

APPENDIX A: TEMPORARY RESIDENCE VISAS INCLUDED IN THE REVIEW

The Review was designed to consider the full range of temporary resident visa classes and subclasses. The visas included in the review are the following:

Exchange (411) visa: for skilled persons entering under exchange arrangements giving Australian residents reciprocal opportunities to work with overseas organisations.

Foreign Government Agency (415) visa: for certain representatives or employees of foreign governments (or certain foreign government agencies).

Special Program (416) visas: for persons undertaking an organised working visit to participate in an approved special program or Churchill Fellowship.

Educational (418) visas: for working at an Australian tertiary or research institution as an academic, librarian, technician, etc; or to undertake research; or as a teacher at an Australian school or college.

Visiting Academic (419) visa: for academics to visit Australia to observe or participate (without remuneration other than for living expenses and travel costs) in research projects.

Entertainment (420) visa: for persons working in the entertainment industry, including performers, entertainers, non-performing production/technical personnel, models and support personnel.

Sport (421) visa: for sports persons including contestants and their appointed staff, players, coaches, instructors or support staff, participants in training programs, judges and adjudicators.

Medical Practitioner (422) visa: for medical practitioners whose proposed temporary stay in Australia involves providing medical services.

Media and Film Staff (423) visa: for professional staff members of overseas news organisations or television/film crew producing documentary programs or commercials for use outside Australia.

Public Lecturer (424) visa: for persons whose wish to do some public lecturing in Australia as part of their usual occupation of public lecturing.

Family Relationship (425) visa: for single persons under 18 years of age to have an extended holiday of up to 12 months, to stay with relatives or close family friends.

Domestic Worker (Diplomatic or Consular) (426) visa: adult domestic workers employed in a private capacity by diplomatic and consular representatives posted to Australia.

Domestic Worker (Senior Executive) (427) visa: for the temporary entry of persons to be employed as domestic workers by certain holders of Temporary Business Entry visa 457.

Religious Worker (428) visa: for persons to undertake religious work that directly serves the religious objectives of a religious organisation in Australia.

Supported Dependant (430) visa: for family members who wish to accompany an Australian relative who normally lives overseas but who is intending to reside in Australia temporarily.

Expatriate (Temporary) (432) visa: for family members of persons employed in remote localities in SE Asia, South Pacific or PNG, by international companies that have business associations with Australia.

Occupational Trainee (442) visa: for persons to undertake a workplace-based training program designed specifically to increase a person's skill level in their occupation or area of expertise.

Confirmatory (Temporary) (446) visa: for certain persons previously granted an emergency visa who have since satisfied the outstanding visa requirements for a temporary residence visa.

Business (Short Stay) (456) visa: for genuine business visitors seeking a short-term entry to Australia for business purposes (up to three months at a time).

Business (Long Stay) (457) visa: for long-term temporary business and skilled entry (for up to four years) to work in Australian companies or to set up a new business or branch of an overseas company.

The business visas (subclasses 456 and 457) were introduced in 1995 and 1996 respectively following an extensive review of business and specialist visas. Nevertheless they were included in this Review because it provided an opportunity to consider any necessary refinements to their operation, opportunities to build on the lessons learned from their introduction and expand these arrangements into the remainder of the temporary resident stream.

The following temporary resident visas were not included in this review:

Retirement visa (subclass 410) – this was reviewed with parent and aged relative visas in 1998. It has also been the subject of periodic adjustment since its introduction in 1989.

Working Holiday (Subclass 417) visa – this visa was the subject of a review by the Joint Standing Committee on Migration in 1996-97. Moreover these arrangements are the subject of bilateral government to government agreements.

Special Category (subclass 444) visa – this visa is intended to provide lawful status for unlimited (albeit temporary) stay for New Zealand citizens, as provided for under the bilateral agreement between Australia and New Zealand.

Dependent Child (subclass 445) visa – this visa provides a technical mechanism for dependent children who are offshore when their parents make an onshore spouse or interdependency application to be included in their parents' application process. This visa is part of the family program rather than the temporary residence program.

