

I am writing to express my objection to the Migration Amendment (Visa Capping) Bill 2010.

This bill is aimed to better address Australia's skills shortages and reduce the number of applicants who is waiting in the pipeline for a decision. However, this bill, once again, shown the irresponsibility and administrative inaction of this government, especially the Department of immigration and citizenship.

This bill, once passed, will severely damage the political credibility of Australian Government. General skilled migration program have been running for many years. Indeed, the criteria and regulation should change from time to time in order to reflect the national interest of Australia. However, a responsible government, as well as its agency, their policy should also be consistent. As recorded at the Web Archive, (<http://web.archive.org/web/20080609044529/www.immi.gov.au/skilled/general-skilled-migration/after-you-lodge.htm>) in 2008 on the Department of immigration and citizenship, stated that it will process 75% of applications in six months for onshore General Skilled Migration. Such statement is more or less ironic when we read it today. To be honest, I do appreciate the reason that priority processing took place since the global financial crisis. However, such policy should only exist as a temporary strategy at emergencies, other than officially legalized in order to clean up the failure of previous policies.

Previously, in many cases, the department of immigration and citizenship clearly deny the possibility of retrospective legislation. However, to 'treat outstanding applications as never having been made' is just play on words. Its retrospective nature cannot be covered. This move is in contrary to the ethic of the Australian legal system.

I believe the Senate will carefully take all consequences of this bill into consideration. Thank you very much for having my comments.