

2006-07 SUPPLEMENTARY BUDGET ESTIMATES HEARING

IMMIGRATION AND MULTICULTURAL AFFAIRS PORTFOLIO

QUESTIONS TAKEN ON NOTICE – 30 OCTOBER 2006

No.	Hansard Page No.	Senator	Output	Information/Material to be Provided	Received
1.	16	Ludwig	Internal Product	In relation to 'Systems for People', what I am more interested in is an overview of the current project: what fields you can search in and when it will be fully operational or implemented. You can also take other data from a person who is in an immigration detention facility. Can you tell me whether or not you can search on that as well.	11/01/07
2.	16	Ludwig	Internal Product	I would like a mud map of what the legacy systems are, where they are being migrated to, the platform, which new systems will then be added to that, the current cost, the projected budget and the outcomes that will be associated with that. I am sure you have a request for tender document or something which you can draw that material from. I would also like to know the time line—how long the project will take to be fully implemented—and who the contractors are. I know IBM is the main partner in that. In addition to that, could you indicate whether or not, in terms of the ICT—that is, the program—whether you have gone to the AGIMO website and had a look at the source IT model contracts. Can you indicate whether you are using those, whether you have departed from those in any significant way or whether you have not used them. That would also be helpful to understand. They also produce a guide to ICT sourcing for the Australian government. Could you tell us whether or not you are following that as well. Can you also tell us whether or not you have looked at the Booz Allen Hamilton report into the Customs IT debacle, to assist you in your overall program. In addition to that, can you tell us whether or not you have a coordinator or someone who is in the hot seat, so to speak, to drive this program.	11/01/07
3.	30	Carr	Internal Product	How many requests have you had from the Parliamentary Library from the members of parliament that the task force has dealt with?	9/02/07
4.	79	Brandis	Internal Product	In relation to documents sourced from Australian Intelligence services, you have told us that there are protocols governing documents of the kind we are describing. May we take it that those protocols would include the handling of the document, including the archiving of the document?	9/02/07
5.	124	Hurley	Internal Product	In relation to Mr Robb, has the number of personal staff or the classification of his personal staff changed since 1 May 2006?	11/01/07
6.	124	Hurley	Internal Product	What are the permanent work locations of Mr Robb's current personal staff members? Are any within Parliament House?	11/01/07

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7.	Written	Bartlett	Internal Product	<ol style="list-style-type: none"> 1. How many FOI requests did the Department receive in the last financial year? 2. How many FOI requests are there currently on foot? 3. What is the average length of time given for FOI's to be processed? 4. What is the average staff time spent determining an individual FOI request? 	9/02/07
8.	Written	Ludwig	Internal Product	<p>With regard to <u>each agencies</u> (and the department itself) that fall inside the department's portfolio, could the department indicate:</p> <ol style="list-style-type: none"> 1. What date the agency's 2005-06 Annual Report was tabled before parliament? 2. If the annual report was not tabled by 31 October 2006, could the department indicate: <ol style="list-style-type: none"> a. When the report was tabled, or if it remains untabled what date the report is expected to be tabled by. b. Whether the agency's own legislation provides an alternative timeframe for its annual report. If so, could the department provide: <ol style="list-style-type: none"> i. A description and reference to the relevant provision and legislation. ii. An explanation of why the agency cannot meet the general timeframe set out in the Department of Prime Minister and Cabinet's Requirements for Annual Reports, and so requires an alternative timeframe? c. Whether the agency was granted an extension under section subsections 34C(4) - (7) of the Acts Interpretation Act 1901? If so, could the department provide: <ol style="list-style-type: none"> i. The date for finalizing the report as set out in the extension. ii. The reason given for granting the extension. iii. The date that the Minister tabled in Parliament a statement explaining why an extension was granted. iv. A copy of the Minister's statement. d. Where the agency's legislation doesn't provide for an alternative timeframe (as per question b) nor was the agency granted an extension (as per question c) could the department provide: <ol style="list-style-type: none"> i. Explanation for why the Annual Report was tabled outside the timeframe set by DPM&C despite there being no provision alternative timeframe set out in the agency's legislation nor there being any formal extension granted. ii. Details of any other arrangement in place for the tabling of the agency's Annual Report. 	9/02/07
9.	Written	Ludwig	Internal Product	<p>With regard to the preparation of Possible Parliament Questions briefs or other such documents intended to brief Minister's on an issue specifically for Question Time, could the department/agency provide:</p> <ol style="list-style-type: none"> 1. The number of such briefs prepared in each of the last three financial years (2003-04, 2004-05, 2005-06). 2. The number of staff who are responsible for coordinating such briefs and the salary level they are engaged at. 3. The name of internal unit/team that those staff belong to and a description of its other responsibilities. 	9/02/07

No.	Hansard Page No.	Senator	Output	Information/Material to be Provided	Received
				4. The total budget associated with the unit/team referred to in response to part 3.	
10.	12	Nettle	1.1	Has the department received any request from Pacific island nations to take people because those countries are going under water as a result of climate change?	9/02/07
11.	14	Nettle	1.1	When will there be a government response to this committee's inquiry into the Migration Act?	9/02/07
12.	17-18	Crossin	1.1	In relation to the Trade Skills Training visa, provide a list of employers by state and territory and the number of applications per employer.	9/02/07
13.	18	Crossin	1.1	What industries are those applications (Trade Skills Training visa) in?	9/02/07
14.	18	Crossin	1.1	I am wondering if you could provide for me information on any revenue received in 2005-06 under the trade skills training visa arrangement for regional Australia. I think in Budget Paper No. 2 it was on page 233. Will you take on notice the revenue received in 2005-06 and also the latest revenue estimates for 2006-07, 2007-08 and 2008-09?	9/02/07
15.	22	Carr	1.1	In relation to the 457 visa, you mentioned that you thought there were certain industries at risk. Would you be able to provide us with a list of those industries? Where does the meat industry fit within that categorisation?	9/02/07
16.	23	Ludwig	1.1	Is there a percentage that you do not get a response from at all?	31/1/07
17.	23	Ludwig	1.1	How many cases specifically about wages have been referred to the Department of Employment and Workplace Relations?	22/01/07
18.	24	Carr	1.1	How many times have you referred matters to the state police?	22/01/07
19.	27	Crossin	1.1	In relation to deductions from the salaries of 457 visa employees, what is the legislation in relation to the territories? Can you take on notice which legislation would apply in respect of the ACT or the Northern Territory?	9/02/07
20.	28	Carr	1.1	Provide in table format the number of staff anticipated for the 457 visa strike teams.	9/02/07
21.	28	Carr	1.1	What are the forecasts for the growth of 457 visas?	18/12/06
22.	31	Carr	1.1	Can you provide us with the report on the progress of the COAG process of the review? Do have a copy of that report?	18/12/06
23.	31	Carr	1.1	Provide a copy of the submissions provided to the Commonwealth-State Working Party on Skilled Migration.	22/01/07
24.	31	Carr	1.1	Provide a full list of the bodies that have provided submissions to the Commonwealth- state working party.	22/01/07
25.	33	Carr	1.1	Under the new proposals, what market testing will be required? The draft proposals do contain provisions for market testing, do they not?	9/02/07
26.	34	Carr	1.1	Which state made allegations that employers were making local workers redundant in order to bring in 457 visa holders?	9/02/07
27.	35	Carr	1.1	Provide a breakdown of proven cases where employers have made unauthorised or unlawful	22/01/07

No.	Hansard Page No.	Senator	Output	Information/Material to be Provided	Received
				deductions from wages and the amounts of money involved.	
28.	35	Carr	1.1	Can we have a list of the companies that were barred?	9/02/07
29.	39	Carr	1.1	How many labour agreements do you currently have?	18/12/06
30.	41	Carr	1.1	Provide the number and list of companies in the meat industry that have had allegations made against them.	22/01/07
31.	42	Carr	1.1	How many staff would you have monitoring these meat employers' practices and meat industry workplaces? How many people do you currently have dedicated to the meat industry? How many would have expertise in dealing with the meat industry?	22/01/07
32.	43	Carr	1.1	Is it ACCI's view that unions should be removed from certifying bodies where they exist at all?	18/12/06
33.	43	Carr	1.1	Have any other employer groups sought greater representation on the regional certifying bodies?	22/01/07
34.	45	Carr	1.1	So what are the figures from Victoria? In the last year, how many applications for exemptions to the minimum went through regional certifying bodies? How many were actually granted? I want to know the figure. It has been put to me that there were over 2,000 but only a very few went through the regional certifying bodies.	22/01/07
35.	45	Ludwig	1.1	Of the 70 where there is a labour agreement in place, can you provide the number of visas by state and territory that are granted through that process? That way we can make a comparison between those which are dealt with through the regional certifying authority, because you have already provided those figures—but you can update them if you want to; in fact, you should—and those which are in that industry.	9/02/07
36.	49	Crossin	1.1	How many 457 visas have been issued to foreign employers (overseas business sponsors)?	22/01/07
37.	49	Crossin	1.1	Some 15 years ago—and, Minister, you may well remember this because you were in opposition—we had a situation in the Northern Territory in the trade development zone with a Chinese company called Hengyang textiles. Their workers were also on contract with a labour firm in China. The terms of that contract sound very similar to the terms of the contract that Senator Carr read. Is there any way that your department could ascertain if in fact there is any similarity between the contracts that were used then and now?	18/12/06
38.	51	Carr	1.1	In what branch of manufacturing is the company that has been sanctioned?	9/02/07
39.	52	Carr	1.1	How many meat companies have freeze orders imposed on them?	18/12/06
40.	53-54	Ludwig	1.1	On what date did the Department write to the relevant state agencies about the World Workers contract and which agencies?	22/01/07
41.	58	Lundy	1.1	In relation to the process of assessment where individuals that have been sanctioned become involved in other sponsoring companies, provide the committee with more information about that process, either if you have it or as it becomes available?	9/02/07
42.	58	Lundy	1.1	In relation to the information and communications technology industry's use of 457 visas, provide the	18/12/06