Kosovar Safe Haven (Subclass 448); Humanitarian Stay (449) and Resolution of Status (450) visas – these are temporary humanitarian visas and are appropriately dealt with in the context of broader Government humanitarian policy.

APPENDIX B: CONSULTATIONS TIMETABLE

STEP / PROCESS	TIMING
PREPARATION AND CIRCULATION OF DISCUSSION PAPER:	1999
<ul style="list-style-type: none"> <input type="checkbox"/> Consultation with Office of Regulation Review (ORR) about draft Terms of Reference <input type="checkbox"/> Consultation with DCTA and DEWR (now DEWR) on draft Terms of Reference <input type="checkbox"/> Consultation within DIMIA (including regional offices and posts) about policy and operational issues & problems with temporary residence policy in general and specific visas <input type="checkbox"/> Analysis of visa issues and options for streamlining visas and visa requirements <input type="checkbox"/> Consultation with regional offices to identify a range of stakeholders <input type="checkbox"/> Preparation of discussion paper 	September December Oct - Nov Oct to mid-Jan
	2000
<ul style="list-style-type: none"> <input type="checkbox"/> Draft discussion paper circulated within Central Office, regional offices, and overseas posts for comments <input type="checkbox"/> Minister approved Review Terms of Reference, proposed review processes and draft discussion paper <input type="checkbox"/> Comments from internal stakeholders incorporated into draft discussion paper <input type="checkbox"/> External reference group (ERG) appointed <input type="checkbox"/> Advance copy of discussion paper sent to relevant Departments - DCTA, DEWR (now DEWR), DETYA (now DEST), ISA, Health, NOIE <input type="checkbox"/> Consultation with ORR about proposed review process, including consultation processes <input type="checkbox"/> Draft discussion paper sent to ERG for discussion at first ERG meeting <input type="checkbox"/> First meeting of ERG - to discuss review, discussion paper and review processes <input type="checkbox"/> Discussion paper finalised and distributed to stakeholders – regional offices, overseas posts and selected stakeholders and general invitation to comment (by mid-September) <input type="checkbox"/> Newspaper advertisements about review and availability of discussion paper <input type="checkbox"/> Consultations with stakeholders as required, including relevant Commonwealth departments, sponsors and unions <input type="checkbox"/> Consideration of possible options and recommendations during consultation period <input type="checkbox"/> Deadline for comments / submissions on discussion paper (6-7 weeks to comment) <input type="checkbox"/> Summarising and analysing comments and issues raised in submissions <input type="checkbox"/> 2nd meeting of ERG members - to discuss submissions and comments <input type="checkbox"/> 3rd meeting of ERG members - to discuss issues raised and possible options for change 	January June Feb-Mar July July July 17 July 1 August Early-mid August 12 August Late-Aug to mid-Sept Aug-Sept 29 Sept October 19 October 28 November
	2001
<ul style="list-style-type: none"> <input type="checkbox"/> 4th meeting of ERG members - to discuss directions of draft report <input type="checkbox"/> 5th meeting of ERG members - to discuss directions of draft report <input type="checkbox"/> Departmental consultations on details of proposed directions <input type="checkbox"/> Consultations with DEWR (now DEWR) about proposed approach for business (457) visas <input type="checkbox"/> Consultations with DEWR (now DEWR) about proposed approach to training commitments <input type="checkbox"/> Refinement of draft report <input type="checkbox"/> Draft report circulated within DIMIA department <input type="checkbox"/> Consultations with ORR about draft report and requirements for Regulation Impact Statement processes <input type="checkbox"/> Comments incorporated 	30 January 13 February Mar - Jul Mar - Sep Early Oct. October November November
	2002
<ul style="list-style-type: none"> <input type="checkbox"/> Draft report circulated to external stakeholders – including respondents to discussion paper and all relevant Commonwealth departments <input type="checkbox"/> Draft report provided to ERG members for consideration, in preparation for final meeting <input type="checkbox"/> Final meeting of ERG members <input type="checkbox"/> Comments from ERG incorporated into final report <input type="checkbox"/> Final report provided to Government <input type="checkbox"/> Response of Government to report recommendations <input type="checkbox"/> Consultation within DIMIA on implementation of recommendations <input type="checkbox"/> Approval from Minister for changes to legislation and policy flowing from implementing review recommendations <input type="checkbox"/> Consultations within DIMIA on systems, forms, client information etc flowing from changes <input type="checkbox"/> Consultations with processing offices on operational implications of changes <input type="checkbox"/> Update policy guidelines <input type="checkbox"/> Preparation of legislation changes <input type="checkbox"/> Preparation of system changes <input type="checkbox"/> Preparation of form changes <input type="checkbox"/> Advice to staff about forthcoming changes <input type="checkbox"/> Preparation of client information about forthcoming changes 	February February March April July July July-Aug July July-Aug July-Aug July-Aug Jul-Aug Aug + Sep + Oct +

