not necessarily as a big negative. Certainly a lot of the business migrants have no problem in having private medical cover. It has been raised, yes.

Mr ADAMS—And the costs of the university—

Mr Campbell—Yes, there are a few who have certainly—

Mr ADAMS—Because they are treated as overseas students.

Mr Campbell—Yes, they are, and this is sometimes why particular applicants push for faster processing as well because of various implications and dates.

Mr ADAMS—Do you think this is an area which we could look at as a country?

Mr Campbell—Yes, certainly.

CHAIR—I will take up Mr Adams' point on that. From your position as a state development officer, on one hand you can see the problems, especially if we are talking about increasing the age of business migrants coming with children who will get to tertiary education. Let us face it, tertiary education for an overseas student is extremely expensive especially if you have more than one child. So we can see that that could be a negative for people coming with children approaching that age—even at 14 they are going to have to face it within four years. That is a negative. Against that, of course, if we then make concessions then we have the extra costs in the universities of educating those people. Then if we go one step further, we say, 'We have educated them here but there is a good chance that they will stay here and become productive citizens.' And, of course, there are the HECS fees so they do replace some of that. How do you see some of that playing out?

Mr Campbell—At the school and TAFE sectors in Tasmania and in every state—because education is on a state basis—the states undoubtedly have the option to say, 'You are not a permanent resident here but we know that you are living here and we will charge you local fees.' That certainly has happened in Tasmania.

CHAIR—So it has happened here?

Mr Campbell—Yes. The university is a separate institution and it is a decision that it needs to make itself.

CHAIR—Could you see a situation where the Tasmanian government would assist the university? You can understand that university's reluctance to actually take on more people than it is actually funded for—and I am not asking you to speak here on a policy decision of the state

government. Would that be something you could actually look at—the state governments helping with some sort of sponsorship of these people?

Mr Campbell—It would be a very good gesture, and a good marketing aspect quite possibly.

Mr ADAMS—I would like to raise what you said about the TAFE and costs. You said that somebody has been assisted in that process. Is that what I understood you to say?

Mrs Andersch—With TAFE, if the course is already there and that person wants to get into TAFE and there is no perceived extra cost to TAFE, then they will look at individual cases. That is the TAFE stance. The other thing I would like to add is that across Australia a lot of states and territories are concerned that many temporary residents have younger children going into the school system and sometimes they cannot monitor that and, especially if the children do not have English language skills, there is an ESL component that comes into play. Some states are really concerned about it, especially New South Wales where a lot of migrants end up and where a lot of business people are. At the moment, from my understanding, if you send a child to state school in Tasmania there is no way that we have been saying that they have to pay a fee.

CHAIR—But there are no special English classes either.

Mrs Andersch—They have slotted into the ESL classes, if an ESL class is already there. If there is no ESL class, for instance in a place like Smithton, then there would be a problem. That could be an incentive to get more business migrants into the regional areas.

Mr ADAMS—It is a policy issue that needs to be addressed.

Mrs Andersch—That is right.

CHAIR—You said that their going into primary schools is an issue. That is not an issue of cost for the state or anything, is it? Are you saying that this is adding a burden to the state?

Mrs Andersch—At the moment it is not adding a burden to the state because in this state, with business migrants, a lot of them are sending their children to private schools anyway, but there is a potential there. I am also flagging the fact that it is becoming, slowly, a nationwide concern. I know New South Wales is going to bring it to the next standing committee meeting in November.

CHAIR—As a cost to the state?

Mrs Andersch—That is right.

Mr ADAMS—And there is probably extra cost that they are meeting because in New South Wales there are generally more migrants.

Mrs Andersch—That is right.

Mr ADAMS—You keep telling us that, so we are going to use it as a negative. What about community awareness and whether the state department is meeting with councils out into the subregions of the region of Tasmania in a proactive way to fill some gaps in the businesses out there?

Mr Campbell—That is occurring through the partnership arrangements that the government has with certain of the councils. There is one in particular in the north—NTMO, Northern Tasmanian Municipal Offices.

Mr ADAMS—And state-specific migration, business migration, is a part of that partnership with NTMO?

Mr Campbell—Yes, because I would like to see a link between migrants who are there, community organisations, the city council—all that kind of thing—and that there is a better push.

Mrs Andersch—And the councils will have the information to disseminate to the community. It is all being written into the partnership agreements.

Mr ADAMS—So we get it right down there at the community level?

Mrs Andersch—That is right.

CHAIR—Thank you very much for appearing today. Unfortunately, our time is up; I am sure, Mr Campbell, we could ask you a lot more questions. If we have any more questions, we will contact you. You will both be sent a transcript of the evidence for you to check that you have been reported correctly.

[11.16 a.m.]

DANIEL, Mrs Vicki, Officer in Charge, Business Centre, Department of Immigration and Multicultural Affairs

PAGONIS, Mr Constantine, State Director, Department of Immigration and Multicultural Affairs

CHAIR—Although we do not require you to give your evidence under oath, these are legal proceedings of the parliament of Australia and any misleading or false statement could be regarded as being contempt of parliament. The submission you have given us is quite short. Are there any corrections or alterations that you want to make to the submission?

Mrs Daniel—No.

Mr Pagonis—No.

CHAIR—Do you wish to make an opening statement?

Mr Pagonis—Just a very short one. Underpinning a lot of the issues around this inquiry for Tasmania and for other regional areas is the challenge that regional areas face in attracting a reasonable proportion of the overall migration program. Although you are probably very familiar with them, it is worth reiterating some of the underlying reasons why we are having such a struggle to attract more than 300 or 400 new arrivals—in both the migration and humanitarian programs combined—to a state like Tasmania. Mr Adams earlier on referred to the fact that in the late 1980s we were attracting in excess of 1,000 people to Tasmania, whereas more recently we have only been able to manage 300 or 400 people a year. That has to be set against the context of the historical high in the overall migration program in the late 1980s. It was peaking back then—from memory—at something like 110,000 to 120,000 nationally, whereas in more recent years both migration and humanitarian programs have totalled about 80,000; so, obviously, our proportion has slipped along with the overall size of the program.

The other issue—and it is a particular challenge for Tasmania—is what factors go into the choice of a place of settlement once someone has decided to migrate to Australia. I notice that that was one of the questions you put to our first witness: why Tasmania? Tasmania faces particular challenges—over and above other states, I think—in attracting a better share of the migration program. We are probably the least cosmopolitan of any state or territory in Australia. About 10 per cent of our population are overseas born, and this compares unfavourably, if you like, in terms of the sort of proportion that is overseas born in states like Victoria and New South Wales. But even within that proportion that are overseas born—that 10 per cent or so—over half are UK or New Zealand born. So the proportion of our population who are overseas born and from non-English-speaking countries is less than five per cent. One of the major determinants in choosing a particular location—Sydney, Melbourne, Hobart or whatever—is the existence of a community: a Japanese-speaking community, a Vietnamese-speaking community or whatever the case might be. So we are operating off a very weak critical mass, if you like, in

terms of family reunion related migration or migration to a location where there is an existing community that people can use as a launching pad for their settlement in Australia.

