

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES HEARING: 24 MAY 2011

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(BE11/0132) Program 1.1: Visa and Migration

Senator Cash asked:

In relation to Labour Agreements, how long to approve one with variations?
What kind of variations take the longest to approve?

Answer:

The Labour Agreement program is available to employers who have a genuine need for overseas labour (i.e. where Australian workers are unavailable) that cannot be met through the standard migration programs. As such, Labour Agreements generally involve variations to the requirements of the standard programs. Where an employer has provided a complete submission for a Labour Agreement, the Department makes a decision in four to six months.

Variations to standard requirements are approved where an employer can demonstrate compelling reasons as to why these variations are appropriate. The timeframe to negotiate an agreement with variations differs depending on each particular case.

For example, if an employer seeks a significant variation but provides a compelling rationale, the negotiation may be resolved in a shorter timeframe than if an employer seeks a less significant variation but provides limited rationale.