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PRIME MINISTER

FOR MEDIA

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JOINT STATEMENT BY THE PRIME MINISTER AND THE MINISTER FOR IMMIGRATION, LOCAL GOVERNMENT AND ETHNIC AFFAIRS, MR HAND

PRC nationals in Australia on 20 June 1989 will be able to stay in Australia for four years under a special category of temporary residence permit. No PRC national in Australia on 20 June 1989 will be required during the four years or subsequently to return to China against their will unless they have seriously breached Australian laws.

Whether PRC nationals in this special category who wish to stay beyond the four years gain an extension of their temporary residence status or whether they gain permanent residence will depend upon conditions then prevailing in China. Unless we were confident that the situation in the PRC was such that human rights were no longer generally at risk, permanent residence would be granted to those who apply, subject to normal health and character checks. The timing of such a grant of permanent residence, will depend on the rate at which places can be provided in the immigration program at that stage, and in the meantime their temporary residence permits would be extended.

In reaching this position the Government has had regard to the inherent uncertainty of developments in China over the coming years. The Government does not believe that PRC nationals in this group should be compelled to make decisions in the near future about their longer term plans in conditions of such uncertainty and risk. This decision therefore combines the government's humanitarian obligations to this group of people, with its responsibility to maintain control over the size and structure of Australia's immigration program in the national interest.

The decision to allow four years' temporary residence to this group before considering the option of permanent residence will give these people a generous period in which to assess developments in their homeland before deciding whether they wish to return there, or stay in Australia. In making those decisions they will obviously be heavily influenced by developments in China over that time. But they will also be influenced by the pull of homeland, family and friends. Many may choose to leave Australia over the next four years. A good number has already done so.

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The special four-year permit will carry the same conditions as those applying to the permits to be granted to those given refugee and humanitarian status under the new Asylum policy announced today. Holders of the special permits will be allowed to work. They will be entitled to lodge sponsorship for their spouses and dependent children after 1 February 1991. The Government will now be considering in detail the terms attaching to the temporary residence permits to be held by this group, including such issues as access to income support, health services and labour market/training programs. An announcement on these matters will be made soon, after Cabinet consideration.

Chinese nationals in Australia on 20 June may apply for the special four-year permit from 1 August 1990, when the regulation creating the category will come into force.

They will not need to seek refugee or humanitarian status to qualify for the special four-year permit, and those who have already sought such status should seriously consider withdrawing those applications and apply instead for the special permit. There are long processing queues for residence on refugee or humanitarian grounds, and while in the queue, applicants will not have the sponsorship rights of those in the special group.

Tertiary students in Australia on 20 June 1989 can apply for the balance of the four years at the conclusion of their courses. The same applies to PRC nationals in Australia on 20 June who are unsuccessful in their applications for permanent residence.

PRC nationals who arrived in Australia after 20 June 1990 will not be entitled to the special four-year permit. The government assumes they will return home when their entry permits expire, like any other temporary residents.

These people went through revised exit procedures before leaving China, and they entered Australia on a temporary basis, in full knowledge of the conditions in their country. Anybody who arrived after 20 June 1989 who believes he or she has particular claims is of course entitled to apply for refugee or humanitarian status but such claims will be assessed on a case by case basis.