

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES HEARING: 19 OCTOBER 2010

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(144) Program 1.1: Visa and Migration

Senator Cash asked:

What action was taken in respect of the identified elements of duplication?

Answer:

The Interdepartmental Committee on the Temporary Business (Long Stay) Visa Subclass 457 (Subclass 457 IDC) considered the recommendations of the External Reference Group in relation to elements of duplication or unnecessary administration in the processing system, as part of the broader process of reform of the Subclass 457 visa.

In relation to the nomination stage, the Subclass 457 IDC noted that an important consideration from the legal perspective is the formal acceptance by the sponsor of their liability for the Subclass 457 visa applicant. It also enables examination of the duties of the position to ensure that the occupation and salary levels are consistent with the appropriate market salary levels. The Subclass 457 IDC recommended that the nomination stage be retained and enhanced to determine market salary rates; to ensure that Australian workers are not being made redundant in preference to overseas workers; and to notify the Department of a Subclass 457 visa holder who has transferred to another business sponsor (Recommendation 11). The nomination process was retained as part of the reforms to the Subclass 457 visa that took effect from 14 September 2009.

In relation to the requirement for onshore applications to be subject to qualifying visas, the Subclass 457 IDC recommended removal of this requirement to ensure the full pathway to the 457 visa (Recommendation 19). This recommendation was accepted, and the qualifying visa requirement was removed.