

Changes to the 457 Visa

Monday 14 September 2009 is an important date in the Australian immigration calendar. The *Worker Protection Act 2008* commences and makes significant changes to the 457 visa (temporary employer sponsorship) program.

The changes include:

Business sponsors

- New minimum training benchmarks for Australian employees
- Sponsors required to have a strong record, or a demonstrated commitment, to employing local labour and to have non-discriminatory employment practices
- Increase in information disclosure requirements regarding the business
- Visa applicant to be named at the time of the nomination application
- Clear obligations on business sponsors regarding minimum salary, limitations on recovery of costs from 457 workers, more defined travel cost obligations, and a strengthening of the record-keeping requirements
- A market salary rate replaces the minimum salary level for all occupations. The sponsor must justify the market salary rate (reference to awards, collective agreements, etc).

Monitoring and penalties:

- Inspectors appointed under the *Migration Act* with broad powers of entering and investigating businesses and business practices
- Business sponsors who breach obligations are liable for financial penalties, maximum \$33,000 (corporations), \$6,600 (individuals).

The Department of Immigration and Citizenship states that the reforms are designed to preserve the integrity of the Australian labour market and to ensure that the working conditions of sponsored visa holders meet Australian

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As a leading industry player with a strong focus on skilled employees, our current program involves regular trips to the UK and South Africa to meet clients, conduct migration seminars and attend migration expos to link Australian employers with skilled migrants.

For more information or assistance with your migration needs, contact
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