

# Skilled Temporary Residents

Employer Sponsored Temporary Business visas allow employers to fill skill shortages from overseas and to access new ideas, skills and technology. These visa holders are generally highly skilled and have relatively high income levels, and contribute to economic growth through improved productivity and increased demand for goods and services. The entry of managers and skilled specialists under these categories also enhance Australia's ability to compete in international markets, including the markets from which the temporary residents have come.

## Business (Long Stay) Visa

Australia has modern, flexible and streamlined temporary entry arrangements to assist business people and skilled personnel seeking to stay in Australia for up to four years. The arrangements are designed to cater for the entry of:

- skilled overseas employees for companies operating in

Australia; and

- personnel from offshore companies seeking to establish a branch in Australia, participate in joint ventures, or fulfil a contract awarded to an offshore company.

The key aim of the Business Temporary Entry visa is to enable business to enhance international competitiveness through the quick and smooth transfer of key skills, while safeguarding employment and training opportunities for Australian workers. This is achieved by ensuring a high skill focus.

The key benefits for Australia under this category include:

- expanding trade;
- improving links with international markets;
- increasing local industry global competitiveness; and
- maintaining or increasing local training and employment opportunities.

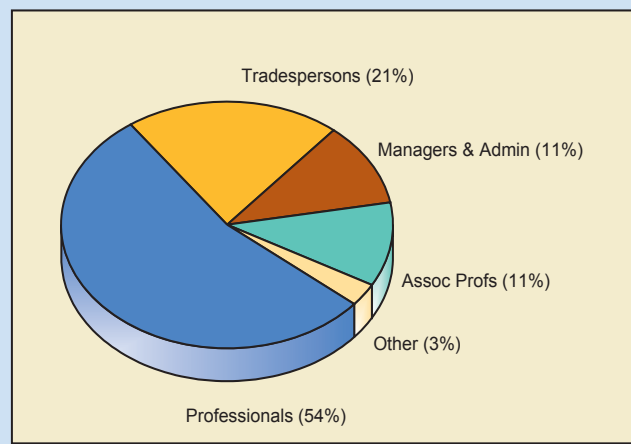
There are minimum skill and salary levels for personnel sponsored under the Temporary Business (Long Stay) Visa Programme. They must be paid in line with Australian workplace laws or a set immigration minimum salary level (whichever is the higher). The minimum salary level was set on 3 May 2006 at \$41,850 (\$57,300 for those in the IT professions), excluding allowances and salary packaging. Salary levels are reviewed and adjusted each year. The occupations they can fill must also be skilled (broadly equivalent to manager, professional, associate professional or skilled trade roles).

Skilled temporary residents are not able to access Medicare or social security benefits. They must pay to access health and higher education services and must pay Australian taxes (income tax and GST), superannuation and the Medicare levy. Given that they have salary rates generally above the Australian average, they make a disproportionately high positive contribution to Commonwealth, State and Territory budgets.

In 2005–06, a total of 71,150 Business (Long Stay) visas were granted (excluding Independent Executives who were establishing businesses in Australia), a rise of 46.4 per cent compared with the previous financial year.

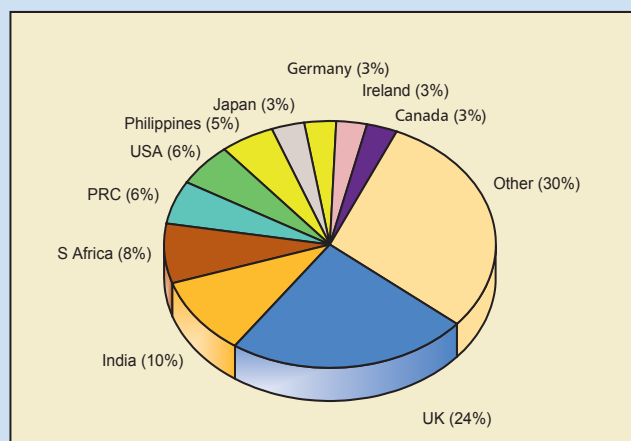
Registered nurses comprise the largest single occupation sought by Australian employers. Nursing is one of the occupations in national shortage, and the importance of meeting the demand for these occupations is acknowledged by giving priority processing for nursing applications. The top five occupational groups nominated by employers in 2005–06 were registered nurses (7.7 per cent), computing professionals (5.2 per cent), business and information professionals (3.2 per cent), slaughterpersons (2.9 per cent) and general medical practitioners (2.7 per cent).

