

## Submission to Queensland Government Legal Affairs and Community Safety Subcommittee

Concerning:

### Youth Justice (Boot Camp Orders) and Other Legislation Amendment Bill 2012

This bill was presented to the house on 1 November 2012. **My submission concerns section 106B of this bill which explicitly removes impediments to the Queensland Government discriminating against individuals in the provision of public services on the grounds of visa status.** The reasons behind this exclusion given in the explanatory speech in the house were "Public resources are finite. Limits must often be placed on who is eligible for government funded assistance"<sup>1</sup>. While I do not dispute the veracity of these statements, they detract from the intention of the bill which is to deny certain groups of taxpayers legitimately residing in Queensland from services they have contributed to.

My husband and I are New Zealanders who moved to Queensland in 2011 in order to leverage our considerable experience in the international oil and gas industry to further the economy of Queensland through our contributions to the LNG mega projects being undertaken in Gladstone. As New Zealanders we entered the country on Non-Protected Special Category Visas and reside here legally as 'temporary visa' holders. We intend to reside in Queensland permanently and are able to do so with our current visas. We have both secured employment, purchased property, and employ an Australian fulltime for the care of our children. **It should be noted that we pay the same tax on our employment earnings as Australian citizens.**

Our employment earnings are in the top quartile of Australian incomes. We therefore pay tax at a rate far higher rate and contribute more to the Australian tax base than the average Australian. In creating employment for an Australian to care for our children, we contribute further to both the Australian tax base and the superannuation pool.

However we are unable to access *all* the services our taxes pay for. Should the current amendment be passed, the Queensland Government ability to deny us services that we have contributed to on the grounds of our residency status will be unable to be contested. **This situation is clearly inequitable.**

We are investigating becoming citizens. However, in order for us to become citizens, we would require permanent residency through skills assessment or employer sponsorship. As permanent residency is not a prerequisite of our employment, employers are not incentivised to offer 457 visa assistance as they would to nationals outside the 'preferential' Australia-New Zealand Trans-Tasman

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<sup>1</sup> Hon. JP Bleijie Speech to the House, 1/11/12,  
<http://www.parliament.qld.gov.au/documents/tableOffice/HALnks/121101/Youth.pdf>

Travel Arrangement (2001). Hence, **New Zealanders are disadvantaged in terms of accessing pathways to permanent residency and citizenship** that would be available to other nationalities.

It should be noted that Australians residing in New Zealand, in accordance with the spirit of the 2001 Agreement, are able to access all New Zealand government services after two years' residence and vote in all elections after one years' residence. Moreover, Australians can become New Zealand citizens after five years' residence without skills assessment or sponsorship. The Australian Federal Government's implementation of the 2001 Trans-Tasman Travel Agreement, and **the Bill before the house (which reinforces alienation of taxpaying New Zealanders residing in Australia from government services), is a far cry from the ANZAC spirit which normally characterises Trans-Tasman relations.**

The Bill before the house should be amended to prevent discrimination of access to government services for Special Category Visas. Moreover, the Queensland Government should lobby the Federal Government to ensure that New Zealanders residing permanently in Queensland are able to access *all* government services on the same terms as Australian citizens living in New Zealand. The Queensland Government has a responsibility to protect all its taxpayers on an equal basis no matter their visa status.

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