



Hon Peter Collier MLC
Minister for Education; Aboriginal Affairs; Electoral Affairs
Leader of the Government in the Legislative Council

Your Ref: Petition No 17
Our Ref: 34-30427

Hon Simon O'Brien MLC
Chairman
Standing Committee on Environment and Public Affairs
Parliament House
PERTH WA 6000



Dear Mr O'Brien

Thank you for your letter dated 28 November 2013 regarding Petition Number 17-Opposing Fee for 457 Visa Holders.

As requested, comments on the terms of the petition have been prepared as follows:

1. Economic

Western Australian public schools have experienced record levels of enrolment growth in the past two years, placing pressure on budgets and school infrastructure. The average cost of educating a student in a public school is approximately \$15,000. This cost excludes disability services and intensive English language support.

The State Government has determined that families of 457 Visa holders in Western Australia will be required to pay fees to send their children to a Government school from 2015, to assist in recouping the cost of educating these children.

This decision reflects the pressure on the State's budget and the reality that Western Australian taxpayers contribute to the cost of services, such as education, over a lifetime of paying taxes.

A tuition fee of \$4,000 per annum (\$1,000 per term) will apply to a family's first child enrolled in the State education system, and \$2,000 for each second and subsequent child from the same family.

2. Business Community

Holders of 457 Visas who live and work in Western Australia come from many different countries and cultural backgrounds. The State Government values the contribution they make to the Western Australian community. However, as temporary residents they do not hold the same entitlements to education and other services, such as health care, as Australian citizens or permanent residents.

3. Legality

Each State Government decides the enrolment status of the dependent children of 457 Visa holders and whether they pay tuition fees. From January 2015, 457 Visa holders will pay a contribution towards the cost of educating their children in public schools. While the precise arrangements differ, New South Wales and the Australian Capital Territory also charge tuition fees for the children of 457 Visa holders. It is noted that fee waivers apply in certain circumstances in the Australian Capital Territory. The *School Education Act 1999*, Division 6 Part 3, provides for students categorised as overseas students to pay a fee for instruction.

The Department of Education is working towards making legislative changes required to enable the implementation of the tuition fee from January 2015.

4. Human Factor

It is recognised that 457 Visa holders are tax payers, but these taxes are paid to the Commonwealth Government, while the State Government is predominantly responsible for funding public education.

To allow those affected to make adjustments, the State Government announced that the introduction of the fee would be delayed until 2015, a hardship provision would be developed and a discount for second and subsequent children would apply to minimise the adverse impacts.

5. Moral Reflection on Western Australia

Western Australian taxpayers contribute to the cost of services such as education over a lifetime of paying taxes, whereas the financial contribution made by 457 Visa holders for the same services is considerably less. The Policy reflects an equitable approach in which all members of the community make a reasonable contribution to the services from which they benefit. The policy will provide suitable hardship provisions that will take into account individual circumstances to ensure persons are not unduly affected.

Thank you for your interest in this matter. I hope this information is of assistance.

Kind regards



Hon Peter Collier MLC
MINISTER FOR EDUCATION
20 DEC 2013