

**HOME AFFAIRS PORTFOLIO
DEPARTMENT OF HOME AFFAIRS**

PARLIAMENTARY INQUIRY SPOKEN QUESTION ON NOTICE

Joint Standing Committee on Migration
Australia's skilled migration program

3 March 2021

QoN Number: 01

Subject: Pathways for the subclass-408 visa

Asked by: Julian Leeser

Question:

CHAIR: What is that 18-month essential staff pathway called? When we look at term of reference (2) for our inquiry, it is obviously directed in part to the work that Mr Verwer and the task force are doing, but it's also, I think, directed at trying to bring other skilled people here.

Mr Chandler: That is what is called a subclass 408 visa. It was just recently implemented, less than a week ago.

CHAIR: It's a COVID visa, isn't it?

Mr Rice: Yes. That is right. It's a declared event under the COVID arrangements, yes.

CHAIR: But that wouldn't necessarily apply to a food business of the sort that I've outlined. That's more for people engaged in medical work, bushfire recovery and so on, from memory.

Mr Rice: No. It is quite a broad visa. But I think what you're getting at is whether there are other pathways too. In attachment 4.2 to the submission we gave you, there are a range of visa classes mentioned. A number of our business development type visas would be in play, potentially, there. Our temporary skills shortages visa could be. The restaurant chain executives might be able to apply for some of our permanent visas. There would be a range of choices for them.

CHAIR: I wonder if you might take that broader question on notice and perhaps synthesise something for us, coming back to us, just to make it clear so we can better answer directly, in a holistic way, term of reference 2, acknowledging the importance of the global talent program but also how you find that there are other pathways for enterprises that might be looking to relocate to Australia. I wonder if you might take that on notice and do us up a holistic document, as it were.

Mr Rice: Certainly.

Answer:

Business relocation

- Prospective skilled migrants who wish to operate a business in Australia may apply for a Business Innovation and Investment (Provisional) visa (subclass 188) in the Business Innovation stream, or a Business Talent (Permanent) visa (subclass 132) in the Significant Business History stream.
 - The Business Talent visa will be closed to new applications from 1 July 2021. Applications already lodged will still be processed.
 - Applicants who would be eligible for the Business Talent visa, which includes the Significant Business History and Venture Capital Entrepreneur streams, will be catered for in the continuing Business Innovation and Entrepreneur streams of the Business Innovation and Investment (Provisional) visa.
- In addition, the Global Business and Talent Attraction Taskforce (the Taskforce) is working to target and attract exceptionally talented individuals and high-yield businesses with the potential to make a significant contribution to the national economy by opening operations in Australia.
 - Exceptionally talented individuals, including heads of high value businesses and C-Suite executive staff, may be eligible for a Global Talent visa (subclass 858).
 - Key staff of high value businesses may be eligible to use the Temporary Activity (subclass 408) visa in the Australian Government Endorsed Event stream.
 - The 'Post COVID-19 Economic Recovery event' was introduced as an endorsed event to facilitate the rapid relocation of key staff to assist in the initial phase of the establishment of their operations in Australia.
 - The 'Post COVID-19 Economic Recovery event' will allow entry and stay of up to 18 months for key staff who are integral to efforts to establish their business in Australia.
 - Only individuals and businesses who have been identified by the Taskforce as likely to make a significant economic contribution to Australia if they are to relocate are eligible for this visa option.
 - Legally established and currently operating overseas businesses can also apply to be a standard business sponsor under the Temporary Skill Shortage visa (subclass 482) and Skilled Employer Sponsored Regional (Provisional) visa (subclass 494) programs. This allows overseas-based businesses not currently operating in Australia to sponsor overseas workers for the purpose of establishing or assisting in establishing Australian based operations.
 - Other existing skilled visa pathways remain available for key corporate staff seeking to relocate to Australia, including those who might wish to relocate permanently, subject to meeting visa requirements.

The Temporary Activity (subclass 408) visa

- The 408 visa is a broad visa product that can support a range of temporary activities to be undertaken. It would also be available for companies seeking to set up in Australia.
- On 27 February 2021, the Government implemented the Post COVID-19 Economic Recovery event through the Temporary Activity (subclass 408) visa to enable high value businesses to relocate in Australia and rapidly set-up their initial temporary workforce.

