

Dear sir/madam,

We have heard about the probability of visa capping, and are extremely concerned about our pending application for an 886 category visa, made in June 2008.

I would like to provide a brief case history. In 2004, Mauricio, a qualified and experienced mechanical engineer from Brazil, spent a working holiday in Australia. He noticed the skills shortage, especially for motor mechanics. Having several years experience in the automotive industry, he decided to gain an Australian qualification as a motor mechanic, since DIAC literature stated Australian qualifications were preferred over overseas ones. He believed he would then be eligible for permanent residence. Apparently, the current immigration minister disapproves of people doing this. Yet if Australia has a shortage, and an overseas person has the funds to pay for study here, then step in to fill that shortage, surely both parties only gain from this?

Mauricio paid over \$20,000 to study here. He worked part-time throughout his course, gaining the necessary experience to apply for an 885 visa when he qualified. We were told to expect an outcome in 4-6 months. Yet it was six months before we even got a case officer. Ten months on, we discovered via the internet that a new CSL gave priority over the MODL, due to the recession. Mechanics weren't on the CSL so we applied for state sponsorship. Before we were granted this, processing of all applications except CSL were suspended in September. Now, after two years of waiting, we are still on hold. Mauricio has been in continuous employment as a motor mechanic. He is in high demand, moves periodically to a slightly better position and currently works at Ford's headquarters. His mechanical engineering degree was recognised by Engineers Australia and Ford increased his salary in recognition of this.

We followed all the rules. Mauricio was, we believed, wanted by Australia for his skills and experience in a shortage area. We have been married 5 years and are waiting for an outcome so that we can start a family. However we both turned 35 this year, so time is running out. Led on by DIAC literature, we have invested a considerable amount of time and money. Even now, the literature suggests motor mechanics are in demand. If we had known in 2005 what this process would be like, we would never have come.

DIAC on the other hand, has ignored its own claims. DIAC states applications of equal priority will be processed in date order. This is surely only fair. But via internet forums, we have seen visas granted apparently randomly. More upsetting, many overseas trained motor mechanics (same priority) who applied more than one year after us gained residence already. DIAC's claim that Australian qualifications will be given preference is seriously misleading. I understand many current onshore applicants who studied here, like us, face having their valid applications terminated. This begs the question as to why. Does the minister have so little faith in the Australian education system that he now prefers overseas trained people? Or is it simply a trick to boost Australia's education industry?

How can it be fair to change these rules, which affect people's futures, in retrospect? Surely it cannot be right to refuse an application that was perfectly valid, according to all DIAC literature

when it was made. If applicants followed the rules, and invested months and years of their lives here, as well as considerable money, it cannot be right to suddenly decide they are unwelcome.

I desperately hope that Australia gives us and other applicants the 'fair go' that the country has, until now, been famous for.

Yours faithfully,

Alison Reynolds