**Fig. 5-22: Long Stay Temporary Business Onshore Approved Nominations by Major Occupation Group, 2005–06**



Source Data: IMIRS

**Fig. 5-23: Long Stay Temporary Business Grants by Country of Citizenship, 2005–06**



Source Data: IMIRS

In 2005–06, 13,320 people holding the Temporary Business (Long Stay) visa applied to remain in Australia permanently. The majority of these (80 per cent) applied for permanent residence under the Employer Nomination Scheme, the Regional Sponsored Migration Scheme or the Labour Agreement or Skilled Independent visa programmes.

The Temporary Business (Long Stay) Visa Programme assists Australian employers to fill skilled vacancies that they have been unable to fill through local employment and training measures, providing a rapid and simple process for the recruitment of overseas personnel.

Australian businesses and skilled overseas workers continue to enthusiastically utilise the department’s internet electronic lodgement facility. The take up–rate for the 2005–06 year remained high with the majority of sponsorship, nomination and visa applications lodged online.

DIMA sets and publicises standards for its processing times for applications in various visa subclasses. The service standard for the Temporary Business (Long Stay) visa is a median processing time of six weeks for high risk cases and one month for low risk cases. For 2005–06, processing times were 33 days for high risk cases and 25 days for low risk cases processed in Australia.

Sponsors of Temporary Business (Long Stay) visa holders are monitored to test their compliance with the undertakings they make to the department with respect to sponsored personnel and their family. In 2005–06, the monitoring of 6,471 sponsors was finalised. There were 1,790 site visits, based on targeted risk profiles or in cases where further checking was warranted.

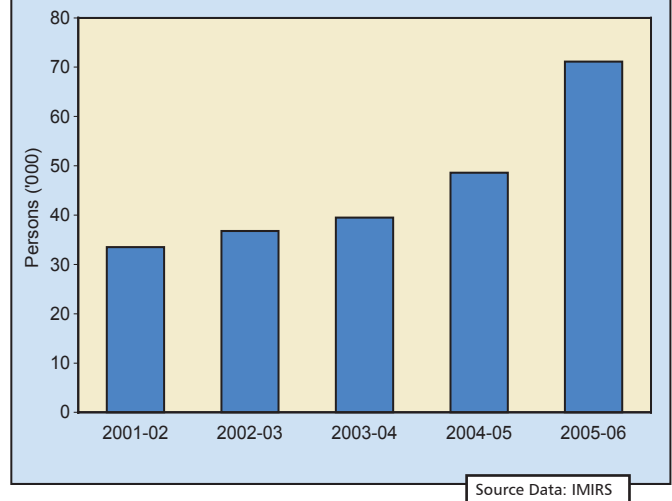
Where a sponsor is found to have breached their undertakings, the department may seek to impose a sanction. Sanctions include sponsorship cancellation and/or barring the employer from sponsoring overseas personnel for up to five years. Separate action may separately be taken by Commonwealth or State government agencies for identified breaches of other Australian laws.

### Business Skills Visa

Business entrants holding provisional (four year) visas must establish and manage genuine businesses in Australia in order to qualify for permanent residence. In 2005–06, almost 93.0 per cent of all Business Skills provisional visas granted were State/Territory government sponsored. Some smaller jurisdictions, particularly South Australia and Tasmania, had particular success in attracting greater numbers of sponsorship applications. Each State/Territory manages and varies its sponsorship regime to match regional economic development needs.