APPENDIX C: RESPONDENTS TO DISCUSSION PAPER**COMMONWEALTH GOVERNMENT
DEPARTMENTS AND AGENCIES**

Department of Communications Information
Technology and the Arts
Department of Health and Aged Care (now
Department of Health and Ageing)
Department of the Environment and Heritage
Department of Transport and Regional Services
Department of Education, Training and Youth
Affairs (now Department of Education, Science
and Training)
Department of Veterans' Affairs
Department of Employment, Workplace
Relations and Small Business (now Department
of Employment, Workplace Relations)
Department of the Prime Minister and Cabinet
Department of Foreign Affairs and Trade
Department of Family and Community Services
Attorney General's Department
Administrative Review Council
Australian Trade Commission
Refugee Review Tribunal
Migration Review Tribunal
CSIRO

**STATE/TERRITORY GOVERNMENT
DEPARTMENTS AND AGENCIES**

Victoria State Department of Education,
Employment and Training
Education Queensland
New South Wales Medical Board
Greater Murray Area Health Service

FAMILY CARE MEDICAL SERVICES

Western Australian Centre for Remote and Rural
Medicine

DIMIA

Overseas Systems Strategy Section
Overseas Resources & Liaison Section
Business Employment Section
Students and Working Holiday Makers Section
Resource Management Branch
Business Relations Section
Settlement Branch
Brisbane Business Centre
New South Wales Business Centre
DIMIA overseas post - Manila
DIMIA overseas post - Auckland
DIMIA overseas post - Phnom Penh
DIMIA overseas post - Vienna
DIMIA overseas post - Islamabad
DIMIA overseas post - Hong Kong
DIMIA overseas post - Cairo
DIMIA overseas post - Berlin
DIMIA overseas post - Shanghai
DIMIA overseas post - Singapore

PEAK BODIES

Migration Institute of Australia (MIA)
Shop, Distributive and Allied Employees'
Association
Communications, Electrical and Plumbing
Union (CEPU)
Construction, Forestry, Mining & Energy Union
(CFMEU)
Labor Council of NSW
International Banks and Securities Association of
Australia
Media Entertainment and Arts Alliance (MEAA)
Australian Entertainment Industry Association
(AEIA)
Screen Producers Association of Australia (SPAA)
The Association of Professional Engineers,
Scientists & Managers, Australia (APESMA)
Australian Medical Association
Australian Medical Association, WA
New South Wales Medical Board
Royal Australian College of General Practitioners

MIGRATION AGENTS

Gilton Business Consultants
K.K.Shum
AMIS Consultants

BUSINESSES**Companies**

Siemens
National Australia Bank Ltd
Krupp Engineering (Australia)
Arts Projects Australia
After Hours Doctor, Tasmania
PricewaterhouseCoopers
J P Kenny Pty Ltd
Murray-Plains Division of General Practice
Green Cape Wildlife Films

