



20 June 2013

Committee Secretary
Senate Legal and Constitutional Affairs Committee
PO Box 6100
Parliament House
Canberra ACT 2600
Australia

Email: legcon.sen@aph.gov.au

Dear Senate Committee

Migration Amendment (Temporary Sponsored Visas) Bill 2013

The Chamber of Commerce and Industry of Western Australia (CCI) is the leading organisation representing business in the State. We speak for over 8,500 employer members across a range of industry sectors and locations throughout WA.

CCI has cautioned strongly, both publicly and privately, against proposed changes to the *Subclass 457 Program* including through changes to policy, legislation and regulations, unless compelling evidence can be provided as to why changes need to be made.

CCI has long advocated for a migration system that provides solutions for employers, business and industry to access skilled workers when demand cannot be met by the local workforce. The Western Australian economy has historically required more people and skills than can be supplied by the local workforce, and the majority of those people have been attracted from overseas rather than interstate.

CCI is a strong supporter of educating and training local students and workers to equip them with skills that will lead to employment and allow our workforce to be productive and innovative. CCI encourages business to employ local people first. This makes sound economic, social and business sense.

However, it is vital employers have access to migration solutions to fill vacancies with skilled workers that cannot be met by local capacity. The *Subclass 457* visa is an instrument that needs to remain flexible in its aim to meet employers skills needs, while safe guarding and protecting overseas workers. The proposed changes will reduce the flexibility and accessibility of the visa, making it less suitable for employers to meet skill shortages.

In particular, CCI has concerns with the Department of Immigration and Citizenship amending legislation to strengthen 'market rate' assessment provisions.

CCI maintains that the proposed changes to expand the market rate assessment beyond a particular workplace to that workplace's regional locality, will be difficult to adhere to. Employers will be required to access data on private employment arrangements to ascertain current market salary rates. This in turn will be difficult to access and may act as a deterrent for employers to use the *Subclass 457 Program*.

As CCI has stated publicly, it is unreasonable to impose additional restrictions on all businesses that use the *Subclass 457 program* and as a result, increase the requirements for all employers to access the program. The vast majority of businesses that have complied with their obligations under the program will be adversely impacted by increased regulatory requirements.

CCI opposes the changes to the legislation and maintains the position that further investigation needs to be undertaken, and evidence provided, as to why changes need to be made to the program. CCI recommends that the proposed changes are not made to the *Subclass 457 program*.

Regards



James Pearson
Chief Executive