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PARLIAMENTARY INQUIRY SPOKEN QUESTION ON NOTICE

Joint Standing Committee on Migration
Australia's skilled migration program

3 March 2021

QoN Number: 02

Subject: Occupations and number of applications

Asked by: Julian Leeser

Question:

CHAIR: I might go to some more general questions now. In order to understand the skills that are most needed at the moment by Australian employers, can you provide the committee with a list of occupations the department has received applications for, both under the employer nominated scheme and the TSS scheme—the demand scheme. How many applications has the department received in each of these areas since the pandemic began. You can take those questions on notice.

Answer:

The tables below show the number of nominations lodged by employers, and employer sponsored visa applications lodged by primary visa applicants between February and December 2020.

The Australian Government first introduced travel restrictions in relation to COVID-19 on 1 February 2020.

Employer Nomination Scheme (subclass 186) – visa applications

Occupation (top 20)	Feb to Dec 2020
351311 Chef	499
261313 Software Engineer	491
242111 University Lecturer	485
351411 Cook	445
221111 Accountant (General)	350
141111 Cafe or Restaurant Manager	301
261312 Developer Programmer	293
261111 ICT Business Analyst	291
070499 Specified in Labour Agreement	244
253111 General Practitioner	225
321211 Motor Mechanic (General)	215
331212 Carpenter	195
263111 Computer Network and Systems Engineer	173
224711 Management Consultant	173
233211 Civil Engineer	150
225113 Marketing Specialist	149
233512 Mechanical Engineer	120
223112 Recruitment Consultant	109
254412 Registered Nurse (Aged Care)	102
254415 Registered Nurse (Critical Care and Emergency)	93
Other	4,283
Total	9,386

Employer Nomination Scheme (subclass 186) – nomination applications

Occupation (top 20)	Feb to Dec 2020
261313 Software Engineer	544
242111 University Lecturer	539
351311 Chef	535
351411 Cook	440
221111 Accountant (General)	387
261111 ICT Business Analyst	360
261312 Developer Programmer	313
141111 Cafe or Restaurant Manager	296
253111 General Practitioner	241
070499 Specified in Labour Agreement	236
321211 Motor Mechanic (General)	217
224711 Management Consultant	205
263111 Computer Network and Systems Engineer	197
331212 Carpenter	195
233211 Civil Engineer	156
225113 Marketing Specialist	146
233512 Mechanical Engineer	125
223112 Recruitment Consultant	108
254412 Registered Nurse (Aged Care)	98
254415 Registered Nurse (Critical Care and Emergency)	91
Other	4,578
Total	10,007

Regional: Regional Sponsored Migration Scheme (subclass 187) – visa applications

Occupation (top 20)	Feb to Dec 2020
351411 Cook	38
321211 Motor Mechanic (General)	30
322313 Welder (First Class) (Aus) / Welder (NZ)	24
332211 Painting Trades Worker	18
253111 General Practitioner	14
141111 Cafe or Restaurant Manager	14
121318 Pig Farmer	13
322311 Metal Fabricator	12
351311 Chef	12
321212 Diesel Motor Mechanic	10
311111 Agricultural Technician	8
391111 Hairdresser	7
322211 Sheetmetal Trades Worker	6
333411 Wall and Floor Tiler	6
312512 Mechanical Engineering Technician	6
253999 Medical Practitioners nec	6
333111 Glazier	5
311399 Primary Products Inspectors nec	5
121313 Dairy Cattle Farmer	5
324311 Vehicle Painter	5
Other	142
Total	386

Regional: Regional Sponsored Migration Scheme (subclass 187) – nomination applications

