

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES HEARING : 19 October 2015

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(SE15/054) - CHAFTA - TPP agreement - Programme 2.3: Visas

Senator Xenophon, Nick (L&CA 125) asked:

Senator XENOPHON: Does the department know if there are any changes to Australia's labour market testing arrangements contained in the TPP agreement signed this month? Are you familiar with that?

Mr Wilden: I am familiar with the TPP, yes. Off the top of my head, I do not think it went to labour market testing issues.

Senator XENOPHON: Could you take that on notice—

Mr Wilden: Yes, I shall.

Answer:

As a result of the TPP negotiations, Australia will waive labour market testing (LMT) for:

- Canada, Peru, Mexico – for intra-corporate transferees (that are specialists) and contractual service suppliers;
 - Australia does not apply LMT for independent executives, intra-corporate transferees that are executives and senior managers and “specialists” from these countries due to its World Trade Organization General Agreement on Trade in Services (GATS) commitments.
- Brunei Darussalam, Malaysia, Vietnam – for contractual service suppliers;
 - Australia has already waived labour market testing for intra-corporate transferees, independent executives and “specialists” under the GATS, the ASEAN-Australia-New Zealand Free Trade Agreement and the Malaysia-Australia Free Trade Agreement.