

## Regional Established Business in Australia

*Temporary residents with a proven record as successful business owners... in a designated area... can apply for permanent migration.<sup>1</sup>*

### The scheme

7.1 The Regional Established Business in Australia (REBA) visa category was set up on 1 July 1997, following a proposal from the Tasmanian Government, as a variant of the Established Business in Australia (EBA) category.<sup>2</sup> Unlike the other SsMM, REBA is not a scheme which permits people to enter Australia as migrants. Rather it is a means by which they may gain permanent residence status onshore.

### Federal – State/Territory consultation

7.2 During the Committee's review, regular Federal consultation with the States and Territories had led to the introduction of revised REBA arrangements. As outlined below, these were responses to a desire for exceptional circumstances to be considered in the approval of REBA applications, and for decentralisation of decision-making.<sup>3</sup>

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1 DIMA, *Australia – Your Business Future* at [www.immi.gov.au/business/ebareba](http://www.immi.gov.au/business/ebareba)

2 DIMA, Submissions, p. 31.

3 DIMA, Evidence, p. 465; SA Government, Evidence, p. 424; Tasmanian Government, Evidence, pp. 320, 322-24.

## Conclusion

- 7.3 The creation of REBA and its subsequent modification indicated to the Committee that effective consultation was taking place.

## Localities involved

- 7.4 The 'regional' aspect of REBA was defined by the restriction of its application to 'designated areas'.<sup>4</sup> These excluded the metropolitan areas of Perth, Sydney and Brisbane and the major population corridor on Australia's East Coast, as indicated in Table 7.1.

Table 7.1: Designated areas

State/Territory	Designated Areas
Victoria	All
South Australia	All
Northern Territory	All
Tasmania	All
Australian Capital Territory	All
Queensland	All except urban Brisbane, Sunshine Coast and Gold Coast <sup>5</sup>
Western Australia	All except Perth Metropolitan area <sup>6</sup>
New South Wales	All except Sydney, Newcastle and Wollongong <sup>7</sup>

Source [www.immi.gov.au/allforms/bus-reg1](http://www.immi.gov.au/allforms/bus-reg1)

## Concessions to attract migrants

- 7.5 Both REBA and EBA were points tested. There were differences between the scheme in the ways in which the points may be accumulated, but the most important difference was that REBA applicants gained points for State or Territory sponsorship. There was no provision for this in EBA.<sup>8</sup>

4 These are the same as those applying to SDAS.

5 Includes postcode areas 4350-4499 and 4600-4899.

6 Includes postcode areas 6200-6799.

7 Includes postcode areas 2311-2312, 2328-2333, 2336-2490, 2535-2551, 2575-2739 and 2787-2898.

8 DIMA, *Business Skills Migration* booklet, pp. 17, 19.

## Operation

- 7.6 REBA (and EBA) provided for business owners who were in Australia on temporary business (long stay) visas to acquire permanent residency.
- 7.7 Generally speaking, REBA had lesser financial requirements than EBA, but longer qualifying times.<sup>9</sup> The Committee was advised that:
- if you can meet the threshold criteria for the grant of a visa, you will go for the one you will pass rather than look for something that might have an R in front of it.<sup>10</sup>
- 7.8 People on temporary entry long stay business visas who explored the options for gaining permanent residency had their attention drawn to REBA in the *Business Skills Migration* booklet. This told them that they needed to have:
- a business (long stay) visa;
  - spent at least 12 of the preceding 24 months in Australia;
  - owned and operated a business in a designated area for two years;
  - at least a ten per cent share holding in the business;
  - a turnover of at least \$200,000 or exports of at least \$100,000 in each of the previous two years;
  - net assets of at least \$200,000 in Australia of which at least \$75,000 must be invested in the business in the designated area for the previous two years; and
  - State or Territory sponsorship.<sup>11</sup>
- 7.9 In order to qualify for REBA, the applicants were also advised that they had to pass the points test which allocated scores for age, language ability, and net assets.<sup>12</sup> Applicants could also gain points for employing full-time (or equivalent) permanent residents, Australian citizens or eligible New

