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Department of Immigration and Border Protection

Price of migration proposal may be high

The Productivity Commission's examination of a fees-based migrant entry system, in place of the present emphasis on skills and family reunion, will light up yet another hot button on the federal government's policy dashboard.

The idea that migrants might be admitted to this country based on what they can pay, rather than on the skills they bring with them, is triggering a cool response from some employer groups – though the release of the commission's discussion paper caught many by surprise.

Australian Industry Group chief Innes Willox says skilled migrants should remain the primary source of new entrants. "There is a place for charging but we are also in a very contestable global market for the best and brightest and to put up more barriers would be a mistake," he told Fairfax Media.

Unsurprisingly, ethnic groups are also unhappy at any moves to water down the family reunion component of the migration program. They argue that the ability to reunite families is fundamental to the health and wellbeing – and therefore the productivity – of immigrants.

The chairman of the Federation of Ethnic Communities' Councils of Australia, Joe Caputo, said he had yet to fully digest the commission's paper but that his members would be "very concerned" at any move to water down the family reunion provisions, saying the introduction of fees would be "highly unfair".

The ACTU is also chary of the idea. President Ged Kearney told Fairfax "it is not sophisticated policy to change.... To a system where entry is determined solely on an individual's wealth".

"Migration policy is complex and cannot be reduced to a single factor like price. We are concerned the Productivity Commission's inquiry is focused on allowing only those rich enough to migrate regardless of fulfilling current requirements, including filling skills shortages."

As the Productivity Commission points out, Australia is – perhaps to an extent many of its own inhabitants don't fully appreciate – a "nation of migrants". More than a quarter of Australians were born overseas and 43 percent have at least one parent born overseas.

A recent parliamentary paper on Canberra's migration policies noted that since the Howard years there has been a steady prioritisation of skilled migration, with proportionally fewer family places made available. Yet it pointed out that there were economic as well as social benefits to family reunion, even though such migrants tend to have lower English language skills.

"Family structures are particularly important in attracting or keeping skilled migrants," the paper noted.

Then there is the humanitarian and refugee component, about 14,000 of the 190,000 projected migrants for this year.

With political and natural calamities on the rise worldwide, it is hard to see how Australia could close its doors to any more of those who have the greatest need.

Deborah Snow – Sydney Morning Herald, 4 May 2015

Assistant Minister – Strengthening integrity in Working Holiday visa programme

Volunteer work under the Working Holiday visa programme will no longer count as eligible work to qualify for a second visa, Assistant Minister for Immigration and Border Protection, Senator the Hon Michaelia Cash, said today.

Currently, young adults aged 18 to 30 from partner countries may holiday and work in Australia for up to 12 months and may extend their stay in Australia by a further 12 months if they undertake at least three months work in certain agricultural, mining or construction roles in regional Australia.

Minister Cash said the changes address a concern that some employers are exploiting the second Working Holiday visa initiative by encouraging Working Holiday visa holders to work for less than the minimum wage.

“The current arrangements can provide a perverse incentive for visa holders to agree to less than acceptable conditions in order to secure another visa,” Minister Cash said.

“This Government is resolutely focused on upholding visa integrity and preventing exploitation - these changes will remove the incentive for visa holders to accept substandard conditions.

“The reform will require those seeking to apply for a second Working Holiday visa holder to produce an official payslip from their employer, demonstrating they have completed their regional work component.

“I recognise that the majority of operators are doing the right thing, however it is unacceptable that some employers have been exploiting vulnerable young overseas workers and damaging the reputation of this important social and cultural exchange programme.

“As is the case with all visa programmes, it is essential that integrity in the Working Holiday visa programme is maintained so as to prevent exploitation and ensure public confidence in the system is upheld.

“In recognition of the many legitimate and worthwhile agencies that employ volunteer workers to deliver valuable community services, Working Holiday visa holders will still be able to perform volunteer work should they wish to do so. The work will simply not count towards eligibility for a second visa.”

These changes will be phased in by the Department of Immigration and Border Protection over the coming months.

<http://www.minister.immi.gov.au/michaeliacash/2015/Pages/strengthening-integrity-in-working-holiday-visa-programme.aspx>

Assistant Minister - \$175,000 penalty for Darwin-based 457 sponsor

A Darwin-based company has been fined over \$175,000 for breaching sponsorship obligations under the subclass 457 visa programme, Assistant Minister for Immigration and Border Protection, Senator the Hon Michaelia Cash said today.