The academic research that looks at why people choose a particular location certainly cites the existence of family or community as a motivating factor in the choice of a location. But the other major issue in people choosing a particular location is employment prospects, business prospects. Again, that is another area where Tasmania has some particular challenges inasmuch as our levels of unemployment, compared to other states and territories, are relatively high. Job prospects are not as good as they are in other states. We, in Tasmania, have some particular challenges in terms of being more competitive and attracting a higher proportion of the migration program.

As my colleagues from state government have indicated when they were giving evidence, we work very closely with state government to optimise the outcomes for this state. I suppose that it is in these areas of regional migration programs that we are doing relatively well. I think we are doing relatively well in RSMS and REBA. You have already heard that we have had the first case of a visa granted under REBA nationally, with a number of others coming through the pipeline. We are doing relatively well in those areas. The underlying problem for us is a lack of critical mass in existing community and the broader issue of employment prospects in this state. That is really all I want to say by way of backgrounding you. Perhaps we can go on to more specific questions.

CHAIR—Taking up that point you made, this would mean that the community one would apply to both but, because you have the high unemployment level, business opportunities would be a good area for Tasmania to concentrate on—getting people under REBA and EBA.

Mr Pagonis—I think so, particularly in areas where the businesses are set up to market to a wider market, a national market or perhaps an international market. The small size of the state market is not necessarily a limiting factor in what prospects the business might have.

CHAIR—I think this was the point that Mr Adams was making earlier: do you go out then to say, ‘Okay, there is an opportunity here’? For instance, I will take the example of leather. It always strikes me as crazy that we keep sending our leather out of Australia and bringing it back. Would you say, ‘All right, there is a good opportunity for somebody here to process leather,’ and make that available on the Internet to see if you can attract businesses here or is that beyond what is required?

Mr Pagonis—That goes a bit beyond the scope or mandate of my office. Certainly, we can play a supporting role to those sorts of initiatives, but those sorts of state based economic policies really need to be driven by the state government.

CHAIR—So that would be Mr Campbell’s department for the economic development?

Mr Pagonis—State government at least, I think. Certainly, we would be very willing to come in behind them.

CHAIR—Are they doing that currently that you are aware of?

Mr Pagonis—Vicki might be able to comment on specific industries and occupations better than I can.

Mrs Daniel—I am not sure. How we promote is that we make it known to the business community through the Tasmanian Chamber of Commerce and Industry that there are regional migration programs available and, if anyone is interested in bringing—

CHAIR—It is like a chain, isn't it? Again, as always, if there is a weak link, the chain does not work because we are dependent on the states, Migration and everybody working together. I have only two other quick questions. Firstly, we have heard it suggested that applications should not be made through DIMA nationally but through DIMA in Hobart—that it should not be approved nationally but it would be quicker to go through locally. What is your response to that?

Mr Pagonis—That is certainly something that we think is worth pursuing and, in fact, we have already determined within our own office that we will be taking that issue up with our colleagues in both Canberra and Sydney. It certainly warrants a closer look.

CHAIR—As the local DIMA office, you support that?

Mr Pagonis—Yes. I have to be careful in what I say vis-a-vis how my central office or Sydney colleagues might view the matter, but it is certainly something that we would be—

CHAIR—Not adverse to.

Mr Pagonis—Exactly—interested in pursuing with them and, certainly, we feel that we have that capability within our own office.

CHAIR—I think that is important. You have heard us talk about these families in Smithton who came to an isolated area—Smithton is a town, but they are fairly isolated—with absolutely no follow-up from Immigration at all. They arrived and that was it. They were in the middle of nowhere, nobody contacted them, they did not know who to contact and, in fact, had trouble later on working out what to do and who to contact. What fell down? Whose responsibility was it for these people to get some sort of basic information?

Mrs Daniel—Those two families came under the 457IE business long stay visa—IE is independent executive—to do business in Australia. They are given the maximum period of a four-year visa—

CHAIR—Yes, we understand that.

Mrs Daniel—to run a business. It is not departmental policy to give them settlement information or link them to settlement services because they are not really migrants; they are here as temporary business entrants.

CHAIR—Stop there, because I understand that. Let us go back one step. I want to know where is it falling down, because both those families migrated with the intention of coming out

under the 457 and then their clear intention, which they had had from the beginning, was to apply for permanent residency. What happened? You are saying, 'We're wiping our hands because they're not really here as permanent residents.'

Mrs Daniel—Not exactly—

CHAIR—When they talked to DIMA overseas, both in The Hague and in London, they made it very clear that that was their intention and they were told, 'That's all right, you just go out there under this visa and then you apply once you are in Australia.'

Mrs Daniel—They would have been given sufficient information about how they can apply for—

CHAIR—In fact they were not.

Senator TIERNEY—They were sent an application form. That is all.

Mrs Daniel—I am quite surprised, because overseas posts are supposed to counsel anyone applying—

CHAIR—So we have got a problem with the overseas posts, but I think we also have a problem here. We have people coming here on this visa, on the REBA and EBA, and you are saying they are independent executives. They are bringing their families and they obviously have a clear intention, if everything goes all right, to be permanent migrants here, and yet they are not being given the method to do that because you have wiped your hands of them. But, even if they were not, surely if they are coming here as independent executives they still need the support of Immigration because they are coming to a totally different culture, a totally different business set-up, and they need some sort of contact who can say, 'This is how we are going to help you.'

Mr Pagonis—I think it is a bit harsh to say we have wiped our hands of them. We are only a phone call away.

CHAIR—But they did not know that. They had to find out where to phone.

Mrs Daniel—In fact, I have had contact from the Magee family for quite some time. They have contacted me over the phone as well as fax and I have given them sufficient information.

Mr Pagonis—We are only a phone call away. We are well publicised in the phone book. We are not hard to find.

CHAIR—But you are coming from a culture that knows that. They are coming from a different culture and they do not even know there is an organisation called DIMA. I know from my own office, from trying to ring up 013 and get information, that government departments can be an absolute nightmare. I invariably get the wrong department that tells me it is the wrong department and then gives me another wrong department—and I have access to more information than most people. Do you think there is a way for Immigration—and I am not

saying it should necessarily be you guys—to ensure that, somewhere at the beginning, people are given a card and told, ‘Here is the card, ring this number,’ and also have a follow-up when they get here, maybe with a phone call saying, ‘How is it going and what are your problems?’ and solve them or suggest people who could?