No.	Hansard Page No.	Senator	Output	Information/Material to be Provided	Received
				numbers of 457 visas granted in 2001-02, 2002-03, 2003-04, 2004-05 and 2005-06 and the year to date.	
43.	58-59 and Written	Lundy and Conroy	1.1	Provide the total cumulative number of ICT workers currently in Australia on the temporary skilled 457 class visa. Also express in your response what the qualification is and the weaknesses in the system and what the approximations are, to the extent that you can.	18/12/06
44.	59 and Written	Lundy and Conroy	1.1	Provide the total number of applications for skilled 457 class visas in the ICT sector for the year to date but also going back over five years?	18/12/06
45.	60 and Written	Lundy and Conroy	1.1	How many skilled permanent residence visas have been granted in the last financial year in the ICT industry? Could you also provide details for both the year to date and going back five years.	9/02/07
46.	61	Lundy	1.1	Perhaps you could tell the committee how many people have come in in this way. Could you provide the committee with the reference in the law that permits this mechanism and also the number of people who have come in specifically under that mechanism?	18/12/06
47.	63	Lundy	1.1	Could you take on notice to provide all those figures (salary levels), broken down where possible on a quarterly basis, and particularly can you tell me how frequently that ICT minimum salary is tested in the way you described against the industry average wages?	18/12/06
48.	64	Lundy	1.1	Can you provide the committee with a reference to any awards that would be relevant in the ICT sector. I certainly appreciate your point that it has long had a tradition to be contract based, but can you provide that?	9/02/07
49.	65	Lundy	1.1	Provide the committee with monitoring and site visit statistics for the last five years for ICT employers and 457 class visa holders?	9/02/07
50.	65	Lundy	1.1	Are there any employers who have been sanctioned in the ICT sector or under that communications definition?	22/01/07
51.	66	Lundy	1.1	Provide the Committee with any information you have regarding the allegations of abduction against Pangaea that are with the AFP.	18/12/06
52.	66 and Written	Crossin	1.1	In terms of the total number of 457 visas issued to date, I think Senator Carr went through some of them, the current estimate was 39,500 in the 2005-06 year. That was an increase of 42 per cent from 2004-05, for which I understand the estimate was 28,000. I would like you to provide us with the costs associated with the current administration of the scheme. How much is it costing in terms of compliance processes and costs?	9/02/07
53.	66 and Written	Crossin	1.1	Provide the costs associated with the promotional activities in relation to skilled migration to Australia, either internationally or domestically, the type of activity/advertising and the spend per country.	9/02/07
54.	66 and Written	Crossin	1.1	In relation to 457 visas, provide the department staffing levels for administration and compliance including at international posts.	9/02/07
55.	66 and Written	Crossin	1.1	Provide the costs associated with the upgrading of IT to support the compliance for the 457 visa.	9/02/07
56.	67	Crossin	1.1	Provide a snapshot of MODL as it was two years ago, as it was one year ago and as it is now and also provide information as to the major occupations using the 457 visa.	18/12/06

No.	Hansard Page No.	Senator	Output	Information/Material to be Provided	Received
57.	69	Crossin	1.1	In relation to the labour agreement, provide the names of the companies that you are in discussion with either individually or through the ATA.	18/12/06
58.	70	Ludwig	1.1	Provide a copy of the 457 visa application form indicating on the form where the salary figure is extracted from.	22/01/07
59.	71	Crossin	1.1	How many 457 visa holders are currently on a salary below the standard level? Would that also include the number of sponsors, and how many sponsors employing below the minimum?	9/02/07
60.	72	Crossin	1.1	What monitoring did you do or conduct prior to approving the Aprint to sponsor the 457 visa?	18/12/06
61.	72	Crossin	1.1	In relation to Aprint, can you tell me when the visa was approved?	9/02/07
62.	74	Ludwig	1.1	Has there been an instance in which OWS respond that they have no jurisdiction to deal with the underpayment of the MSL?	18/12/06
63.	76	Scullion	1.1	Which Minister approved Sheikh al-Hilali's permanent residency?	9/02/07
64.	76	Scullion	1.1	Is the Department aware of any representations that may have been made to Mr Hurford or subsequent minister with regard to Sheikh al-Hilali's permanent residency?	9/02/07
65.	76	Scullion	1.1	With regard to the final decision on Sheikh al-Hilali's permanent residency, advise whether or not character and security grounds were taken into consideration as part of that final decision.	9/02/07
66.	77	Brandis	1.1	Are you aware that a report in relation to the sheikh was prepared by an Australian intelligence officer at the time the permanent residency application was under consideration in 1984? I am not asking you what it said; I am simply asking you whether you are aware of the fact of the existence of a report of that nature.	9/02/07
67.	Written	Crossin	1.1	These questions relate specifically to information in respect of the Northern Territory: 1. How many businesses are approved as Standard Business Sponsors in the NT? Please provide a list of these and their addresses. 2. Can you also provide a list of how many positions each business has applied for and the nature and type of those positions? 3. How many businesses in the NT have applied for approval under this scheme and then sought to lessen the number of positions wanted. What are the names of these businesses? 4. And how many business in the NT have had their application rejected? Can you provide the names of these businesses?	18/12/06
68.	Written	Crossin	1.1	What is the total number of 457 visa holders that are in the NT, broken down by Primary and Secondary visa holder?	18/12/06
69.	Written	Crossin	1.1	Please provide a list of the source countries for 457 visa holders in the NT and the number of people holding this visa per country.	18/12/06
70.	Written	Crossin	1.1	What is the minimum amount of time, as well as the maximum amount of time and the average time for the 457 visa holders in the NT?	18/12/06
71.	Written	Crossin	1.1	What is the current Minimum Salary Level? Is this still \$41,850? What is the level for the NT? Are there different levels struck for Darwin and the rest of the NT if so what are these?	18/12/06
72.	Written	Crossin	1.1	In relation to the application of a 457 in the construction industry, are these granted by specific skill	18/12/06

No.	Hansard Page No.	Senator	Output	Information/Material to be Provided	Received
				area or done generically?	
73.	Written	Crossin	1.1	1. Has the Department had an application from a business in the NT to use the 457 visa for the occupation of tiler? 2. If so what is the name of that business and how many have been issued and for what period of time?	18/12/06
74.	Written	Crossin	1.1	Is there only one Regional Certifying Body in the NT and is this the NT Government? If not, can you provide the names of other Regional Certifying Bodies and the addresses?	18/12/06
75.	Written	Crossin	1.1	1. How many sites have been visited in the NT in the last 15 months for monitoring purposes? 2. How many sites are there in the NT in total? 3. What businesses have been visited and what has been the compliance rate?	18/12/06
76.	Written	Crossin	1.1	How many businesses in the NT have provided a non response and of those that have been visited how many and which ones are being closely watched or investigated?	9/02/07
77.	Written	Crossin	1.1	Regarding 457 visas, what is the level of auditing of compliance by sponsors with the condition of the visa?	31/01/07
78.	Written	Crossin	1.1	What is the cost of sponsor compliance with the 457 visa for 2005-2006 and projected cost?	9/02/07
79.	Written	Crossin	1.1	With regard to 457 compliance staffing levels and costs in 2004-2005 and 2005-2006. Is it projected that compliance numbers staff will increase?	9/02/07
80.	Written	Crossin	1.1	Of the 65.2% of employers who were audited for visa compliance, how many were reported for possible breach of visa conditions? How many were in breach of DIMA minimum salary conditions?	9/02/07
81.	Written	Crossin	1.1	Of the 18% of employers who were visited at the workplace, how many were found to be in breach of the 457 visa conditions? How many were reported to DIMA for possible breach of minimum salary conditions?	9/02/07
82.	Written	Crossin	1.1	Where are the main areas of compliance issues in regards to 457 visas?	31/01/07
83.	Written	Crossin	1.1	What are the penalties which can be pursued against an employer?	18/12/06
84.	Written	Crossin	1.1	How many 457 sponsors were not audited for compliance with the scheme in 2005-2006?	22/01/07
85.	Written	Crossin	1.1	The Age quoted a DIMA spokesperson on 28/9/06 as stating that "Fees charged (to applicants) vary from \$500 to about \$27,000". Furthermore, that the details of these fees are collected by the Department and included in the applicant's case report. 1. Is the Department aware of these charges and is it investigating the legality of such charges, 2. Did the case report for Mr Zhang who was sponsored by Aprint in Melbourne include the \$10,000 he paid to a China agent and the \$10,000 he paid to his sponsor for a \$38,000 a year job? 3. Has the Department initiated an education campaign for employers regarding this (Age 28/9/06)? Has there been any costing regarding any campaign in this area? If so what is this amount?	9/02/07
86.	Written	Crossin	1.1	1. What sanctions are open to the Department for employers? 2. What sanctions have been imposed where there was a breach of visa and/or sponsorship conditions in the last 15 months? 3. What were the sanctions? 4. How much money was collected? What are the current projections for future income in this area?	9/02/07

No.	Hansard Page No.	Senator	Output	Information/Material to be Provided	Received
				[PBS DIMA p41 estimate 2006-2007 for Employer Sanctions \$1,152,000] 5. What happens if a foreign employer breaks Australian workplace laws?	
87.	Written	Conroy	1.1	<ol style="list-style-type: none"> 1. How many temporary skilled 457 visas have been granted in the year to date for employees in the Australian ICT industry? 2. How many temporary skilled 457 visas have been granted in the 2004-05 financial year for employees in the Australian ICT industry? 3. How many temporary skilled 457 visas have been granted in the 2003-04 financial year for employees in the Australian ICT industry? 4. How many temporary skilled 457 visas have been granted in the 2002-03 financial year for employees in the Australian ICT industry? 	22/01/07
88.	Written	Conroy	1.1	<ol style="list-style-type: none"> 1. Is there any requirement for employers seeking to sponsor a 457 visa applicant for employment to first advertise the role to Australian residents? 2. Is there any requirement for employers seeking to sponsor a 457 visa applicant to demonstrate that there are no Australian residents capable of fulfilling the role before offering the job to a temporary work visa holder? 	18/12/06
89.	Written	Conroy	1.1	<ol style="list-style-type: none"> 1. What criteria does the Department apply when determining the gazetted minimum salary for 457 visa holders working in the ICT sector? 2. Are these gazetted minimum salaries benchmarked against average industry wages for these job functions? 	31/01/07
90.	Written	Conroy	1.1	If 457 visa holders are being brought in to work in Australia in areas of skills shortage, why is there a need to set mandatory minimum wages for these employees?	9/02/07
91.	Written	Conroy	1.1	What proportion of the holders of 457 visas in the Australian ICT industry are employed at or below the gazetted minimum wage for 457 visa holders?	18/12/06
92.	Written	Conroy	1.1	<ol style="list-style-type: none"> 1. If there is a relevant award governing employment conditions for a job being performed by a 457 visa holder, this visa holder must be paid the higher of the award wage and the gazetted minimum wage for 457 visa holders, is this correct? 2. What processes does the Department have in place to assess whether there is a relevant award that applies to a job being performed by a 457 visa holder? 3. What percentage of 457 workers in the Australian ICT sector are covered by an award? 	9/02/07
93.	Written	Conroy	1.1	<ol style="list-style-type: none"> 1. Does the Department engage in independent audits of employers of 457 visa holders? 2. If so, do these audits constitute a genuine independent investigation of the rates being paid to ICT workers or do they merely require employers to report to the department concerning prevailing rates of pay? 	22/01/07
94.	Written	Conroy	1.1	Are employers required to increase rates of pay to 457 visa holders in line with increases in the minimum wage for 457 visa holders subsequent to the commencement of their employment?	18/12/06
95.	Written	Conroy	1.1	<ol style="list-style-type: none"> 1. What percentage of employers of 457 visa holders have been audited with respect to their compliance with relevant minimum rates of pay in the year to date? 2. What percentage of employers of 457 visa holders have been audited with respect to their 	22/01/07

