
How Malaysian workers rort the visa system

EXCLUSIVEBy **AMANDA HODGE**, SOUTHEAST ASIA CORRESPONDENT12:00AM JULY 6, 2019 •  172 COMMENTS

A Malaysian man who intentionally overstayed his tourist visa in Australia has told of the widespread practice of foreigners rorting the migration system in order to earn money here before returning home.

The Malaysian government this week acknowledged Malaysians seeking to earn money in Australia were scamming the country's protection visa system by the thousands each year, and it was working with Canberra to try to crack down on the practice.

But Malaysian Deputy Foreign Minister Marzuki Yahya told parliament there were few disincentives for workers to try their luck because it was so cheap to apply for a protection visa.

The worst that could happen was they would be sent home at Australia's expense.

Nazuan Apis left Malaysia in late 2016 for Australia on a three-month online tourist visa, knowing he would likely overstay his welcome to earn money doing seasonal farm work.

But it was only after meeting a Malaysian work agent while working in a vineyard in Robinvale, Mildura, that he decided to apply for a protection visa in a bid to extend his work stay.

"He told me that if I wanted to stay in Australia I should apply for a protection visa. He said he could arrange it all for me for \$100," Nazuan told *The Weekend Australian* this week from his home, south of Kuala Lumpur.

Nazuan filled in the form and went to the local police station to have it authorised.

Fifteen of his Malaysian housemates in Mildura, mostly farm workers who had also overstayed their visas, also applied for protection through the same agent, who weeks later disappeared with their money.

Nazuan said the question of whether to apply for a protection visa was a common discussion among Malaysians he met working in Australia, almost all of them overstayers, but opinion was divided over the merits of that path.

While some boasted of having successfully applied for protection by giving themselves up to Customs officers, and urged him to do the same, others warned he risked deportation.

A parliamentary committee this year found Malaysians represented the highest number of visa overstayers and the second-highest number of protection visa applicants in Australia, in what the committee described as an “organised scam”.

A February report by the committee noted that in 2016-17 — the same year Nazuan Apis had sought a protection visa — Malaysian protection visa applications peaked at an astonishing 26,247. Only 168 were successful but the cost of processing such claims was almost \$50 million.

The federal government has been keen to talk down the issue this week. Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs David Coleman told *The Weekend Australian* the number of protection visa claims had “reduced significantly in recent months, despite increasing numbers of temporary visa holders”.

Between January 1 and May 31 this year, Malaysian passport holders lodged 3181 protection visa applications, down from 4663 in the same period of last year.

“Less than 0.25 per cent of people apply for protection and 95 per cent of those are refused and are required to return home,” Mr Coleman said.

“We have a strong record on maintaining a sovereign, orderly immigration system and have no tolerance for those taking advantage of our generous humanitarian program.”

In the end, after more than a year working his way from Perth to Kununurra to Mildura, Orange and finally to Sydney, it was family commitments that drew Nazuan home. His wife had their second baby in his absence.

He bought his return ticket and steeled himself for the inevitable trouble at the airport.

“I told them (airport Customs officers) my story — where I had stayed, with whom I had worked. They copied all my messages and pictures from my mobile phone, they took my statement and then they said to me: ‘Never come again,’ ” he said.

On his return to Malaysia, Nazuan said he was questioned by friends wanting to know how to do the same thing. “Everyone was asking me how to go to Australia, how to get work there, what place could they go to make money.”

AMANDA HODGE, SOUTH EAST ASIA CORRESPONDENT

Amanda Hodge is The Australian’s South East Asia correspondent. Based in Jakarta, she has covered war, refugees, terror attacks, natural disasters and social and political upheaval from Afghanistan to Sri Lanka... [Read more](#)