Mr Pagonis—I certainly think yes. We have got a national phone number, which is a local call from wherever you ring in Australia and gets you through to the state office. That is well publicised, but possibly it could be more prominent in the information that people are given prior to their embarkation to Australia.

CHAIR—Senator Tierney is dying to take up this point.

Senator TIERNEY—I am. The whole thrust of what you have been saying this morning is how difficult it is to attract people into Tasmania. Your submission says that in the last three years, under state-sponsored business skills, there have been 30 people come in. I am flabbergasted that you would not, given there is such a small number, be keeping an eye on this. You have 30; you are getting 10 a year. Why would you not pick up the phone and talk to them, or see where they are? You have said to us, ‘We’re in the phonebook.’ Where is the duty of care in this? These people have come in. They hardly spoke any English when they got here. They brought about \$1 million each into the Tasmanian economy. They are just left to fend for themselves in a remote area of Tasmania, and they have done an absolutely marvellous job. If they do stay here they will make tremendous citizens of Tasmania. But when we asked them yesterday, ‘Would you recommend any of your family to come out here?’—in other words, you could get a whole range of very solid citizens and business people—they said no. The reason was this lack of duty of care—they are just left to fend for themselves. Could you answer this specific question: why, given there are so few who come in, do you not case manage or even just keep an eye on 30 people?

Mrs Daniel—These 30 people are migrants and they would have been given settlement information when they were granted their permanent visas.

Senator TIERNEY—But they were not.

CHAIR—But even if they were given that information, why would you not bother to make one phone call to them, given there are so few?

Mrs MAY—A national phone number is not good enough; they need local contacts. They have a very active council out there that took a really good interest in these people.

CHAIR—Once the council found out they were there!

Mrs MAY—Yes, once the council found out they were there. They do not need a national phone number, they need some localised information and people they can contact. One went to a migration agent and never got a return phone call. They still have to go through that process of applying for permanent residence here. After 18 months, they knew they had to do something. Where do they go? It is not as easy as picking up a phonebook.

Mr ADAMS—The department gives information, but whether the information that is given is of value is an assessment for the other side. It is a bit bureaucratic just to say, ‘Here is your information.’ Maybe the department is living in a different era as to how it operates as opposed to the new business-type migration concept, or the skilled migration concept. But with only 30 people, 10 a year, it is strange that you cannot get in touch with them or link them in with the local council or the local support groups up there. This is more of a regional approach than maybe in a city. In regions, people do come together, they will assist people, sponsor people, offer pastoral care and work that way. Maybe we are looking for the department to come on board in that way these days.

Mr Pagonis—That is certainly something that you might want to recommend back to the department. Seriously, it is not something that we are set up to do at the moment under our existing policy parameters. We are not resourced to do it. It falls outside of the existing procedural parameters that the department operates under. It is perhaps something we could pursue. It is perhaps something you might want to make recommendations on. But within our existing procedural parameters it is not something that we are resourced, required, or expected to do. And it is not something that we can do, given the sorts of priorities we have on our existing resource base.

CHAIR—Perhaps the deputy chair would like to follow that up.

Senator McKIERNAN—No, I think I will change the subject. I would recommend to every DIMA officer that they try ringing that number themselves and see how far they get. It is fine seeing it from the outside, but when you try and do it for yourself is when the frustration starts. You only ever find out by trying it, and I recommend it.

Thanks for your submission headed, ‘Submission to the Joint Standing Committee on Migration on the review of state-specific migration mechanisms’. This submission is dated 8 September 2000. We have received, as you have heard, evidence on the record that there have been long-ranging discussions going on about changes to the state-specific migration mechanisms which we are reviewing, yet your submission contains nothing about those changes or those discussions. Why?

Mr Pagonis—It is because as a regional office we are not involved to the same extent as our colleagues are in the broader policy issues. These are issues that you should rightly address to our Canberra colleagues, who are in fact engaged in progressing and reviewing policy and the regulatory framework that we operate in. As a regional office of the department we have some input to policy but we are almost entirely involved in procedural and processing matters. We are not engaged, as a small regional office, in a major contribution to policy development other than providing input on Tasmania-specific issues. This is in contrast to our state colleagues who in fact are on fora such as the Ministerial Council on Migration and officials meetings. They have a more direct involvement representing Tasmania and state government policy into those deliberations. What you have here is not a corporate, national perspective on the department’s issues relating to state-specific migration mechanisms. What you have here is a profile or a snapshot of how they work in respect of this state. I think the broader policy issues need to be addressed to my colleagues in central office who are engaged in deliberations on the broader policy issues.

Senator McKIERNAN—Thank you. I accept that. Those are policy matters, but again I repeat that we are reviewing state-specific migration mechanisms. We are doing this at the request or instruction of the minister for immigration. We are talking with representatives of the department of immigration. We are doing that in public session. While we have got some information on the record we are not able to get it from the department itself here in Tasmania where the issue was raised. These discussions have apparently been going on for 12 months. You are a public servant and bound by the policy development thing but what we are going through is not assisting or aiding the processes of parliamentary committee inquiries.

Can I go back to your submission itself? There have been some discussions and consultation with various bodies. It has been said that the dialogue between the state offices and your office is very good but it breaks down in going to Canberra. In promoting state-sponsored migration mechanism schemes, and I accept Hobart, as the capital city of Tasmania, is part of a region, do you get out into other parts of Tasmania to promote those schemes? We have had evidence from other state departments of them moving into other than the capital city areas. Do you get out and, if you do, where to?

Mrs Daniel—We have done that. I have done that in partnership with Multicultural Tasmania. We have travelled to Launceston and have had information sessions at the migrant resource centre as well as with the regional hospitals over there.

Senator McKIERNAN—So it has only been Launceston?

Mrs Daniel—We started in the first instance with Burnie and Launceston.

Mr Pagonis—I should also mention that we have what we call the Tasmanian Client Reference Group, which is a forum that is designed for us to meet on a regular basis with people outside the department who have an operational interest in migration issues as opposed to the post-arrival settlement issues. We have separate fora for addressing those issues. The Tasmanian Client Reference Group essentially targets migration agents, major employers and people with an operational interest in migration matters. They meet six times a year. Through that forum we have run two very well-attended workshops-cum-seminars on regional migration schemes over the last couple of years. We are out there in the marketplace promoting these schemes through those and other fora.

Senator McKIERNAN—Would that reference group include representatives of local government, either the state organisation or, as we have heard, there is a regional organisation which the state officers have spoken with?

Mrs Daniel—Yes, it does.

Senator McKIERNAN—We had some criticism yesterday that the local authority actually knew very little about what was going on with these schemes. Of course, they have also told us that they were not informed in any shape or form when a migrant is coming in and settling within their region.

