

APPENDIX 2

COMPARISON OF BUSINESS TEMPORARY ENTRY POLICIES OF AUSTRALIA, USA, CANADA, MALAYSIA, SINGAPORE, UK AND GERMANY

Country	Sponsorship/application requirements	Labour market testing	Skills assessment/Qualifications required	Visa validity/Period of sponsorship	Work rights for spouses	Health check	Processing times
Australia	Employer sponsorship required indicating number of workers sought and agreement to undertakings. Sponsorship status approved for 1 or 2 years (PQBS is renewable). Nominations meeting minimum skill and salary thresholds are required for each worker. Visa application required.	Not required.	Evidence of qualifications and/or experience may be required. Formal qualifications not necessarily required.	Up to 4 years Unlimited further stays of up to 4 years at a time.	Yes	Health declaration. X-ray and full medical may be required depending upon length of stay, nature of work, and country risk level.	Service standard is 1.7 weeks for low risk cases assessed offshore.
USA (program capped)	30 day notification to union/workplace required and approval by government employment agency prior to lodgement of sponsorship application. Compliance with undertakings including notification of any future strike action. Visa application required.	Not required.	Evidence of degree or higher required	Up to 3 years. Renew once for 3 years.	No	Not required	Several weeks to months
Canada	'Offer of Employment' application and fee required for validation and agreement to undertakings for each worker. Prior approval from government employment agency required. Visa application required. Canada has introduced a pilot project to facilitate visa processing for ICT workers.	Required or exemption must be sought for specified occupations. Under ICT pilot project, job-specific validation is not required.	Evidence of acceptable qualifications required.	Up to 3 years. Renewable for an unspecified number of years (period of contract).	Canada has recently introduced work rights for spouses of temporary skilled workers as well as health waivers for spouses in some cases.	No, unless working in the area of health care or work that involves contact with children.	4 weeks
Malaysia	Employer application and supporting documentation from government agencies relevant to employer activities required. Monthly levy may be payable by employer.	Not required for professional positions but employer must make case for importation.	Evidence of qualifications and resume required. Sponsored employees must be aged 18-45 years.	Varies depending on position to be filled – maximum up to 10 years .	No	Declaration of health required	2 weeks

Singapore (industry sector ceilings operate)	Company sponsors applicant for 'Employment Pass'. Annual levy may be payable by employer in respect of each foreign worker.	Not required but skills shortage must be recognised.	Evidence required of acceptable qualifications.	From 1-3 years; with extension to a maximum of 5 years' stay.	No	Health declaration	Up to 4 weeks
United Kingdom	Employer must make a full application for a work permit for each position to be filled.	Required for Tier 2 ¹ and Keyworker ² category positions, but not for Tier 1 ³ category positions, intra-company transfers, board level positions, positions which are part of substantial inward investments, and occupations on the Shortage Occupations List.	Evidence of qualifications and experience normally required.	Under new arrangements work permits are valid for up to 5 years.	Yes, as long as there are no restrictions on their passport (usually where period of stay in the UK is for less than 6 months).	Not required	2 – 8 weeks (average of 4 weeks)
Germany⁵ (ICT industry)	<ol style="list-style-type: none"> 1. Application for a work permit required from employer, lodged at the Dept of Labour and Social Affairs (DLSA). 2. The DLSA provides a 'Notice of Intention to Grant a Work Permit' (NIGWP) to the employer, who sends it to employee overseas. 3. Employee shows the NIGWP to German Embassy in his/her country and obtains an Entry Visa for Germany. 4. Employee can commence work immediately on the strength of the NIGWP. Employee must apply for both formal Work Permit at DLSA and a residence permit (for the applicable period) from the local Office of Inhabitants. 	Applications for a NIGWP are 'tested' against an electronic posting board which contains the names of employers seeking staff and employees seeking work. Shortages are determined by comparing the numbers of employers and employees, to ensure that there are no EU nationals able to fill the job.	Evidence of degree or equivalent in any ICT discipline or agreed salary must be in excess of DM100,000 pa (approx AUD83,000).	Up to 3 years, with a possible extension to a maximum period of 5 years	Yes, 2 years after spouse's arrival in Germany.	Not required. However, all employees have compulsory medical insurance, with the cost shared equally by employee and employer.	Normally within 1-2 weeks for ICT Specialists from non-EU countries

¹ Tier 2 categories include positions which require a high level of skill but are not covered under Tier 1 categories (defined below).

² Keyworker categories include positions, which do not meet the high-level skill criteria but need specialised skills, knowledge or experience.

³ Tier 1 categories include intra-company transfers, board level positions, and positions which are part of substantial inward investments, and occupations on the Shortage Occupations List.

⁵ Germany introduced a Green Card in August 2000 which provided 10,000 initial places for non-EU ICT experts, with the prospect of 10,000 additional places if demand was sufficient.