



Australian Government
Department of Immigration and Citizenship

Dear Client

Temporary residence visa reforms

I am writing to update you on proposed changes to sponsorship and employee protection arrangements for users of a number of temporary residence visas with work rights.

These changes are proposed for the following temporary residence visas:

- Exchange (subclass 411) visa;
- Foreign Government Agency (subclass 415) visa;
- Special Program (subclass 416) visa (excluding the Pacific Seasonal Worker Pilot Scheme);
- Visiting Academic (subclass 419) visa;
- Entertainment (subclass 420) visa;
- Sport (subclass 421) visa;
- Media and Film Staff (subclass 423) visa;
- Domestic Worker (subclass 427) visa;
- Religious Worker (subclass 428) visa;
- Occupational Trainee (subclass 442) visa;
- Professional Development (subclass 470) visa; and
- Superyacht Crew (subclass 488) visa.

You may recall that the Minister for Immigration and Citizenship, Senator Chris Evans, released a discussion paper on the reform of the Business (Long Stay) (subclass 457) visa and other temporary residence visas on 30 June 2008. This paper was widely circulated and is still available at www.minister.immi.gov.au/media/media-releases/2008/ce08058.htm

The Migration Legislation Amendment, *Worker Protection Act (WPA) 2008* will commence in mid September 2009.

The amendments to the Migration Act made by the WPA enhance the framework for the sponsorship of non-citizens seeking entry to Australia. The new sponsorship framework aims to strengthen the integrity of temporary residence visas. It will enable employment and training opportunities for local labour and safeguard the rights of overseas workers through heightened enforcement measures.

The objective of this reform is to ensure that Australia's temporary residence visas:

- are simple for visa holders and their sponsors to understand;
- have streamlined sponsorship and nomination arrangements with reduced red tape;
- do not permit exploitation of workers from overseas;
- include equitable remuneration arrangements; and
- ensure that Australian workers are not disadvantaged.

Broadly, changes to the temporary residence visas are intended to include the following:

- a requirement for all visa applicants to be sponsored irrespective of their intended period of stay. The only exemption would be for those people entering Australia under the terms of a work agreement between Australia and another country;
- an enhanced set of sponsorship obligations similar to those proposed for the subclass 457 visa program but recognising that not all persons who use these visas are in paid employment;
- a formal monitoring regime; and
- an enhanced sanctions regime for non-compliance with sponsorship obligations.

Further details about these reforms will be made available on the department's website, www.immi.gov.au from early August.

If you have any questions in relation to the reforms please contact the department's Education and Tourism Branch at education.and.tourism@immi.gov.au

Yours sincerely

(electronically signed)

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Migration and Visa Policy Division

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