Mr Pagonis—The Local Government Association of Tasmania is the peak organisation for local governments that we proactively attempt to engage with on a regular basis, both through

our post-arrival settlement committee and through our client reference group. We rely on them to disseminate information to their constituents—all the various municipal councils. We are regular contributors to their fortnightly newsletter, which goes to all council workers, and to their quarterly magazine. So we proactively disseminate information on a whole range of issues around the migration program, including regional migration schemes, and rely largely on LGAT to disseminate our material, as we do with the business sector through the Tasmanian Chamber of Commerce and Industry. We are regular contributors to their monthly news magazine promoting the work that Vicki does, like publicising our recent successes with REBA and so forth. So we are actively disseminating information to target groups, whether business, local government or whatever. I am sure we could do that more effectively, but it needs to be a two-way partnership as well and there needs to be some reciprocal engagement on issues where there is a common interest.

Senator McKIERNAN—You distribute to the peak body. I am confining my question to local government organisations. You do not distribute broader than the peak body of LGAT?

Mr Pagonis—No. We have various information dissemination strategies. We run a local newsletter for our office, which goes to all local councils, in which we promote regional migration schemes and a range of other program information.

Senator McKIERNAN—Could you provide the committee with copies of that because the information we were given yesterday was that there is no information coming out.

Mr Pagonis—That might be the perception; I accept that. I certainly accept that we could finetune and be more effective in our information dissemination strategies. We can certainly provide you with back issues of our newsletter.

Senator McKIERNAN—I am not making those judgments yet. I would like to see the evidence from your side. When I am in a position to compare both, then I will make a judgment. You distribute information to the peak body of LGAT. Do you know whether they use that material in their publications?

Mr Pagonis—Yes, they do. If the committee wishes, we could put together a bit of a portfolio of the LGAT newsletter, our own newsletter and things we have published in *Business Reporter*.

CHAIR—That would be nice.

Mr Pagonis—You can get a sense of how proactive the office is in disseminating information about regional migration schemes and other aspects of the portfolio as well.

CHAIR—We would appreciate that.

Mr Pagonis—We can do that.

Senator McKIERNAN—What numbers of personnel are involved within the business migration office?

Mr Pagonis—You are looking at her here.

Mrs Daniel—Just one person, virtually—me. There is also a support officer doing processing work or whatever. It is virtually just one person.

Mr Pagonis—The Hobart office is not a large office. We have an establishment of 16 people who administer the full range of the department's programs from citizenship to compliance to entry, to residence, to refugee settlement, community liaison, funded programs through the migrant resource centres in Launceston and Hobart, and so on. It is a fairly tight organisation in terms of staffing resources. We administer a very wide range of portfolio programs.

Senator McKIERNAN—What is the backup for Mrs Daniel when you have a day of illness or something else develops, when you are not able to be at the end of the telephone when the constituent finally gets through to the national number?

Mrs Daniel—I do not dare fall ill.

Senator McKIERNAN—You do have leave?

Mrs Daniel—Yes, I do have leave. I report to the manager, Client Services, Compliance and Entry, and he has the administrative overall management for business as well. In my absence, he sits there and takes the inquiries and deals with them. We are a small office but we are all aware of other programs. I not only know about business migration; I also know about spouse migration and other matters. If I am absent for two or three days, certainly my colleagues would attempt to answer the inquiry. If they cannot, they take messages. If I am on long leave, there would certainly be someone acting in my position. I have a support officer as well who supports other programs.

Senator McKIERNAN—The training programs within the department ensure that the individual officers are multiskilled across the different visa classes?

Mrs Daniel—Exactly.

Mrs MAY—Going a bit further on the business centre, given that in Tasmania you are trying to attract businesses and families, it would seem that that business centre is very small and certainly underresourced. I think you have said that yourself. If more focus could be put on that business centre with some more long-term resources, that is going to be of huge benefit to Tasmania in attracting these people.

Mr Pagonis—You are very welcome to put that to my central office colleagues.

Mr ADAMS—Senator McKiernan has raised the matter of local governments. Are regional development groups on your mailing list?

Mr Pagonis—I am not quite sure what groups you are referring to there.

Mr ADAMS—There is a section of groups which are regional or subregional around Tasmania, which endeavour to promote regional development in their municipality or group of municipalities. There are business enterprise centres out there as well, which are funded in a whole variety of ways.

CHAIR—What about area consultative committees?

Mr ADAMS—There is one of those. I am just wondering whether regional development groups are on your mailing list.

Mr Pagonis—I do not think they are. We would be very keen to put them on if we could get address lists for them. We are very keen that our newsletters and our other literature get the best possible penetration. I am quite happy to take up—

Mr ADAMS—I thought State Development would probably have that list.

Mr Pagonis—Perhaps we can obtain that from state government.

Mr ADAMS—The client development group that you talked of is a very good group. I think one of my staff was on that group.

Mr Pagonis—Yes. We do target electoral staff for the client reference group.

Mr ADAMS—My staff are probably just changing; somebody has been changed and they have not got back on there at the moment. Do you ever see the information that is given out overseas?

Mrs Daniel—Yes. We have a similar information kit with us too. Whenever a person is granted permanent residence, we supply them with settlement information for migrants to Australia. It talks about whether they are entitled to Centrelink benefits or access to the English classes and the local government departments' migrant resource centres and so on. I have seen the kit that is given out at the overseas posts too.

Mr ADAMS—We heard from the state department people that, with a bit of a nudge and a wink at TAFE, maybe you can get the fees down a bit. Would a migrant know that with a nudge and a wink they can knock off the fees?

Mrs Daniel—There is settlement information, specific for Tasmania, prepared by our local office. We give the information out and it is on display at the migrant resource centre, Multicultural Tasmania, and State Development. The settlement section in our office targets that sort of dissemination of information to humanitarian entrants more than anyone else.

Having said that, that information is available to other migrants also. We have tried to publicise that that information is available for migrants if they want it. I have seen letters issued by overseas posts to migrants stating that if any arrive in Australia, please call in at the local DIMA office and collect your information kit. Some of our migrants have shown us the letter. Obviously, some posts are providing such information.

Mr ADAMS—But if you are milking 209 cows at Smithton twice a day, you are probably not going to drop into DIMA. Those are issues which are genuine issues that maybe need to be addressed in some way. They are probably a bigger policy issue than we are dealing with here.

Mr Pagonis—In terms of accessibility of our office, we are very conscious of our responsibilities to people in the north and north-west of the state. In any given week it would not be unusual for three or four of us to be in the north or the north-west. I have been to Launceston three times in the last three weeks, for example. Vicki Daniels' branch has an outreach service where we operate out of the Migrant Resource Centre in Launceston once a month. People can make an appointment for a face-to-face interview there if they cannot get down to Hobart to see us, or if it is something that they cannot deal with over the phone.

