



13 July 2015

Mr David Sullivan  
Committee Secretary  
Senate Foreign Affairs, Defence  
and Trade References Committee  
PO Box 6100  
Parliament House  
Canberra ACT 2600

Dear Mr Sullivan

### **Re. China–Australia Free Trade Agreement**

The Australian Nursing and Midwifery Federation (ANMF) wishes to thank the Foreign Affairs, Defence and Trade References Committee for the opportunity to make comment on the China-Australia Free Trade Agreement (ChFTA).

While the union does not have the technical expertise to provide a comprehensive response to all the terms of the ChFTA we do wish to raise with the Committee our concerns regarding the following matters.

#### **Chapter 10 – Movement of natural persons**

Chapter 10 is intended to facilitate the movement of temporary migrants from China to work in Australia. The Chapter does not appear to include or reference existing labour market testing regulations that ANMF submit are an important component of Australia's temporary migration schemes which are intended to promote local employment. The ANMF would be very concerned if the application of the ChFTA effectively reduced the obligations on employers to look locally before going offshore for their labour requirements.

We note that temporary visa holders working in health and aged care under the visa class 457, 442 and 485 along with international students and working holiday makers now constitute a significant and growing temporary migrant workforce at a time when local nurses and midwives are struggling to gain employment.

These employment outcomes are inconsistent with the temporary skilled migration policy objective that offshore workers should not be engaged if there is a domestic workers willing and able to take up the role.

We respectfully request the Committee not support the ChFTA if its inquiries conclude the agreement will have a detrimental impact on local employment.

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#### **Canberra Office**

Unit 3, or PO Box 4239  
28 Eyre Street  
Kingston ACT 2604  
Australia

T +612 6232 6533  
F +612 6232 6610  
E [anmfcanberra@anmf.org.au](mailto:anmfcanberra@anmf.org.au)  
W [www.anmf.org.au](http://www.anmf.org.au)

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#### **Melbourne Office**

Level 1, 365 Queen Street  
Melbourne VIC 3000  
Australia

T +613 9602 8500  
F +613 9602 8567  
E [anmfmelbourne@anmf.org.au](mailto:anmfmelbourne@anmf.org.au)  
W [www.anmf.org.au](http://www.anmf.org.au)

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#### **ANMF Journals**

**Australian Nursing and  
Midwifery Journal**  
E [anmj@anmf.org.au](mailto:anmj@anmf.org.au)

**Australian Journal of  
Advanced Nursing**  
E [ajan@anmf.org.au](mailto:ajan@anmf.org.au)

ABN 41 816 898 298

## **Annex 10-A – Specific commitments on the movements of natural persons**

Section A para 6(b) defines a specialist as a natural persons with trade, technical or professional skills or experience who must be assessed as having the necessary qualifications or alternative credentials accepted as meeting Australia standards (Underlining added)

Given the term “alternative credentials” does not appear to be defined we wish to draw to the Committee’s attention the following issues relating to the regulation of nurses and midwives.

### **Nursing and Midwifery Registration and Accreditation**

All nurses and midwives in Australia must be registered with the Nursing and Midwifery Board of Australia (NMBA) in order to practice as a nurse or as a midwife. In addition, all nurses who received their nursing qualifications from outside Australia must undertake an assessment of their skills and competence for practice before being able to work within Australia. This work is undertaken by the Australian Nursing and Midwifery Accreditation Council (ANMAC).

There is currently no recognition of alternative credentials in the absence of a skills and competency assessment undertaken by ANMAC.

### **English language standard**

The NMBA sets the English Language Skill Registration Standard required of all applicants, including internationally qualified applicants, seeking initial nursing or midwifery registration in Australia. The two English language proficiency tests approved by the NMBA are: the International English Language Testing System (IELTS) and the Occupational English Test (OET).

The IELTS examination score required for nurses and midwives in Australia is a minimum of 7 and the OET, an overall pass with grades A or B only. The NMBA standard details the English language proficiency requirements for all nurses and midwives.

We wish to emphasise to the Committee that meeting IELTS 7 or OET Grades A or B is a requirement that is over and above successfully completing a nursing or midwifery qualification in Australia or obtaining an overseas qualification that may be recognised in Australia.

Given the foregoing, the ANMF believes that notwithstanding the provision of the assessment of alternative credentials as set out in para 6(b), the current regulatory framework as it applies to nurses and midwives will continue.

We respectfully request the Committee have regard to the issues raised in this correspondence.

Yours sincerely

Lee Thomas  
Federal Secretary