

## ANNEX IV

### SPECIFIC COMMITMENTS ON TEMPORARY ENTRY FOR BUSINESS PERSONS

#### SCHEDULE OF THE UNITED KINGDOM

1. The following sets out the United Kingdom's commitments in accordance with Article 11.4 (Grant of Temporary Entry) in respect of the entry and temporary stay of business persons.
2. For the purposes of this Schedule, the term "CPC" means the Provisional Central Product Classification (Statistical Papers Series M No. 77, Department of International Economic and Social Affairs, Statistical Office of the United Nations, New York, 1991).
3. For the purposes of this Schedule, the term "enterprise of a Party" means an enterprise that carries out substantial business activities in the territory of Australia.

Description of Category	Conditions and Limitations (including length of stay)
<p style="text-align: center;"><b>A. Business visitors</b></p> <p>Commitments under this category are made under the following headings:</p> <ul style="list-style-type: none"> <li>• Business visitors for establishment purposes</li> <li>• Short-term business visitors</li> </ul>	
<p><u>Definition:</u></p> <p>"Business visitors for establishment purposes" means business persons working in a senior position within an enterprise of a Party who are responsible for setting up an enterprise in the United Kingdom, do not offer nor provide services, do not engage in any economic activity other than what is required for establishment purposes, and do not receive remuneration within the United Kingdom.</p>	<p>Business visitors for establishment purposes need to be employed by an enterprise other than a non-profit organisation.</p> <p>Temporary stay for a period not exceeding 90 days in any 6-month period.</p> <p>The United Kingdom shall grant entry and temporary stay of Business visitors for establishment purposes without the requirement of a work permit or other prior approval procedure of similar intent.</p>
<p>"Short-term business visitors" are business persons granted entry and temporary stay in the United Kingdom, and are permitted to engage in the following activities during their temporary stay:</p>	<p>The United Kingdom shall allow the entry and temporary stay of Short-term business visitors subject to the following conditions:</p> <p style="text-align: center;">(a) the Short-term business visitors are not engaged in selling their goods</p>

<p>(i) meetings and consultations: business persons attending meetings or conferences, or engaged in consultations with business associates;</p> <p>(ii) trade fairs and exhibitions: personnel attending a trade fair for the purpose of promoting their company or its products or services;</p> <p>(iii) sales: representatives of a supplier of services or goods taking orders or negotiating the sale of services or goods or entering into agreements to sell services or goods for that supplier, but not delivering goods or supplying services themselves; and</p> <p>(iv) after-sales or after-lease service: installers, repair and maintenance personnel and supervisors, possessing specialised knowledge essential to a seller's contractual obligation, supplying services or training workers to supply services pursuant to a warranty or other service contract incidental to the sale or lease of commercial or industrial equipment or machinery, including computer software, purchased or leased from an enterprise of a Party of which the Short-term business visitor is a natural person, throughout the duration of the warranty or service contract.</p>	<p>or supplying services to the general public;</p> <p>(b) the Short-term business visitors do not, on their own behalf, receive remuneration from within the United Kingdom where they are staying temporarily; and</p> <p>(c) the Short-term business visitors are not engaged in the supply of a service in the framework of a contract concluded between an enterprise that has not established in the United Kingdom where they are staying temporarily, and a consumer in the United Kingdom.</p> <p>Temporary stay for a period not exceeding 90 days in any 6-month period.</p> <p>The United Kingdom shall grant entry and temporary stay of Short-term business visitors without the requirement of a work permit or other prior approval procedure of similar intent.</p>
<b>Description of Category</b>	<b>Conditions and Limitations (including length of stay)</b>
<p><b>B. Intra-corporate transferees (managers, specialists, graduate trainees)</b></p> <p>1. Commitments under this category are made under the following headings in all sectors</p> <ul style="list-style-type: none"> <li>• managers;</li> <li>• specialists; and</li> <li>• graduate trainees.</li> </ul> <p><b>The partner and dependent children accompanying the Intra-corporate transferee</b></p> <p>2. The United Kingdom shall allow the entry and temporary stay of the “partner”, as defined in the relevant Immigration Rules, and dependent children accompanying an intra-corporate transferee of Australia granted entry and temporary stay for the same</p>	

period as the period of temporary stay granted to the intra-corporate transferee. For the purposes of this commitment:

"dependent children" means children who are dependent on the intra-corporate transferee and who are recognised as dependent children in accordance with the law of the United Kingdom where:

(i) the intra-corporate transferee has sole responsibility for the children; or

(ii) both of the children's parents are being granted entry and temporary stay in accordance with this Agreement.