Independent Executive visa holders with successfully operating businesses in Australia are eligible to apply for permanent residence under:

**Fig. 5-24: Long Stay Temporary Business Grants**



- Established Business in Australia;
- Regional Established Business in Australia; and
- State/Territory Sponsored Business Owner (Residence) subclasses.

In cases where Independent Executive visa holders are not yet able to meet visa criteria for permanent residence, they are still eligible to apply for a Further Application Onshore and if granted this allows a two year visa extension.

### Educational Visa

This visa is for qualified people to join educational and research institutions or organisations to fill academic, teaching and research positions that cannot be filled from within the Australian labour market. The Review of the Temporary Residence Programme recommended that the needs met by this visa class could equally well be met through the Business (Long Stay) visa. Numbers, therefore, are diminishing as applicants and sponsors are referred to the Business (Long Stay) visa. 140 visas were granted in 2005–06, down considerably from 230 in the previous year.

This category has provided benefits to Australia by allowing educational and research institutions to appoint internationally regarded academics and researchers who are able to contribute new ideas and knowledge as well as enhancing international cooperation.

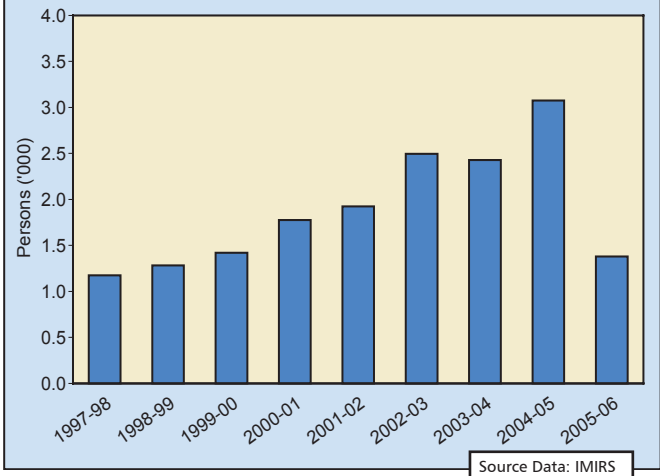
## Medical Practitioner Visa

This visa allows for qualified general and specialist medical practitioners to work in Australia for up to four years.

In 2005–06, there has been a significant decrease in the number of temporary resident doctors entering and working in Australia through the Medical Practitioner visa. In 2005–06, 1,380 visas were granted to doctors and a further 1,410 visas to their dependants. This is a decrease of 55.0 per cent from 3,070 visa grants to doctors in 2004–05.

To support the Strengthening Medicare initiatives, doctors were added to the list of approved occupations for Business (Long Stay) visa (subclass 457) on 2 April 2005. This provides doctors and their employers with access to more streamlined processing arrangements, as well as the ability to lodge applications over the internet. In 2005–06, 2,200 visas were granted to doctors under this visa.

**Fig. 5-25: Medical Practitioner Visa Grants  
Primary Applicants Only**



# Other Temporary Entrants

## Social/Cultural Visas

The Social/Cultural Stream under the Temporary visa category allows for the entry of people taking part in a range of sporting, entertainment, academic and cultural activities. A total of 27,782 Social/Cultural Temporary visas were granted in 2005–06, an increase of 4.6 per cent compared with 26,550 in 2004–05.

**Sport** – for amateur or professional sports people who currently play at Australian national competition level or higher. The Sports visa holder is to improve the quality of a sport in Australia through participation in high-level competition and training with Australian residents (2,022 visas granted in 2005–06).

**Entertainment** – for people seeking to perform or take part in a film or television production (11,948 visas granted in 2005–06).

**Religious Worker** – for religious workers, including ministers, priests and spiritual leaders to serve the spiritual needs of people of their faiths in Australia (1,738 visas granted in 2005–06).

**Visiting Academic** – allows the entry of academics whose primary purpose of stay is to observe or participate in research projects at the invitation of an Australian tertiary institution or research organisation. Applicants must provide a letter of invitation from the institution. No remuneration must be paid to the visa holder (4,059 visas granted in 2005–06).

