

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES HEARING : 26 May 2015

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(BE15/081) - 457 Visas - Programme 2.3: Visas

Senator Carr, Kim (L&CA 63) asked:

Senator KIM CARR: Given that there 20,000 457 visa holders, what was the basis for the costings on the \$3.7 million program?

Mr Wilden: I might have to ask for a bit of help from the chief finance officer at that point.

Mr Groves: The funding that was provided will be used for investigation and prosecution of employers who are not compliant with their 457 sponsorship obligations, and it will allow for an additional five briefs for consideration for commencement of civil penalty proceedings per annum.

Senator KIM CARR: Only five?

Mr Groves: Correct. Senator KIM CARR: How many breaches did you have last year?

Mr Wilden: We would have to take that on notice. There are several elements to this. It goes to the breach element, which is identification of breach of process by a sponsor. Then it goes to the next phase, which goes to whether or not a sanction applies, and then it goes to the final stages if prosecution is pursued. It is a very small number of prosecutions, hence the request for further—

Senator KIM CARR: How many did you prosecute last year?

Mr Wilden: Again I would have to take that on notice.

Senator KIM CARR: And the year before?

Mr Wilden: Same—on notice, thank you.

Senator KIM CARR: I am just wondering how you arrived at the figure of five.

Mr Wilden: We will take that on notice in terms of the modelling that was done.

Answer:

In 2013-14, 717 sponsors were found to be in breach of their sponsorship obligations. Sponsors may have more than one enforcement action imposed. Of those found to be in breach, 365 sponsors were sanctioned (barred and/or cancelled), 350 were warned and 28 were issued with an infringement notice.

No civil penalty proceedings were commenced in 2012-13 or 2013-14. To date, in 2014-15 two cases have been identified as suitable for civil penalty applications and proceedings have commenced.

On 12 May 2015, as part of the 2015-16 Budget, the Government announced that it will provide \$3.7 million over four years for the simplification and streamlining of visa processing for low risk 457 sponsors, and the investigation and prosecution of 457 sponsors.