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9 Eg **Residence:** REBA = 12/24 months, (EBA = 9/12 months); **Business ownership:** REBA = 24 months and continuing, (EBA minimum 18 months); **Asset levels,** REBA = 24 months (EBA = 14 months). DIMA *Business Skills Migration*, [www.immi.gov.au/allforms/bus-est and /bus-reg](http://www.immi.gov.au/allforms/bus-est_and/bus-reg)

10 SA Government, Evidence, p. 412.

11 DIMA, *Business Skills Migration - Regional Established Business in Australia*, [www.immi.gov.au/allforms/bus-reg](http://www.immi.gov.au/allforms/bus-reg).

12 The points ranges are: **Age:** 20 points for ages 20-29 through to 10 for 50-54; **Language:** 30 for better than functional to 10 for limited English; **Assets:** at least \$2,5 m = 15, \$1.5-2.5m = 10, \$500,000 - \$1.5m = 5. DIMA, *Business Skills Migration* booklet, p. 19.

Zealand citizens (who were not family members) in the preceding two years.<sup>13</sup>

- 7.10 Applicants were required to score 105 points but, during the course of the Committee's review, the scheme was modified so that those who did not reach that score could be accepted provided that the sponsoring government was able to convincingly argue that there were exceptional circumstances.<sup>14</sup>
- 7.11 If accepted under REBA, migrants had to undertake to maintain their business interest, advise DIMA of their addresses for three years and participate in monitoring surveys by DIMA.<sup>15</sup>

## Safeguards

- 7.12 The key safeguard under REBA was that the applicants have to be in the sponsoring jurisdiction for two years before they can apply. Applicants may therefore be assessed on concrete business performance, rather than abstract promises.

## Attractions of the scheme

### For sponsors

- 7.13 The sponsoring State or Territory Government was dealing with a business which has been operating for two years:

applicants are obviously committed...and have truly put their money where their mouths are. They are making an economic contribution to the State.<sup>16</sup>

- 7.14 The track record of the business enabled the government to make more informed decisions about sponsorship than would be the case if it were dealing with a business which had yet to be established.

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13 60 points for 3 employees or 40 for 2. DIMA, *Business Skills Migration* booklet, p. 19.

14 DIMA, Evidence, p. 465; *Business Skills Migration* booklet, p. 18.

15 DIMA, *Business Skills Migration* booklet, p. 18.

16 Tasmanian Government, Evidence, p. 321.

## For the locality

7.15 The local area had already gained the benefits of two years of business activity, such as increased employment opportunities and demand for goods and services.<sup>17</sup> REBA offered the opportunity for those benefits to continue because the long-stay migrant business owners became permanent residents.

## For the potential migrants

7.16 REBA, through the points awarded for State sponsorship, permitted applicants to gain the pass mark more readily than under EBA. This was attractive because failure to qualify under EBA would mean that the applicants would have to leave Australia on the expiry of their visas, with uncertain outcomes for the investment made in their business.

## Utilisation

7.17 As Table 7.2 shows, by the end of 2000/01 five States had used the REBA provisions, and those on only a small scale. Although REBA was set up in mid-1997, the lack of approvals prior to 1999/00 did not reflect any lack of interest in the REBA. Rather the low numbers were a result of the time lag inherent in the requirement for the applicants' businesses to have been in operation for two years prior to making the application. In practice, therefore, applications could have begun only in 1999.

Table 7.2 REBA: Annual take-up by State/Territory - 1997/98 - 2000/01

	NSW	Vic	Qld	SA	WA	Tas	NT	ACT	Total
1997/98	0	0	0	0	0	0	0	0	0
1998/99	0	0	0	0	0	0	0	0	0
1999/00	0	0	0	3	0	10	0	0	13
2000/01	0	0	1	10	3	23	4	0	41

Source DIMA, *Submissions*, pp 415-17; Minister for Immigration and Multicultural Affairs, *Media Release 98/01*.