It can all be improved, we know that, but again it has to be matched against the available resources and the time that we have to spread ourselves across the various programs that we are administering. But there is a fairly proactive attempt to make ourselves accessible throughout the state. I mentioned the Tasmanian Immigration and Settlement Committee, a Commonwealth, state, local and NGO fora for addressing post-arrival issues. That meets six times a year as well. Our next meeting is in Burnie on 17 October. Usually at those meetings we publicise them widely and invite community members to come in, observe and contribute. While we may not get to everyone, and there really needs to be some level of appreciation of how far 16 people will stretch across the whole portfolio's programs, we do make a genuine attempt to get out there in the field and to rotate our meetings around the state so that everybody gets a reasonable chance to engage with the department.

Mr ADAMS—I appreciate that, and we take that on board on resourcing. What about talking to Lions clubs, Rotary clubs, or even addressing local government agencies?

Mr Pagonis—We certainly make ourselves available. I have addressed Rotary, I have addressed Apex, I have addressed Neighbourhood Watch and a variety of those sorts of organisations.

Mr ADAMS—Outside of Hobart?

Mr Pagonis—Yes. I have addressed Rotary in Launceston.

Mr ADAMS—But have you done it at Bicheno, or Queenstown, or Smithton?

CHAIR—I do not want to tread on your area, but I think that is a very good question. The north and the north-west seem to be looked after but I was wondering whether you had forgotten about the east coast and the west coast because we never heard a mention of those.

Mr Pagonis—We welcome invitations. I would never knock back an invitation, but the interest has to be there in the first place. We certainly never knock back an invitation.

CHAIR—You said you had been to Launceston and Burnie. It was predictable that you were going to be talking to Rotary in Launceston. But there is the east coast and the west coast. Unless they know about it, certainly the businesses there and people there cannot be part of it. I

do have to turn to Senator Tierney so perhaps we will go to him and then you can sum up, Mr Pagonis.

Senator TIERNEY—You said that your centre is basically a processing centre. Mrs Daniel, in terms of your business centre, what actually do you process? Could you describe that in a nutshell?

Mrs Daniel—I do everything under business entry, whether temporary or permanent. We also process entry on a temporary basis for a business long-stay visa where employers want to bring people for more than three months, up to four years, for a skilled position which they cannot fill within the Australian labour market.

I also deal with non-business entry, such as medical practitioners; educational visas for lecturers, scientists and visiting academics; occupational trainees and special programs—you name it, we have so many subclasses within the 400 streams, and a review is being undertaken to minimise the number of subclasses within that. All of those visa classes are processed by the Business Centre, as well as visas for permanent residents, on the basis of a Regional Sponsored Migration Scheme nomination or even the standard employee nomination scheme, for which we get a few applications. We do encourage RSMS when people inquire about the standard employee nomination scheme, for which the rules are a bit more stringent. We get quite a lot of applications under that category, too.

Senator TIERNEY—Help us to understand how it works a little better. What was the involvement of your office with the two families on the dairy farms who we spoke to yesterday, who came out on temporary visa arrangements to set up businesses?

Mrs Daniel—We had known about these particular applications through Alan Campbell but they had also contacted us directly asking for guidance. When we had not been able to give them the advice they required, we gave them the direct number for The Rocks office—not the 131 number—

Senator TIERNEY—What office?

Mrs Daniel—The office in New South Wales which processes the applications—in The Rocks. The Hobart Business Centre does not process applications for this particular visa class.

Senator TIERNEY—This is what I am trying to get at. These people are bringing \$1 million each, roughly, into Tasmania and setting up businesses. I am just trying to find out why, in the mechanism, you would not be more involved in that. Why is that the case?

Mrs Daniel—When this particular visa class was introduced in 1997, central office decided that the office at The Rocks in New South Wales would be responsible for processing all of the REBA cases nationally, not just for Tasmania but for every other state.

Senator TIERNEY—When you say processing, that is moving them through and getting them here?

Mr Pagonis—Assessing them and making a decision on them.

Mrs Daniel—Assessing and making a decision.

Senator TIERNEY—What does The Rocks office do once they are here and established?

Mrs Daniel—Because it was introduced only a couple of years ago, the people who have been granted permanent residence under this particular visa class were granted it only very recently. Just before June 10 people were granted residence under that category. It is all rolling on now, because people were not able to lodge an application until they had been operating in their business for two years and they have just lodged applications—

Senator TIERNEY—With The Rocks office or with you?

Mrs Daniel—With The Rocks office. We still have not discussed whether the Tasmanian office is going to do that or not with our national office or with The Rocks office.

Senator TIERNEY—Given the lack of contact with these people, how do they figure out they have to contact The Rocks office after two years?

Mrs Daniel—These sorts of visa applicants have contact with the state development authority—because they have to register their business with them to get their additional 15 points—and the state development office knows about The Rocks office—

Senator TIERNEY—So they would then advise them?

Mrs Daniel—Yes. When people ring us at the business centre in Hobart for more information about these particular visa subclasses, we do provide information. If we cannot help them, or it is beyond our scope or depth of knowledge, we link them with the case officer who will be dealing with that particular case.

Senator TIERNEY—So there is a case officer?

Mrs Daniel—Yes, but not here.

Senator TIERNEY—But in The Rocks office?

Mrs Daniel—Yes.

Senator TIERNEY—So, if these farmers rang The Rocks office, there should be a case officer there who would be looking after their particular case?

Mrs Daniel—Yes.

Senator TIERNEY—That is interesting. Are you sure there is?

Mrs Daniel—Of these two farmers, only one of them has applied. The other family—the Magee family—has not lodged an application yet.

Senator TIERNEY—They probably do not understand the process. Could I finally home in on this temporary visa situation. People come to set up a business, bring \$1 million each and invest it in farming—and they seem to be quite cluey farmers, having regard to what they have done to the land. Now they want to make a further investment but they are stuck, because they do not know whether they are going to be sent back to Ireland. Should they invest another half a million if they are going to be sent back to Ireland? I wonder if, from your point of view, you can see some better way of doing this—for people who come in with a substantial amount of money, set up a legitimate business and want to develop it, but then the timing of the process seems to create a problem for them.

Mrs Daniel—The committee is aware of the proposed changes to the REBA class, which our minister has looked at, and if that goes through, the state or territory government will be able to put in an exceptional circumstances request if they do not meet the points test. So families like the Magee family or the van Adrichem family may be able to—

CHAIR—The point is, Senator, would you like him to take it back? He is talking about \$1 million in investment. That is one hell of a lot of investment to put into a country and not have some sort of guarantee that you are going to get permanent residency. You have sold up your farm in Holland or Ireland; you have got \$1 million; you have brought it here; you have invested it in the country; you have brought your four kids out here; but you have no guarantee that you are going to get permanent residency. I have got to ask: why would you? You would have to be bananas to do it.