3. The United Kingdom shall allow the partner of the intra-corporate transferee to work for the duration of their visa, in an employed or self-employed capacity, and shall not require them to obtain a work permit.

4. For greater certainty, with respect to the partner and dependent children of the intra-corporate transferee, entry and temporary stay is without prejudice to the law of the United Kingdom applicable to entry and temporary stay.

Definition:

“Intra-corporate transferees” means business persons who:

(a) have been employed by an enterprise of a Party or have been partners in it, for a period of not less than one year immediately preceding the date of their application for the entry and temporary stay in the United Kingdom;

(b) are temporarily transferred to an enterprise, in the United Kingdom, which forms part of the same group of the originating enterprise including its representative office, subsidiary, branch, or head company; and

(c) belongs to one of the following categories:

(i) managers: business persons working in a senior position, who primarily direct the management of the enterprise, receiving general supervision or direction principally

Intra-corporate transferees need to be employed by an enterprise other than a non-profit organisation.

Period of stay:

(i) Managers and specialists: temporary stay for a period not exceeding three years with possible extension by discretion of the United Kingdom; and

(ii) graduate trainees: temporary stay for a period not exceeding one year.

Decision making timelines:

(i) To the extent practicable, the competent authorities of the United Kingdom shall adopt a decision on the immigration formality application, or a renewal of it, and shall notify the decision to the applicant in writing, in accordance with the

<p>from the board of directors or from shareholders of the business or their equivalent, including at least:</p> <p>(A) directing the enterprise or a department or subdivision thereof;</p> <p>(B) supervising and controlling the work of other supervisory, professional or managerial employees; or</p> <p>(C) having the authority to recruit and dismiss or to recommend recruitment, dismissal or other personnel-related actions; or</p> <p>(ii) specialists: business persons who possess specialised knowledge essential to the enterprise's production, research equipment, techniques, processes, procedures, or management. In assessing such knowledge, account shall be taken not only of knowledge specific to the enterprise, but also of whether the business person has a high level of qualification referring to a type of work or trade requiring specific technical knowledge, including membership of an accredited profession.</p> <p>(iii) graduate trainees: business persons who:</p> <p>(A) possess a university degree: and</p> <p>(B) are temporarily transferred to an enterprise in the United Kingdom as part of a work experience programme for career development purposes, or to obtain training in business techniques or methods and</p>	<p>notification procedures under the relevant law of the United Kingdom, as soon as possible but not later than 90 days from the date on which the complete application was submitted.</p> <p>(ii) Where it is not practicable for a decision to be made within 90 days, the competent authorities of the United Kingdom shall endeavour to make the decision within a reasonable period of time thereafter.</p> <p>(iii) Where the information or documentation for the application is incomplete, and additional information is required to process the application, the competent authorities shall endeavour to notify the applicant within a reasonable period of time of the additional information that is required and set a reasonable deadline for providing it. In such circumstances the 90 day period, set out in subparagraph (i) shall be suspended until the competent authorities have received the required additional information.</p>
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are paid during the period of transfer.	
<b>Description of Category</b>	<b>Conditions and Limitations (including length of stay)</b>
<b>C. Investors</b>	
<u>Definition:</u> <p>“Investors” means senior employees of an enterprise headquartered in Australia who are establishing a branch or subsidiary of that enterprise in the United Kingdom and who are business persons that will be responsible for the entire or a substantial part of the enterprise's operations in the United Kingdom, receiving general supervision or direction principally from higher level executives, the board of directors or shareholders of the enterprise, including directing the enterprise or a department or subdivision of it; supervising and controlling the work of other supervisory, professional or managerial employees; and having the authority to establish goals and policies of the department or subdivision of the enterprise.</p>	<p>Temporary stay for a period of up to one year.</p> <p>Entry and temporary stay based on connection to the economy rather than the amount of capital the enterprise invests.</p>
<b>Description of Category</b>	<b>Conditions and Limitations (including length of stay)</b>
<b>D. Contractual service suppliers</b>	
<u>Definition:</u> <p>“Contractual service suppliers” means business persons employed by an enterprise of a Party which:</p> <p>(a) is not an agency for placement and supply services of personnel and is not acting through such an agency;</p> <p>(b) has not established in the territory of the United Kingdom; and</p> <p>(c) has concluded a <i>bona fide</i> contract to supply services to a final consumer</p>	<p>The business persons are engaged in the supply of a service on a temporary basis as employees of an enterprise which has obtained a service contract not exceeding 12 months.</p> <p>Temporary stay for a cumulative period of not more than 12 months, with extensions possible at the discretion of the United Kingdom, in any 24 month period or for the duration of the contract, whichever is less.</p>