7.18 Although at the time of the review REBA had generated few applications and fewer approvals, this appeared to be changing because approvals in 2000/01 were more than double that of the previous year.

17 'a study completed in 1995 by Davey and Maynard...agricultural consultants...the multiplier they used was between five and six'. Circular Head Council, *Evidence*, p. 278.

## REBA in practice

- 7.19 Because of the requirement that the applicants conduct their business for two years prior to applying, REBA was in its initial stages at the time of the review. The first REBA application was not finalised until June 2000 and few approvals had been made when the Committee was conducting its review.<sup>18</sup>
- 7.20 The Tasmanian Government had conducted an industry audit which identified skills and industries which might be targeted, and the DIMA Hobart office had publicised the scheme in one of its regular news magazines.<sup>19</sup>
- 7.21 There was some experience of the processing of applications and the Committee comments on this below, under *The need for flexibility*.

## Conclusion

- 7.22 The Committee concluded that, at the time of its review, too few REBA approvals had been made for any pattern to have emerged.

## Issues raised

- 7.23 Although the scheme was in its early stages, there were already aspects which required attention, as evident in the experience of one family cited on the facing page. Their experience highlighted some of the issues which the Committee examined in relation to REBA:
- REBA interaction with the Long stay Temporary Business Visa;
  - the need for flexibility;
  - centralisation of administration;
  - the concept of 'regional'; and
  - encouraging investment.

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18 DIMA, Evidence, p. 483-84: four in NSW, 2 in each of WA, Tasmania, SA, and one in Victoria by early 2001.

19 Tasmanian Government, pp. 335, 346.

### **A Family Business**

We said if we go to Australia we want to go for permanent residency.

The gross value of our business is probably around \$1.3 million or \$1.4 million...That is only our business expenses...

The embassy were very impressed with all the research and work and with the amount of money spent on contractors. They did not think it was a problem...We were of the understanding that with our business plan behind us it would not be a problem to apply for permanent residence...

What I understood then was that they could not give you permanent residency straight away. You have to go through a temporary visa for four years and then apply in the four years for permanent residency...

From the day we got here we had to sort everything out ourselves. We just went around and asked and asked and went around again...

We were really happy with the help from the local people here, but there was no office to go to, to get information. We have been here for 3½ years and no-one from the government has been to us and asked, 'How are you doing; how are you getting on with your things?'...

When we got our application forms... there was a list of migration agents we could use to help us fill out the forms and things like that...I have been ringing them and ringing them and they say, 'We will get back to you,' but they never ring back.

In the nearly four years we have been here, we have proven that we can take care of our family and ourselves. In those four years, we have had to pay all the taxes every Australian citizen does but we are not eligible for any family support or anything like that. I reckon we have proven in those four years that we can take care of ourselves and we are not here for handouts or anything like that. If you look at what we have done in the last three years, you will see how we improved and expanded the business. I think they have to take something like that into account... our business expenses in the last financial years were all spent in the local community and it has an impact on business in the community...

We came here with seven people and they made it quite hard to stay here. I was really surprised with that. Even last night there was an ad on the television and it said, 'We are a proud nation of immigrants.' I thought, 'What is going on here?'

## REBA interaction with the Long stay Temporary Business visa

- 7.24 The Independent Executive stream of the long stay temporary business visa (457IE Visa) represented the main 'feeder group' for REBA. At the time of the Committee's review there was, however, no formal link between the 457IE Visa and REBA. It was therefore not one of the SsMM under consideration in this review.
- 7.25 In practice, there was a strong link to REBA because the 457IE Visa enabled migrants intent on establishing a business in Australia to remain in the country for up to four years while they did so.<sup>20</sup> Once established, they could become eligible to apply for permanent residency including through REBA.
- 7.26 While there was no certainty that the 457IE Visa migrants would be able to go on to establish valid claims for permanent residency, the arrangements under that visa did have implications for REBA. The Committee therefore briefly examined it during its review of REBA.
- 7.27 At the time of the Committee's review there was a lack of coordination between the migration arrangements for REBA and for the 457IE Visa. The main issues raised with the Committee in connection with the 457IE Visa as a preparatory stage for REBA were:
- the quality of advice to intending REBA settlers;
  - the time restrictions inherent in the arrangements; and
  - the level of support for migrants who were using the 457IE Visa with the aim of subsequently applying for REBA.