Senator TIERNEY—They are pretty game doing it. There might be 300 people who are prepared to do a similar thing but they are not going to do it because they have got no guarantee.

Mrs MAY—There is no certainty.

Senator TIERNEY—Yes, there is no certainty. So, in terms of timing, there is perhaps another way of doing it that might get you more business migrants.

Mr ADAMS—It is clearly a valid concern that somebody seriously considering permanent settlement would have to take account of and perhaps something that the committee needs to consider making recommendations on in terms of changing the parameters. I take your point, it is a disincentive.

Senator TIERNEY—A big disincentive.

CHAIR—Can I remind you that we have one more witness?

Senator TIERNEY—I know. I have a final question. The whole problem seemed to start with these families with the lack of information from the overseas post. Could you describe the contact that occurs between any overseas post and your business centre, if someone says they want to come and start a business in Tasmania. What do the posts in the different countries do?

Mrs Daniel—They do not notify us, no.

Senator TIERNEY—Not at all?

Mrs Daniel—No.

Senator TIERNEY—So there is no link at all?

Mrs Daniel—No.

CHAIR—Thank you very much for appearing before us today. If we have any more questions, the secretariat will be in contact with you and you will be sent a copy of the evidence you have given today.

[12.04 p.m.]

**MANDER, Mr Graham Franklin, CEO & Partner, Graham Mander & Associates
Tasmanian Migration Service**

**MANDER Mr Jonathon Richard, Partner, Graham Mander & Associates Tasmanian
Migration Service**

ACTING CHAIR (Senator McKiernan)—Welcome. Do you have any comments on the capacity in which you appear?

Mr G. Mander—We are registered migration agents and consultants to the state government of Tasmania on business migration.

ACTING CHAIR—Although the committee does not require witnesses to give evidence under oath, you should understand that these proceedings are legal proceedings of the parliament and warrant the same respect as proceedings of the parliament itself. The giving of false or misleading evidence is a serious matter and may be regarded as a contempt of parliament. I note you have now provided us with an additional submission which I have not had time to cast my eyes over. But on the submission that we have received so far and have published, are there any amendments or alterations you wish to make?

Mr G. Mander—The forecast changes to the 457 and REBA coming up in the next six months will basically overtake that submission, because what we argued in that was mainly the staff angle. I believe, from the whisper through Canberra, that that will be taken care of.

ACTING CHAIR—Before we get around to asking some questions, do you wish to make an opening statement?

Mr G. Mander—Certainly. I do not know whether you realise, but I have been involved with the business migration program since 1984. I have seen some radical changes over the time. I have listened to a few comments from chairs before: the REBA class 846 basically stems from my submission put to Mr Ruddock in April 1996 and it came into force in July 1997. We believe the changes to the REBA in 846 now coming up will be of certain benefit to people, like the farmers, to get their residency.

ACTING CHAIR—I have to deal with that matter of the whispers. You are a registered migration agent. Have you any direct links or are you part of the reference group that is discussing those proposed changes?

Mr G. Mander—No.

ACTING CHAIR—And yet you are in a position where you know of these proposed changes and a committee, appointed by the minister to investigate these matters, does not know?

Mr J. Mander—Are we talking about REBA or 457? The REBA changes are public knowledge. It has been stated in DIMA newsletters, in brief, what the proposed changes are going to be, so it is public knowledge. I can provide a newsletter stating that.

ACTING CHAIR—So that matter is public knowledge, and yet in the submission which we got from the state office of the department they are not allowed, from a policy point of view, to publicise this because it is policy.

Mr J. Mander—Because policy has not been written. It is to be released on 1 November, but a brief of what is being proposed has been released.

ACTING CHAIR—Has already been released and you have got copies of that?

Mr G. Mander—Yes. It is also on the web site, downloadable.

ACTING CHAIR—Could you provide us with copies of what you have got. It is very strange if there is public information available and departmental representatives appearing before a parliamentary committee inquiring into a reference given to it by the minister cannot answer questions directly on it.

Mr J. Mander—I am sure the DIMA office can supply you with one of their newsletters with that on it.

ACTING CHAIR—With all due respect, you are the actual witnesses before the table. You are the people that have said you have seen this information.

Mr J. Mander—We can supply it.

ACTING CHAIR—Thank you very much. I want to refer to your suggestions contained in your written submission that the committee have received, which we thank you for. Is the 846 an offshore or an onshore visa class?

Mr G. Mander—Onshore.

ACTING CHAIR—The changes that you are proposing would not have retrospective effect, but they would have past effect? Rather than a measurement of the performance of the individuals within Australia, it is a measurement of the performance of the individuals before they departed their home country?

Mr G. Mander—No. The 846 is on the performance of the business they do in Australia. The 457 is on their performance before they come to Australia.

ACTING CHAIR—The 846 is the one that is addressed in your submission.

Mr G. Mander—Yes. The 846 is their performance here.

ACTING CHAIR—Your proposal states:

If for two years before your application your main business(es) employed:

And it goes into the detail.

Mr G. Mander—Yes, before you apply for permanent residency.

ACTING CHAIR—This is the onshore application?

Mr G. Mander—That is right. You come to Australia on a 457 for four years and if in a two-year period you meet criteria under REBA then you apply for permanent residency.

ACTING CHAIR—As I understand it the points are awarded now for three or more employees—I am correct in that?

Mr G. Mander—Yes.

ACTING CHAIR—And there are no points awarded for less than three employees?

Mr G. Mander—There are for two. There are 60 for three and 40 for two, at the present moment, under REBA.

ACTING CHAIR—You are proposing 50 for two and then 40 for one.

Mr G. Mander—Yes, that is what we have proposed. For a farmer, for example, if you are looking at bringing the age group down, it would be easier to get his points to 115 with an extra 15 points from state sponsorship. A lot of businesses, in farming or even caravan parks, employ one full-timer but seasonally they have other people working. They do not sustain three employees over the period for 12 months and that is the problem.

ACTING CHAIR—How much effect will that 40 points have? Will that have an effect in reaching the points target for approval of the REBA?

Mr G. Mander—Yes. With the change of the points I have got picked up—

ACTING CHAIR—That you are suggesting?

Mr G. Mander—Yes.

ACTING CHAIR—Are these matters affected by the changes in the one that we have been talking about?

