

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES HEARING: 20 OCTOBER 2009

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(126) Program 1.1: Visa and Migration

Senator Back asked:

With respect to the Montara Oil Spill, a rig named the West Triton and its crew were secured to attempt to plug the leak. Can you advise of the following? Were its crew subject to 457 visas? If so:

- a. Were all members who applied granted a visa?
- b. Was this under the previous 457 conditions?
- c. What dates were they submitted and approved?
- d. Was this conducted in a regular number of days, or were they expedited?
- e. Are you aware if 457 applications have been received for a relief crew for the Montara?
 - i. If so, have applications been received already?
 - ii. Can you advise when they are due to begin work?
 - iii. Were any applicants rejected?
 - iv. Have there been any difficulties in granting these visas?

Answer:

All foreign workers who were on the West Atlas oil rig at the time of the initial explosion held 457 visas. Substantial damage was done to the accommodation section by the explosion and some travel documents/visas were destroyed or not recovered. Following the evacuation of the workers new travel documents were obtained and DIAC reissued visas.

The rescue rig, West Triton, was towed to the location with some operational staff on board. Those workers held sub class 977 visas (the electronic version of a sub class 456 – Business Short Stay visa). These visas were not applied for and granted because of the incident. The workers held these visas previous to the incident.

The West Triton has a total crew of 17 who work on a rotational shift with approximately seven on board at any one time. The crew of 17 has been made up of those crew that came in with the rig on sub class 977 visas or crew from the West Atlas on sub class 457 (Business Long Stay) visas.

Were its crew subject to 457 visas?

Not all. Some were on sub class 977 visas that they held prior to the explosion occurring. Some from the West Atlas already held 457 visas.

- a. They all held visas, either Sub class 977 or sub class 457 visas.
- b. Yes for those who held a 457 visa

- c. Not relevant. All the crew held visas prior to the incident.
- d. Not relevant. All the crew held visas.
- e. There is no relief crew. However, applications for sub class 457 visas for those crew on sub class 977 visas have been received.

The Sub class 977 visa is a limited stay visa. The company had hoped that they would be able to control the leak within the validity of stay of the sub class 977 visas. When this was not going to be possible, applications for sub class 457 visas were lodged for all those workers on sub class 977 visas. The sub class 457 visa allows for a longer period of stay.

- (i) The applications for the 457 visa for those workers on a sub class 977 visa were received on 2 November and with the exception of two applications visas were granted on the same day i.e. 2 November. Under a new business model, decision-ready applications can be finalised within 24/48 hours of receipt. However, given the urgency of the situation, the cases were escalated and processing expedited.
- (ii) The workers have continued to work.
- (iii) No visas have been rejected.
- (iv) No. Two applicants who are currently offshore on leave are currently undertaking their medicals. When the results are cleared the visas will be granted. This is expected to be in time for the two to return to the rig in line with their rostered arrangements.