

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES HEARING: 19 OCTOBER 2010

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(22) Program 1.1: Visa and Migration

Senator Abetz (L&CA 32) asked:

What Checks are made by the department to satisfy itself that people coming out on sporting visas for boxing are only going to be engaged in registered fights and legal tournaments for which permits have been legally granted? Do you do any checking in that regard at all?

Answer:

Under migration legislation, the Department of Immigration and Citizenship is not required to undertake checks to confirm whether boxers coming to Australia on a Sport (Subclass 421) visa are only going to engage in registered fights and legal tournaments for which permits have been legally granted. However, an assessment can be made if adverse information about a particular event comes to the Department's attention. If the adverse information is substantiated, appropriate action is taken.

On 14 September 2009, the *Worker Protection Act* came into effect which gave the Department additional powers to monitor temporary work sponsors, which includes Sport sponsors. This included the ability to appoint Inspectors to investigate sponsors compliance with the sponsorship obligations. Inspectors can enter any premise, without force, related to a sponsor and interview any person on the site to determine if the sponsorship obligations are being met.

If it is determined that a sponsor has failed to satisfy a sponsorship obligation, there is a range of sanctions and penalties that the Department may apply including:

- barring the sponsor, for a specified period, from sponsoring more overseas workers;
- barring the sponsor, for a specified period, from making future applications for approval as a sponsor;
- cancelling one or all of the sponsor's existing approvals as a sponsor;
- applying to a Court for a civil penalty order of up to \$33 000 for a corporation and \$6600 for an individual for each failure; and/or
- issuing an infringement notice of up to \$6600 for a body corporate and \$1320 for an individual for each failure.

The Department can also bar a sponsor or cancel a sponsor's approval as a sponsor if a sponsor has been found by a court or competent authority to have contravened a Commonwealth, State/Territory law including laws relating to licensing, registration or membership, which they were required to comply with in order to undertake the nominated role.