

## QUESTION TAKEN ON NOTICE

### SUPPLEMENTARY BUDGET ESTIMATES HEARING: 30 October 2006

#### IMMIGRATION AND MULTICULTURAL AFFAIRS PORTFOLIO

#### (108) Output 1.1 Migration and Temporary Entry

Senator Carr (L&CA written) asked:

1. Can you confirm that the proportion of employer sponsors monitored annually by any means has dropped from 100% in 2003-04 to 65% last year?
2. Can you provide detail of the forms of monitoring included under this heading?
3. In answer to QON 33 you informed the Committee that you had 45 staff dedicated to this activity. Do you intend to increase that number? Have you increased that number? Please provide details.

*Answer:*

- 1 While the percentage of the employers monitored has declined, DIMA is seeking move to a targeted risk based approach to monitoring so that it can use its resources more effectively.
- 2 Monitoring includes monitoring forms (1110 *Business Sponsor Monitoring*) being forwarded to the employers usually within 9-12 months after they are approved to sponsor overseas workers. DIMA uses this monitoring process to:
  - remind employers of their sponsorship responsibilities;
  - assess whether an approved sponsor is complying with their sponsorship undertakings; and
  - assess whether the sponsor continues to meet the requirements for approval as a sponsor.

In case of high risk sponsors, monitoring will also include site visits conducted on a targeted basis. High risk sponsors include:

- where allegations against the sponsors are received;
- if the sponsor is a start up company;
- if the sponsor is operating in an industry that regularly employs illegal workers;
- if the sponsor operates within an industry of concern to DEWR, or where breaches have previously been found (this includes the construction, hospitality and agricultural industries);
- if the sponsor is a Labour Hire company of concern.

This monitoring and site visit activity can lead to more detailed investigations and/or referral to relevant Commonwealth /state agencies for them for investigate within the framework of their legislation.

As part of its monitoring process if the department becomes aware that some sponsors are not complying with their sponsorship undertakings the department may:

- bar the employer from sponsoring or nominating any employees under the Subclass 457 Visa for a specified period of time (up to five years);
- cancel the business sponsorship agreement;
- cancel the visas of any employees and their accompanying family members;
- impose a security on any future sponsorship applications;
- take any failure to comply with these undertakings into account in assessing any future sponsorship applications made by the employer or by any other business operated by the same principals.

3 Yes, we intend to increase the number of officers dedicated to undertaking monitoring activities as announced by the Minister.