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Fate of migrant families hangs in balance due to law change



An increase in the income threshold for providing the Assurance of Support bond has left many migrant families, who have already paid tens of thousands of dollars in visa fees, with uncertainty.

Language
English



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Sukhdev Kaur Kular moved to Australia two years ago to live with her son. But despite having paid over \$25,000 in visa fees, her plans to spend her old age in Australia with her son may go awry due to a change in the law.

With effect from April 1 this year, the government lifted the income threshold for providing Assurance of Support (AoS) in order to sponsor a parent or a relative from \$45,185 to \$86,606 for an individual.

It's a dilemma for Mrs Kular's son, Diamond, who is an Australian citizen.

"I thought we had time at hand so we didn't rush into it. But this sudden change has made things so difficult for us," he told **SBS Punjabi**.



Mrs Kular paid her contributory visa fee in instalments. She had two years to pay the full fee and secure the Assurance of Support before she could move onto a Permanent Parent visa. Her son is now trying to get his friends to jointly [provide \[https://www.legislation.gov.au/Details/F2018L00425 \]](https://www.legislation.gov.au/Details/F2018L00425) an Assurance of Support for Mrs Kular.

"I on my own won't be considered competent to give AoS. So, I am now talking to a couple of friends so that we can jointly provide it," he said.

[\[/yourlanguage/hindi/en/article/2018/04/16/government-makes-it-harder-sponsor-parents?cid=inbody:fate-of-migrant-families-hangs-in-balance-due-to-law-change \]](/yourlanguage/hindi/en/article/2018/04/16/government-makes-it-harder-sponsor-parents?cid=inbody:fate-of-migrant-families-hangs-in-balance-due-to-law-change)



Government makes it more expensive to sponsor parents
Migrants will now have to earn more to be able to financially support their parents' visa application.

But it may not be easy to convince friends to stand as guarantor as the Assurance of Support remains in force for ten years for the Contributory Parent Category and also requires a bank guarantee of \$10,000 for a single parent and \$14,000 for both parents.

The AoS providers are legally liable to pay back any Centrelink payments claimed by the visa holders while the Assurance of Support remains in force. The Department of Human Services can use its debt recovery powers to recoup any payments that remain uncovered by the bank guarantee.

The government says the scheme is designed to make sure sponsors can support the new migrants and themselves and is mandatory for some visa categories such as the parent, aged dependant, contributory parent and remaining relative visa.

The opposition Labor Party has called the change to the AoS a "stealth attack" on migrant families.

In a statement, the party said it's concerned about the changes that have been made without any consultation or debate.

"In many cases, people who have paid fees to make applications to give assurances, on the basis that they have previously been eligible, will no longer be eligible under these new rules," the statement said.

"It's unacceptable that the Turnbull Government has tried to avoid the proper scrutiny of these new rules."

An [online petition \[https://www.change.org/p/minister-for-social-service-change-of-assurance-of-support-legislation-of-contributory-parent-visa-petition?recruiter=868390147&utm_source=share_petition&utm_medium=copylink&utm_campaign=psf_combo_share_initial.nafta_milestone_share_ask_victory.control \]](https://www.change.org/p/minister-for-social-service-change-of-assurance-of-support-legislation-of-contributory-parent-visa-petition?recruiter=868390147&utm_source=share_petition&utm_medium=copylink&utm_campaign=psf_combo_share_initial.nafta_milestone_share_ask_victory.control) started last week, calling for the changes to the Assurance of Support legislation for the contributory parent visa to be rolled back, has gathered nearly 9,000 signatures.

'Unfair'

Mrs Kular says it's unfair on part of the government to subject her to new rules.

"I paid such a big amount of money in visa fees considering my son would be able to provide support for me," she told SBS Punjabi. "Now all of a sudden things change and I find he is not going to be able to give me the assurance of support.

"I could have done so much with this money in India, I could even buy a house," she says. "I am just hoping they revoke this rule and reset the system as it was earlier."

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