

## **Government to legislate on visa status of offshore resource workers**

The Minister for Immigration and Citizenship, Chris Bowen MP, today announced that the government would legislate to amend the Migration Act and clarify the situation around workers in offshore maritime zones.

Mr Bowen said that following the Federal Court decision on the *Allseas* case in May this year, a review was required into how the Migration Act affects and protects workers in offshore maritime zones.

The *Allseas* court case found that the migration zone, as currently defined in the Migration Act, does not extend to a vessel engaged in laying pipeline on the seabed.

A Department of Immigration and Citizenship (DIAC) review will explore the application of the Migration Act to offshore resource industry workers and the best options for legislative change.

'The government will legislate to rectify the current situation,' Mr Bowen said.

'We want to ensure the rights of workers in the offshore resources industry are appropriately protected, while at the same time promoting opportunities for Australians to work on important local resource projects.

'The review will seek to create legislative certainty and to promote offshore industry investment while balancing broader community expectations about Australia's jurisdiction over its resources and maritime zones.

'The exploration of the natural resources of Australia's offshore maritime zones contributes significantly to our economy and employs thousands of Australians.'

The DIAC review will consider a range of issues, including limitations of current legislation and case law, concerns expressed by unions, industry groups and state and territory governments, and the practicalities and costs of enforcing compliance in offshore maritime zones.

The review is also an important opportunity for interested stakeholders, including unions and industry groups, operators, state and territory governments and relevant Commonwealth agencies to provide input into the process.

Consultation is expected to conclude in early 2013 and the government will then consider necessary legislative and regulatory changes.

Further information on the review, including the terms of reference, can be found on the DIAC website.

<http://www.immi.gov.au/>