<p>in the United Kingdom, requiring the presence on a temporary basis of its employees in the United Kingdom in order to fulfil the contract to supply services.</p> <p>The United Kingdom makes commitments only in the service sectors or sub-sectors set out below:</p> <p>(a) legal advisory services in respect of public international law and foreign law (part of CPC 861);</p> <p>(b) accounting and bookkeeping services (CPC 86212 other than "auditing services", 86213, 86219 and 86220);</p> <p>(c) taxation advisory services (CPC 863). Taxation advisory services does not include legal advisory and legal representational services on tax matters, which are under legal advisory services in respect of public international law and foreign law;</p> <p>(d) architectural services and urban planning and landscape architectural services (CPC 8671 and 8674);</p> <p>(e) engineering services and integrated engineering services (CPC 8672 and 8673);</p> <p>(f) computer and related services (CPC 84);</p> <p>(g) research and development services (CPC 851, 852 excluding psychologists services (part of CPC 85201, which is under medical and dental services), and 853);</p> <p>(h) advertising services (CPC 871);</p> <p>(i) market research and opinion polling services (CPC 864);</p> <p>(j) management consulting services (CPC 865);</p> <p>(k) services related to management consulting (CPC 866);</p>	<p>The business persons entering the United Kingdom have been offering such services as employees of the enterprise supplying the services for at least the year immediately preceding the date of submission of an application for entry into the United Kingdom and possess, at the date of submission of an application for entry into the United Kingdom at least three years professional experience, obtained after having reached the age of majority, in the sector of activity which is the subject of the contract.</p> <p>The business persons entering the United Kingdom shall possess:</p> <ul style="list-style-type: none"> <li>(i) a university degree or a qualification demonstrating knowledge of an equivalent level; and</li> <li>(ii) the professional qualifications legally required to exercise that activity in the United Kingdom.</li> </ul> <p>Where the degree or qualification has not been obtained in the United Kingdom, the United Kingdom may evaluate whether this is equivalent to a university degree required in its territory.</p> <p>The business person does not receive remuneration for the provision of services in the territory of the United Kingdom other than the remuneration paid by the enterprise employing the business person or from a source outside the United Kingdom.</p> <p>The access accorded relates only to the service activity which is the subject of the contract and does not confer entitlement to exercise the professional title of the United Kingdom where the service is provided.</p> <p>The number of persons covered by the service contract shall not be larger than necessary to fulfil the contract, as it may be requested by the law of the United Kingdom.</p>
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<p>(l) technical testing and analysis services (CPC 8676);</p> <p>(m) related scientific and technical consulting services (CPC 8675);</p> <p>(n) mining (CPC 883, advisory and consulting services only);</p> <p>(o) maintenance and repair of vessels (part of CPC 8868);</p> <p>(p) maintenance and repair of rail transport equipment (part of CPC 8868);</p> <p>(q) maintenance and repair of motor vehicles, motorcycles, snowmobiles and road transport equipment (CPC 6112, 6122, part of 8867 and part of 8868);</p> <p>(r) maintenance and repair of aircraft and parts thereof (part of CPC 8868);</p> <p>(s) maintenance and repair of metal products, of (non-office) machinery, of (non-transport and non-office) equipment and of personal and household goods (CPC 633, 7545, 8861, 8862, 8864, 8865 and 8866). Maintenance and repair services of office machinery and equipment including computers (CPC 845) are under computer services;</p> <p>(t) translation and interpretation services (CPC 87905, excluding official or certified activities);</p> <p>(u) telecommunication services (CPC 7544, advisory and consulting services only);</p> <p>(v) postal and courier services (CPC 751, advisory and consulting services only);</p> <p>(w) site investigation work (CPC 5111);</p> <p>(x) environmental services (CPC 9401, 9402, 9403, 9404, part of 94060, 9405, part of 9406 and 9409);</p> <p>(y) insurance and insurance related services (advisory and consulting services only);</p>	<p>The contract to supply services shall comply with the requirements of the law that apply in the United Kingdom.</p> <p>The United Kingdom may adopt or maintain a measure relating to qualification requirements, qualification procedures, technical standards, licensing requirements, or licensing procedures that does not constitute a limitation within the meaning of Article 11.4 (Grant of Temporary Entry). Those measures, which include requirements to obtain a licence, to obtain recognition of qualifications in regulated sectors, or to pass specific examinations, such as language examinations, even if not listed in this Schedule, apply in any case to contractual service suppliers of Australia.</p>
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<p>(z) other financial services advisory and consulting services;</p> <p>(aa) transport (CPC 71, 72, 73, and 74, advisory and consulting services only);</p> <p>(bb) travel agencies and tour operators services (including tour managers; services suppliers whose function is to accompany a tour group of a minimum of 10 business persons, without acting as guides in specific locations) (CPC 7471);</p> <p>(cc) tourist guides services; and</p> <p>(dd) manufacturing (CPC 884, and 885, advisory and consulting services only).</p>	
<b>Description of Category</b>	<b>Conditions and Limitations (including length of stay)</b>
<b>E. Independent Professionals</b>	
<p>“Independent professionals” means business persons who:</p> <p>(a) are engaged in the supply of a service and established as self-employed in the territory of Australia;</p> <p>(b) have not established in the territory of the United Kingdom; and</p> <p>(c) have concluded a <i>bona fide</i> contract (other than through an agency for placement and supply services of personnel) to supply services to a final consumer in the United Kingdom, requiring their presence on a temporary basis in the United Kingdom in order to fulfil the contract to supply services.</p> <p>The United Kingdom makes commitments only in the service sectors or sub-sectors set out below:</p>	<p>The business persons are engaged in the supply of a service on a temporary basis as self-employed persons established in Australia and have obtained a service contract for a period not exceeding 12 months.</p> <p>Temporary stay for a cumulative period of not more than 12 months, with extensions possible at the discretion of the United Kingdom, in any 24 month period or for the duration of the contract, whichever is less.</p> <p>The business persons entering the United Kingdom possess, at the date of submission of an application for entry into the United Kingdom at least six years professional experience in the sector of activity which is the subject of the contract.</p> <p>The business persons entering the United Kingdom shall possess:</p> <p>(i) a university degree or a qualification demonstrating</p>