Occupation (top 20)	Feb to Dec 2020
351411 Cook	37
321211 Motor Mechanic (General)	28
322313 Welder (First Class) (Aus) / Welder (NZ)	22
332211 Painting Trades Worker	18
121318 Pig Farmer	13
141111 Cafe or Restaurant Manager	13
322311 Metal Fabricator	13
253111 General Practitioner	12
351311 Chef	11
321212 Diesel Motor Mechanic	10
311111 Agricultural Technician	8
254412 Registered Nurse (Aged Care)	6
312512 Mechanical Engineering Technician	6
322211 Sheetmetal Trades Worker	6
391111 Hairdresser	6
121313 Dairy Cattle Farmer	5
253999 Medical Practitioners nec	5
311399 Primary Products Inspectors nec	5
323214 Metal Machinist (First Class)	5
324311 Vehicle Painter	5
Other	152
Total	386

Regional: Skilled Employer Sponsored Regional (Provisional) (subclass 494) – visa applications

Occupation (top 20)	Feb to Dec 2020
351411 Cook	92
142111 Retail Manager (General)	28
141111 Cafe or Restaurant Manager	26
391111 Hairdresser	18
225113 Marketing Specialist	16
421111 Child Care Worker	14
511111 Contract Administrator	12
252312 Dentist	10
251513 Retail Pharmacist	10
234411 Geologist	10
254499 Registered Nurses nec	10
351311 Chef	9
351111 Baker	8
511112 Program or Project Administrator	8
254412 Registered Nurse (Aged Care)	8
521111 Personal Assistant	8
411611 Massage Therapist	7
351112 Pastrycook	6
131112 Sales and Marketing Manager	6
232411 Graphic Designer	5
Other	189
Total	500

Regional: Skilled Employer Sponsored Regional (Provisional) (subclass 494) – nomination applications

Occupation (top 20)	Feb to Dec 2020
351411 Cook	102
142111 Retail Manager (General)	49
141111 Cafe or Restaurant Manager	32
391111 Hairdresser	22
225113 Marketing Specialist	20
421111 Child Care Worker	17
251513 Retail Pharmacist	13
254499 Registered Nurses nec	13
351311 Chef	13
511111 Contract Administrator	12
234411 Geologist	11
252312 Dentist	11
411611 Massage Therapist	10
521111 Personal Assistant	10
351111 Baker	9
254423 Registered Nurse (Perioperative)	8
131112 Sales and Marketing Manager	7
254412 Registered Nurse (Aged Care)	7
511112 Program or Project Administrator	7
223111 Human Resource Adviser	6
Other	246
Total	625

Temporary Skill Shortage (subclass 482) – visa applications

Occupation (top 20)	Feb to Dec 2020
261313 Software Engineer	1,297
253112 Resident Medical Officer	1,218
351311 Chef	957
261111 ICT Business Analyst	945
351411 Cook	738
261312 Developer Programmer	722
225113 Marketing Specialist	639
263213 ICT Systems Test Engineer	590
141111 Cafe or Restaurant Manager	547
261311 Analyst Programmer	532
221111 Accountant (General)	525
263212 ICT Support Engineer	498
224711 Management Consultant	480
131112 Sales and Marketing Manager	450
111211 Corporate General Manager	353
223112 Recruitment Consultant	339
253111 General Practitioner	336
312512 Mechanical Engineering Technician	327
135112 ICT Project Manager	294
261112 Systems Analyst	283
Other	13,606
Total	25,676

Temporary Skill Shortage (subclass 482) – nomination applications

Occupation (top 20)	Feb to Dec 2020
261313 Software Engineer	1,461
253112 Resident Medical Officer	1,396
351311 Chef	1,335
261111 ICT Business Analyst	1,093
351411 Cook	859
261312 Developer Programmer	848
225113 Marketing Specialist	719
141111 Cafe or Restaurant Manager	634
221111 Accountant (General)	620
263213 ICT Systems Test Engineer	598
261311 Analyst Programmer	576
224711 Management Consultant	545
263212 ICT Support Engineer	499
131112 Sales and Marketing Manager	490
223112 Recruitment Consultant	472
253111 General Practitioner	432
111211 Corporate General Manager	388
321211 Motor Mechanic (General)	369
312512 Mechanical Engineering Technician	330
261112 Systems Analyst	322
Other	16,006
Total	29,992

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PARLIAMENTARY INQUIRY SPOKEN QUESTION ON NOTICE

Joint Standing Committee on Migration
Australia's skilled migration program

3 March 2021

QoN Number: 04

Subject: Processing times

Asked by: Julian Leeser

Question:

CHAIR: There are currently significant visa processing delays for occupations on the PMSOL list, we're told. How quickly are the applications being processed?