No.	Hansard Page No.	Senator	Output	Information/Material to be Provided	Received
				<p>compliance with relevant minimum rates of pay in the 2004-05 financial year?</p> <p>3. What percentage of employers of 457 visa holders have been audited with respect to their compliance with relevant minimum rates of pay in the 2003-04 financial year?</p> <p>4. What percentage of employers of 457 visa holders have been audited with respect to their compliance with relevant minimum rates of pay in the 2002-03 financial year?</p>	
96.	Written	Conroy	1.1	<p>1. Is the Department aware of any employers in the Australian ICT sector breaching these minimum pay requirements in the year to date? What enforcement action was taken by the Department?</p> <p>2. Is the Department aware of any employers in the Australian ICT sector breaching these minimum pay requirements in the 2004-05 financial year? What enforcement action was taken by the Department?</p> <p>3. Is the Department aware of any employers in the Australian ICT sector breaching these minimum pay requirements in the 2003-04 financial year? What enforcement action was taken by the Department?</p> <p>4. Is the Department aware of any employers in the Australian ICT sector breaching these minimum pay requirements in the 2002-03 financial year? What enforcement action was taken by the Department?</p>	9/02/07
97.	Written	Conroy	1.1	<p>1. Are the minimum rates of pay that employers of 457 visa holders required to satisfy gross or net figures?</p> <p>2. If for example an employee on a 457 visa was being paid \$100 by an employer, but was required for some reason to pay the employer \$20, what would the department consider the employee to have been paid?</p> <p>3. Is the Department aware of any instances in which the holders of 457 visas being forced to pay sums of money to their employer?</p>	9/02/07
98.	Written	Conroy	1.1	<p>1. What percentage of site visits to employers of 457 visa holders in the year to date have resulted in employers being referred to the department for a 'possible breach' of their sponsorship undertakings?</p> <p>2. What percentage of site visits to employers of 457 visa holders in the 2004-05 financial year resulted in employers being referred to the department for a 'possible breach' of their sponsorship undertakings? What percentage resulted in actual breaches being found?</p> <p>3. What percentage of site visits to employers of 457 visa holders in the 2003-04 financial year resulted in employers being referred to the department for a 'possible breach' of their sponsorship undertakings? What percentage resulted in actual breaches being found?</p> <p>4. What percentage of site visits to employers of 457 visa holders in the 2002-03 financial year resulted in employers being referred to the department for a 'possible breach' of their sponsorship undertakings? What percentage resulted in actual breaches being found?</p>	9/02/07
99.	Written	Conroy	1.1	<p>1. Does the Department collect data on the base salaries paid to the holders of 457 visas?</p> <p>2. What is the average wage paid to the holder of a 457 visa employed in the Australian ICT</p>	9/02/07

No.	Hansard Page No.	Senator	Output	Information/Material to be Provided	Received
				sector? 3. Does the Department benchmark the average wage paid to the holder of a 457 visa employed in the Australian ICT sector with the average wage of an Australian resident employed in the Australian ICT sector?	
100.	Written	Bartlett	1.1	Can a breakdown be provided for the processing time for each category of visa applications for each overseas post?	9/02/07
101.	Written	Bartlett	1.1	If possible, could a breakdown be provided of the percentage of visa applications at each post where an assurance of support is requested?	9/02/07
102.	Written	Bartlett	1.1	Can a breakdown be provided for the approval and refusal rates for the different student visa classes from each overseas post?	9/02/07
103.	Written	Bartlett	1.1	Can a breakdown be provided of the family reunion cases that are applied for every year according to nationality and how many are rejected?	9/02/07
104.	Written	Carr	1.1	The Department is seeking the power to obtain payroll data from the ATO with respect to 457 visa holders and their employers. 1. Have you held discussions with the ATO over this matter? Have you held discussions with the Office of the Privacy Commissioner over this matter? What have been the outcomes of these discussions? 2. Are you seeking to obtain simply information about whether a sponsoring employer is paying 457 visa holders at or above the current Minimum Salary Level (MSL)? Or would you want to check also whether a sponsoring employer is paying above any relevant award or enterprise agreement? 3. If the latter, would DEWR also be involved in this exercise? How? If not, how would the Department ascertain whether a prevailing award or certified agreement provided for wages above the MSL? 4. If you do not intend to check that 457 visa holders are being paid at or above the rates prescribed in relevant award or agreements, why do you not intend to do this?	22/01/07
105.	Written	Carr	1.1	<u>QON 33</u> 1. DIMA claims to conduct compliance site visits to 25 per cent of 457 visa employer sponsors' worksites annually. Can you confirm that, according to the latest Annual Report, the percentage visited in 2004-05 was only 22% and in 2005-06 just 18%? 2. Is this downward trend going to continue? 3. If not, what steps have you taken, or will you take, to reverse it?	9/02/07
106.	Written	Carr	1.1	How many additional staff have you put onto the compliance site visit activity?	9/02/07
107.	Written	Carr	1.1	Have you entered into arrangements with state/territory agencies to undertake compliance checking, including site visits, or other aspects of compliance checking? Please provide details.	22/01/07
108.	Written	Carr	1.1	1. Can you confirm that the proportion of employer sponsors monitored annually by any means has dropped from 100% in 2003-04 to 65% last year? 2. Can you provide detail of the forms of monitoring included under this heading? 3. In answer to QON 33 you informed the Committee that you had 45 staff dedicated to this activity.	22/01/07

No.	Hansard Page No.	Senator	Output	Information/Material to be Provided	Received
109.	Written	Carr	1.1	<p>Do you intend to increase that number? Have you increased that number? Please provide details.</p> <p>1. In answer to QON 113 from the last Estimates round, the Department makes the point that “all people who commence work in Australia for the first time are new entrants to the Australian labour market.”</p> <p>While this is logically true, it is not clear what exactly is meant in a substantive sense. Can a distinction be made between “new entrants” to the labour market in general from “new entrants” to the Australian labour market?</p> <p>2. The comment quoted is made to justify the practice of paying workers on 457 visas at a lower rate than the going rate in Australia.</p> <p>Does the Department’s observation imply that it equates workers on 457 visas, even those with many years of relevant experience, with entry-level Australian workers, junior workers?</p>	22/01/07
110.	Written	Carr	1.1	<p><u>Payment of upfront fees by workers from China, QON 57</u></p> <p>1. Can you confirm that you have knowledge that 457 visa-holders from China are being asked to pay between \$A500 and \$A27 000 in upfront fees to agents or other persons in China before coming to Australia?</p> <p>2. How widespread is this practice? How many workers, from China and elsewhere, have been obliged to pay such fees? Please provide details, including the amounts paid, and the persons, organisations and/or companies to whom the money has been paid.</p>	18/12/06
111.	Written	Carr	1.1	<p><u>Payment of upfront fees by workers from China, QON 57</u></p> <p>1. Can you confirm that the charging of 457 visa holders for their airfares to and/or from Australia is illegal?</p> <p>2. Can you confirm that the charging of fees of this kind is illegal? Which regulation(s), and/or sections of the Migration Act, do these practices contravene?</p> <p>3. What penalty or penalties are attached to such contravention?</p> <p>4. How many employers have been penalised for engaging in these practices, or allowing their agents to engage in them?</p> <p>5. What penalties can be applied to agents (1) in Australia and (2) overseas for engaging in these practices? How many agents have been prosecuted?</p>	31/01/07
112.	Written	Carr	1.1	<p><u>Payment of upfront fees by workers from China, QON 57</u></p> <p>1. What measures has DIMA taken to stamp out these practices?</p> <p>2. Which agencies, here and overseas, have been involved or approached?</p>	22/01/07
113.	Written	Carr	1.1	<p><u>Payment of upfront fees by workers from China, QON 57</u></p> <p>1. What are the details of the “education campaign” for employers on this issue? Is it, or will it be, compulsory for employers sponsoring 457 visa holders to undertake this education program?</p> <p>2. How will employers be “encouraged” to “make all reasonable inquiries regarding these matters</p>	31/01/07

No.	Hansard Page No.	Senator	Output	Information/Material to be Provided	Received
				<p>before they recruit”? Will employers be obliged to show proof that they have made such inquiries? 3. Will sponsoring employers be held liable for the actions of offshore agents or recruitment firms in this regard? 4. If not, why not?</p>	
114.	Written	Carr	1.1	<p><u>457 Visas: expressions of interest for off-shore skills assessment contract</u> 1. What agencies were involved in formulating the Expression of Interest information material, on the Austender website, for the skills assessment centres planned for India, Sri Lanka, United Kingdom, South Africa and the Philippines? 2. Why does the list of countries for the centres include the Philippines and exclude South Korea, thus differentiating it from the list provided in the attachment to the communiqué from the COAG meeting in February 2006? 3. Will offshore assessment also be provided, as the COAG communiqué indicates, in “any country where there are >100 applications per year per assessing body”? 5. The Austender information refers readers to the COAG details. These talk of “a single, pre-migration, off-shore assessment process to meet skilled migration and licensing purposes”. Does this imply that assessment for the purposes of 457 visas will be exactly the same as for the General Skilled Migration program? If not, how will the assessment differ? 6. A DEST publication providing information to RTOs about the tender (offshore skills assessment contract) says: <i>“We encourage RTOs to ‘think outside the square’ in their responses, to reflect the unique nature of this project.”</i> Why, in DIMA’s view, is this project “unique”?</p>	9/02/07
115.	Written	Carr	1.1	<p><u>QON 57</u> 1. Is the Department monitoring trends in the occupations and countries of origin of 457 visa holders? Has any analysis been undertaken? 2. Can the Committee be provided with copies of any reports or papers commissioned or produced by DIMA on these matters?</p>	18/12/06
116.	Written	Carr	1.1	<p>What does the Department consider that the trends, as observed, indicate about the policies and practices of employers availing themselves of the 457 visa program?</p>	18/12/06
117.	Written	Carr	1.1	<p>Why does the Department believe that the majority of persons coming to Australia who are in trades occupations in fact come from low-wage countries?</p>	18/12/06
118.	Written	Carr	1.1	<p>1. What are the reasons for the sudden growth in slaughterpersons – from fewer than 5 in 2003-04 to 950 last year? 2. What are the reasons for the number of metal fabricators growing from 10 in 2002-03 to 790 last year? 3. Why has the number of welders grown from 40 to 710? 4. Why have motor mechanics increased from 100 to 540? 5. Why do these trends differ so markedly from those related to managers, where numbers have actually been noticeably decreasing?</p>	18/12/06

