

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES HEARING: 22 May 2006

IMMIGRATION AND MULTICULTURAL AFFAIRS PORTFOLIO

(93) Output 1.1: Migration and Temporary Entry

Senator Carr asked:

1. Back in 1999, when this category of visa was first introduced, 13 occupations – and only four trade categories – were covered by it. Is that correct?
2. How many occupations are now covered? And of those how many are in the trades?
3. To what do you put down this exponential rise, especially in the trades?
4. Has this rapid growth in the number of occupations covered caused you in DIMA any difficulties – are there additional challenges, administratively? What are they?

Answer:

1. When the subclass 457 visa was introduced on 1 August 1996, there were no occupations specified for the visa. Rather, employers had to meet labour market testing requirements when nominating a position that was not a “key activity”.

Experience with the highly subjective concept of “key activities” during the late 1990s was that employers tended to identify almost all positions they were seeking to fill from overseas as “key activities”. This led to unproductive disputes between Departmental staff and employers/agents as to what should or should not be a key activity. Migration Review Tribunal decisions led to the concept of key activities being broadened further. In order to clarify matters, the concept of “key” and “non-key” activities were replaced on 1 July 2001 with skill and salary thresholds.

The initial subclass 457 gazette notice of 1 July 2001 specified 502 occupations in ASCO 1-4, of which 170 were ASCO 4 trades positions.

2. The 1 July 2006 subclass 457 gazette notice specifies 529 occupations in Schedules A and B, of which 170 are ASCO 4 trade positions.

Schedules D and E of the 1 July 2006 subclass 457 gazette notice, relating to regionally certifiable positions, does not list occupations, but rather specifies occupations by reference to exclusions from ASCO 1-7. This effectively results in some 735 occupations being specified, of which 172 are ASCO 4 trade positions.

3. The additional 27 occupations in Schedules A and B reflect medical and sporting positions that were previously covered under the Subclass 421 – Sport and Subclass 422 – Medical Practitioner visas, but which are now available under subclass 457.

The additional occupations in Schedules D and E reflect the Government's decision following consultations with a range of stakeholders, to make skill concessions available to regional employers where these were supported by a Regional Certifying Body.

4. The broader range of occupations that can be nominated under the programme has resulted in some additional administrative tasks and integrity checking requirements.