



The Hon. Alex Hawke MP
Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs
Parliament House
Canberra, ACT 2600

Tuesday 14 September 2021

Dear Minister,

Re: Section 48 and Regulation 2.12 amendment

I write to you today regarding the groundswell of support for amendments to be made to Regulation 2.12, specifically relating to people invited to apply for a points tested or employer nominated skilled migration visa. As you know, Covid19 and travel restrictions make the usual process of applying for these visas offshore prohibitive and dangerous to the health of the many applicants affected by Section 48 of the Migration Act.

Section 48 was not designed to disadvantage people assessed by the Federal Government as genuine skilled migration applicants and issued an invitation to apply for an Australian skilled migration visa. A simple amendment to Regulation 2.12 to include points tested skilled migration visa applications (these applications cannot be lodged unless the applicant has received an invitation from the Department of Home Affairs) and employer nominated applicants (whose employer has been approved by the government) will rectify the system's fairness during Covid19 and border closures.

To address this, Migration Solutions has been strongly advocating for immigration reform to help people unfairly impacted by Section 48 and Regulation 2.12. We created a [Change.org petition](#) and a [Section 48 and Regulation 2.12 Survey](#). We have already collated over **12,200** signatures in support of a change to assist genuine visa applicants who have been unfairly disadvantaged, along with a similar number of supporter comments ([which can be read here](#)). We have also conducted a survey of some of these applicants to assess their position. These results are attached and illustrate the impact of Section 48 and Regulation 2.12 on their lives, livelihood and families. The survey also provides insight into the economic and skills contribution these people have made to Australia. Interestingly, many of these affected applicants fulfill roles in our front line Covid-defence, as well as in key industry sectors where we are struggling to find skilled workers, plus those that will assist with Australia's economic recovery post COVID-19.

I note from previous correspondence with your office, Julien Rudd stated that:

Throughout this period, the Department is seeking to demonstrate flexibility where it can lawfully do so, while placing public health and the safety of the Australian community at the forefront.

With the evidence from the survey and overwhelming community support from our [Change.org](#) petition, on behalf of Migration Solutions and over 12,200 supporters, we are seeking an amendment to Regulation 2.12. This is a fair, genuine and reasonable request in response to COVID-19 and current travel restrictions, and one that also aligns with the Department's abovementioned goal of 'flexibility'. The amendment will enable eligible skilled migrants to continue to contribute to the economic and social fabric of Australia.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'M. Glazbrook'.

Mark Glazbrook
CEO, Migration Solutions Pty Ltd
Registered Migration Agent Number 0100185