No.	Hansard Page No.	Senator	Output	Information/Material to be Provided	Received
119.	Written	Carr	1.1	<p><u>QON 57</u></p> <p>1. Can DIMA provide an explanation, or any background information, about the reasons for the significant growth in 457 visas issued to workers in the occupations:</p> <ul style="list-style-type: none"> • “Computing professionals NEC” [not elsewhere classified]; and • “Business and information professionals NEC”? <p>2. Can you tell the Committee what kind of workers these are? Are they predominantly, or significantly, junior or entry-level workers in their respective professions?</p> <p>3. What countries do they come from, in the main? Does a large number of these workers come from India, which is a low-wage country?</p>	22/01/07
120.	Written	Carr	1.1	<p>What is your response to the claim of the President of the Australian Computing Society, Mr Philip Argy, before the Joint Standing Committee on Migration, that only 12% of skilled migrant computing workers have skills that are genuinely in shortage in Australia?</p>	18/12/06
121.	Written	Carr	1.1	<p>In answer to QON 113 from the Budget Estimates round, the Department refers to an article by Bob Kinnaird that recently appeared in the journal <i>People and Place</i>.</p> <p>It quotes Kinnaird pointing out that</p> <p><i>“The 457 rules... allow 457 visa-holders, even though sponsored by specific employers for a specific job, to change employers and effectively compete in the general Australian labour market (where the new employer takes on 457 sponsorship responsibilities).”</i></p> <p>1. Would you agree that the article from which these comments are taken is generally critical about the shape and administration of the 457 program?</p> <p>2. Does the article say, in its conclusion</p> <p><i>“Even on the limited evidence available, there are legitimate grounds for concern about issues raised by critics of the 457 visas.”?</i></p> <p>3. Wasn’t the comment quoted by DIMA in answer 113 actually a dot-point in a list of negative features identified by Kinnaird with the program?</p> <p>4. Doesn’t it follow a quote from Milton Friedman, about the equivalent US visa, the H-1B, which says,</p> <p><i>“There is no doubt that the [H-1B] program is a benefit to their employers, enabling them to get workers at a lower wage, and to that extent, it is a subsidy.”</i></p> <p>5. Isn’t the point made by Kinnaird that, by changing employer and competing in the open labour market, 457 visa holders are in fact subverting the purpose and intention of the program, which was to complement the labour market as strictly necessary where skills are not available?</p> <p>6. Is it the case that, as Kinnaird says, the 457 program does not “prohibit the displacement of Australian staff and their replacement by 457 visa holders... or local staff being required to train their 457 visa-holder replacements”?</p> <p>7. Do you know of instances where this has occurred?</p> <p>8. Kinnaird describes the practice of “benching” or “warehousing” 457 holders – standing them down for relatively lengthy periods with no pay between contracts. Since March 2004, the period for which</p>	18/12/06

No.	Hansard Page No.	Senator	Output	Information/Material to be Provided	Received
				this has been allowed has been limited to 28 days. Are you aware of instances where employers have been doing this? Please provide details.	
122.	Written	Carr	1.1	<p><u>QON 57</u></p> <ol style="list-style-type: none"> 1. Why has the number of “university lecturers” entering on 457 visas grown from 10 in 2001-02 to 300 last year? 2. What is the current status of the Labour Agreement involving the higher education employers’ body and the NTEU? 3. Can you confirm that, under this agreement, it is not possible for an employer to import an academic classified below Level C on the standard scale? 4. Can you confirm that, under the Labour Agreement, universities can import academics on 457 visas? 5. Have any higher education employers obtained sponsorship status for the purpose of bringing to Australia academic staff to be employed at Levels A or B? 6. Which higher education employers? How many 457 holders at Levels A and/or B have they brought in? 7. Can higher education employers bring in 457 visa-holders otherwise than under the Labour Agreement? 	18/12/06
123.	Written	Carr	1.1	<ol style="list-style-type: none"> 1. What evidence of labour market testing do universities have to provide to the Department before they win approval to bring in academics at Levels A and B? 2. Are you aware of research by Anne Junor of the University of NSW that indicates that some 80 000 individuals are employed casually – as casuals – at Australian universities? 3. Are you aware that, of those 80 000 persons, around 10 000 are qualified to enter academic employment (they hold a higher degree) and also are seeking such employment? 4. They are qualified to work at Level A or Level B. Is it reasonable to assume that, given these facts, it is extremely likely that a university would be able to locate within Australia a suitably qualified person to fill a Level A or B position? 5. Does it depend on the academic discipline? 6. In what disciplines are there shortages of academic staff in Australia? What data do you have on this issue? Can you provide copies of any reports on this? 7. Are universities restricted to disciplines where there are shortages when they import 457 visa holders? 8. If not, why not? 	22/01/07
124.	Written	Carr	1.1	<p><u>QON 123</u></p> <p>Can you confirm that the minimum salary levels (MSL) that apply under the 457 visa program are determined by the Minister for Immigration?</p>	18/12/06
125.	Written	Carr	1.1	<p>You say that there is some connection – you call it a “reference” – between Average Weekly ordinary-Time Earnings (AWOTE) and the MSL. Do you mean by this that the undiscounted MSL is equal to AWOTE?</p> <p>If not, what do you mean?</p>	18/12/06

No.	Hansard Page No.	Senator	Output	Information/Material to be Provided	Received
126.	Written	Carr	1.1	You say, with regard to calculating the MSL, "The detailed methodology is a matter for DEWR." Does it follow from this that "the detailed methodology" is a matter for the Workplace Minister? Does the Workplace Minister sign off on the MSL each year?	22/01/07
127.	Written	Carr	1.1	1. Whose responsibility is it to enforce the application of the MSL? Which Department? 2. Does DEWR calculate the MSL, and then DIMA enforce its application, or does the power of DEWR extend further than simply supplying you with an updated calculated amount each year? 3. If so, what power does DEWR have in this regard, and under what legislation does it obtain this power?	22/01/07
128.	Written	Carr	1.1	1. In connection with the 457 visa program, does the Workplace Minister advise the Immigration Minister on whether a would-be employer sponsor will be meeting the MSL requirements attached to the visas? 2. Does the Workplace Minister, or DEWR, have a role in advising DIMA and its Minister about whether existing employer sponsors under the 457 program are in fact meeting the requirements in this regard? 3. Does DEWR and its Minister have the power to make a determination as to whether an existing employer sponsor under the 457 program is meeting the MSL requirement? 4. Does the Minister for Immigration have the power to vary the level of the MSL, and/or to waive requirements that the MSL be paid to 457 holders?	22/01/07
129.	Written	Carr	1.1	1. What did the Minister mean by her remarks, reported in The Australian of 4 October 2006, when she said with regard to the importation of Japanese workers by Amex, "Look, you have to pay Australian rates"? 2. What rates was the Minister referring to? The MSL? The minimum award rate? A rate set by a prevailing Enterprise Agreement? The going rate?	18/12/06
130.	Written	Carr	1.1	<u>QON 44</u> 1. How many employer sponsors under the 457 program have been referred to the Office of Workplace Services in 2005-06? 2. Can you provide detail of the reasons for referring each of them to the OWS?	22/01/07
131.	Written	Carr	1.1	<u>QON 57</u> 1. In what ASCO classifications are workers coming to Australia on 457 visas to work in the retail sector? 2. Is there a shortage of retail workers able and or qualified to work in those jobs? 3. What labour market testing has there been on this question? What does it show? 4. Are you aware of the factors that have led to an increase from 490 retail employers who were 457 sponsors in 2004-05 to 690 just a year later? Why the sudden leap?	9/02/07
132.	Written	Carr	1.1	<u>QON 38</u> On 22 May the Department (Mr Rizvi) took on notice a question about a MINTRAC investigation into a South Australian meat industry employer. The investigation was into the skill levels of 457 visa holders working for the company. I asked for a copy of the report on the matter and the Department	18/12/06

No.	Hansard Page No.	Senator	Output	Information/Material to be Provided	Received
				<p>took that on notice. Have you provided that MINTRAC report to the Committee? If so, on what date? If not, why not? When will it be provided?</p>	
133.	Written	Carr	1.1	<p><u>QON 57</u> 1. Why have workers in the following ASCO Sub-Major Groups been granted 457 visas in the period 2001-2006:</p> <ul style="list-style-type: none"> • Road and rail transport drivers (over 40) • Elementary clerks (over 20) • Elementary service workers (over 30) • Cleaners (Fewer than five) • Factory labourers (50) • Other labourers and related workers (over 170)? <p>2. Can you confirm that none of these occupations meets the requirements for a 457 visa, because they are essentially classed as “unskilled”?</p> <p>3. Why were the rules (1) waived; or (2) ignored in each of these cases?</p>	9/02/07
134.	Written	Carr	1.1	<p><u>QON 57</u> 1. Do workers in occupations such as “intermediate clerical workers”, “intermediate service workers” and “intermediate plant operators” meet the requirements regarding skill levels for 457 visas? 2. If not, why were over 2000 workers in these categories granted primary 457 visas in the period 2001-2006?</p>	9/02/07
135.	Written	Carr	1.1	<p><u>457 visas: Offshore skill assessment</u> The Minister for Workplace relations has announced that offshore skill assessment centres will be set up and run by Australian companies.</p> <ol style="list-style-type: none"> 1. Will they be used to screen and test 457 visa applicants? 2. What other purposes will they be used for? 3. Will they provide training? What kinds of training? Will this training be Australian accredited? By which agency? 4. What kinds of companies and organisations will be eligible to run these centres? 5. How will these centres be funded? How much money will the Australian Government put into them (a) initially and (b) on an ongoing basis? 6. To what extent will the centres provide a “user pays” service for would-be employer sponsors? 7. Will the individual applicants for visas be charged a fee? What kind and level of fee? 	9/02/07
136.	Written	Carr	1.1	<p><u>SkillForce International</u> 1. Will these centres be associated with offshore recruitment companies or operations? What will be the possibly relationships between recruitment or labour hire firms and the assessment centres? 2. Will these centres duplicate, or compete with, the operations of companies such as SkillForce International? Would a company like SkillForce be eligible to operate one or more assessment centres?</p>	9/02/07