Choong Enterprises Pty Ltd, the Director of Choong Enterprises, and one other person were found to have breached their sponsor obligations under the Migration Act.

“This is the first civil penalty application my Department has undertaken in the Federal Court, and is the largest civil penalty any court has imposed for a breach of sponsor obligations,” Minister Cash said.

“This action highlights the fact that the Government takes any alleged breach of 457 visa sponsorship very seriously and will pursue court action if appropriate.”

The court found that Choong Enterprises had paid 457 visa holders as little as \$12 an hour, failed to abide by its record keeping obligations, had knowingly produced false pay records and had illegally recovered the costs of migration agent fees from four visa holders, among other contraventions. It found that the director of Choong Enterprises, Ronald Choong, had aided and abetted these breaches.

“The stiff penalty this company has received should send a warning to other sponsors: if you fail to meet your requirements, my Department may impose administrative sanctions, issue an infringement notice, execute an enforceable undertaking, or apply to the federal court for a civil penalty order,” Minister Cash said.

“The Department is constantly monitoring 457 sponsors to ensure they are operating appropriately. The overwhelming majority of businesses act in good faith and therefore have nothing to fear, but we want to send a strong message that if you breach your obligations, you can expect to face the consequences.”

“Under a Coalition Government, Australians can be confident that the Department of Immigration and Border Protection is adequately resourced to ensure that those sponsors and visa holders found to be breaching their obligations are targeted and appropriate action is taken against them.”

In imposing the penalty, the court took into account that Choong Enterprises Pty Ltd no longer has any 457 visa holders in its employ and admitted its wrongdoing to the court.

<http://www.minister.immi.gov.au/michaeliacash/2015/Pages/penalty-for-darwin-based-457-sponsor.aspx>

Australian-born asylum children will face ‘bleak fate’ after deportation from Darwin to Malaysia, human rights lawyer says

Three Australian-born children could be in danger of becoming stateless when they are deported to Malaysia from a Darwin detention centre, a human rights lawyer says.

The children, aged five, four, and two, were born in Queensland while their Malaysian parents were on a bridging visa.

After the visa expired, the family was moved to Darwin's Wickham Point Detention Centre.

The ABC has seen a notice which says they will be deported to Malaysia next week.

Human rights lawyer David Manne said the children will lose basic rights after they are deported.

"These three children face the very real risk of not being recognised as Malaysian citizens, of remaining stateless," he said.

The family is concerned the boy has a skin infection that has not been treated in detention and will not be cared for if the children are not citizens in Malaysia.

"Including not being able to go to school or get an education or even have access to basic medical care that they need ... that would be a terrible fate," he said.

Mr Manne said it would take time and money for the children to be acknowledged as citizens in Malaysia because of the country's lengthy application process.

"Having been born here, these children now face a very uncertain and potentially very bleak fate back in Malaysia," he said.

"The Australian Government has the discretion to allow them to stay, and it should show some heart by letting them stay."

<http://www.abc.net.au/news/2015-04-23/aust-born-asylum-children-bleak-fate-human-rights-lawyer-says/6416956>

Biometrics collection Singapore

Biometrics collection will commence in Singapore from 24 April 2015. All applicants irrespective of their nationality who are physically in Singapore will be required to provide biometrics, unless excluded or exempt under policy.

Visa applicants residing in Singapore and who attend the Australian Visa Application Centre (AVAC) in Singapore to lodge their applications, will be asked to provide their biometrics at the same time.

Where applications are posted to the Australian High Commission or the AVAC in Singapore, a letter will be sent to applicants requiring them to attend the AVAC, in person, to provide their biometrics.

Biometrics will be collected from visa applicants who are in Singapore at the time of making a visa application to enter Australia, unless they are excluded or exempted from doing so under Australian Government policy.

MIA Notice

Results of the Review of the OMARA

The Assistant minister for Immigration and Border Protection, Senator the Hon Michaelia Cash, has today released the 24 recommendations of the Review of the OMARA and the Government's response.

