

Honourable Senate Committee,

I greatly appreciate the opportunity provided to make a submission for the Senate Committee Hearing in regards to the **Migration Amendment (Visa Capping) Bill 2010**.

The amendment that Mr. Chris Evans seeks will have a severe impact on the lives of many prospective skilled immigrants, like me, who have been in the migration queue for more than 18 months.

We live in a society where economical situation changes by the minute. How is it fair to judge a skilled migrant's Permanent Residency application based on today's situation when the application was lodged a couple of years ago? An applicant meets the requirements set out by the Immigration department before making an application and therefore, only the criteria at the time of application should be applicable. Why should an applicant be penalised when the delay may well have been due to the processing arrangements at the Immigration department?

In my case, I studied at a recognized Hospitality school and majored in Patisserie. I was required to score a minimum of 7 band in the IELTS exam, in which I scored 8. I completed a one year practical work experience which was also a requirement of the skilled migration. Thus, fulfilling and exceeding each and every requirement set out by the Immigration department. I applied for Independent Skilled Migration (Subclass 885) in January 2009. Some 18 months later, I have still not been allocated a Case Officer. But now, In light of the recent changes, the Minister wants me to find an employer who would be willing to sponsor me for three years (refer to Employer Nomination Scheme). How is that realistic and achievable when the employers do not want to even talk to someone who is on a Bridging Visa, let alone sponsoring them for 3 years? A Bridging Visa is such an uncertain thing that the employers do not want to consider it. Shouldn't the immigration department educate the employers before asking the applicants to achieve something which is truly impossible for many skilled migrants awaiting a decision? Will I ever become a Permanent Resident seeing that I met all the requirements or will I be made to spend the next couple of years fulfilling new requirements only to be "capped and ceased" towards the end and given 28 days to leave the country.

Honourable Senate Committee, I believe that if the Immigration department had better arrangements i.e. enough staff and processing arrangements, this backlog that the Minister now wants to clean up, would not have formed. But now, the cleanup of this backlog must happen at the expense of many genuine prospective skilled migrants who are onshore.

Honourable Senate Committee, "capping" would have a huge monetary impact on many people like me but I would like to draw your attention to the fact that a lot of us have formed a bond with this country and its people. We have formed friendships and relationships. We have invested our time and our efforts in creating a future for ourselves. We have been introduced to the true meaning of "fair go" in Australia by Australians. Yet, the minister thinks that it is probably alright to play with the dreams and ambitions of a person. I have lived in this country for around 7 years now. Do you really believe that I'll be able to wrap everything up in 28 days and leave? If yes, then what happened to giving someone a "fair go"?

Honourable Senate Committee, I believe that you have the power to stop or at least change a few clauses of the Migration Amendment Bill 2010. If passed, it will ruin the lives and careers of many genuine applicants.

I truly believe that Mr. Chris Evans' belief in reforming the Skilled Migration is in the best interest of Australia. But kindly do not hand over the power which may very well be used to the disadvantage of people like myself who have already started a new life and career in Australia.

Honourable Senate Committee, I will be more than happy to appear in front of the committee and discuss this issue in person as I am confident that I will be voicing the concerns of many would-be migrants who are currently living in a state of limbo and uncertainty.

Kind Regards,