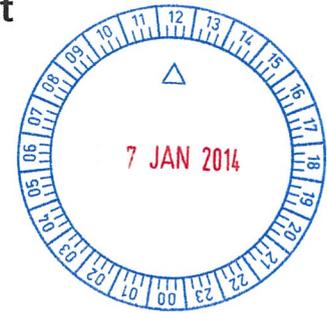




Treasurer; Minister for Transport

Our ref: 30-43819
Your ref: Petition No 17



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

Dear Chairman *Simon,*

STANDING COMMITTEE ON ENVIRONMENT AND PUBLIC AFFAIRS – PETITION NO 17: OPPOSING FEE FOR 457 VISA HOLDERS

I refer to your letter dated 28 November 2013, requesting comments on the terms of the petition and the submission from the principal petitioner.

I provide the following commentary below:

Economic

- The economic contribution that 457 visa holders make to the Western Australian economy is duly recognised.
- The average cost of education is approximately \$15,000 per annum, per student, meaning Western Australian public schools are under increasing pressure to continue to provide current levels of service and infrastructure within limited budgets, despite record student growth levels. This ultimately is impacting not only on the Department of Education's Budget, but also the overall State Budget.
- Whilst 457 visa holders pay taxes, these are predominantly to the Commonwealth, and education is a State funded and run service. Furthermore, Western Australia continues to receive less GST, requiring the Government to introduce other revenue mechanisms in an endeavour to maintain current levels of service.
- 457 visa holders will be required to contribute to the cost of educating their children from 2015 onwards, with only the first child incurring the full fee of \$4,000 and every other child \$2,000 each thereafter. The \$4,000 fee for the first child represents approximately 26% of the total annual cost of educating that child, whereas the \$2,000 fee equates to 13% of the total cost.

Business Community

- It is recognised that the Western Australian business community places a high value on the contributions made to the State by all residents and visa holders, regardless of their respective cultures and backgrounds.
- Temporary residents to Western Australia do not hold the same entitlements that Australian citizens or permanent residents hold. As such, temporary residents are required to contribute for other State provided services, if and when they utilise these.

Legality

- Both New South Wales and the Australian Capital Territory Governments already charge fees for the schooling of children of 457 visa holders.
- The State Government has the right to determine the enrolment status of every student within the public school system and the fees payable for tuition. Dependent children of 457 visa holders are just one category of student in attendance at State public schools.
- Division 6, Part 3 of the *Schools Education Act 1999* (the Act) already legislates that students categorised as overseas students are to pay a fee for instruction.
- It is within the Government's right to introduce amendments to the Act, to implement its policy decisions, and will do so to enable implementation of a fee specifically payable by 457 visa holders, from 2015 onwards.

Human Factor

- To lessen the immediate impact on 457 visa holders, the State Government has delayed the implementation of the education fee until the 2015 school year.
- In addition to the delay, the Government will introduce hardship provisions, as well as reduced the fee by 50%, for the second and any subsequent children thereafter for each family.

Moral Reflection on Western Australia

- Australia is a signatory to the United Nations Convention on the Rights of a Child; however, these conventions do not form part of Australia's domestic laws until it is incorporated into legislation.
- The State Government currently charges Western Australian families a fee for public education, irrespective of their background.

Yours sincerely



**TROY BUSWELL MLA
TREASURER**

02 JAN 2014