### Quality of advice

- 7.28 As already noted, the Committee was told that one witness understood that:
- with our business plan behind us it would not be a problem to apply for permanent residence.<sup>21</sup>
- 7.29 Others also provided illustrations of the apparent misunderstanding of the role of a migrant's financial status in gaining permanent residency:
- the Foreign Investment Review Board tends to do a very good job, obviously, in trying to find people or in discussing opportunities. Then you find, having said that, you have a problem with Immigration. There seems to be some sort of problem with the

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20 [http://www.immi.gov.au/business/bus\\_visas\\_guide1.htm](http://www.immi.gov.au/business/bus_visas_guide1.htm)

21 Dairy Farmer, Evidence, p. 250.

conduit between the two organisations... the Foreign Investment Review Board... indicated that what he was trying to do was a good idea... When he received basically the imprimatur of the first, he assumed that that would flow on to the second. It was probably a wrong assumption, but I think that is where it came from.<sup>22</sup>

We wanted to come to Australia as permanent residents... We never wanted to come on a temporary visa, but were told to go on the 457 visa... We were told that once we were onshore a permanent residency application would be straightforward... They should have told us that no matter what we invested in it did not make a blind bit of difference.<sup>23</sup>

7.30 The Committee was not in a position to determine exactly what information had been provided to intending migrants prior to their decision to use 457IE Visas to gain entry and then apply for permanent residence. However, in the cases before the Committee it was evident that any warning that their investment could not ensure a grant of permanent residency had not been fully absorbed.

7.31 At the conclusion of its review, the Committee was provided with a recently issued DIMA information sheet, *Independent Executives and Permanent Residence*. It advised that concessions in visa criteria apply to REBA, and set out in tabular form the respective requirements of EBA and the 457IE Visa, with a warning to applicants that:

permanent residence is not automatic and starting or buying a business in Australia with a certain amount of money does not guarantee eligibility... if their business fails and they are not granted permanent residence, they may have to leave Australia.<sup>24</sup>

7.32 DIMA advised the Committee that further consultations were continuing, with the intention of devising reforms by the end of 2001.<sup>25</sup>

## Conclusion

7.33 The Committee concluded that this succinct information sheet would provide more help to prospective applicants intending to use the 457IE Visa route to REBA than had been available previously.

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22 Mr William Barber, private capacity, Evidence, pp. 54-55.

23 Dairy Farmer, Evidence, pp. 263, 262.

24 DIMA, Exhibit 30, *Independent Executives and Permanent Residence*.

25 DIMA, Evidence, p. 465.

## Time restrictions

- 7.34 Migrants had a limited time in which to qualify for REBA while in Australia under a 457IE Visa. That visa was valid for a maximum of four years and REBA effectively required the business to have met onshore employment thresholds for two years. It appeared, therefore, that intending migrants would have a further two years in which to could apply for REBA before their 457IE Visas expired.
- 7.35 The Committee was assured that, in practice, it was not so simple. The four-year clock started running when the visa application was approved, not when the migrant arrived in Australia.<sup>26</sup> This reduced the time actually available to establish a business in Australia and then qualify for REBA. Setting up any business would take time, and some businesses took more time to develop.<sup>27</sup> Examples presented to the Committee included olives, where:
- at least four years after the first planting and probably closer to six before you take any crop off the olive grove;<sup>28</sup> and
- abalone... takes... two years to grow... so two years go by before they can even get a turnover in their business.<sup>29</sup>
- People just are not ready...they either have not set their businesses up or they have not got the two or three staff that are required to meet the criteria that is needed to go past the next stage.<sup>30</sup>
- 7.36 Solutions suggested to the Committee were to allow onshore extension of the 457IE visa to enable applicant already in business in Australia more time to meet the REBA requirements, or the creation of a two-year Provisional Permanent Resident Visa which would achieve the same end.<sup>31</sup>
- 7.37 During its public hearings, the Committee was told that the lack of coordination between the 457IE Visa and REBA was being addressed with a view to establishing:
- a more continuous pathway from the point of entry for that 457 independent visa into a permanent visa;<sup>32</sup>