Information and Communications**Technology (ICT)**

SoftLaw
cXc DownUnder
Paul Ingle & Associates

Recruitment and workforce planning

Dentist Jobsearch Pty Ltd
Civic Model Management
Stablemate Staff Management
Frontier Recruitment
Arthur Andersen
Melbourne Medical Locum Service
Australian Locum Medical Service Pty Ltd
Northern Territory Remote Health Workforce
Agency
Murray Plains Division of General Practice

Education

Murdoch University
Adelaide University
University of New South Wales
Deakin University
University of Queensland
Australian National University
Southern Cross University
The University of Melbourne
Flinders University
Boston University Sydney Internship Program
Phoenix English Language Academy
Council Exchange

COMMUNITY/RELIGIOUS ORGANISATIONS

L'Arche Australia Ltd
Vietnamese Community in Australia
Mukti-Gupteshwar Mandir Society
Youth with a Mission

ERG MEMBERS

Anwar Harb
Dr Bruce Harris

INDIVIDUALS

Akbar Jindani
Sanila Devi Karan
Darren Fairbrother
Fina Sazali
David Law
Margaret Fitzpatrick

APPENDIX D: MEMBERSHIP OF THE EXTERNAL REFERENCE GROUP

The members of the ERG were:

Peter McLaughlin (Chairman), VIC

founder and managing director of World Competitive Practices, a consulting practice specialising in advising on best practice employee relations strategies and policies.

Venerable Thich Quang Ba JP, ACT

Abbot of the Sakyamuni Buddhist Centre, first deputy chair of the restructured Vietnamese Buddhist Congregation of Australia-New Zealand.

Dr Bruce Harris, NSW -

Medical Director of the Remote and Rural Health Training Unit.

Mr Kevin Jacobsen, NSW

Managing Director of the Jacobsen Entertainment Group, Australia's leading concert-touring company and one of the largest operators of public facilities in Australia.

Mr Anwar Harb, NSW

President of the Australian Lebanese Christian Federation and Editor in Chief of An-Nahar, Independent Lebanese Arabic Newspaper.

APPENDIX E: RECOMMENDED STRUCTURAL CHANGES AND WHERE THEY ARE DISCUSSED

Visa	Name	Current stream	Proposed stream	Visa changes	Where discussed
411	Exchange	International Relations	N/A	Abolish visa Skilled employment to be provided for under Business (Long Stay) visa Country-to-country agreements transferred to new International Relations visa	Chapters 5 and 13
415	Foreign Government Agency	International Relations	International Relations	Abolish visa Provide for these persons in a new, broader International Relations visa (see below)	Chapter 13
416	Special Program	International Relations	Cultural and Social	Maintain separate visa	Chapter 9
418	Educational	Economic	N/A	Abolish visa To be provided for under Business (Long Stay) visa Country-to-country agreements transferred to new International Relations visa	Chapter 5
419	Visiting Academic	Cultural and Social	Cultural and Social	Maintain separate visa	Chapter 8
420	Entertainment	Cultural and Social	Cultural and Social	Maintain separate visa Incorporate firm maker provisions from 423 visa Country-to-country agreements transferred to new International Relations visa	Chapter 10
421	Sport	Cultural and Social	Cultural and Social	Retain visa for elite sportspeople Stays under 3 months to be provided for under Business (Short Stay) visa Sponsored employment to be provided for under Business (Long Stay) visa Country-to-country agreements transferred to new International Relations visa	Chapters 5, 12 and 13
422	Medical Practitioner	Economic	Economic	Maintain separate visa Country-to-country agreements transferred to new International Relations visa	Chapter 7
423	Media and Film Staff	Cultural and Social	N/A	Abolish visa Sponsored employees to be provided for under Business (Long Stay) visa Firm makers to be provided for under Entertainer (420) visa Country-to-country agreements transferred to new International Relations visa	Chapters 5 and 10