Mr G. Mander—In the new changes to 127 on the permanent residency, we believe that, if they meet the business attributes, the staff do not fall into that category. Staff is not a criterion in that policy any more. So they would basically bring that down line to the REBA and EBA cases, so staff is not a dominant factor. But, if staff is there, maybe you can get extra points for it. What we are finding now is that sustaining three staff over a 12-month period in small

businesses, especially farmers and even caravan parks and the service industry where they are employing over a longer time casual employees, is the biggest problem.

Mr J. Mander—It goes into trading companies as well. Large trading companies can have a billion dollar turnover and only employ one person with a computer.

Mr ADAMS—Because in today's world with the technology you are using you do not need it?

Mr G. Mander—That is right. You do not need it.

Mr ADAMS—It is in the turnover, and in the service industries that come in and service that business as well, where there is a run-off on the economics for the state.

Mr G. Mander—Yes. And we find they have more contract people working for them. That is the biggest problem.

Mrs MAY—Contract work was raised with us yesterday, and that is not included or not considered.

Mr J. Mander—It is considered, if it can be shown that they are contributing to the day-to-day involvement of the business. Certainly it can be included. For example, an accountant is not regarded as a contract worker although you are paying him a fee. However, if you are a crop farmer and you have got someone who comes and harvests crops, he is regarded as an employee. He is contracted to the day-to-day involvement of the business.

Mrs MAY—We did not find that yesterday.

Mr J. Mander—That is the policy. Can I go back one step. If they come out on a 457—and I am talking as a migration agent here—they would have been fully aware of what they would need to meet to come to Australia to get their permanent residency. They would have been clear, in that they would have had to do a turnover, they would have had a certain amount of assets and they would have had to employ staff. They would have known that before they even arrived. They have gone into a business where they know that the staffing element might be down, but they have gone into it and they have tried. They have realised that they can only sustain one employee and they do not meet the employee category. They do not meet the criteria under today's policy. This is why we are putting submissions in to change that. In Tasmania in particular, the major industries are aquaculture, agriculture and tourism. They are probably the three main industries, especially in small business, and they do not have employees.

Mrs MAY—Yesterday in discussions with these families on a dairy farm, where it is a husband and wife, we even found the spouse is not considered an employee—whereas in a family business that is just normal.

Mr J. Mander—That is right.

Mrs MAY—In this extra submission you have given us this morning, I was interested in your proposal for the extension of visas in Australia for the visa subclass 457. Why do you want that extended?

Mr G. Mander—No, we are saying that we acknowledge what is happening: that the 457 visa is going to be linked more closely to the 846 class. If a person comes in on a 457 visa, he basically knows of the changes, and we advise that we believe the changes will be in place after November. But some of our migrants even now are having frustrations from holding three staff, and we say, ‘Hold off your application, which finished in June, until December and lodge it on 1 January and you’ll fall into the new stream. Don’t panic.’

Mrs MAY—The proposed new scheme, which we have only just been made aware of—the ‘whisper’.

Mr J. Mander—I will extend on that in relation to the 457 which you have been talking about. Let us use a scenario in which a particular person has arrived in Australia one year after gaining a four-year temporary visa—remembering that the four-year visa, on the date of approval, was when the date of the four years began. They have wound down their business offshore and they have arrived one year later. They have three years to achieve their permanent residency under the 845-846 criteria. It takes a year to build this business up, or possibly two years to get it to the level turnover and employing staff that is necessary. They have one year left, but they must maintain the business for two years. They were in Australia and they have established and put money into the business—however, their visa has run out. The current policy now is that they must go back offshore to reapply for a visa to come back again. We are saying, ‘Let’s apply it onshore to extend it for another two years.’

Mrs MAY—For another two years?

Mr J. Mander—A short extension. Two years would be the minimum, I would have thought.

Mrs MAY—Yes.

Mr G. Mander—The other thing is in relation to the dependency requirements we are pushing for now. A lot of people offshore have children who may be going to school or who might be in tertiary education, and they are approved as dependants at the time of the application. They come out here now with a child of 22 or 23 years of age and they are pushing them back into TAFE colleges to make sure they are still under the family tree in six to 12 months time. Otherwise, under the present regulation, if they start working they fall out of the tree and then the child is out of the family unit.

Mrs MAY—One of the families here yesterday said their eldest was going to be turning 18.

Mr G. Mander—Eighteen is all right.

Mrs MAY—But if they have left school and taken a job, they are finished.

Mr G. Mander—I agree.

Mrs MAY—So they do not come under that family umbrella.

Mr ADAMS—That will work against the situation of having a family migration, and then maybe other relatives will come, which is what Mr Campbell talked about, which we really lack.

Mr G. Mander—It is a big promotional tool for us, when we are overseas promoting: the fact that when the child is going to school, and he is 21 or 22 and finished his tertiary education, the parents can come out first. The child can finish his education offshore and still come out.

Mr ADAMS—And still be able to go on and apply?

Mr G. Mander—When the parents make their permanent residency.

Mr ADAMS—That is an important point that I am sure we will pick up in our report. Is this situation of university costs an issue?

Mr J. Mander—The simple fact of the matter is that if a migrant is in Australia on a 457 temporary visa, and he is proven to be in business and paying taxes like a normal Australian citizen, why doesn't he fall into the scheme of his children not going to university for a normal fee paying student? It is ridiculous.

Mr ADAMS—That is your application. It is a very good one, thank you.

Mr G. Mander—Some of the colleges that are here now on this 457 visa are not making the students pay their overseas student fees.

Mr ADAMS—Is that in the private school sector?

Mr G. Mander—Private schools.

Mr J. Mander—And even the public schools. The simple fact of the matter is that the student turns up with mum and dad, who say, 'I want to enrol you in school,' and the school says, 'Welcome.' And that is it—they do not even ask what the visa status is. This last part of the report was not submitted. I have put a little bit together. Obviously it has been a long lead time for the submissions, between February 1999 and when we met today. Lots of things have changed and there are new things. There are not only the farmers up on the north-west coast, but there are other instances where we have been involved in migration and the REBAs. We have been involved in processing the applications for a couple of REBAs in the case, so we understand what is going on. We are out there amongst the people. We travel overseas four or five times a year where we promote and attract people to come here—we are amongst it.

I have come up with the suggestion—and obviously there has to be a lot of work on it—of a provisional regional permanent residency. It is similar to an espousal type of provisional permanent residency, where a company or a business—for example, a farmer—comes into Australia and has the same situation.

If I run through it, it will become quite clear. Firstly, the applicant must be in Australia on a four-year 457 visa when they apply for residency. They must have registered with the state government authority, with Alan Campbell's office, so they know where the applicant is and the applicant can get the information. And the applicant must have a business interest in a regional area. The procedure would be that the applicant must make an application to the relevant regional state authority for the PRPR, as I have stated in the submission. The regional state authority, at their discretion, can approve an application for PRPR to be lodged with DIMA. This could be on the bases of the type of business, minimum investments, economic benefit, employees and age. Each regional area will have the power to insist on their own criteria, depending on what is required—targeted market or targeted industries—and they could either be set or variable criteria, depending on the application. The applicant must submit a full proposal and provide sufficient information on their business involvement in the regional area, the type of business and proof of investment.

