

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES HEARING: 19 OCTOBER 2010

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(160) Program 1.1: Visa and Migration

Senator Cash asked:

- (1) Has the Department considered a policy change to enable self assessment for certain classes of visa eg 457?
- (2) What are the advantages of such a policy change?
- (3) What are the disadvantages of such a change?

Answer:

- (1) The Department has not considered a policy change to allow self assessment for visas such as subclass 457. Under the *Migration Act 1958*, only a person delegated by the Minister for Immigration and Citizenship is empowered to assess whether an applicant meets criteria for the grant of a visa. Assessment of an applicant's eligibility for any visa type is made objectively against criteria specified in the *Migration Regulations 1994*. These criteria ensure that only applicants who meet health, character and security requirements and, in the case of subclass 457, possess genuine skills, qualifications, and work experience to fill skilled vacancies, can be granted a visa. Under the *Migration Act 1958*, self-assessment of visa criteria could not be enabled by a policy change.
- (2) The Department has not considered such a policy change. Under the *Migration Act 1958*, self-assessment of visa criteria could not be enabled by a policy change.
- (3) The Department has not considered such a policy change. Under the *Migration Act 1958*, self-assessment of visa criteria could not be enabled by a policy change.