

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES HEARING: 19 November 2013

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(SE13/0319) PROGRAMME – 4.1: Visa Compliance and Status Resolution

Senator Carr (Written) asked:

Since the legislation came into force, how many employers have been investigated for possible breaches of this legislation? • How many have been found to have committed breaches? • What penalties and sanctions have been applied in each case?

Answer:

The Migration Amendment (Reform of Employer Sanctions) Act came into force on 1 June 2013. The legislation is implemented in line with the department's compliance strategy which focuses on encouraging voluntary compliance by educating and warning employers of the consequences of breaching work-related provisions of the *Migration Act 1958*. The department educates employers through Employer Awareness Activities and issues Illegal Worker Warning Notices (IWWNs) to employers where illegal workers have been located during compliance operations.

For repeated non-compliance by an employer the department may apply enforcement measures ranging from infringement notices and civil penalties through to criminal prosecution depending on the seriousness of a breach.

From 1 June to 26 November 2013:

- Employer Awareness Activities were conducted with 670 employers;
- 372 IWWNs were issued to 174 employers;
- one infringement notice for the value of \$30 600 was issued to an employer for several instances of illegal work; and
- one case has been successfully prosecuted for criminal offences under the criminal sanctions provisions which commenced in 2007.