

27 March 2020

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To the Hon David Coleman MP
Minister for Immigration, Citizen and Multicultural Affairs

Agnes Kemenes
Director
Migration Advocate
LLB, MARN 9803083

Lawyer of the Supreme Court
of Queensland

By Email: david.coleman.mp@aph.gov.au

Dear Honourable Minister,

RE: Letter of Enquiry as to the Relaxation of Condition 8107 and Condition 8607

We write this letter to enquire into the potential relaxation by the Department of Home Affairs (the Department) of conditions 8107 and 8607 attaching to subclass 457 and subclass 482 temporary work visas.

As it stands, the visa holder must only work in the nominated occupation identified in the application and only for the employer in relation to which the visa was granted. If this employment is ceased, the period during which the holder ceases employment must not exceed 60 consecutive days for 482 visa holders, or 90 days for 457 visa holders, otherwise the visa may become subject to cancellation.

A wide range of migrants currently on temporary employer sponsored visas have either been stood down or had their employment terminated as a result of the measures implemented by the Australian Government in response to the coronavirus pandemic. Many skilled workers are now in search of employment who possess skills and experience of value to the Australian community during times of particular hardship.

To assist the Australian economy during this time, many temporary workers who have been stood down or terminated from their sponsoring employers could extend their services to other industries in Australia. Such assistance would provide valuable support in areas experiencing a significant increase in demand including supermarkets, farming and food production. The demand for workers

in these sectors will continue to rise with more Australians becoming dependent on the availability of these services.

As we understand, the preferable approach would be to provide 6 to 12 months of unpaid leave by sponsoring employers and relaxing conditions 8107 and 8607 to enable temporary skilled workers to make valuable contributions to the Australian economy during this period of uncertainty. This would further afford temporary workers the opportunity to provide for themselves and their families as many have lost their employment due to influence of the coronavirus on the Australian economy.

Currently this would place 457 and 482 visa holders in breach of their visa conditions, however, if this is relaxed for a specific period of time and reviewed at a later date, this would greatly benefit a wide range of interested parties and allow many diversely skilled and experienced workers to contribute towards our economy. However, as the visa holder may only work for the employer in relation to which the visa was granted, they will be in breach of condition 8107 or 8607 if they undertake work for a different employer.

We therefore seek a response from the Minister as we believe it would be in the best interests of all Australia to have these conditions relaxed in the present circumstances and afford our country the opportunity to act on the effects caused by the coronavirus.

We thank you for your time and consideration and humbly await your response.

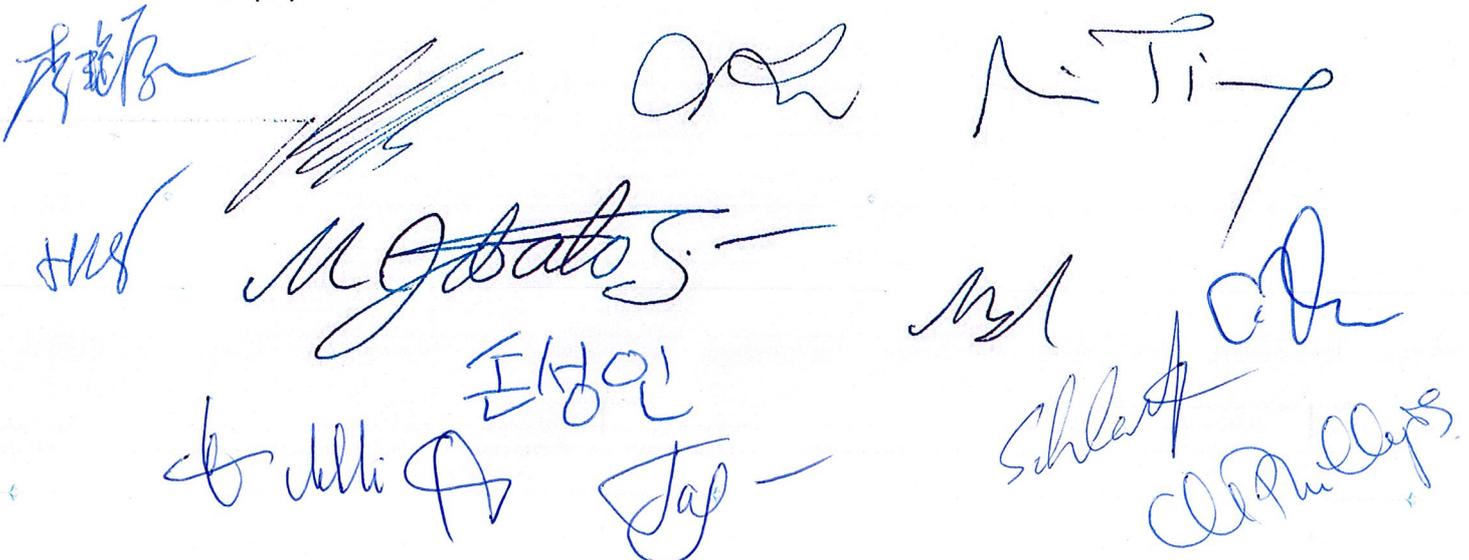
Yours faithfully,



No Borders Team

MARN - 9803083

We, the undersigned affix our signature this 27th day of March 2020 in support of this letter of enquiry.



A collection of approximately ten handwritten signatures in blue ink, arranged in a loose grid. The signatures vary in style and legibility, including names like 'M. J. Phillips', 'Schlart', and 'Jap'.