



Submission No. 5
Date Received.....

AUSTRALIAN
AND
NEW ZEALAND
COLLEGE
OF
ANAESTHETISTS
A.B.N. 82 055 042 852

RECEIVED
25 JAN 2007

BY: MIG

23 January 2007

The Secretary
Joint Standing Committee on Migration
PO Box 6021
Parliament House
CANBERRA ACT 2600

Also via email: jscm@aph.gov.au

Dear Dr Sullivan,

Re: Inquiry into eligibility requirements and monitoring, enforcement and reporting arrangements for temporary business visas

Thank you for your letter dated 14 December 2006 inviting the College to submit comments to the above Inquiry. I respectfully submit the following comments:

- The roles of ANZCA, and its two faculties, the Joint Faculty of Intensive Care Medicine and the Faculty of Pain Medicine are to set standards, and to oversee training and graduation, and Continuing Professional Development of the relevant specialists. ANZCA is requested to provide letters of support for applicants for Occupational Training Visas (OTV) and more recently 457 Long Term Business visas. We have no experience with Labour Agreements and do not require evidence of English language proficiency for applicants. Rather, the English language requirement for an OTV or 457 visa is presumably left up to the immigration authorities, the employer and the relevant registering authority (Medical Board).
- The description of 'anaesthetist' on the DIMIA website listing for occupations eligible for 457 visas is very broad and could be misconstrued by applicants with specialist qualifications who should apply for Overseas Trained Specialist (OTS) Assessment via the Australian Medical Council (AMC) (www.dimia.gov.au/skilled/skilled-workers/sbs/occupations.pdf). This can give the applicant a sense that if they fit the category of 'anaesthetist', they are eligible without further requirements for assessment. Although reference is made to the DoctorConnect website on the DIMIA website, it might be better to refer to 'vocational trainees' in the particular medical specialist fields, or differentiate between trainees and overseas trained doctors and overseas trained specialists.
- There appears to be a shift in preference from OTVs to 457 visas by employers seeking support for applicants. The State/Territory Medical Boards continue to require the same 'letter of support' from the College for the applicant in a particular position to enable appropriate medical registration. With OTVs, the College understands that the applicant is not offered a position that could otherwise be filled by an Australian Trainee and are in Australia for a limited period, attaining specific experience that they

could not otherwise attain in their country of origin, before returning home (e.g. paediatric anaesthesia). We know that if someone has an OTV they are not required to undertake the AMC undergraduate examination to attain unconditional medical registration (including English language proficiency). This examination determines equivalence with an undergraduate medical degree from an Australian or New Zealand medical school. It appears the same is true for 457 visa holders. In order to support a visa applicant, the College undertakes a paper-based assessment of the applicant's *curriculum vitae* and advises that the applicant's experience and level of training is or is not commensurate with the position description supplied.

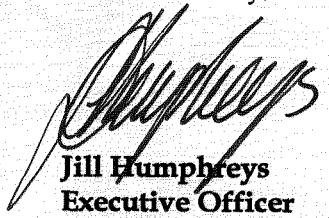
- While recognising the short term need for overseas trained doctors, and assisting jurisdictions in facilitating the assimilation of them into the Australian medical workforce, without an applicant's entry into the College's vocational training program or assessment via the AMC process, the College is unable to monitor an applicant's performance. Without assessment via the agreed AMC OTS Assessment Process for relevant qualification holders, the numbers of overseas trained doctors working in Australia may not be accurately known by any particular body.

With the change to the Long Term Business visa (457), the College continues to be asked to support an applicant in the same way as for an OTV, despite the fact that some of the applicants should be assessed via the agreed AMC OTS Assessment Process because they are specialists in their country of training, thereby circumventing the agreed processes. By offering support for such applicants (e.g. Fellows of a postgraduate training institution such as the Royal College of Anaesthetists into paediatric anaesthesia "Fellow" positions at a major teaching hospital), the applicants are able to work in their specialty field without further assessment. It is up to the employer to employ such people as they see fit (e.g. at Registrar or specialist level), and up to the Medical Boards to register specialists via this process without them progressing through the nationally agreed AMC OTS Assessment Process.

- The College supports appropriate visa applicants for 12 months and unless a renewal is requested in 12 months time, is unaware of the starting date, completion date or performance of the visa holder.

I hope that this information is of assistance in your Inquiry.

Yours sincerely,



Jill Humphreys
Executive Officer
(Professional Areas)