No.	Hansard Page No.	Senator	Output	Information/Material to be Provided	Received
				3. Are you aware that the SkillForce International website claims that the company can provide workers in categories including “skilled and unskilled agricultural trades”? 4. Can you confirm that unskilled workers cannot enter Australia on 457 visas? 5. What action have you taken to stop SkillForce from advertising that it can arrange importation of unskilled workers? What action will you take? 6. Are you aware that SkillForce implies in at least two places on its website that 457 visa holders are technically responsible for their own private health insurance? 7. Can you confirm that 457 employer sponsors are (1) responsible for providing private health insurance for 457 visa holders; and (2) paying for it? 8. To what extent do you monitor the claims made by companies active in overseas recruitment of workers under 457 visa arrangements? 9. Have you stepped up this activity recently? How? 10. Do you plan to step up this activity? How and when?	
137.	Written	Carr	1.1	<u>Bob Kinnaird, “Current issues in the skilled temporary subclass 457 visa”, <i>People and Place</i>, vol. 14 no. 2, Table 5 p. 58</u> In Bob Kinnaird’s article in <i>People and Place</i> a table is presented that shows for the year 2000-01 the type of visa on which 457 holders originally entered Australia. Can you provide similar data for the following years to 2005-06?	18/12/06
138.	Written	Carr	1.1	<u>QON 21</u> 1. Can you confirm that DIMA has agreed that it needs to submit a second revised statement to the Senate concerning its handling of the complaint by Mr Mark McBurney to correct its first revised submission? When did DIMA realise it needed to make a second correction to its Senate submissions? Why is it taking you so long to submit this revision? When will the revision be supplied? 2. Can you confirm that DIMA’s National Office was completely unaware of Mr. McBurney’s complaint until some 10 months after he filed it with DIMA in Melbourne on 5 July, 2005? 3. Mr McBurney claims that DIMA has missed at least 10 deadlines for its responses to the OPC and other entities, and that DIMA’s response to his FOI request is several months overdue. Could you please comment on this?	9/02/07
139.	Written	Carr	1.1	<u>QON 98</u> 1. Does DIMA regularly or routinely monitor trends in 457 visa applications and grants across industries and occupations, to check for sudden changes that might suggest the need for investigation of practices? 2. If there is a sudden increase in the number of persons granted 457 visas in a particular occupation or industry, for example a jump in slaughterpersons from 210 one year to 950 the next, does the Department routinely pay particular attention to that change? 3. Would such monitoring perform a useful function? Why, or why not? 4. What resources are, or could be, available in DIMA to monitor in this way?	9/02/07
140.	Written	Carr	1.1	1. Can you explain why, in the table provided with the answer to QON 114 from the last round, the	18/12/06

No.	Hansard Page No.	Senator	Output	Information/Material to be Provided	Received
				<p>numbers of visa-holders categorised as “Other” from the point of view of country of origin is so high in so many instances?</p> <p>2. Why is this information not available? Can the “Other” category be broken down to any extent? If not, why not?</p> <p>3. Does the data provided in this table support the view that, in the ICT industry, the recent trend has been to bring to Australia entry-level or other junior professionals, as opposed to high-level experts? Are you aware of any such trend? How would you become aware of such a trend? Have you sought to ascertain if such a trend is occurring? If not, why not?</p>	
141.	Written	Carr	1.1	<p>In answer to QON 42 from the last round, the Department refers to “caseload profiling” as a means by which visa applications are monitored for fraud.</p> <p>Can you provide some detail about this “profiling” – the criteria used, the features of an application that give potential cause for concern, and related matters?</p>	9/02/07
142.	Written	Carr	1.1	<p><u>QON 37</u></p> <p>1. Can you provide the Committee with some qualitative information on the kinds of grounds on which employers are commonly refused sponsorship under the 457 visa program?</p> <p>2. If you have noticed variations between industries in this regard, please provide details.</p>	18/12/06
143.	Written	Carr	1.1	<p>1. Do you monitor trends in data for 457 visa numbers by nationality, industry sector and state/territory, as provided in answer to QON 54?</p> <p>2. Do you know the reasons for the concentration of visa holders of particular nationalities in particular states and industries – for example, the large number of Filipino workers in WA in 2005-06 in the construction, manufacturing and wholesale trade industry sectors?</p> <p>3. Do you consult with DEWR about these trends? Do you provide information to DEWR about such trends? If not, why not?</p> <p>4. Do you use data such as this as a means of monitoring for possible problems and/or breaches with regard to the 457 visa program? How do you use it? If not, why not?</p>	9/02/07
144.	Written	Carr	1.1	<p>At the Estimates hearing of 22/5/06, the Minister said that the Government had no plans to extend the 457 visa program to cover unskilled workers.</p> <p>1. Does this mean that the claims of the company Skillforce International (on its website) that ‘is able to provide [457 visa] workers from a broad spectrum of trades [including] unskilled agricultural trades...’ is false and misleading?</p> <p>2. Are you aware of this claim/what action have you taken to rectify this situation? What action will you take? Please provide the Committee with a report.</p>	9/02/07
145.	Written	Webber	1.1	<p>1. Which abattoirs in WA are employing and/or have been granted approval to employ overseas workers on 457 visas?</p> <p>2. Can you tell me the number of 457 visas for each of these abattoirs?</p> <p>3. Has the Department verified that the employees are working in the occupational categories their visa has been granted for?</p> <p>4. With reference to answer 4 to question on notice 81 from the last round of estimates, can the</p>	22/01/07

No.	Hansard Page No.	Senator	Output	Information/Material to be Provided	Received
				<p>Department now confirm that the investigations have been completed and report on the accuracy of the complaints and what action has been taken?</p> <p>5. With reference to answer 5 to question on notice 81, is the "expanded workforce" a local workforce?</p> <p>6. Does the Department check that each abattoir is working in compliance with the conditions on their application prior to approval for the visas being granted?</p>	
146.	Written	Sherry	1.1	<p>I have received a letter from a Ms Jeanette Shopland who is seeking answers in relation to a temporary resident who has left the country but cannot claim her superannuation monies.</p> <p>I believe that the problem lies with the list of 'eligible visas' supplied by the Department of Immigration to the Australian Tax Office and this list is then forwarded to superannuation funds.</p> <p>The 'eligible visa list' doesn't include the applicable visa classification for this constituent.</p> <p>I request you review the letter attached and in turn inform me where the error occurred and what avenues are available for adding visa classifications to the 'eligible visa list'</p> <p>According to the superannuation laws and the ATO web site I was under the impression that any person permanently leaving Australia is entitled to claim their superannuation savings.</p>	31/01/07
147.	Written	Ludwig	1.1	Is the 457 Temporary Business (Long Stay) visa formally classified as a skilled migration visa?	18/12/06
148.	Written	Ludwig	1.1	Provide the total cost of sponsor compliance with the 457 visa for 2005-2006 and projected cost for 2006-2007, 2007-2008.	9/02/07
149.	Written	Ludwig	1.1	Provide the total 457 compliance staffing levels and costs in 2004-2005 and 2005-2006, estimates for 2006-2007, 2007-2008.	9/02/07
150.	Written	Ludwig	1.1	How many of the 65.2% of employers who were audited for visa compliance were reported for possible breach of visa conditions? How many were in breach of DIMA minimum salary levels and conditions?	9/02/07
151.	Written	Ludwig	1.1	How many of the 18% of employers who were visited at the workplace, were found to be in breach of the 457 visa conditions? How many were reported to DIMA for possible breach of minimum salary levels and conditions?	9/02/07
152.	Written	Ludwig	1.1	Where are the main areas of compliance issues in regards to 457 visas?	31/01/07
153.	Written	Ludwig	1.1	Following a referral of a 457 Temporary Business (Long Stay) sponsor by the Department of Immigration and Multicultural Affairs (DIMA) to another government agency for investigation of non-compliance with government legislation does DIMA ultimately take responsibility for ensuring that visa sponsor is investigated for compliance?	22/01/07
154.	Written	Ludwig	1.1	DIMA Deputy Secretary, Mr Rizvi referred to the application of penalties for breach of the conditions of the 457 visa in evidence before the Committee on 30 October 2006:	9/02/07

No.	Hansard Page No.	Senator	Output	Information/Material to be Provided	Received
				<p>“The application of penalties through the Migration Act is dependent to some degree on – and we take a lead from – what the relevant state or Commonwealth industrial relations agency penalties apply”.</p> <p>Based on the evidence of the Deputy Secretary does DIMA take further action against a 457 sponsor if the relevant state or Commonwealth agency decides not to investigate or act on a DIMA referral?</p>	
155.	Written	Ludwig	1.1	<p>The <i>Destiny Queen</i> is an aquaculture vessel (growing out abalone) moored off the SA coast in the Spencers Gulf. On 21 September 2004, the operator of the <i>Destiny Queen</i> made the Australian crew redundant, and replaced them with foreign crew imported under 457 visas.</p> <ol style="list-style-type: none"> 1. DIMA approved a company SOAE Pty Ltd as a 457 visa sponsor to recruit overseas workers in November 2004. Could DIMA confirm that the employer of seafarers on the <i>Destiny Queen</i> is in fact SOAE Pty Ltd, and if it is not, what company or organisation is the employer of seafarers? 2. Is that company operating in Australia as defined in the Migration Act? 3. Could DIMA advise what factors determine that the employer of foreign seafarers on the <i>Destiny Queen</i> is an Australian business and not an overseas business? 4. Has DIMA carried out any audit on the SA Regional Certifying Body (SA RCB) to assure DIMA that the SA RCB undertook appropriate checks on: <ul style="list-style-type: none"> (i) whether the employer ie SOAE Pty Ltd, is lawfully operating a business that is actively engaged in business activities, particularly as this is a foreign owned company and the alleged business activity is being carried out in waters off the SA coast; (ii) that the foreign crew for whom 457 visas were being sought hold the appropriate marine skills and qualifications to operate a vessel to International Maritime Organisation standards; (iii) that the positions for which visas were being sought fall within the list of approved occupations as specified by DIMA; (iv) that the employer had a good training record; (v) market testing to ascertain whether the positions could be filled by Australian employees? 5. If DIMA has not carried out an audit on the SA RCB, on what basis has DIMA reached the conclusion that the advice it received from the SA RCB was sound enough for it to make statutory decisions in accordance with the Migration Act? 6. Can DIMA confirm that the SA Minister for Economic Development, Mr Kevin Foley, asked the Commonwealth, some time in mid 2005, that 457 visas not be issued to foreign seafarers on the basis that the employer had not provided the SA RCB with all appropriate information to enable the SA 	9/02/07

