

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES HEARING: 30 October 2006

IMMIGRATION AND MULTICULTURAL AFFAIRS PORTFOLIO

(168) Output 1.1: Migration and Temporary Entry

Senator Evans asked:

Mr Fu – employed at Lakeside Packaging in Melbourne

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?

Answer

- 1 The Department was first made aware of allegations over potential breaches of the 457 visa conditions by Lakeside Packaging on 7 September 2006.
- 2 The department was made aware of these allegations when Mr Zhihong Fu approached DIMA Melbourne on 7 September 2006.
- 3 The Minister was first briefed about the potential breaches in this case on 15 September 2006.
- 4 The department first interviewed the visa holder Mr Fu on 7 September 2006 in the DIMA Melbourne office.
- 5 Yes, the department interviewed Mr Fu at DIMA Melbourne on 7 September 2006
- 6 The department first conducted a site visit to investigate the case on 18 September 2006.
- 7 No, the employer did not refuse permission for DIMA staff to enter the premises.
- 8 A Notice of Intention to Consider Sanctioning was sent to the employer on 6 October 2006.
- 9 A response to the Notice was received on 16 October 2006.
- 10 A decision to sanction was made on 7 December 2006.
- 11 The sanctions imposed are a one year sponsorship bar on future sponsorship applications and a bar on sponsoring any more persons under the current sponsorship arrangements. This sanction may be revisited pending the outcome of an investigation by the Office of Workplace Services and WorkCover.
- 12 Yes, the employer is currently still employing people on 457 visas and will be subject to repeat monitoring to ensure compliance in respect of the remaining 457 visa holders.
- 13 The last nomination for a visa holder was approved on 20 June 2006. The last sponsorship agreement was approved on 4 April 2005.