Visa	Name	Current stream	Proposed stream	Visa changes	Where discussed
424	Public Lecturer	Cultural and Social	N/A	Abolish visa To be provided for under Business (Short Stay) visa Longer stays to use Temporary Business (Long Stay) visa Country-to-country agreements transferred to new International Relations visa	Chapters 5 and 10
425	Family Relationship	Cultural and Social	N/A	Abolish visa To be provided for under Long stay visitor provisions	Chapter 8
426	Domestic (diplomatic)	International Relations	International Relations	To be covered in separate review of Diplomatic visas	Chapter 13
427	Domestic (executive)	International Relations	Economic	Maintain separate visa	Chapter 13
428	Religious worker	Cultural and Social	Cultural and Social	Maintain separate visa	Chapter 9
430	Supported dependant	International Relations	Family Program	Policy objective fits better with objectives of Family Program	Chapter 13
432	Expatriate	International Relations	N/A	Abolish visa To be provided for under Long stay visitor provisions	Chapter 13
442	Occupational Trainee	International Relations	Student Program or Economic Stream	Maintain separate visa More appropriately viewed either as part of Student program to emphasise training focus or Economic Stream to emphasise work focus.	Chapter 14
446	Confirmatory	N/A	Abolish	Persons to be granted in Australia visa of type originally applied for overseas	Chapter 3
456	Business (short stay)	Economic	Economic	To cover stays up to 3 months (business purposes broadly interpreted, excluding Entertainers)	Chapter 6
457	Business (long stay)	Economic	Economic	To incorporate sponsored employment provisions being transferred from 411, 418, 421, 423, 424	Chapter 5
	New visas	International Relations	International Relations	(1) Country-to-country agreements (from 411, 415, 419, 420, 421, 423, 424) (2) Persons accorded privileges and immunities (from 456 and 457) (3) Foreign government agencies (from 415) and other International agencies	Chapter 13

APPENDIX F: VISAS GRANTED 1999–2000 AND 2000–01 BY TEMPORARY RESIDENT SUBCLASS⁽¹⁾

VISA SUBCLASS	1999–00 VISA GRANTS			2000–01 VISA GRANTS		
	In Australia	Overseas	Total	In Australia	Overseas	Total
411 – Exchange	254	2,194	2,448	310	1,728	2,038
415 – Foreign Government Agency	84	199	283	114	273	387
416 – Special Program	137	1771	1,908	165	2,882	3,047
418 – Educational	901	800	1,701	859	868	1,727
419 – Visiting Academic	605	2,722	3,327	492	3,045	3,537
420 – Entertainment	435	7,663	8,098	472	8,342	8,814
421 – Sport	307	8,141	8,448	308	6,090	6,398
422 – Medical Practitioner	1,006	1,509	2,515	1,457	1,975	3,432
423 – Media And Film Staff	16	591	607	28	478	506
424 – Public Lecturer	3	31	34	1	26	27
425 – Family Relationship	13	73	86	16	78	94
426 – Domestic Worker – Diplomatic or Consular	49	62	111	73	67	140
427 – Domestic Worker – Executive	6	13	19	15	25	40
428 – Religious Worker	368	872	1,240	506	1,039	1,545
430 – Supported Dependant	63	135	198	69	164	233
432 – Expatriate (Temporary)	39	27	66	33	21	54
442 – Occupational Trainee	1,613	5,525	7,138	1,570	5,071	6,641
446 – Confirmatory	Nil	Nil	Nil	Nil	Nil	Nil
456 – Business (Short Stay)	210	113,842	114,052	318	123,803	124,121
956 & 977 - Electronic Travel Authority (Business Visitors) ⁽²⁾	1,050	120,983	122,033	2,058	137,096	139,154
457 – Business (Long Stay) ⁽³⁾	19,231	15,775	35,006	22,958	17,178	40,493

Notes

- (1) Subclass visa is included in this Review but 456 visa grants are considered to be part of the visitor program so are included with visitor visa grant statistics
- (2) 956 and 977 are electronic travel authorities - these visas are not included in this Review, but the data is shown here as these visas are the electronic equivalent of subclass 456 visa
- (3) These figures include 3,937 grants in 1999–2000 and 3,324 grants in 2000–01 to independent executives. Arrangements for independent executives are not discussed in this report as they have been subject to recent review and recommendation for change.