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26 Tasmanian Migration Service, Evidence, p. 358.

27 Tasmanian Migration Service, Evidence, p. 358

28 Mr William Barber, private capacity, Evidence, p. 55.

29 Tasmanian Migration Service, Evidence, p. 360.

30 SA Government, Evidence, pp. 412-13.

31 Tasmanian Migration Service, Submissions, pp. 373, 375; Evidence, p. 360.

32 SA Government, Evidence, p. 411.

the changes that are being spoken about are that the States and Territories will, in fact, sponsor the 457IE visas... and they will convert, at a later date, into regional established businesses...on the EBA and REBA the points test is likely to disappear and be tied to the sponsorship of the 457IE visa.<sup>33</sup>

- 7.38 At the conclusion of its public hearings the Committee was advised that consultations with stakeholders were continuing, with the objective of making reforms late in 2001.<sup>34</sup>

### Conclusion

- 7.39 In view of the active consultations concerning the foreshadowed changes, the Committee did not pursue the suggestion that arrangements be made to enable onshore extension of the 457IE visa or the proposed Provisional Permanent Resident Visa.

### Level of support

- 7.40 The issue of the appropriate level of support for migrants was raised in the context of potential REBA applicants, ie those in Australia on the 457IE Visa. One local Council said that:

the information should be flowing not only to the people involved but also to... the community... that these families are coming to. There should be some sort of introduction package for us and for them so we have the opportunity to meet them and to talk to them... The people...were on the farm settled in for a long time before we even knew they were there...we had no information, no pamphlets or anything as far as I am aware.<sup>35</sup>

- 7.41 In the case of the 457IE Visa migrants, the Committee was told that:

it is not departmental policy to give them settlement information or link them to settlement services because they are not really migrants; they are here as temporary business entrants<sup>36</sup>... when people ring us... we do provide information. If we cannot help them, or it is beyond our scope or depth of knowledge, we link them with the case officer who will be dealing with that particular case.<sup>37</sup>

- 7.42 To the Committee, this appeared to be a tenuous line of contact.

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33 Government of Tasmania, Evidence, pp. 326-27.

34 DIMA, Evidence, p. 465.

35 Circular Head Council, Evidence, pp 272-73, 283.

36 DIMA, Hobart office, Evidence, p. 341

37 DIMA, Hobart office, Evidence, p. 351.

- 7.43 The Committee was told that DIMA's overseas posts did not provide information about 457IE visa migrants to local authorities.<sup>38</sup>
- 7.44 Two settlers of whom the Committee had direct knowledge had already invested approximately \$2 million in their localities and intended to apply through REBA to settle permanently.<sup>39</sup> Yet under the existing administrative arrangements these potential long-term settlers might have only attracted DIMA or local interest by chance.

### Conclusion

- 7.45 The Committee considered the current 'hands off' approach to be short-sighted in view of the substantial financial investment intending REBA migrants brought into a locality with the aim of becoming permanent settlers. In the context of the reforms promised for late in 2001, the Committee considered that the expected 'better post-arrival services'<sup>40</sup> should cover departmental and local resources.

