

# Introduction

- temporary skilled migration - integrity of the 457 visa program
- application of immigration and workplace laws to workers in the offshore oil and gas industry



# Worker Protection under the Migration Act

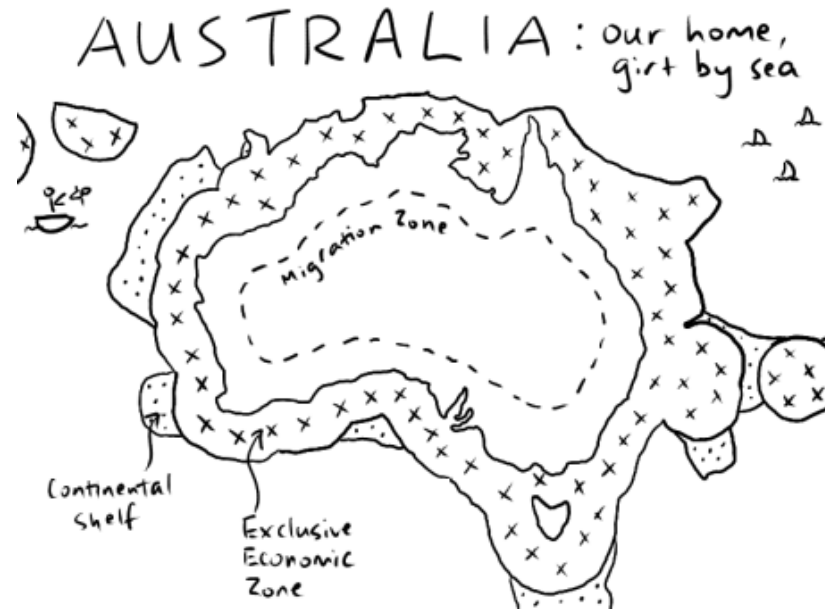
- 2008 reforms – Worker Protection Act 2008
- 2013 reforms to the 457 visa program



# Geographical application of Australia's migration laws

- Migration zone

- the States, the Territories, Australian Resource Installations and Australian Sea Installations



# Application of Australia's migration laws to resource installations

- Resource installations
  - fixed structures (including pipelines)
  - mobile units (including vessels)



## Allseas decision

- Allseas Construction SA v Minister for Immigration
- vessels involved in laying gas field pipelines
- employees not working in the migration zone



## Pocomwell litigation

- non-citizens working as oil rig painters
- working under 456 visas
- alleged breaches of the Fair Work Act
- relevant connection with Australia



# Is there a problem with the protection of offshore oil and gas workers?

- limits to the application of Australia's immigration laws
- limits to the application of Australia workplace laws
- employer sanctions regime
- a role for the Fair Work Ombudsman
- integrity of the 457 visa program





The image features a dark blue background with a blurred scene of three business professionals in an office setting. The word "FRAGOMEN" is written in a white, serif font in the upper left corner. A white dot is positioned below the letter 'M'. From this dot, three white curved lines extend downwards and outwards to other white dots located in the lower-left, middle-right, and lower-right areas of the image. The overall aesthetic is professional and modern.

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