**Public Lecturer** – was intended for persons who are professional lecturers or subject experts and who have been invited for a period of less than three months to make a public presentation by an organisation in Australia (10 visas granted in 2005–06). This visa was abolished on 1 November 2005.

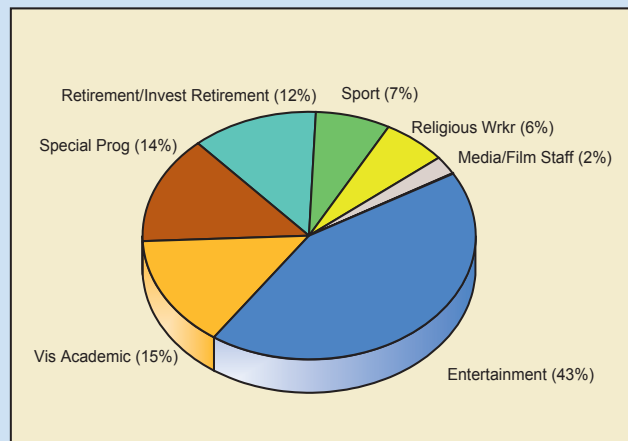
**Media and Film Staff** – for professional staff members of overseas news organisations or television/film crew producing documentary programmes or commercials for use outside Australia. Applicants seeking to enter as media staff are being directed to apply under the Temporary Business (Long or Short Stay) visa (661 visas granted in 2005–06).

**Family Relationship** – was 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. Applicants are being directed to apply under the Visitor visa class given the closeness of the conditions of the visas (15 visas granted in 2005–06). This visa was abolished on 1 November 2005.

**Special Programme** – for persons to participate in youth exchange schemes, approved community-based non-commercial programmes or to visit Australia as Churchill Fellowship holders (3,915 visas granted in 2005–06).

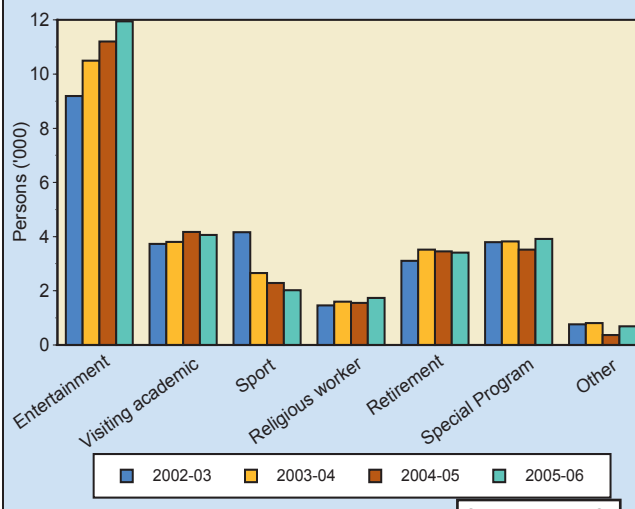
**Retirement (Retirement visa and Retirement Investor visa)** – allows for the temporary entry of people who may not be eligible for permanent residence but who are self-sufficient and unlikely to impose a burden on Australia's health and welfare budget. Continuing temporary status ensures that access to Medicare,

Fig. 5-26: Social/Cultural Visa Grants 2005–06



Source Data: IMIRS

Fig. 5-27: Social/Cultural Visa Grants



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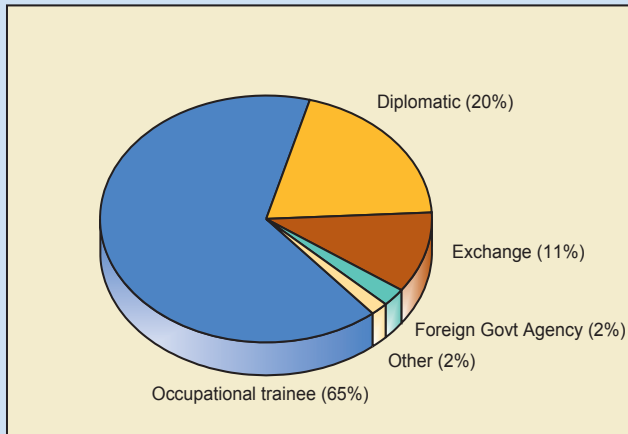
citizenship and sponsorship provisions is precluded, while minimised ongoing visa requirements give greater certainty to long term stay (3,414 visas granted in 2005–06, which includes grants for existing visa holders extending their stay in Australia).