The most significant changes are:

- OMARA will be fully consolidated into the DIBP to streamline services and reduce red-tape.
- The OMARA Advisory Board will be replaced by a Reference Group;
- Lawyers will no longer be required to be registered as RMAs;
- New entrants will need to undertake a Graduate Diploma and not a Graduate Certificate;
- New entrants will then be required to undertake one year MANDATORY supervision with an RMA;
- New entrants will also be required to sit for a stand-alone examination which will be tendered out by the OMARA;
- New entrants will be granted a restricted/limited practitioner certificate during this period;
- Re-registration for agents of good standing with an unblemished record will be streamlined, with a faster renewal process incorporating self-declarations and for a THREE year period instead of annually;

- Education requirements for re-registration will be strengthened;
- The role of OMARA in CPDs will be reduced significantly to create a more open and competitive market;
- The Code of Conduct will be strengthened to meet the requirements of the profession and clients.

These changes will strengthen the integrity of the profession and increase the relevance of the MIA as the profession association for those providing immigration assistance. Some of the MIA recommendations to the review have been accepted by the Government.

Whilst the removal of lawyers from the registration system is something the MIA has made submission against, the final outcome does not remove the personal need and responsibility of lawyers to undertake migration courses should they wish to provide migration assistance. Membership of the MIA as the professional association, which offers professional support, education and collegiality should be an integral part of the migration profession as it is well placed to assist both lawyers and non-lawyers in acquiring specialist migration knowledge, practice and procedure.

The MIA will continue to work closely with the Law Council to ensure that the highest professional standards prevail.

MIA Bulletin 8 May 2015

Skilled Filipino migrants were given illegal contracts

Infrastructure giant Thies employed migrant workers on illegal contracts that allowed the company to sack and deport them for joining unions, as new evidence emerges of human rights violations under Australian visa programs.

Details of the latest breaches within the controversial 457 visa scheme will be referred to a wide-ranging Senate inquiry into foreign worker exploitation. It comes after allegations of migrant farm labourers being grossly underpaid and kept in slave-like conditions were also referred for urgent investigation

The Thies Services contracts, seen by *The Age*, were uncovered when the company laid off about 30 powerline maintenance workers last month due to declining work in Melbourne. The forced redundancies left 11 skilled Filipino migrants with 90 days to leave the country or find alternative visa sponsorship.

Their contracts are signed by the general managers of Thies Services Australia and were issued in 2012 via an agent in the Philippines.

But unusual clauses – threatening termination for engaging in "trade union activities" – have raised serious concerns, with the Electrical Trade Union claiming the contracts amount to the "most flagrant violation of international labour rights we have ever encountered".

"In terms of coercion against joining a union this is about as extreme as you can get," the union's state secretary, Troy Gray, said.

"The terrifying part is if these threats can be made in writing to migrant workers, by an iconic Australian construction conglomerate, what's happening everywhere else?"

Australian and international human rights laws ensure the right to freedom of association, including the right to join trade unions.

It is understood Thiess Services revised the contracts several months after signing on the Filipino workers, acknowledging that bans on union representation had been illegal. It is not known how many of the 457 visa workers had contracts changed.

Filipino worker Antonio Enriquez, 45, said employees on work visas remained in fear that the company could "take away our jobs at any time" if they sought union representation.

"We were worried about what would happen if we do that," he said. "We gave up everything to come here."

The workers have also accused Thiess management of repeatedly assuring them their jobs were safe and that they would be nominated for permanent residency in Australia after two years of work.

"They gave us so many promises we would be made permanent residents," Mr Enriquez said. "But instead of giving us residency, they gave us redundancy."

Christopher Velasco, 37, said he and his colleagues were careful to always obey the rules of their employment.

"We did the best we could at our jobs, hard working and obeying the company's policies, so we are very sad that in return they are not giving us their obligations," he said.

"Our children have adjusted here in our new environment ... this was a one-way ticket for us and our families."

A company spokesman declined to comment on questions from Fairfax Media.

Federal Greens industrial relations spokesman Adam Bandt said the contracts were in clear breach of workers' rights and raised concerns that other illegal agreements could be in use among visa-sponsor employers.

He called on the government to ensure the 11 Filipino migrants could remain in Australia while the contracts were investigated.

"Thiess is one of a number of companies that have been given the power to self-regulate," Mr Bandt said. "The government must audit these companies' contracts that are currently working under 457 visas to ensure that more workers aren't having their rights taken away through illegal contracts."

Australia's workplace watchdog, the Fair Work Ombudsman, has begun inquiring.

Thiess Services is half-owned by CIMIC Group, formerly known as Leighton Holdings, which is one of Australia's largest construction companies.

