

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES HEARING : 25 May 2015

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(BE15/187) - Chia Tung - Programme 2.3: Visas

Senator Lines, Sue (L&CA) written:

Has Chia Tung's approval as a 457 sponsor been cancelled or suspended, and if yes for how long? If not, why not?

What does an employer have to do to lose 457 sponsorship approval?

Answer:

On the 19th June 2015, Chia Tung Development was barred from the 457 program for 12 months.

457 Sponsors are required to meet a range of obligations including ensuring terms and conditions of employment; that the primary sponsored person works in the nominated occupation and to keep records.

Departmental delegates must take into account a range of criteria when determining whether to take action under s140M, to bar or cancel the approval of a person as a sponsor. The considerations to be taken into account include;

- Sponsor's history of conduct
- Number of occasions in which the sponsor has failed to satisfy the sponsorship obligation
- Nature and severity of the circumstances and period of time over which the failure has occurred
- Whether, and the extent to which, the failure to satisfy the sponsorship obligation was intentional, reckless or inadvertent
- Whether the sponsor has participated in awareness programs on the sponsorship obligations, an experienced sponsor's history of previous compliance with the visa program or whether the sponsor is a new user in the visa program
- The steps (if any) the person has taken to rectify the failure to satisfy the sponsorship obligation and
- The processes (if any) the sponsor has implemented to ensure future compliance with the sponsorship obligation.