## International Relations Visas

The International Relations Stream under the Temporary visa category aims to promote Australia's relations with other countries and foster goodwill, for example, by allowing for the entry of persons working for foreign governments, organisations funded by foreign governments and international organisations, as well as persons entering under exchange or bilateral agreements.

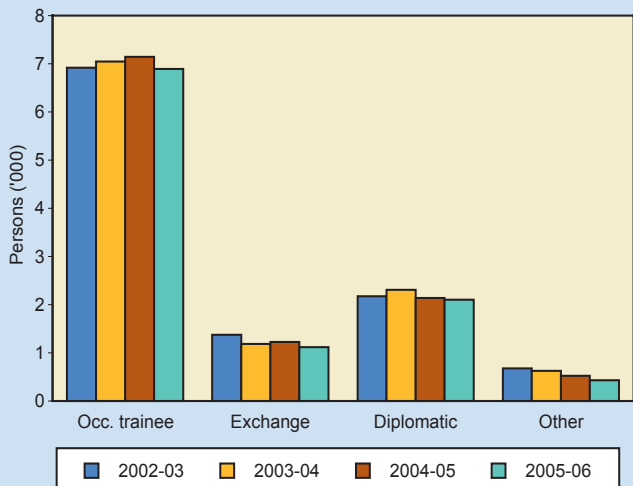
A total of 10,541 international relations visas were granted in 2005–06, down by 4.5 per cent compared with 11,033 in 2004–05.

**Fig. 5-28: International Relations Visa Grants 2005–06**



Source Data: IMIRS

**Fig. 5-29: International Relations Visa Grants**



Source Data: IMIRS

**Foreign government agency** – to enable foreign government officials to conduct official business on behalf of their government where the officials do not have diplomatic or official status in Australia; and certain foreign language teachers who are to be employed in Australia by their home government. A stay of more than three months requires sponsorship by a foreign government agency. The option of broadening the use of this visa to include certain international organisations is being investigated (251 visas granted in 2005–06).

**Domestic Worker (diplomatic)** – intended for adult domestic workers employed in a private capacity by diplomatic and consular representatives posted to Australia. DFAT endorsement is required (113 visas granted in 2005–06).

**Domestic Worker (Executive)** – provides for the entry of persons to be employed as domestic workers by certain holders of Temporary Business Entry visa 457 in order to assist executives with their representational and entertainment responsibilities (26 visas granted in 2005–06).

**Occupational trainee** – allows people from overseas to undertake a supervised training programme in Australia that is workplace-based rather than classroom-based. It is designed specifically to add to, or enhance, a person's level of skill in their present occupation or area of expertise. A nomination from the Australian organisation providing the training programme must be approved before a visa application may be granted (6,890 visas granted in 2005–06).

**Supported Dependant** – was for family members who wish to accompany an Australian relative who normally lives overseas but who is intending to reside in Australia temporarily. Applicants are being directed to apply for either a Visitor, ETA or Student visas, depending on the nature of stay (36 visas granted in 2005–06). This visa was abolished on 1 November 2006.

**Expatriate** – was 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. Applicants are being directed to apply for a Visitor visa (5 visas granted in 2005–06). This visa was abolished on 1 November 2005.

**Exchange** – for skilled persons entering under exchange arrangements giving Australian residents reciprocal opportunities to work with overseas organisations. (1,118 visas granted in 2005–06).

**Diplomatic** – for diplomats, consular staff and other officials, accredited by the Department of Foreign Affairs and Trade (2,102 visas granted in 2005–06).