



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



THE SENATE

REGULATIONS AND DETERMINATIONS

**Migration Amendment (Offshore
Resources Activity) Regulation 2014**

Disallowance

SPEECH

Wednesday, 16 July 2014

BY AUTHORITY OF THE SENATE

SPEECH

Date Wednesday, 16 July 2014	Source Senate
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Questioner	Responder
Speaker Lambie, Sen Jacqui	Question No.

Senator LAMBIE (Tasmania—Deputy Leader and Deputy Whip of the Palmer United Party in the Senate) (18:24): The motion for disallowance of this regulation deserves the support of the Senate for one primary reason—that is, because if it is allowed to stand the jobs of thousands of Australians will be at risk. The specific reason this could occur is that the regulation introduces the maritime crew visa as being acceptable for overseas citizens working within Australia's offshore oil and gas industry.

The maritime crew visa was introduced in 2007 for seafarers on international trading ships sailing to and from Australia. It does not require compliance with Australia's labour laws. It allows Australia to undertake security checks on international seafarers and allows international seafarers to have access to shore leave for limited periods of time.

Seafarers covered by maritime crew visas are not subject to Australian minimum employment conditions. Their conditions may be significantly below Australian pay and conditions. Rates of pay under international agreements may be in the order of \$1,000 per month for an ordinary seaman. This is less than the Newstart allowance for unemployed Australians—let alone the rates of pay in the relevant awards and agreements.

There are hundreds of vessels operating in the Australian offshore oil and gas industry at any one time. These include seismic research vessels, drill ships, construction vessels, specialised vessels such as pipe-layers and rock dumpers, supply vessels, standby vessels and support vessels. The operation of these vessels currently involves the employment of thousands of Australians. The majority of these workers are employed in the waters off the north of Western Australia. However, they live in every state and territory of our Commonwealth. These Australian citizens and permanent residents pay taxes in Australia. Their livelihoods will be at risk if the regulation is allowed to continue because they could be replaced within a short period of time by cheaper, foreign workers under maritime crew visas.

The regulation for the first time makes the maritime crew visa available for people working continuously within Australia's migration zone. To repeat: this is the first time that the maritime crew visa would be made available to people working within Australia's exclusive economic zone, as opposed to international seafarers on commercial trading ships on international voyages.

The rates of pay for these seafarers are so low that it will be impossible for vessel operators to ignore the option of employing overseas workers within Australia's exclusive economic zone. Also, since the maritime crew visa is not subject to the labour market testing requirement introduced in 2013, there will be no need for any offshore oil and gas positions to be advertised within Australia.

Most of the jobs in the offshore oil and gas industry are casual jobs. The current Australian workers could be given their notice of termination and paid out within a very short period of time. Moreover, the employment of overseas workers will also exclude any opportunity for young Australians, like my son, to gain training in marine engineering. Under current enterprise agreements, Australian employers have undertaken to train new entrant marine engineers at a rate of one trainee for every 10 Australian marine engineers employed.

For these reasons, it is important that the regulation introduced on 16 June be disallowed. The minister should request an immediate re-write of the regulation without the maritime crew visa and table a new regulation as soon as possible to ensure that the Migration Amendment (Offshore Resources Activity) Act 2013 is implemented without putting at risk thousands of Australian jobs.