Mr Verwer: We'll have to take that on notice as well.

Answer:

- Nomination and visa applications for employer sponsored visas for occupations on the Priority Migration Skilled Occupation List (PMSOL) are allocated for assessment within 48 hours of lodgement.
- PMSOL related applications are generally processed within four weeks. Processing of an individual visa application depends on:
 - whether a complete application is lodged, including all necessary supporting documents;
 - how promptly requests for additional information are responded to; and
 - the timing of the provision of information from third parties, particularly in relation to health, character and national security requirements.

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PARLIAMENTARY INQUIRY SPOKEN QUESTION ON NOTICE

Joint Standing Committee on Migration
Australia's skilled migration program

3 March 2021

QoN Number: 05

Subject: Processing times - business investment visas

Asked by: Julian Leaser

Question:

CHAIR: For business investment visas, attracting high-net-worth individuals with an interest in investing in Australia and setting up businesses here, we've been told that the processing times are around 30 months. Is that true, and, if so, why?

Mr Verwer: I'll take that on notice.

Answer:

- Global visa processing times are published monthly on the Department's website: <https://immi.homeaffairs.gov.au/visas/getting-a-visa/visa-processing-times/global-visa-processing-times>
- Indicative processing times for the Business Innovation and Investment (Provisional) visa (subclass 188) and Business Talent visa (subclass 132) for the month of January 2021 are:

Visa	Stream	75th Percentile	90th Percentile
Business Talent	Significant Business History	31 months	32 months
	Venture Capital Entrepreneur	not available**	
Business Innovation and Investment (Provisional)	Business Innovation*	28 months	32 months
	Investor	29 months	30 months
	Significant Investor*	21 months	24 months
	Premium Investor	not available**	
	Entrepreneur	not available**	

* extension streams are not included

** processing times are not available where there are low volume of finalisations

- Processing times for the Business Innovation and Investment Program (BIIP) have been impacted by COVID-19.
 - The processing times as at 31 January 2021 for subclass 188 visa applications increased by 24 per cent from the processing times as at 31 January 2020 (75th percentile). For subclass 132 visa applications, the processing times increased by 36 per cent for the same period of time.
 - An increased number of BIIP visa applicants have requested additional time to provide supporting documentation (including health and character checks), and to undertake the required investment activity.
- Demand for the BIIP has historically outstripped program places available which also impacts processing times.
- All applicants are assessed against health, character, security and identity requirements set out in the Migration Act. Specifically, for the BIIP, rigorous source of funds checks are undertaken to ensure the Department can combat potential threats from economic fugitives or money launderers, for example, which can impact processing times.
- This includes scrutiny of investor applicants' financial arrangements and history, including verifying the sources of the applicants' funds through the Australian Transaction Reports and Analysis Centre (AUSTRAC) database, and referring cases where appropriate to the Australian Federal Police.

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Joint Standing Committee on Migration
Australia's skilled migration program

3 March 2021

QoN Number: 06

Subject: 132 and 188 visa changes

Asked by: Julian Leeser

Question:

CHAIR: I want to ask you about the 132 and 188 visas and the changes that have been made to the program providing pathways for venture capitalists, entrepreneurs and significant investors. There's been some criticism of the venture capital visas having been removed. Could you provide some explanation for why that has occurred.

Mr Verwer: Certainly with a number of the business related visas that have been in place, we've gone through our normal review process to ensure that they're producing the best possible result for Australia. There was concern with some of the visa types that we were not maximising the benefits. That's why there has been some change within the BIV, as we call it, process. I might see if there's something more I can give you on that on notice.

Answer:

- On 17 December 2020 the Government announced key changes to the Business Innovation and Investment Program (BIIP) as a part of getting a better deal for Australia. These measures will ensure the BIIP is well-placed to support Australia's post-COVID-19 economic recovery by maximising its economic contribution.
- The changes include that the Business Talent visa (subclass 132) will be closed to new applicants from 1 July 2021. This visa includes two direct to permanent residence streams: the Significant Business History and Venture Capital Entrepreneur streams. These streams have limited ability to ensure the visa holders are making a tangible economic contribution to Australia.
- These cohorts are still catered for in the continuing Business Innovation and Entrepreneur streams.

