

## Department of Economic Development, Tourism and the Arts

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Committee Secretary  
Senate Legal and Constitutional Affairs Committee  
PO Box 6100  
Parliament House  
Canberra ACT 2600

Dear Sir/Madam

### **Framework and operation of subclass 457 visas, Enterprise Migration Agreements and Regional Migration Agreements**

The Government of Tasmania is pleased to respond to the Senate Legal and Constitutional Affairs Committee inquiry into the framework and operation of subclass 457 visas, Enterprise Migration Agreements and Regional Migration Agreements.

As an overall observation, the subclass 457 visa is an efficient and important scheme to assist Tasmanian employers that have vacancies which are difficult to fill.

Whilst the state's intake of 457 workers is very small (i.e. 0.5 per cent to the national total) it is widely used in some key sectors such as health, agriculture, education (university) and engineering. The 457 scheme does not formally require labour market testing, but most professions nominated in Tasmania are deemed to be in shortage and the majority of them are on Tasmania's skill shortage list under the State Migration Plan.

The 457 visa is particularly vital to the functioning of our health industry. Anecdotal evidence suggests that more than 60 per cent of medical/health professionals in the state are overseas-trained. Many such doctors and health professionals choose to work in remote and regional communities where their skills can be invaluable to those communities.

According to statistics, as of 31 March 2013 Tasmania's usage of the 457 visa increased by 46 per cent compared to the same period in the preceding financial year.

However, it is important to note that the 457 visa is not the only vehicle which can bring skilled workers to Australia; there are various other visa options. The timeliness and availability of other visas will have significant impact on the usage of the 457 visa. Again, Tasmania's 457 visa usage is at a very small scale and the recent increase may derive primarily, or partly, from the much longer processing time under the other employer-sponsored visas (Regional Sponsored Migration Scheme – RSMS). In other words, the 457 visa may be used as a bridge for people who would have otherwise initially applied for the RSMS.

While the Department of Immigration and Citizenship's (DIAC's) intention to review the program for the sake of greater integrity is fully respected, it is noted that there have been no major contentious issues in Tasmania in relation to the 457 visa scheme. The current visa requirements are considered adequate from a Tasmanian perspective as they set out minimum salary thresholds and appropriate training provisions. Accordingly, any changes that may make the program unnecessarily restrictive and inaccessible are not supported. To ensure the integrity of the program, it is suggested that DIAC could consider allocating greater resources toward monitoring, rather than tightening visa requirements.

It is understood that DIAC announced an intention to introduce some legislative changes as of 1 July 2013 but no details have been disclosed as yet. Employers and potential visa applicants will benefit from knowing the changes at least a few months in advance.

Thank you for the opportunity to comment.

Yours faithfully

Mark Kelleher  
**Secretary**

13 May 2013