

## **QUESTION TAKEN ON NOTICE**

**BUDGET ESTIMATES HEARING: 22 May 2006**

IMMIGRATION AND MULTICULTURAL AFFAIRS PORTFOLIO

### **(88) Output 1.1: Migration and Temporary Entry**

Senator Webber asked:

What is the quantum for how long and how many 457 holders is a company allowed to employ?

*Answer:*

The ability for businesses to nominate unlimited numbers of positions under a business sponsorship was stopped in 2004. Businesses must nominate the number of positions they want to fill under the sponsorship. Businesses that are approved as Standard Business Sponsors are approved for a set number of positions (a nomination ceiling). The Department considers the businesses capacity to meet their sponsorship undertakings in relation to the nomination ceiling, including their financial capacity to pay in line with minimum salary level requirements.

Where the Department does not believe the business has the capacity to support the number of nominations they are seeking, we would give the business opportunity to seek a lesser number of positions.

Where the Department assesses that the business does not have the capacity to support the number of positions nominated, their application will be refused. Each nomination can be filled by a skilled foreign worker where they meet the criteria for a Subclass 457 visa. A Subclass 457 visa can be approved for periods between 3 months and 4 years. There is no limit to the number of repeat 457 visas that a person can be granted, provided they meet the relevant criteria.