

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES HEARING: 22 May 2006

IMMIGRATION AND MULTICULTURAL AFFAIRS PORTFOLIO

(77) Output 1.1: Migration and Temporary Entry

Senator Webber asked:

457 Visas:

1. What checks are done on an applicant's health?
2. What checks are undertaken on the applicant's character?
3. What security checks are undertaken?
4. What checks occur on establishing the applicant's claimed qualifications?

Answer:

1. Health checks

The health checks completed in relation to a 457 applicant depend on the following public health risk factors:

- applicants length of stay;
- applicants country of citizenship;
- other countries where the applicant has stayed for greater than 3 months in the last 5 years;
- the occupational field where the applicant would be working in Australia;
- the information they record on their visa application form; and
- applicants are also required to give specific health details in their applications.

Comprehensive information is on Form 1163i at Attachment A.

2. Character checks

All persons who require a visa to travel to, or remain in, Australia are assessed against the character requirements under the *Migration Act 1958* ("the Act").

Subclass 457 visa applicants are checked against the Department's Movement Alert List database, which contains details of persons known to be of character concern. They are also required to declare on their visa form any criminal convictions. Further investigation and penal checking is undertaken on cases of concern.

Checks are also undertaken of high risk profile cases, involving checks of the applicant's work records and histories in their home countries.

Subclass 457 visa holders are also required to declare any criminal convictions on their incoming passenger cards.

3. Security checks

The public interest criterion relating to security (Public Interest Criterion (PIC) 4002 in the *Migration Regulations 1994*) is a requirement for most visa subclasses including Subclass 457. This criterion allows the Department to identify individuals whose entry or stay in Australia may present a risk to Australia's national security. ASIO advises DIMA on security requirements for people seeking to enter Australia. Any further questions regarding security checking should be directed to the Attorney-General's Department.

4. Qualification checks

Subclass 457 primary applicants are required to detail and attach evidence to their application of educational qualifications, training and/or other skills they possess which relate to the nominated position. The claims made in the application are assessed against the tasks of the nominated position and the qualifications and experience required in the position. Applications are referred to overseas posts for further checks and/or requests are made to applicants to demonstrate their skills through a recognised skills assessing body where concerns exist.