

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES HEARING : 19 October 2015

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(SE15/052) - KAFTA and CHAFTA - Programme 2.3: Visas

Senator Carr, Kim (L&CA 119) asked:

Senator KIM CARR: I ask whether it is the case that the department has recently written to registered migration agents saying:

The effect of the obligations under the KAFTA is that labour market testing will not be applied to the Korean nationals/permanent residents or to employees of businesses in Korea transferring to an Australian branch of that business being nominated under the 457 programme.

Mr Wilden: I would have to confirm that that advice went out, but that seems consistent with some notifications we gave post the Korea FTA signing.

Senator KIM CARR: When the ChAFTA enters into force, will the department advise migration agents that the 'effect of the obligations under ChAFTA is that labour market testing will not apply to Chinese citizens or non-Chinese employees or businesses in China transferring to an Australian branch of that business being nominated under the 457 visa program'?

Mr Wilden: I would have to check that.

Senator KIM CARR: It is the same wording, isn't it?

Mr Wilden: It is similar wording.

Mr Pezzullo: If that was a quote, if it assists the officer and it is not too—

Senator KIM CARR: I am a bit like you; I am not keen to provide all sources of information.

Mr Pezzullo: I understand that, Senator, but is this is a document that the officer can otherwise access, so that he knows the context?

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

Answer:

Consistent with the approach taken for other Free Trade Agreements, including the Korea Australia Free Trade Agreement, the Department will communicate any impact that may be ratified in the China Australia Free Trade Agreement to relevant stakeholders, including migration agents.