No.	Hansard Page No.	Senator	Output	Information/Material to be Provided	Received
				<p>RCB to make a decision based on all available facts?</p> <p>a. If confirmed, could DIMA advise if the Commonwealth complied with that request?</p> <p>7. Can DIMA confirm that all the current marine crew on the <i>Destiny Queen</i> hold an STCW95 qualification? If they do not hold such a qualification, what qualifications does each crew member hold?</p> <p>8. Could DIMA advise what analysis or checks were undertaken to satisfy DIMA that the employment of overseas workers in this case provided a benefit to Australia?</p> <p>a. Could DIMA advise what those benefits are?</p> <p>9. Could DIMA provide a list of all the positions or occupations advised by the sponsor on its nomination application, which identifies the skill level specified by the employer for each of those positions or occupations?</p> <p>10. Could DIMA advise on the reasons why it approved the granting of visas to all foreign workers (seafarers on the <i>Destiny Queen</i>) when not all the occupations in which they are working are on the Government's list of approved occupations that are eligible to be nominated for entry under a 457 visa?</p> <p>11. Could DIMA advise how it satisfies itself that the employer is paying the wages due to employees directly to a personal bank account of each of the foreign crew?</p> <p>12. Could DIMA advise on what basis, and using what facts, it reached the conclusion that the <i>Destiny Queen</i> is operating within the Migration Zone as defined in the Migration Act?</p>	
156.	Written	Ludwig	1.1	<p>With reference to the Minister's statement to the Senate on 17 October 2006 that her department is investigating 182 employers participating in the 457 scheme:</p> <p>For each investigation, can the Minister:</p> <ol style="list-style-type: none"> 1. Provide the name and business address of the employer under investigation. 2. Provide the number of 457 visa holders, broken down by country of origin: <ol style="list-style-type: none"> a. Currently sponsored by the employer. b. Previously sponsored by the employer. 3. Indicate whether the investigation was initiated by: <ol style="list-style-type: none"> a. The Minister's department. b. 457 visa holders. c. A third party. <ol style="list-style-type: none"> i. If so, provide further details. 4. Provide details of the matter under investigation. 	22/01/07

No.	Hansard Page No.	Senator	Output	Information/Material to be Provided	Received
				5. Provide the date that the matters now under investigation were first brought to the attention of the Minister and/or her department. 6. Provide the date the investigation commenced. 7. Indicate whether the investigation has concluded. If so: a. Provide the date that the investigation concluded. b. The outcome of the investigation. c. Indicate whether the matter was referred to the DPP for prosecution. d. Indicate whether the matter was referred elsewhere for further action and if so, provide details of the reference	
157.	Written	Evans	1.1	Can the Minister identify the total number of workers on 457 visas employed by businesses located in the Federal Electorates of Brand, Curtin, Cowan, Kalgoorlie, Hasluck, Tangney, Stirling, Fremantle, Pearce, Forrest, Canning, Perth, O'Connor, Moore and Swan as at 30 June 2006?	18/12/06
158.	Written	Evans	1.1	Can the Minister identify the total number of workers on 457 visas, who were the principal applicant, employed by businesses located in the Federal Electorates of Brand, Curtin, Cowan, Kalgoorlie, Hasluck, Tangney, Stirling, Fremantle, Pearce, Forrest, Canning, Perth, O'Connor, Moore and Swan as at 30 June 2006?	18/12/06
159.	Written	Evans	1.1	For all principal applicant 457 visa holders, employed by businesses located in the Federal Electorates of Brand, Curtin, Cowan, Kalgoorlie, Hasluck, Tangney, Stirling, Fremantle, Pearce, Forrest, Canning, Perth, O'Connor, Moore and Swan as at 30 June 2006, indicate the number occupying each relevant ASCO classification.	18/12/06
160.	Written	Evans	1.1	For all principal applicant 457 visa holders, employed by businesses located in the Federal Electorates of Brand, Curtin, Cowan, Kalgoorlie, Hasluck, Tangney, Stirling, Fremantle, Pearce, Forrest, Canning, Perth, O'Connor, Moore and Swan as at 30 June 2006, indicate for each Federal Electorate the period they have been in Australia under that visa. For example, less than 1 month, 1-2 months, 2-6 months, 6-12 months, 12-18 months, 18-24 months, 24-36 months, 36+months.	18/12/06
161.	Written	Evans	1.1	Has DIMA received any complaints of non-compliance by the employers of workers on 457 visas in the Federal Electorates of Brand, Curtin, Cowan, Kalgoorlie, Hasluck, Tangney, Stirling, Fremantle, Pearce, Forrest, Canning, Perth, O'Connor, Moore and Swan in 2005-06? If so, what Federal Electorate were they from, what were the nature of those complaints and what action was taken to investigate those complaints?	18/12/06
162.	Written	Evans	1.1	1. Under the Migration Act can a sponsoring employer sack a 457 visa holder at any time? 2. Does the employer have to justify the dismissal in any way to the Department?	18/12/06
163.	Written	Evans	1.1	1. Does the Migration Act provide any protection for 457 visa holders from being sacked for the purpose of forcing them out of the country? 2. Is the Department aware of a 457 worker lodging an unlawful dismissal but being forced to leave the country before the matter was heard? 3. Does the Department provide any assistance/support to 457 workers who claim to have been unlawfully dismissed?	22/01/07

No.	Hansard Page No.	Senator	Output	Information/Material to be Provided	Received
				4. Under the Act can the Department take into account an employer's history of unfairly dismissing employees when determining whether to approve them as a sponsor for future 457 visas?	
164.	Written	Evans	1.1	<p>On 6 September 2006 in Question Time the Minister stated that she would investigate the allegation that a pregnant family member on a 457 visa was forced to return to China. The principal 457 visa holder was employed by ABC Tissues at its Queensland site.</p> <ol style="list-style-type: none"> 1. Has the Department investigated this case? What was done to investigate this allegation? 2. What was the outcome of the investigation? 3. Can the Department confirm that a pregnant family member was required to return to China? 4. Can the Department confirm that if that person had remained in Australia the employer would have been liable for all medical expenses related to the birth of the child? 5. Is the Department aware of similar cases? 	31/01/07
165.	Written	Evans	1.1	<ol style="list-style-type: none"> 1. What is the status of family members holding 457 visas (secondary 457 visas)? 2. Are they allowed into the country on the agreement of the sponsoring employer? 3. Can an employer withhold that agreement and not allow family members to accompany the principal visa holder? 4. Can an employer withdraw that agreement once the family member is in the country and force them to leave? i.e. can the employer effectively cancel the family member's 457 visa? 5. If so, on what grounds can an employer cancel the 457 visa for family members? 6. If an employer can cancel the 457 visa, how long does the family member have before they are required to leave the country? 7. Does the employer have to advise, and justify to the, Department when they cancel the visa of a family member? 8. Does the Migration Act provide any protection for family members on 457 visas from being required to leave the country? 	18/12/06
166.	Written	Evans	1.1	Can the Department provide a list of the top 150 occupations filled by principal 457 holders in 2005-06? i.e. not just the top 50 occupations.	9/02/07
167.	Written	Evans	1.1	<p>Mr Zhang – employed at Aprint in Melbourne</p> <ol style="list-style-type: none"> 1. When was the Department first made aware of allegations over potential breaches of the 457 visa conditions in relation to these cases? 2. How was the Department made aware of these allegations, e.g. individual came forward, third party notified the Department, other agency notified the Department? 3. When was the Minister first briefed about the potential breaches in these cases? 4. On what date did the Department first interview the 457 holders concerned in these cases? Were those interviews carried out at the employers address? 5. Has the Department conducted any interviews of the 457 holders concerned away from the employer's address? 	9/02/07

No.	Hansard Page No.	Senator	Output	Information/Material to be Provided	Received
				<ol style="list-style-type: none"> 6. When did the Department first conduct a site visit to investigate these cases? 7. Did the employer concerned at any time refuse permission for the Department to enter the premises? 8. When did the Department issue a notice of intention to sanction the employer (if they did)? 9. When did the employer respond to the notice of intention to sanction? 10. When did the Department make a decision on whether to apply a sanction to the employer? 11. What sanction (if any) was applied to the employer? Are they still subject to that sanction? 12. Is the employer currently still employing people on 457 visas? 13. When did the employer last receive approval from the Department to employ someone on a 457 visa? i.e. when were they approved to sponsor the last 457 visa holder? 	
168.	Written	Evans	1.1	<p>Mr Fu – employed at Lakeside Packaging in Melbourne</p> <ol style="list-style-type: none"> 1. When was the Department first made aware of allegations over potential breaches of the 457 visa conditions in relation to these cases? 2. How was the Department made aware of these allegations, e.g. individual came forward, third party notified the Department, other agency notified the Department? 3. When was the Minister first briefed about the potential breaches in these cases? 4. On what date did the Department first interview the 457 holders concerned in these cases? Were those interviews carried out at the employers address? 5. Has the Department conducted any interviews of the 457 holders concerned away from the employer's address? 6. When did the Department first conduct a site visit to investigate these cases? 7. Did the employer concerned at any time refuse permission for the Department to enter the premises? 8. When did the Department issue a notice of intention to sanction the employer (if they did)? 9. When did the employer respond to the notice of intention to sanction? 10. When did the Department make a decision on whether to apply a sanction to the employer? 11. What sanction (if any) was applied to the employer? Are they still subject to that sanction? 12. Is the employer currently still employing people on 457 visas? 13. When did the employer last receive approval from the Department to employ someone on a 457 visa? i.e. when were they approved to sponsor the last 457 visa holder? 	9/02/07
169.	Written	Evans	1.1	<p>The employment of a number of workers at the ABC Tissues site in Sydney (questions relate to 457 visa holders employed by both Hunan Industrial and ABC Tissues.</p> <ol style="list-style-type: none"> 1. When was the Department first made aware of allegations over potential breaches of the 457 visa conditions in relation to these cases? 2. How was the Department made aware of these allegations, e.g. individual came forward, third party notified the Department, other agency notified the Department? 	18/12/06