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### Recommendation 13

- 7.46 **The Committee recommends that DIMA provide settlers who have arrived in Australia and who have indicated their intention to use REBA with information about contacting DIMA and local agencies.**

### The need for flexibility

- 7.47 The recent DIMA information sheet, *Independent Executives and Permanent Residence* advised that:

applicants over 55 years of age with limited English may not be able to pass the points test, no matter how well their business does or how much money they have in Australia.<sup>41</sup>

- 7.48 One effect of such apparent inflexibility in the REBA requirements was identified by the Tasmanian Government, which pointed out that:

many people over 50 have significant financial and skills resources.<sup>42</sup>

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38 DIMA, Hobart Office, Evidence, pp. 352-53; Tasmanian Government, Evidence p. 318.

39 Dairy farmers, Submissions, p. 346, \$1m; Dairy farmer, Evidence, p. 247, \$0.9m.

40 DIMA, Evidence, p. 465.

41 DIMA, Exhibit 30, *Independent Executives and Permanent Residence*. (11/00). Age and language points can account for 50 of the required 105 points, whereas the maximum points achievable for assets is 15. DIMA, *Business Skills Migration* booklet, p. 19.

7.49 Another submission questioned the need for the level of English specified.<sup>43</sup> Other presentations to the Committee highlighted, for example, the difficulty some capital-intensive enterprises could find in meeting the requirement that they have at least two full-time employees (or the equivalent) for the two years prior to application:<sup>44</sup>

what we are finding now is that sustaining... staff... in small businesses, especially farmers and even caravan parks and the service industry where they are employing over a longer time casual employees, is the biggest problem.<sup>45</sup>

7.50 In short, the points test was seen to be restrictive and raised the question:

if you brought \$US1 million here... and you established a very successful business that was employing people, does it really matter if you are not proficient in two or three languages? Does it really matter how old you are? ...To attract the people who have these types of resources, the main criterion should be the ability to establish a viable business.<sup>46</sup>

7.51 These questions had been drawn to the attention of DIMA by State and Territory Governments. They argued that they were unable to retain established businesses of benefit to their regions because the REBA applicants failed to meet the points test. As a result of consultations in a working party the migration regulations had been amended to provide flexibility in the REBA points test from November 2000.<sup>47</sup>

7.52 Rather than attempting to change the points test itself, as was suggested to the Committee,<sup>48</sup> the new approach permitted governments to argue that an applicant should not have to meet the pass mark under the REBA points test because of exceptional circumstances.<sup>49</sup>

## Conclusion

7.53 The Committee concluded that the capacity to argue for exceptional circumstances on a case-by-case basis would meet the desire expressed to the Committee for more flexibility in the operation of REBA.

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42 Tasmanian Government, Submissions, p. 93.

43 SA Government, Submissions, pp. 77-78.

44 Applicants score 40 points for 2 employees, or 60 points for 3. DIMA, *Business Skills Migration* booklet, p. 19.

45 Tasmanian Migration Service, Evidence, pp. 356-57.

46 Ipswich City Council, Evidence, p. 380.

47 DIMA, Evidence, p. 465.

48 Ipswich City Council, Evidence, pp. 379-80; Tasmanian Government, Submissions, p. 93.

49 DIMA, Evidence, p. 465.

## Centralisation

- 7.54 At the time of the Committee's review, the DIMA administration of REBA was centralised in the DIMA office in the Rocks in Sydney which was responsible for the processing of applications.<sup>50</sup> This arrangement was unlike the administration of the other SsMM at State or Territory level.
- 7.55 A number of witnesses highlighted the inconvenience which this created at the State and Territory level, such as delays in processing, lack of familiarity with the applicants, and inappropriate advice.<sup>51</sup> The South Australian Government arranged for the Adelaide Office of DIMA to take responsibility for that State's REBA cases, and subsequently responsibility was devolved to each State or Territory DIMA Office.<sup>52</sup>