A spokeswoman for the Abbott government said the allegations were "serious, and if true, are a breach of the law".

Filipino community group Migrante said the workers had contributed enormously to their new country over the past two years, and deserved the protection and security of a better future in Australia.

Laid-off worker Ricardo Bernardo said he was searching frantically for another electrical job to allow his family to keep living in Melbourne. "It's about my family's future," he said. "My son is here, my wife is here, and now we only have 90 days."

<http://www.theage.com.au/victoria/skilled-filipino-migrants-were-given-illegal-contracts-20150510-ggv6sg.html>

#RefugeeWeek2015 – “With courage let us all combine”

Refugee Week, coordinated by the Refugee Council of Australia (RCOA) is Australia's peak annual activity to raise awareness about the issues affecting refugees and celebrate the positive contributions made by refugees to Australian society.

The year Refugee Week will be celebrated from Sunday 14 June to Saturday 21 June, which included World Refugee Day on 20 June.

"With courage let us all combine"

RCOA has chosen "With courage let us all combine" as the theme for Refugee Week in Australia for 2015 to 2017. Taken from the second verse of the national anthem, the theme celebrates the courage of refugees and of people who speak out against persecution and injustice. It serves as a call for unity and for positive action, encouraging Australians to improve our nation's welcome for refugees and to acknowledge the skills and energy refugees bring to their new home.

Refugee Week Bulletin May 5

Parliament passes the Tribunals Amalgamation Bill

Parliament passed the Tribunals Amalgamation Bill, a significant reform which will merge the key Commonwealth merits review tribunals into one body. From 1 July 2015, the Social Security Appeals Tribunal (SSAT) and the Migration Review Tribunal-Refugee Review Tribunal (MRT-RRT) will join the Administrative Appeals Tribunal (AAT).

This is the biggest reform of the Australian administrative law system since the AAT was established in 1975 as a generalist merits review tribunal with broad jurisdiction.

Bringing the tribunals together will enhance access to justice through the provision of a single, simple point of contact for users of the tribunal. It will adjudicate over 40,000 applications every year, providing fair, just, economical informal and quick reviews of administrative decisions.

Expertise that is essential to managing matters in specialist jurisdictions will be maintained, while harmonising and simplifying procedures wherever possible.

The merger will achieve savings of \$7.2 million over four years through shared back office functions and property holdings.

Applicants will come to the merged tribunal to challenge Government decisions in areas such as: tax matters, visa applications, social security benefits, workers compensation, disability support, freedom of information requests, and veterans' entitlements.

Office of the Attorney-General Media Release

Visa application charge increases 1 July 2015

Following the release of the Federal Budget for 2015-16, the increases in visa application charges (VAC) have been announced by the Department.

While relatively minor changes have been made to many VACs in line with inflation or where sustained volume is expected, significant increases have been made for the Significant Investor Visa subclasses and also for offshore Partner visas.

VAC increases include:

- 2.3% for GSM, Skilled Graduate, 457, Visitor and Student streams
- 5% for Temporary Short Term Business, Entertainment, Working Holiday, RRV, Retirement and Contributory Parent streams
- 10% for Remaining Relative, Carer and Aged Dependent Relative and non-contributory Parent visas.
- 50% for Significant Investor visas and Offshore Partner visas.

MIA Notice 13 May 2015

2015 Budget Immigration Highlights

The MIA National President, Angela Chan FMIA and Chief Operating Officer, Kevin Lane FMIA attended yesterday's Federal Budget lock-up in Parliament House, Canberra. An MIA Notice was sent to all Members containing an analysis on Budget measures affecting Australia's Immigration Programme.

- Funding to international aid reduced by a further \$1 billion from 2014-15
- \$14.5 million being allocated in 2015-16 for an expansion of the Adult Migration English Program to include refugees on temporary visas.
- \$22.1 million over four years to support young people from refugee and migrant backgrounds to build skills to improve their participation in education and work (in Social Services portfolio)
- Funding to international aid reduced by a further \$1 billion from 2014-15
- Working Holiday visa holders no longer to be eligible for the tax free threshold on earnings and will pay 32.5% tax from the first dollar earned
- Free trade agreement with India opening the possibility of Working Holiday Visas for Indian nationals
- Increasing scrutiny and transparency surrounding foreign investment in agriculture and agribusiness
- Net loss of over \$8 million to the Department over four years by not requiring lawyers to register as RMAs
- Saving \$1 million by merging the OMARA back into the Department

MIA Newsletter 13 May 2015

Exploitation of Migrant Workers

"The Four Corners investigation into unscrupulous labour hire contractors exploiting workers on farms and in factories is a timely reminder that more has to be done to protect overseas workers from exploitation," said Ms Angela Chan, National President of the Migration Institute of Australia (MIA).