No.	Hansard Page No.	Senator	Output	Information/Material to be Provided	Received
				3. When was the Minister first briefed about the potential breaches in these cases? 4. On what date did the Department first interview the 457 holders concerned in these cases? Were those interviews carried out at the employers address? 5. Has the Department conducted any interviews of the 457 holders concerned away from the employer's address? 6. When did the Department first conduct a site visit to investigate these cases? 7. Did the employer concerned at any time refuse permission for the Department to enter the premises? 8. When did the Department issue a notice of intention to sanction the employer (if they did)? 9. When did the employer respond to the notice of intention to sanction? 10. When did the Department make a decision on whether to apply a sanction to the employer? 11. What sanction (if any) was applied to the employer? Are they still subject to that sanction? 12. Is the employer currently still employing people on 457 visas? 13. When did the employer last receive approval from the Department to employ someone on a 457 visa? i.e. when were they approved to sponsor the last 457 visa holder?	
170.	Written	Bartlett	1.1 and 1.2	How many Ministerial Interventions are currently before the Minister and the Parliamentary Secretary?	9/02/07
171.	85	Ludwig	1.2	Do you have separate figures for how many air arrivals were granted a temporary protection visa on an ongoing basis in the last 12 months? Is there a projection underway as well of how many you expect to unfortunately get that way?	9/02/07
172.	88	Nettle	1.2	It is not a specific case. It is about the circumstances of Afghans here, trying to bring their families from over there. DNA testing has been part of the process for them, and it is a general request. Given their understanding that DNA testing concentrates on the father, can it concentrate on the mother because of the issues around rape of Afghan women and the way families may be shamed if that is revealed? It is also about whether the DNA testing can show the parentage through the mother rather than the father. It is a general request.	9/02/07
173.	90	Nettle	1.2	In relation to the most recent unauthorised boat arrivals, have they been offered the opportunity to receive legal advice, whether through IAAAS or any other procedure?	9/02/07
174.	Written	Bartlett	1.2	1. How many asylum seekers have been classified as stateless people? 2. How many of them are in detention? 3. How many of them are in the community? 4. What categories of visas are they on? For those who are on removal pending visas – how long will they remain in limbo for? If another country cannot be found to accept them what contingent plans are there in place to deal with these cases? 5. Can you provide a breakdown of their countries of origin?	9/02/07
175.	Written	Bartlett	1.2	What is the average processing time for protection refugee and humanitarian visa applications offshore?	9/02/07
176.	Written	Bartlett	1.2	What is the breakdown IAAAS money/contracts distributed to the various contractors? On what basis	9/02/07

No.	Hansard Page No.	Senator	Output	Information/Material to be Provided	Received
				is the detention work allocated to the various IAAAS providers?	
177.	Written	Bartlett	1.2	What is the average processing time for processing of protection visa applications onshore?	9/02/07
178.	Written	Bartlett	1.2	Can you provide details of how many of the asylum seekers sent to Nauru are now on permanent protection visas? What are the other categories of visas that have been granted to them?	9/02/07
179.	Written	Kirk	1.2	How many language analysis tests were ordered by DIMA? How many from each country? Which countries? Can and will payment receipts for these tests be provided?	9/02/07
180.	Written	Kirk	1.2	How many Pakistani ID documents were used to cancel Afghan visas or to question the veracity of Afghans claims? Can and will all of those documents, uncensored be provided? Can and will evidence of how these documents were obtained and invoices for their collection be provided?	9/02/07
181.	Written	Kirk	1.2	A letter from the Australian Hazara Community dated 24 July 2002 was sent to the department, signed by five members of the community, stating that Mr Ali Asqar Bakhtiyari was an Afghan refugee. What consideration was given to the letter?	9/02/07
182.	Written	Ludwig	1.2	For the year 2005-2006 what was the total cost for the administration and processing of protection visa applications?	9/02/07
183.	6	Crossin	1.3	In relation to Litigation, what is the amount that has been paid by way of applicants' costs during the 2005-06 financial year?	9/02/07
184.	7	Crossin	1.3	In terms of the litigation brought against the department, are you able to give me a list of the individual payments or at least the issue to which a payment against the department was made?	9/02/07
185.	7-8	Ludwig	1.3	Can you split up the litigation figures depending on whether it is the RRT, the MRT, HREOC, the Federal Court or the High Court? I am trying to find out whether you can specify which court the litigation work relates to—be it the Federal Court, the High Court or wherever else you might appear in a court. If there is work within the tribunals—the MRT and the RRT—if that information is available it would be helpful for us to understand the amount of representation by legal or paralegal professionals or by workload. That goes on the back of the question about costs that might be awarded against you. It also relates to compensation orders that might be made against you. Could you provide that detail as well.	9/02/07
186.	8	Ludwig	1.3	Are there currently any outstanding HREOC compensation orders that you have not finalised?	9/02/07
187.	8	Ludwig	1.3	And in relation to other compensation orders that have been made, are there any others still outstanding in either the Federal Court or the High Court where a private arbitration has been completed and the compensation has not been paid?	9/02/07
188.	9	Crossin	1.3	Provide the total amount paid to claimants without court action or in settlement in the last financial year.	9/02/07
189.	9	Nettle	1.3	Do you have department figures for the legal bills associated with the Solon and Rau cases to date?	9/02/07
190.	9	Nettle	1.3	In relation to Niyonsaba, what are the legal costs so far?	9/02/07
191.	49	Crossin	1.3	There is some very limited scope for employers committing criminal offences arising under the migration legislation. It is possible that an employer may be penalised under section 11.2 of the	9/02/07

No.	Hansard Page No.	Senator	Output	Information/Material to be Provided	Received
				Criminal Code Act. This section can lead to criminal liability where the employer is found guilty of aiding or abetting the commission of a so-called section 235 offence by breaching section 235 of the Migration Act. A section 235 offence is committed by an unlawful citizen who works illegally or by a noncitizen who breaches the work conditions. Have you taken action against any employers who have assisted that?	
192.	91	Nettle	1.3	Provide the costs for residence determination for the last financial year and the year to date and also the total number of people in residence determination.	18/12/06
193.	92	Nettle	1.3	Of the 71 who are currently in residence determination, what proportion are seeking asylum?	9/02/07
194.	94	Nettle	1.3	Which groups have been consulted with regards to the Bridging Visa E review?	9/02/07
195.	94	Nettle	1.3	How many people are on Bridging Visa E, how many people are asylum seekers on Bridging Visa E, and also how many people on Bridging Visa E have work rights, in each of those two categories?	9/02/07
196.	95	Crossin	1.3	In relation to the Northern Immigration Detention Facility, provide a copy of the MOU with the Department of Defence.	9/02/07
197.	96	Crossin	1.3	With regard to the meetings between DIMA and Defence in relation to the separation of services and the subdivision of land for the Northern Immigration Detention Facility, can you provide me with a complete list of matters that this question may go to and what the subject of those meetings has been in terms of the services or separation of land that you are specifying?	9/02/07
198.	96	Crossin	1.3	In relation to the Northern Immigration Detention Facility, has the separation of services begun?	9/02/07
199.	96	Crossin	1.3	Can you tell me what the situation is with regard to a new entrance to the Northern Immigration Detention Facility? I understand there is a proposal to actually change the entrance to the facility and make it accessible off Amy Johnson Avenue. Has Defence engaged a consultant?	9/02/07
200.	96	Crossin	1.3	In relation to the Northern Immigration Detention Facility, the maintenance cost for the centre as at 22 September was \$57,000. Do you have an update on that?	9/02/07
201.	96	Crossin	1.3	How many security guards are on at any one shift at the Northern Immigration Detention Facility?	9/02/07
202.	97	Crossin	1.3	What training is required by GSL staff before they step onto the grounds as a security officer in a facility such as that?	9/02/07
203.	98	Nettle	1.3	Provide the ongoing running costs for the other centres that are currently either mothballed or contingency.	9/02/07
204.	98	Nettle	1.3	I want to ask about the enforcement of student visas. There was a case last year in the Federal Court where some criticism was made about the enforcement of student visas. The committee inquiring into the Migration Act also heard criticism on this. Have there been any changes in the way in which student visas were being enforced, to bring in any more discretionary warnings, rather than what was described in the Federal Court last year as heavy-handed tactics?	9/02/07
205.	99	Nettle	1.3	In relation to the visit by the PRC delegation to interview immigration detainees, has HREOC reported on this matter yet?	9/02/07
206.	106	Nettle	1.3	How many rooms does the management unit have at the Christmas Island Centre?	09/02/07

No.	Hansard Page No.	Senator	Output	Information/Material to be Provided	Received
207.	Written	Crossin	1.3	What is the year-to-date cost of litigation as well as a breakdown of areas of litigation, the success rates of litigation and the total cost and total recovery through sanctions? [<i>PBS DIMA p48, 2006-07 estimate \$45.3m for Dept Appropriations, \$13.7m 'other resources'</i>]	9/02/07
208.	Written	Crossin	1.3	How many cases of litigation against the Department were not related to a departmental decision, but rather an action or because of a department action? For instance, wrongful detention or assault while under the care of DIMA.	9/02/07
209.	Written	Crossin	1.3	What is the total cost and a breakdown of the number of settlements or decisions against the Department?	9/02/07
210.	Written	Crossin and Ludwig	1.3	1. I understand that the Departmental and Agency Contracts Listings for period 1 July to 30 June 2006 shows total contractor amounts listed is more than \$231m for Christmas Island Immigration Processing Centre. Is that correct? 2. What was the original amount allocated for the Christmas Island Processing Centre? 3. What is the current total projected overspend on the project and the projected completion date?	Transferred to F&PA Committee
211.	Written	Crossin and Ludwig	1.3	<u>Christmas Island</u> 1. Is the current contract held by 'Architectural services' by Philips Smith Conwell Architects? Who and how much was the original tender? 2. Is the amount now expected to be almost \$13m overspend?	Transferred to F&PA Committee
212.	Written	Crossin and Ludwig	1.3	<u>Christmas Island</u> 1. Was Baulderstone Hornibrook contracts totalling \$209.6m? 2. What was the original tender?	Transferred to F&PA Committee
213.	Written	Bartlett	1.3	1. What has been the full expenditure to date for the construction, outfitting and maintenance of the Baxter facility to date? 2. If Baxter is mothballed as intended, what is the expected annual cost of keeping the centre in an ongoing state of readiness?	18/12/06
214.	Written	Bartlett	1.3	How many immigration detainees have had their debts for the cost of their detention waived in the last financial year? What amounts have they been for? Why are others not granted waivers?	9/02/07
215.	Written	Bartlett	1.3	Can details be provided in relation to the public consultation process for the proposed immigration transit centre at Pinkenba: a. How widely has consultation taken place? b. How many briefings have been done? c. What the feedback of residents have been? d. What the capacity of the centre will be? e. What is the maximum length of time a person can be detained in the centre? f. What the accommodation set up is like, room structure and whether there is designated area set aside for minors or if there are rooms for families? g. When is this intended to be built? h. What are the estimated costs? i. Who will be running the centre?	9/02/07