- Venture Capital Entrepreneurs will be able to apply for the new Entrepreneur stream of the subclass 188 visa. The provisional to permanent pathway of the subclass 188 visa enables Australia to set measurable milestones to ensure provisional visa holders are an active participant in the Australian economy before being eligible for permanent residence.
- The Entrepreneur stream is being simplified to better cater for early stage entrepreneurs by using the model tested by the Supporting Innovation in South Australia (SISA) pilot.
 - SISA uses an endorsement model requiring applicants to be endorsed by state and territory governments and innovation industry partners to ensure alignment of the proposed entrepreneurial activity with the innovation ecosystem in each state and territory.
 - This directly links applicants with the innovation ecosystem, leveraging the expertise that exists in the innovation ecosystem, through incubator and accelerator programs, to select and support the best entrepreneurs.
- In addition, highly skilled and experienced entrepreneurs who have a demonstrated record of success at establishing successful businesses and commercialising ideas may be eligible for a Global Talent visa (subclass 858) under the Global Talent Independent program.

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Joint Standing Committee on Migration
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3 March 2021

QoN Number: 07

Subject: Skilling Australians Fund levy

Asked by: Julian Leaser

Question:

CHAIR: What is the reason behind the point at which the Skilling Australians Fund levy is collected in the visa application process? What would the impact be if that collection moved to after the visa had been granted?

Mr Verwer: I'm probably speculating a little bit here—I'd probably prefer to take it on notice—but I would say that it's about a commitment. We want to ensure upfront that, if an employer wants an employee, they want them enough to make the contribution to the fund.

CHAIR: I'm happy for you to take that on notice.

Mr Verwer: Thank you.

Answer:

- Payment of the Skilling Australians Fund (SAF) levy at the time of nomination lodgement is designed to reduce administrative complexity and cost to business and the Department of Home Affairs.
- It enables faster processing and removes the need to go back to the sponsor for collection of any payable fees during the assessment process.
- Upfront collection of the SAF levy also serves as an incentive for employers to test the local labour market and ensures that Australians have priority for Australian jobs.

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PARLIAMENTARY INQUIRY SPOKEN QUESTION ON NOTICE

Joint Standing Committee on Migration
Australia's skilled migration program

3 March 2021

QoN Number: 08

Subject: Skills assessments

Asked by: Julian Leeson

Question:

CHAIR: Migrants undergo a skills assessment as part of the visa application process, and we've received some reports of people having to go through this process multiple times if there's been a delay in the processing of their application, even if they obtained their qualification in Australia. Why would people be having to undertake a skill assessment if they have an Australian qualification, and why would they have to undertake multiple rounds of skill assessment?

Mr Rice: There would be a verification of skills in the application phase. Harking back to what I said before, we find people moving between visa classes. There are a range of requirements that exist at each of those points. That would be the reason for that.

CHAIR: Does that include people with Australian qualifications?

Mr Rice: I'd have to check. I'll take that on notice.

Answer:

- The majority of skilled visa applicants are required to undertake a skills assessment as part of their visa application. Skills assessments provide evidence that prospective skilled migrants have the required skills, qualifications and/or work experience to meet the occupational standards needed for employment in Australia. This helps to strengthen the integrity of and public confidence in the skilled migration program.
- Skills assessments are conducted by Australian Government approved assessing authorities. They are responsible for setting assessment standards, as they are best placed to determine the skills required to practice a particular profession in Australia. In addition to educational qualifications, assessment requirements may include, for example, English language proficiency and work experience.
- As skills assessments could include additional requirements, visa applicants who have obtained their educational qualification(s) in Australia are required to undertake a skills assessment if it is part of the visa requirements.

- Where a skills assessment is required, the applicant must have a valid assessment outcome at the time of invitation to apply for a visa, or time of application (depending on the visa). Furthermore, skills assessments for different visas may have different requirements. These may in some instances require an applicant to obtain a further skills assessment.