People who hold temporary visas, such as Work and Holiday Makers are often particularly vulnerable. "Unlike Subclass 457 visa holders, whose sponsoring employers are subject to strict obligations and monitoring to prevent exploitation, these people have no such protection" said Ms Chan.

"The changes announced last Friday, to strengthen the integrity of the Working Holiday visa program, are changes which are largely designed to prevent the exploitation of those seeking a second Working Holiday Visa. Unfortunately, they do not address the requirement for Australian employers who employ subclass 417 visa holder to guarantee fair work and pay conditions which all workers are entitled to receive" said Ms Chan.

MIA Newsletter 6 May 2015

Ueese v Minister for Immigration and Border Protection [2015] HCA 15 (6 May 2015)

The appellant is a New Zealander who has been living in Australia since 1998 on a visa tied to his New Zealand citizenship. The appellant has a “substantial criminal record” for the purpose of s501(7)© of the Act. Based on this criminal record, the Minister cancelled the appellant’s visa in 2012.

In the above case, the High Court unanimously allowed the appeal, holding that s500(6H) does not preclude the Tribunal from considering information which is not presented by or on behalf of an applicant for review as part of his or her case. The Court held that by applying s 500(6H) in the way that it did, the Tribunal has truncated the review that it was required to undertake. The court also held that s 500(6H) does not fetter the power of the Tribunal to grant an adjournment to enable the applicant to give the required notice to the Minister, where this is necessary to ensure that a review is conducted thoroughly and fairly.

<http://www.austlii.edu.au/au/cases/cth/HCA/2015/15.html>

Assistant Minister – Strengthening integrity in Working Holiday visa programme

Volunteer work under the Working Holiday visa programme will no longer count as eligible work to qualify for a second visa, Assistant Minister for Immigration and Border Protection, Senator the Hon Michaelia Cash, said today.

Currently, young adults aged 18 to 30 from partner countries may holiday and work in Australia for up to 12 months and may extend their stay in Australia by a further 12 months if they undertake at least three months’ work in certain agricultural, mining or construction roles in regional Australia.

Minister Cash said the changes address a concern that some employers are exploiting the second Working Holiday visa initiative by encouraging Working Holiday visa holders to work for less than the minimum wage.

“The current arrangements can provide a perverse incentive for visa holders to agree to less than acceptable conditions in order to secure another visa,” Minister Cash said.

“This Government is resolutely focused on upholding visa integrity and preventing exploitation - these changes will remove the incentive for visa holders to accept substandard conditions.

“The reform will require those seeking to apply for a second Working Holiday visa holder to produce an official payslip from their employer, demonstrating they have completed their regional work component.

“I recognise that the majority of operators are doing the right thing, however it is unacceptable that some employers have been exploiting vulnerable young overseas workers and damaging the reputation of this important social and cultural exchange programme.

“As is the case with all visa programmes, it is essential that integrity in the Working Holiday visa programme is maintained so as to prevent exploitation and ensure public confidence in the system is upheld.

“In recognition of the many legitimate and worthwhile agencies that employ volunteer workers to deliver valuable community services, Working Holiday visa holders will still be able to perform volunteer work should they wish to do so. The work will simply not count towards eligibility for a second visa.”

<http://www.minister.immi.gov.au/michaeliacash/2015/Pages/strengthening-integrity-in-working-holiday-visa-programme.aspx>

What is the best passport in the world for travellers?

Australian passports are the ninth most powerful in the world, according to a new online passport index that allows you to sort passports of the world by a 'passport power rank'.

Created by financial advisory firm Arton Capital, the index determines the ranking of a country by calculating how many countries passport holders can visit without an advance visa, or by purchasing visa on arrival.

Those holding Australian passports can visit 138 countries without having to obtain a visa prior to arrival. Czech Republic and Hungarian passport holders are also ranked equal ninth, behind 24 other countries, placing all three countries one spot behind New Zealand passports, ranked eighth most powerful with 139 countries permitting entry without a visa.

USA and UK passports are the most powerful, each possessing a total of 147 countries its citizens can visit without needing a visa.

