

# MEDIA RELEASE

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## **New offshore migration requirements established**

AMMA welcomes the Australian Government establishing new migration arrangements for offshore resources activities that effectively retain the sector's current practical operation, following last week's Federal Court ruling that revoked the visa arrangements implemented in July 2014.

The new visa requirements relate to the practical implementation of the *Migration Amendment (Offshore Resources Activity) Act* (the ORA Act), which has been subject to ongoing legal dispute and political debate since it was passed into law by the former Labor government in 2013 and took effect on 29 June 2014.

Following last week's successful challenge by maritime unions to the Coalition's pre-existing visa arrangements, the government has issued two new instruments which together specify the coverage of the ORA Act and the visas required for non-Australian personnel working on offshore resources activities, depending on the type of vessel concerned.

In short, the practical impacts of the two instruments effectively restore the pre-ORA Act status quo for employers, with some modifications, by regulating offshore resource activities as follows:

- Fixed platforms and vessels attached to the Australian seabed continue to require non-citizens working on them to hold a 400, a 457 or a permanent visa, as has been the case for many years.
- Vessels and activities that were not previously deemed to be in the migration zone despite being in waters above Australia's EEZ are now technically in the migration zone, but will be automatically covered by a "Special Purpose Visa" not requiring them to apply for visas with working rights for their non-Australian citizens.

"AMMA welcomes the government's ongoing commitment to providing certainty and clarity for the critical use of non-Australian workers to support Australia's offshore oil and gas sector," says AMMA executive director, policy and public affairs, Scott Barklamb.

"Together, the two new instruments issued by the government will allow the sector to continue operating practically as it has for decades, creating thousands of jobs for Australians and only supplementing our workforces with very small numbers of specialist non-Australian workers.

"Throughout this process, AMMA has sought to provide our members with certainty and clarity in the use of globally accepted industry practice. We welcome the government's support in the face of a concerted MUA campaign to make operating in Australia more difficult."

AMMA encourages any organisations employing non-Australians in the offshore sector to obtain specific legal and / or migration advice in relation to their activities to ensure compliance with the new visa regulations.

Media seeking a full briefing on this issue should contact Tom Reid at the below details.

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