No.	Hansard Page No.	Senator	Output	Information/Material to be Provided	Received
216.	Written	Bartlett	1.3	<p>j. What facilities will there be ie recreation, health etc</p> <p>Can a breakdown be provided of cases of visas that have been cancelled by s501 according to the:</p> <p>a. Crime/s each person was convicted of,</p> <p>b. Length of time they had been permanent residents or in Australia,</p> <p>c. Countries they were originally from,</p> <p>d. Length of time they have been in detention.</p>	9/02/07
217.	Written	Bartlett	1.3	<p>1. How many international students are there currently in detention centres?</p> <p>2. Please provide a breakdown of:</p> <p>a. The countries they are originally from.</p> <p>b. Length of time they have been in detention.</p> <p>c. What the breach of their visas have been for.</p> <p>d. Which detention centres they are in.</p>	9/02/07
218.	Written	Bartlett	1.3	<p>1. How many asylum seekers are there located at Toowong Private Hospital at present, where were they moved from, how long have they been at TPH and why have they been moved up to TPH?</p> <p>2. Are there likely to be more detainees being sent to TPH?</p> <p>3. What has been the cost of keeping them at TPH to date?</p>	9/02/07
219.	Written	Bartlett	1.3	<p>1. How many asylum seekers are currently in Glenside?</p> <p>2. Please provide a breakdown of nationalities and the duration of their stay there.</p>	9/02/07
220.	Written	Kirk	1.3	<p>During Supplementary Estimates in November 2005 the following question was taken on notice:</p> <p><i>Senator Kirk asked:</i></p> <p><i>Who went to Quetta and when to retrieve the document?</i></p> <p><i>Answer: Question 120</i></p> <p><i>The First Secretary of Immigration in Islamabad made investigations in Quetta in September 2002. He also tasked a locally engaged compliance assistant to undertake investigations in 2002. The documents in question were sent from the National Database and Registration Authority (NADRA) and National Identity Card (NIC) Office in Quetta to the Australian High Commission in Islamabad where they were received on 2 December 2002.</i></p> <p>It is understood that records show that Ali Asqar Bakhtiyari was given a copy of the Pakistan ID document on Friday 30 August, 2002. He responded on 20 September affirming the person from Pakistan was not him. On 15 October 2002 Mr John Caspersson wrote to DIMA from Islamabad stating he had collected the Pakistan ID on 20 and 22 August 2002 and sent a copy of the document which differed from the one presented on 30 August.</p>	9/02/07

No.	Hansard Page No.	Senator	Output	Information/Material to be Provided	Received
				<p>It is understood that DIMA sent a further cancellation notice on 25 October, 2002 and Ali Asqar Bakhtiyari responded on 8 and 11 November and 3 December. He was arrested and detained in Villawood on 5 December 2002.</p> <p>Records show that there was a different translation to this third copy of the document and that the translation included education standard. Records also show that DIMA were advised of this discrepancy at both RRT hearings for Mr Ali Asqar Bakhtiyar and apparently ignored them. An affidavit by Mr Hassan Ghulam was also sent to the department in June 2004 pointing out the problems with the documents.</p> <p>In the RRT decision of 25 August 2003, Mr Giles Short said on pages 30/31 that "it would be unsafe to say that the photo on the Pakistan ID was the applicant".</p> <p>Can the Department explain:</p> <ol style="list-style-type: none"> 1. The document for Mr Asghar Ali Bakhtiri with ID number 601-59-056905? 2. Its claim that it only received the Pakistani document on 2 December 2002? 	
221.	Written	Kirk	1.3	<p>In the Budget Estimates of 2006 DIMA provided two Pakistani ID documents - Question 202 and attachments. These documents are claimed to be Mr Mazhar Ali and his father. It is understood that two independent Persian speaking translators state that the document purporting to be Mr Mazhar Ali (ZIL20) is in the name of Nazar or Nasser Ali and the other one is in the name of Mr Teimor Ali. Mr Mazhar Ali's father was Mr Yusuf Ali of Balaw Daoud, Jaghour district of Ghazni.</p> <p>Can the Department explain:</p> <ol style="list-style-type: none"> 1. When these documents were presented to Mr Mazhar Ali and if they were not presented why not? <p>Can the Department provide:</p> <ol style="list-style-type: none"> 2. Documents dated in October 2002 that claim Mr Mazhar Ali is from Pakistan and how that conclusion was reached? <p>Can the Department explain:</p> <ol style="list-style-type: none"> 3. Why Mr Mazhar Ali's escorts were entitled to travel without visas and indicate how many countries allow Australian escorts to travel without visas? 	9/02/07

No.	Hansard Page No.	Senator	Output	Information/Material to be Provided	Received
				<p>4. How was Mr Mazhar Ali left at the Karachi airport if the DIMA staff were not allowed to enter?</p> <p>Can the Department provide:</p> <p>5. Copies of all the Pakistani documents with the photos uncensored?</p> <p>Can the Department explain:</p> <p>6. When did Mr Teimor Ali come to Australia? Who is Mr Teimor Ali? Did he apply for asylum? (It has been reported previously by journalist Mr Paul McGeough that Mr Mazhar Ali's father is long dead and the Afghan governor of his district verified him as Mr Yusuf Ali).</p> <p>7. Why was Mr Mazhar Ali sent to Karachi instead of Quetta?</p>	
222.	Written	Kirk	1.3	<p>How many "failed" refugees have been deported from Australia since 1999? From which countries? Can and will a chart of countries and ages of people deported be provided? How many were deported by force? Was force such as drugging, shackling or tying down ever used? If so how often? Have children ever deported by force? If so how many? If force was used, do these practices of deportation still apply?</p>	9/02/07
223.	Written	Evans	1.3	<p>1. Please indicate the total funding allocated to the department for APEC 2007 related purposes, please also indicate how this funding is broken down by financial year.</p> <p>2. Are the funds listed in response to the above question received from the Attorney-General's Department?</p> <p>3. What is the purpose of the funding listed in response to the above questions and what are the department's activities in regard to APEC 2007? Please provide a breakdown of the level of funding allocated to each of the department's APEC 2007 outcomes.</p>	9/02/07
224.	Written	Ludwig	1.3	<p>(1) What sum did the department spend during 2005-2006 on external (a) barristers and (b) solicitors (including private firms, the Australian Government Solicitor and any others).</p> <p>(2) What sum did the department spend on internal legal services?</p> <p>(3) What is the department's projected expenditure on legal services for 2006-2007.</p>	9/02/07
225.	103	Crossin	1.5	<p>What are the costs associated with those two visits, and what is the cost associated with the psychiatrist going monthly to Nauru?</p>	9/02/07
226.	105	Nettle	1.5	<p>Have the mental health reports for the gentlemen on Nauru that we were talking about been made available to the detainees? A team of mental health professionals went and wrote the reports about the situation of mental health in Nauru. You were talking before with Senator Crossin about whether those reports were available. I was wondering whether they had been made available to the detainees.</p>	9/02/07

No.	Hansard Page No.	Senator	Output	Information/Material to be Provided	Received
227.	Written	Bartlett	1.5	What is the current cost of maintaining the centre on Nauru?	9/02/07
228.	Written	Bartlett	1.5	How much is being spent by the Australian Government on maintaining the 67 asylum seekers remaining in the refugee camp on the island of Lombok in Indonesia (per year)?	9/02/07
229.	114	Hurley	2.1	Which areas have had arrivals that have been higher than anticipated?	9/02/07
230.	115	Hurley	2.1	In relation to torture and trauma counselling, is that 35 percent pretty much across the board?	9/02/07
231.	116	Hurley	2.1	In relation to the Australian Croatian Community Service of Victoria, provide details of where the clients were suggested to receive services.	11/01/07
232.	117	Hurley	2.1	In how many instances have migrant health service providers raised concerns about client numbers?	11/01/07
233.	120	Hurley	2.1	What is the process that IHSS providers use to refer clients to an AMEP provider?	9/02/07
234.	117-118	Hurley	2.1	In relation to AMEP, what percentage of people who are eligible for the program have completed the 510, 610 and 910 hours respectively? Of those percentages (those eligible for the program), how many have completed their allotted hours or reached a level of functional English?	11/01/07
235.	118	Hurley	2.1	In relation to AMEP, is there any difference for those who have got the extra 100 hours? Is that a higher percentage achieving certificate III or is that the same as for the 510-hour people?	11/01/07
236.	121	Hurley	2.1	What do the different CSWE levels equate to, who made the decision as to what functional English is and what level it should be at and has it changed over the years?	11/01/07
237.	Written	Bartlett	2.1	Can a breakdown be provided of funding given to service providers for settlement services according to state and territory. Is funding commensurate with the intake of refugees?	11/01/07
238.	Written	Hurley	2.1	AMEP home tutor scheme 1. How many students have participated in this part of AMEP since the latest contract began? 2. How many students have exited the home tutor scheme with functional English? 3. How many who used the home tutor scheme withdrew before completing the 510 hours? 4. What are the qualification requirements of the home tutors? 5. How many students on the home tutor scheme have qualified for extra tuition (610 or 910 hours)	11/01/07
239.	Written	Hurley	2.1	Andrew Robb announced in October at the AMEP National Conference that the government will be looking at using AMEP as a means to accelerate people into the work force. 1. How did this decision come to fruition? 2. How will this differ to what is meant to be done under the existing IHSS format? 3. What estimated costs have been developed for this programme? 4. Will all AMEP providers be responsible for this?	11/01/07
240.	Written	Hurley	2.1	AMEP Childcare waiting lists 1. Is the Department aware of waiting list for AMEP clients requiring childcare? If so, which providers and how many people are waiting? 2. Are all AMEP providers satisfactorily achieving the childcare requirements stipulated by the government's contract? If not, who is not and what are the reasons? 3. Is there a provision in the AMEP contract for crèche-style childcare?	11/01/07
241.	Written	Hurley	2.1	On 25 September 2006, the government announced the introduction of an online interpreter's course.	11/01/07

No.	Hansard Page No.	Senator	Output	Information/Material to be Provided	Received
				<ol style="list-style-type: none"> 1. When will it be launched? 2. How much is it costing? 3. Will languages from Burma be included in this scheme? 	
242.	131	Hurley	2.3	In relation to citizenship tests, have the Netherlands or any other countries done an evaluation?	11/01/07
243.	Written	Bartlett	2.4	Can a breakdown be provided of all grants to multicultural related organisations according to state and territory?	11/01/07
244.	Written	Nettle	2.4	<p>In reference to the newspaper advertisement and the website http://www.harmony.gov.au/grants/ regarding Funded Community Projects. These refer to promoting 'Australian values' and 'mutual obligation'.</p> <ol style="list-style-type: none"> 1. In regards to mutual obligation, please advise when it was first introduced as criteria? 2. On what basis that decision was made? 3. If there are any documents that describe how mutual obligation is defined or specified by the department? 4. Is there a definition of "Australian values" which is used by the department in considering grant applications? 	11/01/07
245.	Written	Wong	1.1	What is the legal basis for the Government's decision to put in place regional concessions in 457 visa gazetted wage rates?	9/02/07
246.	Written	Wong	1.1	What is to say the employers did not just take it upon themselves to say I am in a regional location so I will pay 457 visa holders at my industrial instrument which is lower than the MSL?	9/02/07