French, Germany and South Korean citizens tied for second place, with 145 countries.

Passports from places with advanced economies, such as Hong Kong, sitting in the eleventh spot, dominate the list.

Some of the least desirable passports are from Bhutan (40), Myanmar (28), Nepal (38), Afghanistan (38), Iraq (38) and North Korea (44). These countries can be notoriously difficult to get a visa for.

Visa requirements are often an interesting, but overlooked, indicator of national relations, according to *The Washington Post*.

Countries that are allied usually offer each others' citizens a quick visa on arrival.

Visitors to countries on not-so-friendly terms may have to provide entry and exit information, a letter of invitation, details about where they are staying throughout the trip, as well as paying a hefty fee. Mistakes could be punished by the application process being drawn out, or worse still, rejected.

Recently, Australia was excluded from a list of 45 countries to be offered visa-free travel to Indonesia. Strained relations over the imminent execution of two convicted Australian drug traffickers were blamed for the exclusion.

Visas were to be waived for several Asian and European countries for reciprocity.

"If we give visa-free travel to Australia, we have to be given the same thing," Tourism Minister Arif Yahya said. "It cannot be that we give it to them first."

Currently, Australians pay \$US35 (\$A45.76) for entry into Indonesia, which provides them with a 30 day maximum stay. Australian tourists account for 12 per cent of all foreigners visiting Indonesia in 2014, according to the Indonesian statistics bureau.

<http://www.traveller.com.au/what-is-the-best-passport-in-the-world-for-travellers-1mm7zl>

'Nope, nope, nope': Tony Abbott says Australia will not resettle refugees in migrant crisis

Prime Minister Tony Abbott has said "nope, nope, nope" to Australia offering resettlement to any of the thousands of migrants caught up in south-east Asia's refugee crisis.

"I'm sorry. If you want to start a new life, you come through the front door, not through the back door," Mr Abbott said.

But Indonesian Foreign Ministry spokesman Arrmanatha Nasir said Australia could not ignore the humanitarian crisis.

"My point is this: countries that are parties to the convention on refugees have a responsibility to ensure they believe in what they sign," Mr Nasir said.

Indonesia is not a signatory to the UN convention.

However Indonesia and Malaysia have agreed to provide humanitarian assistance to 7000 Bangladeshi migrants and Rohingya refugees still stranded at sea and provide temporary shelter for up to a year.

On Wednesday, Malaysia and Indonesia said they would temporarily allow thousands of people to come ashore - on the condition that international agencies repatriate them within a year.

At a media conference on Thursday, Mr Abbott said Australia would not be offering resettlement.

"Nope, nope, nope. We have a very clear refugee and humanitarian program," he said.

"It's a refugee and humanitarian program which has been modestly expanded because we have stopped the boats and we are not going to do anything that will encourage people to get on boats."

Mr Abbott said resettling any of the refugees would encourage the people smuggling trade.

"If we do the slightest thing to encourage people to get on the boats, this problem will get worse, not better."

He said Australia was happy to offer assistance to Australia's neighbours in south-east Asia in other ways, including through humanitarian work "inside Burma because part of the problem is the difficulties that some ethnic groups face inside Burma".

But he said there was "no future for anyone in encouraging the people-smuggling trade".

"Australia will do absolutely nothing that gives any encouragement to anyone to think that they can get on a boat, that they can work with people smugglers to start a new life.

"I'm sorry. If you want to start a new life, you come through the front door, not through the back door."

The United States has said it will take refugees as part of international efforts to deal with the crisis. Opposition Leader Bill Shorten said Labor supported regional resettlement as a general principle.

"But where there is an unfolding humanitarian crisis in south-east Asia, Tony Abbott's 'not my problem' approach is disappointing. There's no doubt there's terrible violence happening in parts which are affecting the Rohingya people."

He called for the government to "engage" on the issue.

<http://www.smh.com.au/federal-politics/political-news/nope-nope-nope-tony-abbott-says-australia-will-not-resettle-refugees-in-migrant-crisis-20150521-gh6eew.html>

Dutton defends refusal to resettle Rohingya refugees

Criticism of Australia's refusal to accept Rohingya boatpeople ignores the country's existing support for refugee programs, Immigration Minister Dutton says.

Indonesia's foreign minister has criticized Australia for its refusal to resettle any of the thousands of Rohingya asylum seekers fleeing Myanmar by boat.