Finally, for the applicant to be granted provisional permanent residence, which would be for a period of two years, they must have maintained their stated involvement and business interest in the nominated business for the full two-year period. This takes away the chance that they would come in and invest in a business and, one year down the track, sell out and go away or sell to a friend. They must maintain the business interest which they stated in their original application for a full two-year period. After the two-year period and to the satisfaction of the relevant authorities—that is, of the regional development authority and of DIMA, in terms of their application meeting the required personal criteria for permanent residency—full permanent residency is granted. The only business criteria to be met are at the discretion of the relevant regional authority—that is, there is no DIMA policy saying that they must do a turnover, they must employ staff, they must be a particular age, or whatever; that is purely at state level.

The benefits behind this for the state or regional area are that there will be opportunities to attract large business and investment to regional areas and there will be a guaranteed commitment to business in those areas. Most importantly, they will be able to monitor and keep accurate statistics of business migrants who are active in the regional areas because they have had to register with the state authority and make an application for this provisional permanent residence. If the applicant is not successful under the PRPR, he still has the fallback of the 846 criteria, which would still be in place.

The benefits to the applicants are that they get security in gaining their permanent residency. For example, if the applicant is introducing a new business which requires large investment and which may have long lead times to successfully achieve the minimum business criteria under 846, they will have greater security in gaining their permanent residency. This would be the situation in the agriculture and aquaculture industries, manufacturing and property development, for argument's sake. Other benefits would be with regard to children's schooling, as permanent residents are not overseas students and, last but not least, peace of mind.

Mr G. Mander—One I can refer to is Tasmanian Abalone Farm. They have been here 4½ years and they have just got their permanent residency under REBA class. It takes them two years to grow their abalone to the stage where they can sell them, so two years go by before they can even get a turnover in their business. They invest over \$6 million. So an applicant could come and say, 'This is our plan,' and invest X amount of dollars, and they could be given permanent residency up-front and be monitored for two years to see what they are doing.

Mr ADAMS—How long does it take for a vineyard to grow?

Mr G. Mander—That is right. That is the same thing. We have a couple from the UK here now with vineyards.

Mr ADAMS—Orchards.

Mr G. Mander—Yes, that would be the same thing; or even if a person has invested \$500,000 in, say, a dairy farm.

ACTING CHAIR—Is it the wish of the committee that this document from the Manders be received as a submission rather than as an exhibit? There being no objection, it is so ordered.

Mr Mander, you mentioned that the benefits included the attraction of large business. Essentially, we are talking about small businesses in this inquiry.

Mr J. Mander—Not in particular with the Basslink project—which we are talking about in Tasmania at the moment—bringing natural gases down. There is a big push by the state government to attract big business to use the power that is being brought down here. We obviously use the power resources to promote Tasmania. So we are looking at big business as well as small business. But under that criterion of the provisional permanent residency, it can go both ways—small and big.

ACTING CHAIR—Yes. Big businesses making an application from overseas generally have very few problems getting into Australia. There are strict criteria, but when the applicants meet the investment numbers it is a darn sight easier than for small businesses.

Mr J. Mander—Sure, but the application is more than twice as expensive to apply for at DIMA level and nine times out of 10 the applicant needs to undertake the services of a migration agent, which is also a very expensive fee for them to make the application. All right, they may be wealthy and do not think it is much of a fee. However, if they come out on the 457 visa, in some instances they can do it themselves and all they need to show is that they have the money and that is it. They do not need to show that their business is operating and all the rest of it.

ACTING CHAIR—What you are looking at essentially is onshore applications. There is an offshore business migration scheme with detailed criteria attached to each visa class. Would we not be better tackling the problem at the offshore level? Yesterday at Smithton, the committee took evidence from two individual families, neither of whom met the criterion for permanent residence, who put in offshore visa applications. They then moved to take advantage of the REBA using the 457 to come to Australia and then made application under the REBA. They ran into difficulties with the REBA from the employment side of things. Would we not be better to tackle the problem at first instance—that is, at the offshore level—with the criterion that relates to offshore visa applications?

Mr J. Mander—I think you will find that they have been here three years now.

ACTING CHAIR—Three and two.

Mr J. Mander—There have been recent changes to the permanent residency business owners which came in less than 12 months ago. Not knowing their business, I believe they would have met the criteria had that policy been in now, because there have been changes with effect to that, and that is abolishing employees and reducing the business investments.

Mr G. Mander—We have people here now on the 457 application—we are now lodging applications for them, because we know what the policy is—who are still in their business offshore. They can come out on a 457 upfront and still lodge in Australia on an offshore business.

ACTING CHAIR—On the basis of?

Mr J. Mander—Of what they had.

Mr G. Mander—If we get back to the REBA part of it, the 457 independent executive is the best way to go to attract people to regional areas of Australia. If you take the 129 business owners, you designate them offshore to process them. If it is an Australian visa, you do not know where they are going. We have done state watches before. They land in Brisbane and Sydney, you kiss them goodbye and never see them again.

ACTING CHAIR—Surely they do have a business plan. The individuals we talked with yesterday certainly had a business plan. They visited the area where they were going to purchase and made inquiries about permanent residency visas from offshore.

Mr J. Mander—I think you will find that a minority of people do that.

Mr G. Mander—The present 127/129 business owners was changed on 1 July and it is a lot easier now to process offshore. They have taken the staff away from it and also they have dropped the business assets in the criterion.

ACTING CHAIR—Thank you very much.

Mr J. Mander—Could I mention one thing on the 457. You spoke to the DIMA officials and the government officials with regard to the fact that no-one has made phone calls to them. The simple answer to that is that no-one knows they are here.

Mr G. Mander—We have processed more than 30 business 457s. We know exactly where they are and what they are doing and we monitor them every week. We have meet-and-greet services. We have regular braais or barbeques with them in Tasmania. They know what we are all about and we know what they are all about. There are a lot of people from offshore countries who come through the system by their lodgment of application offshore. They come to Australia, not into Tasmania, and then they try—I will say no more.

ACTING CHAIR—Thank you for your attendance here today which will assist the committee in our deliberations. If we need any additional information, the secretary will write to you. You will be sent a copy of the transcript of your evidence today to which you can make editorial corrections.

Resolved (on motion by **Mrs May**):

That this committee authorises publication of the proof transcript of the evidence given before it at public hearing this day.

Committee adjourned at 12.32 p.m.