## The concept of 'regional'

- 7.56 REBA, like SDAS, was a SsMM which was intended to encourage migrants to settle in specific designated areas. As with SDAS, the appropriateness of the definitions of 'designated area' used by the various State and Territory Governments in relation to REBA was raised with the Committee which examined it in Chapter 3, *The regional conundrum*.
- 7.57 The issue was particularly pertinent to REBA because, as the Australian Capital Territory Government indicated:
- being a designated region does assist to attract business people who may be short on points. They do then consider Canberra, when obviously they were focusing on Sydney initially.<sup>53</sup>
- 7.58 The Committee was aware that the identification of designated areas was the responsibility of the States and Territories which identified the needs of their jurisdiction and who also had the capacity to refine the definition of 'designated area' to meet those requirements. DIMA advised that the attention of States had been drawn to this<sup>54</sup> and also advised the Committee that:
- once the proposed reform package for the independent executive and regional established business in Australia category is agreed and implemented, the designated area concept is likely to apply to only the skilled, regional sponsored subclass.<sup>55</sup>

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50 DIMA, Hobart Office, Evidence, p. 350.

51 SA Government, Evidence, p. 424; Tasmanian Government, Evidence, p. 328.

52 SA Government, Evidence, p. 424.

53 ACT Government, Evidence, p. 395.

54 DIMA, Submissions, p. 527.

55 Now SDAS, DIMA, Evidence, p. 464.

## Conclusion

- 7.59 The reform package for REBA and the 457IE visa is expected to be implemented in November 2001.<sup>56</sup> On the assumption that this would take place, the Committee noted that it could remedy the concerns over the application of 'regional' and 'designated area' and therefore concluded that no recommendation was required on that subject.

## Encouraging investment

- 7.60 The Committee was advised that businesses had the potential to contribute more to a locality than an individual settler might. The capital investment in the migrants' own businesses or existing businesses was only one benefit. Businesses could also expand the local enterprise base and potentially promote employment. This need not involve large numbers to be significant for a locality:<sup>57</sup>

one of the three or four major businesses here – they are major in our town but they are small beer elsewhere... employs six people.<sup>58</sup>

- 7.61 The Committee was advised that one perceived obstacle to these outcomes was the difficulty in arranging for some potential business migrants to visit the area:<sup>59</sup>

I think most states and territories have a similar experience. They might invite somebody to come out on a business ground and find it has been refused...we would like to have the power to formally sponsor.<sup>60</sup>

- 7.62 During the course of the review, changes were made to Australia's migration arrangements which permitted sponsorship of short-term business visitors by an elected government representative, a government agency, or a local government mayor.<sup>61</sup>

## Conclusion

- 7.63 The Committee concluded that this arrangement would meet the needs raised during the review, and again indicated that the Federal – State/Territory consultation was producing desired changes to REBA.

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56 DIMA, Evidence, p. 465.

57 Cairns Chamber of Commerce, Submissions, p. 315.

58 Mr W. Barber, private capacity. Evidence, p. 60.

59 SA Government, Submissions, pp. 80-81; also Ipswich City Council, Evidence, p. 382.

60 SA Government, Evidence, p. 418.

61 From 1 July 2000, DIMA, Evidence, p. 466.

## Measuring success

- 7.64 At the time of the Committee's review, only a few REBA applications had been approved. It was therefore not possible to make a meaningful assessment of the success of the scheme.

## Summary

- 7.65 The Committee considered it encouraging that the number of REBA approvals appeared to be increasing rapidly because this indicated that there was a number of migrants who had already made a substantial contribution to their chosen area and desired to continue to do so by becoming permanent settlers.
- 7.66 On the other hand, the Committee was aware that some of REBA's apparent popularity might have been due to the relevant governments successfully arguing that the applicants' cases were exceptional. The Committee had already commented on the dangers of permitting 'exceptional' approvals in Chapter 4.<sup>62</sup>
- 7.67 The Committee also looks forward to examining the data which DIMA indicated that it intends to collect on REBA migration.<sup>63</sup>

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### Recommendation 14

- 7.68 **The Committee recommends that the operation of REBA, including 'exceptional' approvals, be reviewed during 2003.**

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62 See Chapter 4, 'Exceptional' approvals, and recommendation No. 5.

63 DIMA, *Business Skills Migration* booklet, p. 18.