Prime Minister Tony Abbott reiterated his opposition, saying it would be "utterly irresponsible" for Australia to do anything which may encourage people onto boats.

Asked by American network CNN what she made of Australia's refusal to accept boatpeople "through the back door", Indonesia's foreign minister Retno Marsudi said it was "not fair" to make the problem an Indonesian one.

"The cooperation should come from country of origin and country of transit and country of destination," she said.

Ms Marsudi made the comments en route to a meeting in Myanmar to discuss the crisis with her counterparts from Malaysia and Thailand.

She said that the problem required a response from countries across the region, but did not specifically mention Australia.

ABC NewsMail – Morning Edition – 23 May 2015

Changes to Citizenship Act – Opportunity to comment

The Prime Minister and the Minister for Immigration and Border Protection today announced that the Commonwealth Government intends to update the Australian Citizenship Act 2007 to include provisions to revoke the Australian citizenship of dual nationals who engage in acts of terrorism.

The new powers will apply to dual citizens who fight with a support groups such as ISIL or Daesh, as well as so-called 'lone wolves' and will apply whether the terrorism occurs in Australia or on foreign soil.

The changes will be consistent with Australia's international legal obligation not to leave a person stateless. There will also be safeguards, including judicial review, to balance these powers.

The Commonwealth Government will also launch a national consultation to improve understanding of the privileges and responsibilities of Australia citizenship. This will be led by the Parliamentary Secretary for Social Services, Senator the Hon Concetta Fierraveanti-Wells, and the Hon Philip Ruddock MP. Mr Ruddock will undertake this task as the Prime Minister's Special Envoy for Citizenship and Community engagement.

MIA Notice – 26 May 2015

New SIV and PIV announced by Austrade

The Government has announced the new complying investment framework for the Significant Investor Visa (SIV) and Premium Investor Visa (PIV) programme. The Government intends that the framework will be implemented from 1 July 2015 and will encourage investment into innovative Australian ideas and emerging companies. Austrade will also become a nominator for the SIV, alongside State and Territory Governments, and the sole nominator for the PIV.

The new arrangements are part of the Government's Industry Innovation and Competitiveness Agenda, announced by the Prime Minister in October 2014. Since the announcement, Austrade has undertaken extensive consultations with interested stakeholders, including public consideration of complying investment design options through two rounds of public written submissions (receiving approximately 170 submissions). Austrade and the Department of Immigration and Border Protection will continue to consult with stakeholders to explain the investment framework ahead of the changes to the programme being implemented on 1 July 2015.

Under the new framework, SIV applicants will be required to invest at least \$5 million over four years in complying investments, which must now include:

- At least \$500,000 in eligible Australian venture capital or growth private equity fund(s) investing in start-up and small private companies. The Government expects to increase this to \$1 million for new applications within two years as the market responds;
- At least \$1.5 million in an eligible managed fund(s) or Listed Investment Companies (LICs) that invest in emerging companies listed on the Australian Securities Exchange (ASX); an
- A 'balancing investment' of up to \$3 million in managed fund(s) or LICs that invest in a combination of eligible assets that include other ASX listed companies, eligible corporate bonds or notes, annuities and real property (subject to the 10% limit on residential real estate).

Previously, investment through the SIV programme was largely going into passive investments like government bonds and residential real estate funds – areas that already attract large capital flows.

Direct investment in real estate has never been a complying investment for SIV and this will not change under the new arrangements. Indirect investment in residential real estate through managed funds will also now be limited. Importantly, a SIV holder can still independently invest in residential real estate so long as it complies with foreign investment rules, but this would not count as a complying investment to qualify for a visa.

The Government intends to introduce a new PIV from 1 July 2015 targeting talented entrepreneurs and innovators. The PIV will offer an accelerated 12 month pathway to permanent residency, for those meeting a \$15 million threshold. The PIV will be available at the invitation of the Australian Government only, with potential recipients to be nominated by Austrade. This programme will be rolled out over the next year, focussing on attracting a small number of highly talented and entrepreneurial individuals. States and Territories will play an important role in helping to identify potential applicants.

A link to the Government's announcement and further information on the new complying investment framework for the SIV and PIV can be found on Austrade's webpage. Information on the process of applying for a SIV can be found on the Department of Immigration and Border Protection's webpage.

MIA Notice – 15 May 2015

A.P.B. Education

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