<p>(a) legal advisory services in respect of public international law and foreign law (part of CPC 861);</p> <p>(b) architectural services and urban planning and landscape architectural services (CPC 8671 and 8674);</p> <p>(c) engineering services and integrated engineering services (CPC 8672 and 8673);</p> <p>(d) computer and related services (CPC 84);</p> <p>(e) research and development services (CPC 851, 852 excluding psychologists services (part of CPC 85201, which is under medical and dental services), and 853);</p> <p>(f) market research and opinion polling services (CPC 864);</p> <p>(g) management consulting services (CPC 865);</p> <p>(h) services related to management consulting (CPC 866);</p> <p>(i) mining (CPC 883, advisory and consulting services only);</p> <p>(j) translation and interpretation services (CPC 87905, excluding official or certified activities);</p> <p>(k) telecommunication services (CPC 7544, advisory and consulting services only);</p> <p>(l) postal and courier services (CPC 751, advisory and consulting services only);</p> <p>(m) insurance and insurance related services (advisory and consulting services only);</p> <p>(n) other financial services (advisory and consulting services only);</p> <p>(o) transport (CPC 71, 72, 73, and 74, advisory and consulting services only); and</p>	<p>knowledge of an equivalent level; and</p> <p>(ii) the professional qualifications legally required to exercise that activity in the United Kingdom.</p> <p>Where the degree or qualification has not been obtained in the United Kingdom, the United Kingdom may evaluate whether this is equivalent to a university degree required in its territory.</p> <p>The access accorded relates only to the service activity which is the subject of the contract and does not confer entitlement to exercise the professional title of the United Kingdom where the service is provided.</p> <p>The contract to supply services shall comply with the requirements of the law that apply in the United Kingdom.</p> <p>The United Kingdom may adopt or maintain a measure relating to qualification requirements, qualification procedures, technical standards, licensing requirements, or licensing procedures that does not constitute a limitation within the meaning of Article 11.4 (Grant of Temporary Entry). Those measures, which include requirements to obtain a licence, to obtain recognition of qualifications in regulated sectors, or to pass specific examinations, such as language examinations, even if not listed in this Schedule, apply in any case to independent professionals of Australia.</p>
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(p) manufacturing (CPC 884, and 885, advisory and consulting services only).	
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