

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES HEARING : 26 May 2015

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(BE15/108) - Companies - 457 - Programme 2.3: Visas

Senator Hanson-Young, Sarah (L&CA 89) asked:

Senator HANSON-YOUNG: Has the department made any official communications to those nine workers in relation either their 90-day period or the overall investigation that is underway?

Mr Wilden: I will take it on notice.

Senator HANSON-YOUNG: You are not aware of whether the department has made any official—

Mr Wilden: Not in one particular case.

Senator Ronaldson: We will take it on notice, senator.

Answer:

457 visa holders are provided with written advice about the conditions placed on their visa at the time of visa grant, together with contact details for the department. The visa grant letter explains that if more than 90 consecutive days have passed since the date they ceased employment they may be in breach of condition 8107 of their visa and have their visa cancelled.

If a client is onshore at this time they will be issued a Notice of Intention to Consider Cancellation (NOICC) and given 14 days to respond. The department will consider their response (including any pending nominations) and then make a decision on the cancellation.