

PIA RESPONDS



10/31/2016

INTRODUCING A TEMPORARY VISA FOR PARENTS

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BACKGROUND

Following the release of discussion paper we have consulted widely with the community members in Australia through one on one feedback, social media and through an online form created for the purpose.

The consultations were widely disseminated through our newsletter. In this feedback report we are presenting the views of 322 responses received so far.

The report is divided into four sections which are the same as were presented in the discussion paper. There are also five main points that were highlighted by the community.

- a. The purpose of supporting the new long term VISA for parents is not just for the sake of raising grand kids. It is also to make the parents part of the family as many of the migrants are used to living in an extended family network which has its own benefits.
- b. The perception that the parents will be a burden on the Australian Society is a wrong perception. There is a huge investment by the parents on the children who are now contributing to the Australian economy as a return.
- c. There will be a strong return to the economy of Australia as a result of the introduction to the long term VISA because the sponsoring kids will be staying with parents in Australia most of the time instead of travelling overseas.
- d. The long term stay visa should not be introduced as the **only** visa category for the parents.
- e. There will be a need to monitor the insurance companies so suddenly the premiums are not escalated beyond an average person's reach for the visiting parents.

SECTION ONE:

ABOUT THE VISA

1. Should age limits apply to applications for this visa? If so, how would these be determined?

The age limit should be from 55 year onwards for parents as long as health requirements and other criteria lay down by Department of Immigration are fulfilled.

The upper age limit can be 90 years on the pretext that the parents would be too frail to travel.

2. A key consideration is what, if any, work rights should be included with this visa. In what situations would temporary parent visa holders need to work?

The parents on long term stay VISA should have no work rights. Temporary parent visa holders should not need to work. But if the need arises (for example, a parent is highly skilled and can offer short term consultation or contracted services to a local company for mutual benefit). In such circumstances, a provisional short term work permit should be granted at additional charge if evidence is provided that employer could not find a suitable employee among Australian citizens.

3. How long should any waiting period be before a parent can reapply for a subsequent visa?

Most of the health insurers allow the insurance to be suspended for a maximum of six months and there are no waiting periods if the policy is renewed within six months. Therefore a waiting period of three months would provide a chance to reapply without any consequence to the parents.

4. What limits should be applied to the number of temporary parent visas available each year? Should there also be a limit on the total number of temporary parent visas at any point in time?

In the initial implementation phase no limits should be applied and a review after a two year cycle may be able to determine if there is such a need.

5. What factors need to be considered as to whether there should be a limit to the total time a person can stay in Australia on successive parent visas?

As long as the initial criteria on which the first visa was granted is fulfilled there is no need to have any other factors.

6. This visa will not provide a pathway to permanent residence. Given the estimated lifetime cost to the budget identified in the *Migrant Intake to Australia* report, are there any circumstances where permanent residence should be available to parents?

After the first renewal of long stay visa an option to apply for permanent residence should be available provided the sponsor can provide evidence that the care and support will be available through income proof.

SECTION TWO:

VISA APPLICANTS

7. What, if any, level of English language proficiency should the parent be required to have reached as a prerequisite for this visa? Alternatively, should a minimum level of English language be a requirement in order to apply for a subsequent parent visa?

No. There are families settled in Australia from other ethnic backgrounds where still spoken language at home is not English and yet the families have successfully assimilated within Australia.

8. Are there any specific group of parents (for example parents who have young children living in Australia) who should be afforded priority access to visa?

Not required. The only priority that needs to be considered is that the parents have no children back home to look after them.

9. New applicants for this visa will always have to pass a comprehensive health assessment. Note elderly parents in particular generally become more fragile and less healthy as they age. To what extent should a person's health status be a consideration if they apply for subsequent parent visas?

As long as there is an evidence that the private health cover is available and if need arises there are resources available for the family to cope with financial burden, there is no need to add any other factor in the review.

SECTION THREE:

SPONSORS

10. Australian citizen sponsors will be given higher priority under the new arrangements, as generally they have been contributing to Australia for a greater period of time. Under what circumstances non-citizen Australian sponsors should be given priority?

Australian citizens should be the priority in the first cycle of implementation to see the intake of the long stay Visa.

11. If a financial bond is imposed on the sponsor to offset potential future health costs incurred by the visa holder, what form should this take—that is an upfront one-off payment, a contingent loan arrangement, payment in instalments)such as through a second VAC) or payment into a government investment?

If a sponsor has already fulfilled the criteria of a bond under other visa category for parents he/she should be exempted because they have already satisfied the Commonwealth of Australia that they have the resources to take care of the parents.

In cases where it is only one parent who is being sponsored there should be no bond requirements. In cases where both parents are applying for the long term VISA, a bond may be required and can be determined on case by case basis.

In a case where a bond is imposed there should be a section in the annual Tax return where the amount of bond is exempted from the annual income during the financial year it was deposited.

12. What (if any) limits should be placed on the total liability of sponsors where their parent incurs significant health or aged care costs not be covered by their private health insurance?

The responsibility should lie with the sponsor.

13. In the event that the holder of a parent visa is unable to depart Australia due to illness or accident:

- what responsibility should be borne by the sponsor and their immediate family and
- to what (if any) extent would it be reasonable for these costs to be borne by the Australian community?

The responsibility should be with the sponsor.

14. If a sponsor dies:

in what circumstances, and what timeframe, should their parent be required to leave Australia

- what liability should remain with their immediate family and

- in what circumstances should their immediate family be able to take over the sponsorship to enable the parent to remain in Australia?

It should be determined case by case depending on the will and resources of the remaining family. This is not an easy task and if a situation arises where the remaining family is not able to take the responsibility a period of six months should still be allowed to remain in Australia considering the bereavement process.

15. Should there be an option for parents of minor children to be sponsored on the child's behalf? Who should be allowed to take on this role and what liability for sponsorship obligations should apply to them?

No

16. In what circumstances should it be an option or requirement for couples to lodge a joint-sponsorship of a parent?

Where the annual income of the individual is less than 100, 000 a joint application may be considered.

SECTION FOUR:

COSTS

17. What factors need to be considered in setting the level of the VAC for the new visa to adequately reflect the extended stay available?

It should be manageable for all groups of sponsors without any discrimination. A suggestion is to have the Tourist visa application charges x 10% for each of the four years.

18. In what circumstances should refunds be available for applicants who want to withdraw an existing permanent visa application and apply for the new temporary parent visa?

If the application has been submitted during the last three months of the visa introduction a full refund should be given.

For an application which was submitted 3- 12 months proceeding to the visa introduction 90% should be refunded.

For all other applications 75% should be refunded and the sponsors should be exempted from any bond requirements

19. What might constitute a suitable level of annual income available to the applicant for their period of time in Australia, noting they will not have access to government support services? Should the source of this income be the sole responsibility of the parent, or should their Australian child be allowed to contribute to this?

There is no need of annual income for the applicant as long as the sponsor is able to demonstrate that they have sufficient resources to fulfill the needs of the applicant(s).