

MIGRATION INSTITUTE  
— OF AUSTRALIA —

ACN 003 409 390

PO Box Q102, QVB Post Office, SYDNEY, NSW, 1230

Ph: (02) 9279 3140 Fax: (02) 9279 3172

[www.mia.org.au](http://www.mia.org.au)

Senator the Hon Chris Evans  
Minister for Immigration and Citizenship  
Parliament House  
CANBERRA ACT 2600

Dear Minister

I am writing to you on behalf of the Migration Institute of Australia (MIA) and its 1800 members to request that you urgently address a situation of disadvantage affecting a number of existing General Skilled Migration (GSM) applicants.

Passing the GSM points test can be challenging for many would be migrants and it can be heartbreaking for some to fall just five points short. Under the Regulations in force prior to September 2007, applicants qualified for five bonus points for capital investment in Australia. Certain State and Territory government bonds had been gazetted for this purpose.

As you may be aware, the media recently reported a 'scam' involving a former National Australia Bank employee issuing undocumented 'loans' to more than 200 GSM applicants so that they could gain the five bonus points. State governments have, perhaps spurred by these reports, withdrawn from the arrangements. Pending GSM applicants relying on these five bonus points have now found themselves in a quandary. Through no fault of their own, these applicants, some of whom applied more than a year ago, cannot fulfil the capital investment requirement that would qualify them for a GSM visa. They have already paid substantial application fees and some (hopefully only a small number) have sold their houses overseas in order to raise the funds for the capital investment.

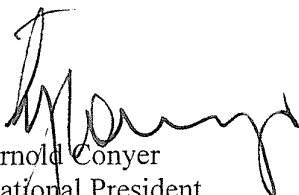
While the capital investment bonus point arrangement has closed to new applicants, the situation for existing applicants deserves to be resolved quickly and compassionately. The MIA believes that you should review the arrangements and provide an avenue for existing applicants, who need these five points, to be able to qualify for GSM visas. Gazettal of Commonwealth Bonds for the purpose may be a quick and simple way forward for what is a very defined group of existing applicants.

While priority should be on finding a solution for applicants, the MIA would also urge you to ensure that the reported scam is thoroughly investigated and the strongest possible action taken. The alleged perpetrator is an Education Agent who appears to, among other breaches, have provided unregistered migration advice contrary to the Migration Act. This situation puts consumers at risk. This situation also tarnishes the reputation of *all* Registered Migration Agents, as the general public often does not recognise the difference between Education Agents and Migration Agents.

We implore you to seriously investigate issues surrounding unscrupulous Education Agents – something that the previous government seemed hesitant to do as the MIA is unaware of even a single case of an Education Agent being prosecuted for provision of unregistered migration advice, despite making numerous referrals.

I look forward to your early advice.

Yours sincerely



Arnold Conyer  
National President

5 December 2007