

Level 3, Walter Turnbull Building
44 Sydney Avenue
Forrest ACT 2603
POST:
PO Box 4497, Kingston ACT 2604

Telephone (02) 6233 0600
Facsimile (02) 6233 0699
Internet www.minerals.org.au
ACN 008 455 141
ABN 21 191 309 229



Committee Secretary
Senate Standing Committee on Legal and Constitutional Affairs
Department of the Senate
PO Box 6100
Parliament House
Canberra ACT 2600

Dear Sir,

Re: Inquiry into the Migration Legislation Amendment (Worker Protection) Bill 2008

The Minerals Council of Australia wishes to make a very brief comment on the Migration Legislation Amendment (Worker Protection) Bill currently before the Standing Committee.

The Minerals Council of Australia (MCA) represents Australia's exploration, mining and minerals processing industry, nationally and internationally, in its contribution to sustainable development and society. As the peak industry association MCA actively:

- Develops pre-competitive public policy in support of the industry's contribution to sustainable development and society;
- Advocates the pre-competitive public policy on behalf of members to opinion leaders;
- Identifies and promotes leading operational principles and practices that companies agree will not be compromised for competitive advantage.

The MCA is a member of the Skilled Migration Consultative Panel.

The minerals sector is a modest user of the skilled migration system with the number rising significantly in recent years. Skilled migrants are a critical input to addressing the skilled labour shortages of the sector. In 2007-08 the sector took 4,890 skilled migrants, or 8 per cent of all primary 457 Visa holders. Most went to Western Australia (3,100).

Skilled migrants make up about 3 per cent of the sector's workforce and are very critical to the continuing success of the minerals sector.

The minerals sector's general requirement of the skilled migration system can be summarised as requiring an efficient, effective and timely system that has integrity.

We strongly support the need for the system to be operated with integrity so that all parties have confidence that Australia remains internationally competitive in facilitating labour movement whilst at the same time safeguarding employment and training opportunities for Australian workers and protecting overseas workers from exploitation.

Assuming the integrity of the system is maintained we support the accreditation of employers with exemplary performance under the skilled migration program for timely processing of new skilled migrant applications.

We do not see the need for a quota to be applied to the number of skilled migrants entering Australia. The key determinant should remain the need to satisfy the shortage of skilled labour experienced by industry.

The MCA has no specific comment to make on the Bill. We recognise that the Bill provides the head of power to enable regulations to be prepared. It is the content and form of the regulations that we are particularly interested in. We look forward to the opportunity of commenting on the regulations once they are drafted.

Should you wish to discuss this submission further I can be contacted on 03 8614 1851.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'C J Fraser', written in a cursive style.

C J Fraser
Director Education and Training, and
Executive Director, Victoria