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26 August 2002

Mr. Richard Selth
Secretary
Joint Standing Committee on Migration
Parliament House
Canberra ACT 2600.

Dear Richard,

Please find enclosed a hard copy together with a copy on disk of Prime International's submission to the JSC Terms of Reference on the 'Review of Australia's migration and temporary entry program for skilled labour'.

This paper is lodged on behalf of Prime International and has been authorized by the CEO, Beth Mathison.

I look forward to reading of the JSC's recommendations to Parliament.

Yours faithfully,

AMANDA TINNER
Registered Migration Agent no 9579551

Encl.

Written submission prepared by the Visa Division of Prime International regarding the terms of reference on 'Review of Australia's migration and temporary entry program for skilled labour'.

August 2002.

Prime INTERNATIONAL

A member of the SIRVA Group of Companies

SIRVA

Prime International is an International Human Resource Consultancy that provides an end-to-end service for companies moving their staff around the world. We offer International Human Resource Assistance, Relocation Assistance, Cross-cultural Training and Migration Services. Some of Australia's largest companies are our clients so we feel that we are particularly well-placed to comment on the current terms of reference currently before the Joint Standing Committee.

We believe that the possibility of commenting on the current migration program is an opportunity that should be taken by as many Australian corporations as possible and as a consequence, Prime International advised clients of this opportunity and invited them to lodge submissions directly with the JSC. Please be advised that the following submission is that of Prime International and not our clients.

In assisting mainly corporations around the world, our area of particular expertise lies in our understanding of offshore migration and work permit categories, Employer Nomination and Temporary Entry as regulated under current Australian Migration Law. Iit is on these categories that we will mainly concentrate.

The first item under the terms of reference on which we would like to discuss is the one proposed ***'whether there are lessons to be learnt by Australia from the entry and program management policies of competing nations, including Canada, New Zealand, USA, Ireland, UK, Germany and Japan.'***

Taking into consideration the recent changes to Migration Regulations stopping the priority processing afforded to potential applicants with IT qualifications, it is refreshing to see that DIMIA is taking on board advice pertaining to the IT skills and the markets inability to match qualifications with jobs. It is interesting to note that although the German Government opened up their migration policies to those with IT skills, it has not been the success that they had hoped for. There are several reasons for this, the first being the time delay related to starting the program, added to which there is the worldwide competition for IT skills and furthermore, the associated problems the German Government are now facing with many IT skilled positions becoming redundant.

It is also interesting to note that the Immigration and Nationality Directorate (IND) in the UK recently opened up a skilled category for potential migrants. However, realistically speaking, it is believed to attract very few potential migrants as the criteria is, in our opinion, the most difficult entry criteria we have ever assessed.

The entry criteria to the USA is complex and very time consuming. Their general entry applications sponsored by family members take approximately 18-20 years to be approved. The work permit applications are based on similar entry criteria to Australia in that the skill needed by the prospective US employer has to be seen not to be available in the local labour market. However, in a time where the INS (Immigration and

Naturalisation Service) are clearly tightening up their entry criteria for all visa categories, it is not expected that a priority will be accorded to the skill entry programs. The INS is currently dealing with instructions to accord an adinfinitum amount of money to be aimed at compliance actions within the US. We do not believe that at this stage much emphasis should be placed on looking at the programs of the INS.

As is well known within the Migration arena, there are basically three countries in the world that have an open and controlled migration programs and they are New Zealand, Canada and Australia. From our experience in dealing with the CIC (Citizenship and Immigration Canada), one item of interest quickly becomes apparent in that there is provision for the Province of Quebec to sponsor and support their own immigrants.

Canada has a similar problem to Australia in that the vast majority of new migrants settle in Vancouver and Toronto and do not venture into other smaller areas of Canada. One way that they are tackling this problem is the possibility of allowing the different provinces of Canada control over who they sponsor into their areas. Although the current Australian migration program allows for this to a certain extent, there is not the same possibility of flexibility given to the Australian State and Territories and Regional Areas as is currently accorded to the Canadian provinces.

Recommendation One:

That DIMIA look into giving States/ Territories and Regional Authorities greater flexibility in terms of sponsoring potential migrants.

The current migration program in New Zealand under the control of the NZIS (New Zealand Immigration Service) has a very similar migration program to that of Australia. It is noted that over the last 2-3 years, Australia's migration program has taken certain aspects of the New Zealand Program and adapted it for the current migration program, most notably the points given to spouses, additional funds and widening the family sponsorship undertakings to cousins and grandparents. With this in mind, we would like to draw the Committee's attention to the current processing arrangements in place concerning temporary work permits. In particular, we would like to submit that the lodgement and sponsorship process is not a form-driven process as it is in other countries. A certain amount of discretion is left to the assessing Case Officer and to a certain point this can only be a good thing. The NZIS realizes that skills are needed by employers which don't always fit a certain category or ASCO code. Although the NZIS does recommend the use of ASCO, they do not place such an emphasis on it as does the current Australian Migration Policy. Flexibility seems the key to a successful management by the NZIS and it is noted that although the NZIS was assisting employers who needed those with IT skills, it was not driven to such an extent as it was by DIMIA. As a result, New Zealand has been able to control the redundancies in this area very well.

Recommendation Two:

That the current Australian Migration Law and Regulations are managed in a way that makes it more flexible and more easily able to assist employers who need certain skill sets. That ASCO be totally discarded and industry knowledge and information be easily disseminated to assist potential employers, DIMIA and those practicing in Migration Law.

The second item in the terms of reference that we would like to comment on is ***'the degree to which Australia's migration and temporary entry programs are competitive'.***

For the vast majority of migrants around the world, their first choice of settling in a new country would be the USA. It is seen by many people in poor and disadvantaged countries as the country of first choice and greatest opportunity. To a certain extent the USA Migration program has suffered immensely over the years with an estimated migrant intake of close to 1 million people per year, which has put immense burden on the INS and its related services. There are little if any settlement services afforded to new migrants and this is as a consequence of the vast majority of migrants being accepted under the family petitioned scheme where it is assumed that the migrants family in the US will support them.

On the other hand, the Canadian CIC has a very well organized settlement service in operation for their migrants that assists in job services, housing and schooling services. This is paid for by the migrants via a 'right of landing fee' and topped up by the Federal Government. It is a fee administered by the CIC and dispensed to the Government services which are most used by the newly arrived migrants.

Recommendation Three:

That DIMIA look at the possibility of introducing a settlement fee levied on approved migrants to assist in the cost of settlement services.

Prime International is willing to further discuss any recommendation raised in this discussion paper and will make its representation available to the Committee if requested.

Amanda Tinner
Registered Migration Agent no 9579551
Vic State Executive Member of the MIA
NZAMI Full Member