



Dr Michael Spence AC

Vice-Chancellor and Principal

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Department of Immigration and Border Protection

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Policy Consultation Paper - Visa Simplification: Transforming Australia's Visa System, released 31 July 2017

The University of Sydney welcomes the opportunity to work with the Australian Government and other stakeholders to simplify and modernise the visa system.

With more than 16,000 international students, over 1200 staff who have come to us by different visa pathways, and thousands of overseas students and academics visiting each year, we can only fulfil our mission with the support of a responsive and fair visa system. At this point in the review we think the most constructive contribution we can make is to provide the following high-level principles and initial thoughts for consideration.

1. Openness and welcoming

As the paper notes, Australia is a nation built on migration. Our future prosperity will also depend largely on our ability to attract talented and motivated people from around the world. As a relatively small and geographically isolated nation, any reform of our visa program must carefully balance vital national security considerations with the large economic and social benefits that flow from maximising the ease by which people can enter and leave the country.

2. Simplification

The case for simplification is very strong, given the complexity of our current visa system and the cost it imposes for taxpayers, employers, and individuals. Simplification will help make Australia a more attractive destination for visitors, employees, international students and others. However, there are sound reasons for some of the current complexity, and ensuring unintended consequences are minimised will be vital to the success of any transformation. In particular, while rationalising the number of visa subclasses is positive, care must be taken to ensure this does not result in a significant increase in the number of streams under various visa sub-classes. A visa program that focuses on primary intentions of tourism, study, work and permanent migration could be a positive framework for useful simplification.

3. Transparency and accessibility

Information about our visa categories and how the system works should be readily available in clear language that is accessible to all. A person considering coming to Australia should be able to see easily how the different categories of our visa program sit and work together. The information we provide applicants online should be competitive with that published by the countries acknowledged as providing the best in the world. This should include up-to-date information about expected total costs and processing times; success rates for different visa classes and applicants with different profiles within a class; pathways to permanent residency; cost of living and access requirements for health, education and other vital services; and the appeal rights open to all applicants.



4. **Stability and certainty**

Much of the complexity of our current visa system arises from incremental changes that have been layered into the system *ad hoc* over time. While the Federal Government will always need to retain the right to make changes quickly to address unforeseen developments, maximising the stability and certainty of our visa framework should be a key policy objective for the reforms. For example, once any new framework replaces the current arrangements, any future reform should normally only occur following a cyclical formal review process undertaken say every three years.

5. **Grandfathering**

Too often in recent times substantial reforms to visa policy have been announced with insufficient regard given to the impact the changes will have on people who are already in Australia, or who have submitted an application based on the previous set of rules. If a key objective is to ensure the future visa system supports Australia as a competitive and attractive destination for temporary and long-term entrants, changes must never apply retrospectively.

6. **International students and knowledge workers**

As the consultation paper notes, Australia benefits greatly from attracting international students and the best and brightest skilled workers. Any new visa framework will need to retain a category, or categories, for international students wishing to study in Australia, and to assist businesses operating in Australia to fill jobs in areas of critical skills shortage.

Higher education is now an essentially global sector, with providers competing intensely for the best students and staff (both academic and professional). For example, Canada recently lifted its work permit requirement for foreigners working on research projects at publicly funded degree-granting institutions or affiliated research institutions – allowing one 120-day stay every 12 months without the need for a permit. Institutional success in research and global university rankings is increasingly dependent on the scale and quality of collaboration, which in turn relies on the ability of students and staff to move between institutions in different countries at various stages in their careers. If Australia wants to continue to attract talent in areas of national priority and skills shortage, our visa system will need to respond to other countries' efforts to attract knowledge workers.

Care must also be taken to ensure that avenues for permanent residency remain open for knowledge workers to settle in Australia. An initial appointment on a temporary basis with a pathway to permanent residency (or a period of provisional residence) is useful for both employers and employees recruited overseas, as it provides an opportunity to confirm both are confident in longer-term collaboration and settlement into Australian life. However, ensuring the continuing availability of a permanent residency option at the outset of employment is also useful in some cases. We often find that high quality international candidates in areas of critical shortage are unwilling to accept offers of employment unless they know in advance that they can obtain permanent residency before leaving their countries of origin.

We trust these initial comments are helpful, and look forward to being part of the review's consultations as they progress.

Yours sincerely,

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Michael Spence