

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES HEARING: 30 October 2006

IMMIGRATION AND MULTICULTURAL AFFAIRS PORTFOLIO

(111) Output 1.1 Migration and Temporary Entry

Senator Carr asked:

Payment of upfront fees by workers from China, QON 57

1. Can you confirm that the charging of 457 visa holders for their airfares to and/or from Australia is illegal?
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?
3. What penalty or penalties are attached to such contravention?
4. How many employers have been penalised for engaging in these practices, or allowing their agents to engage in them?
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?

Answer:

1. The sponsorship undertakings as agreed to by the employer at the time of sponsorship application specify that "The sponsor undertakes to be responsible for the cost of return travel to their home country".
2. Charging employees for employment placement fees is illegal in certain states. However, such laws cannot extend to fees paid in another country.
- 3, 4& 5. Please refer to part 2.