

11 June 2010

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

Dear Sir/Madam

I am one of the people among the many cooks who applied for Permanent residency after successfully completing all the requirements to apply for this visa. The word all may sound small but the amount of time, money, hardship, effort, skills, energy, worries, hope, expenses, and the young years of my life is unexplainably big that went into fulfilling the requirements to be eligible for permanent residency. My story can be related to the same drama, fear and emotions like many of those who are waiting their lives for the residency decision. The alarming concern and worries raised amongst all of the applicants because of this proposed amendments to terminate all applicants who do not fall under their cap is comprehensible. Many discussions are going on by people affected by this amendment on internet chat forums, face to face chat and to make it most effective through letters to the senate. I pray my small attempt to stop the new amendments from activating by passing the bill in parliament will be a boost among all other attempts taken by the suffering applicants. As the saying goes drops of water fill the ocean...

Since I came to Australia I have been struggling for one thing or the other thing. I know my struggling was my choice because I always had an option to go back to my country, Bangladesh. But my dream of becoming a big chef will not have been possible if I did not consider of further studying in Cookery diploma in Australia to gain skill. I studied 2 years in Tafe and along side my Cookery diploma I also Completed Hospitality management diploma. In the meanwhile I have been working in a Japanese restaurant to nourish my educational skills with experience. I never missed watching one episode of Iron chef in Sbs channel since then so that I could develop more and more knowledge of cooking and compete with the world renowned Japanese cuisine/chef. I have enjoyed my work as a cook in the restaurant and always enjoyed the compliments and bounties I achieved from my restaurant visitor and employers. Since my Head chef left for Korea I have been able to handle the full restaurant myself and maintained the reputation of food cuisine of the restaurant. I would not have got this chance of working in a continental restaurant if I remained in my country and did not explore my skills as a chef. From 2007 to 2010 I have been constantly trying with new food and my imagination to portray my ability as a good chef. Meanwhile I applied for permanent residency on August 2008 because that would enable me to stay here as long as I wish and continue working as a chef amongst the many renowned Australian restaurants.

I have always obeyed the immigration rules and policy. Working only for 20 hrs per week for work experience while as a student then going on abiding by other rules and obligations of a bridging Visa. Financing my study at TAFE as an international student would never have been possible if I did not bring in money from Bangladesh. It is a fact that people do something to get something. Things do not walk up to people. Grabbing opportunities to fulfill one's dream is the way of life. To fulfill my dream as a chef I invested so much money brought in from my country to complete my TAFE degree

in Australia, regardless of being underprivileged as a non-Australian student. I did not let money stop my study to get me skilled in Australia as a cook.

Only after completion of the diploma, numerous visits to migration solicitors, numerous attempts to get a chef job, then getting my skill assessed by the TRA, acquiring health checks, getting police clearance, doing tax sacrifice, proving English language skill, for these relentless demand of checklist huge sum of money got invested to get the DIAC recognize me as a skilled migrant to qualify for permanent residency. Now after successful submission of my papers if according to the new amendment to the migration law DIAC terminates my application and wants me to leave Australia I wonder upon its credibility and fairness. Passing a bill that cause adverse affect to the permanent residency application already lodged by many applicants who qualify as an Australian cook/chef whatsoever would be unfair, discriminatory and slanderous for the hard working, skilled immigrants. Not only many international students are brought to Australia by their endeavor and luck each year after coming here they are also driven by the Visa Rules and regulation to cope with the expensive living expenses including laundry, food, travel, rent which do not come for free or fall under certain prerogative for us.

I as an international student worked and spent young years of my life in Australia and DIAC always kept its door open to all opportunities to give permanent residence. Now after I have got inside the door with permission and settled myself in the house, how can the government make a rule to get me out of here?

I have contributed to so much of the economy of this country through working, studying in TAFE, paying for English test IELTS, rent, food and paying for transport at top cost as a student was not easy. Today I see all my efforts going vain if this new bill is passed which randomly puts any applicants in the danger of falling outside the cap. I have given so much energy out of my young years of life that if you decide to terminate my application without even taken a look at it this would be like killing me. My words are the words for many people who spent their life in Australia the same hard way as an international student.

Australia is not a third world country. It is a country of Human rights. It is a fair go country and I am ending this letter on that note.

*The Migration Amendment (Visa Capping) Bill 2010 (the Bill) seeks to amend the Migration Act 1958 to enable the Minister for Immigration and Citizenship (the Minister) to cap visa grants and terminate visa applications based on the class or classes of applicant applying for the visa. In particular, the Bill would enable the Minister to make a legislative instrument to determine the maximum number of visas of a specified class or classes that may be granted in a financial year to visa applicants with specified characteristics, and treat outstanding applications for the capped visa as never having been made.*