

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES HEARING: 20 OCTOBER 2009

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(123) Program 1.1: Visa and Migration

Senator Back asked:

Subclass 457 visa program - English language proficiency

If the English proficiency test changes were in effect for chef and head chef positions from 2 June to 13 September:

- how many applications have satisfied the requirements for a language exemption; and
- please provide numbers of applications lodged and approved in the four months prior and after this change.

Answer:

a) English language proficiency was introduced to the Subclass 457 visa program on 1 July 2007 and applies to all primary applicants of Subclass 457 visa, requiring the primary applicant to demonstrate English language proficiency to the equivalent of average band score of IELTS 4.5 in the four test components, unless the primary applicant is exempt.

The English language proficiency requirement was amended on 14 April 2009 to increase the IELTS score from 4.5 to 5. The amendment also removed the exemption from Chefs and Head Chefs so that the English language proficiency requirement also applied to new visa applications from 14 April 2009 where the applicant's nominated occupation was Chef or Head Chef.

The number of Subclass 457 primary visa applications lodged between 14 April 2009 and 13 September 2009 where the nominated occupation is ASCO 3322-11 Chef or ASCO 3322-01 Head Chef and by exempt citizenship country for IELTS and the exempt nominated salary is shown in the table below.

	Visa Application Status as at COB 13/11/2009				Total lodged 14 April to 13 Sept
	Granted	Refused	Withdrawn	On Hand as at 13/11/09	
exemption by citizenship country	24	2	1	1	28
exemption by salary	10	2	2	11	25
exemption by citizenship country and salary	0	0	0	0	0
Total exemptions from IELTS: ⁽⁵⁾	34	4	3	12	53
no exemptions	84	28	35	66	213
Total primary visa applications	118	32	38	78	266

(1) excludes independent executives

(2) exempt countries of citizenship are United Kingdom, Republic of Ireland, Canada, New Zealand and United States of America

(3) visa applications lodged before 1 July 2009 were exempted from IELTS if the salary was above \$77,850 and \$81,040 for applications lodged on or after 1 July 2009

(4) the IELTS legislative instrument requirements for Chef and Head Chef was introduced on 14 April 2009

(5) includes visa applications where the citizenship country is exempt from IELTS or the nominated salary is exempt from IELTS

b) The number of subclass 457 primary visa applications lodged and approved four months before 14 April 2009 and four months after 14 April 2009 where the nominated occupation is ASCO 3322-11 Chef or ASCO 3322-01 Head Chef by exempt citizenship country for IELTS and the exempt nominated salary is shown in table 1 and table 2 below.

Table 1: Subclass 457 primary visa applications lodged

Period of Activity	non-exempt country			exempt country			Total lodged	Total lodged exempt from IELTS ⁽⁶⁾
	IELTS exempt - Salary	IELTS non-exempt - Salary	Total: non-exempt country	IELTS exempt - Salary	IELTS non-exempt - Salary	Total: exempt country		
Lodged before (Between 14/12/2008 and 13/04/2009)	8	483	491	1	45	46	537	54
Lodged after (Between 14/04/2009 and 13/08/2009)	23	175	198	0	21	21	219	44
Lodged Total	31	658	689	1	66	67	756	98

Table 2: Subclass 457 primary visa applications granted

Period of Activity	non-exempt country			exempt country			Total granted	Total granted exempt from IELTS ⁽⁶⁾
	IELTS exempt - Salary	IELTS non-exempt - Salary	Total: non-exempt country	IELTS exempt - Salary	IELTS non-exempt - Salary	Total: exempt country		
Granted before (Between 14/12/2008 and 13/04/2009)	4	296	300	0	36	36	336	40
Granted after (Between 14/04/2009 and 13/08/2009)	8	195	203	0	29	29	232	37
Granted Total	12	491	503	0	65	65	568	77

(1) excludes independent executives

(2) exempt countries of citizenship are United Kingdom, Republic of Ireland, Canada, New Zealand and United States of America

(3) visa applications lodged before 1 July 2009 were exempted from IELTS if the salary was above \$77,850 and \$81,040 for applications lodged on or after 1 July 2009

(4) the IELTS legislative instrument requirements for Chef and Head Chef was introduced on 14 April 2009

(5) applications approved in a period may have been lodged in an earlier period

(6) includes visa applications where the citizenship country is exempt from IELTS or the nominated salary is exempt from IELTS