

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES HEARING: 22 May 2006

IMMIGRATION AND MULTICULTURAL AFFAIRS PORTFOLIO

(134) Output 1.1: Migration and Temporary Entry

Output 1.2: Refugee and Humanitarian Entry and Stay

Senator Ludwig asked:

For each class of visa that has restrictions on the right to work, please provide:

- a. The name of each visa class, and the nature of the restrictions.
- b. The number of individuals on each visa class.
- c. The number of individuals that have no right to work at all.
- d. The number of individuals that have restrictions on the right to work attached to their visa because they filed a protection claim more than 45 days after they entered Australia?
- e. The number of individuals who on such a visa, and that lodged a protection claim after the 45 day limit but within the life of their primary visa?

Answer:

(a) The table at **Attachment A** provides a list of visa subclasses where the visa holder's right to work may be affected by the imposition of a mandatory, or discretionary, visa condition. An explanation of the condition codes is provided at **Attachment B**.

(b) The table at **Attachment A** also outlines the number of visas granted in each of these subclasses during 2005-06.

(c) Holders of the visas listed below are subject to a mandatory condition 8101, which does not permit any work to be undertaken.

- Family Relationship (subclass 425) visa
- Expatriate (Temp) (subclass 432) visa
- Student Guardian (subclass 580) visa
- Medical Treatment (Short Stay) (subclass 675) visa
- Tourist (subclass 676) visa
- Sponsored Family Visitor (subclass 679) visa
- Medical Treatment (Long Stay) (subclass 685) visa
- Tourist (Long Stay) (subclass 686) visa
- Transit (subclass 771) visa
- Electronic Travel Authority (Visitor) (subclass 976).

Based on the figures provided in **Attachment A**, the total number of individuals who were granted visas that did not have any work rights during 2005-06 was thus approximately 3,254,400. The bulk of these individuals entered Australia as tourists on an Electronic Travel Authority (Visitor) (subclass 976) or a Tourist visa (subclass 676), and thus by definition, did not arrive in Australia to work.

(d) Protection visa applicants in the community, who have been in Australia for less than 45 days in the twelve months before the date of application for a protection visa, are eligible for a bridging visa with work rights until their application is finally determined. Recent figures indicate some 65% of asylum seekers in the community apply within this period. Based on this, it is estimated that there are some 750 Protection Visa applicants in the community with a restriction on work rights due to the lodgement of Protection Visa applications more than 45 days after they entered Australia.

(e) DIMA systems do not record this information in a readily reportable format.