

REGULATION IMPACT STATEMENT
SIMPLIFICATION OF TEMPORARY WORK
VISAS

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1. Background

1.1 *Better Regulation Ministerial Partnership*

1.1.1 To help deliver better regulation of Australia's visa system, the Better Regulation Ministerial Partnership (the "Partnership"), between the former Minister for Immigration and Citizenship, Senator the Hon Chris Evans, and the former Minister for Finance and Deregulation, the Hon Lindsay Tanner MP, was agreed to by Government in November 2009. The Government's commitment to the Partnership was reaffirmed on 17 December 2010 by the current Minister for Immigration and Citizenship, the Hon Chris Bowen MP and the Minister Assisting on Deregulation, Senator the Hon Nick Sherry.

1.1.2 The Partnership has committed to a 50 per cent reduction in the number of temporary residence work visas by 2012 and to target a 50 per cent reduction of the total number of visa subclasses by 2015.

1.1.3 In addition to reducing the number of visas, the project also seeks to harmonise and streamline assessment criteria across the remaining visas, standardise definitions across visas and simplify application, nomination and sponsorship processes. The Partnership provides the opportunity to make Australia's visa system more user-friendly, reduce compliance costs for business and improve the administration of a system that currently experiences inefficiencies.

1.1.4 The project will be undertaken through a phased implementation over five years and will cover all visa groups, including:

- temporary visas with work rights (the first visa group under review);
- visitor visas;
- student visas;
- permanent skilled and business entry visas;
- resident return visas;
- bridging visas;
- family visas; and
- refugee and humanitarian visas.

1.1.5 A key focus will be to ensure that simplification and deregulation initiatives do not undermine the integrity of our visa products and migration and entry programs, and to utilise the benefits of risk analysis and risk management technology being delivered through the business services transformation program of work.

1.2 Governance Arrangements

1.2.1 The Department of Immigration and Citizenship (DIAC) is working closely with the Department of Finance and Deregulation (DOFD) to progress the partnership and to deliver partnership outcomes.

1.2.2 The Better Regulation Ministerial Partnership Joint Steering Committee oversees the implementation of the project outcomes as well as providing feedback to Government on progress through input to the quarterly report to Government by DOFD. The Joint Steering Committee meets every three months or more frequently if required, is chaired at Deputy Secretary level and includes senior representatives of both agencies.

1.2.3 Within DIAC, the Visa Simplification and Deregulation Project Advisory Group (VSD PAG) is a forum for DIAC stakeholders to provide input to the Visa Simplification and Deregulation project and to receive updates on progress toward milestones. The VSD PAG meets monthly, is chaired by the First Assistant Secretary, Migration and Visa Policy Division, and includes representatives from all Divisions within DIAC.

1.2.4 The Deregulation Strategy Section (DSS) has been set up within DIAC to manage the policy, legislative and information technology aspects of the project.

2. Problem

2.1 Australia's visa system, as set out in the *Migration Act 1958* (the "Act") and the *Migration Regulations 1994* (the "Regulations") is highly complex. The Act includes more than 550 provisions and the Regulations over 1,800 pages. There are 90 visa classes and 149 visa subclasses. The top 25 visa subclasses account for more than 97 per cent of total visa finalisations. The remaining 124 visa subclasses are low-volume and lead to client confusion and have an administrative cost that is disproportionate to the outcomes.

2.2 There is significant scope to simplify Australia's visa policy framework. The visa system was last reformed between 1989 and 1994 and there have been no systematic reviews undertaken since then. Incremental changes over the past two decades, such as the addition of new visa subclasses or assessment tests in response to policy pressures, have added to the system's complexity. The complexity of the visa system makes it cumbersome to administer, leads to processing inefficiencies, creates client confusion and imposes compliance costs on businesses.

2.3 Australia operates a universal visa requirement (UVR), meaning that all non-citizens regardless of nationality are required to obtain a visa in order to travel and enter Australia. This provides border integrity and minimises the entry of people who might pose a threat or harm to the Australian community. It also facilitates the entry and travel of visitors to Australia, primarily by efficient processing at Australian entry points. In addition the system provides accurate data for use by various government agencies which assists in detecting and tracing people engaged in criminal activities and or who overstay or breach their visa conditions.

2.4 Other countries have selective visa waiver arrangements where nationals of selected countries (usually those considered low-risk) are not required to apply for a visa in order to travel to the country. The Visa Waiver Program of the United States, for example, allows citizens of specific countries to travel to the United States for tourism or business for up to 90 days without having to obtain a visa.

2.5 In contrast, the Australian Government prefers a more broad ranging approach that seeks to reduce the inconvenience to clients without compromising the safeguards in the current system including increased use of electronic visas (including the Electronic Travel Authority (ETA)), label free-arrangements, auto-grant processes and reduced documentation requirements for low risk applicants.

2.6 Attachment A provides data on the number of visa grants for the last three program years for the temporary work visas included in the project.

3. Objectives

3.1 The Government's objectives under the Ministerial Partnership are to simplify the visa system and make it more client-friendly. By reforming the visa policy framework and application strategy, the Partnership seeks to deliver fewer and simpler visa products and streamlined and more consistent application and assessment criteria. This will maintain Australia's competitiveness, reduce compliance costs for business and enhance processing efficiency.

3.2 In rationalising the visa system to make it simpler and more efficient, the Partnership will also ensure that the system remains responsive, supporting Government policy and client needs, and maintaining the integrity of the visa system and strong border security. The main emphasis is on the benefits to DIAC clients, including businesses and industries seeking skills, through simplified client visa choices and a reduction in complexity and requirements for clients engaging in the application process.

4. Options

4.1 Overview

4.1.1 The scope and aims of the project are prescribed by the decision of Government to commit the Partnership to a 50 per cent reduction in the number of temporary residence work visas by 2012.

4.1.2 Preliminary analysis by DIAC in 2008 concluded that there may be scope to reduce the number of temporary work visas by 50 per cent on the basis of an identified level of overlap across visa criteria for each visa group. The target of 50 per cent was considered a challenging but achievable reduction target. Further, a working group led by DIAC in 2010, which included a series of workshops with the visa policy owners and the subsequent public consultation, found the 50 per cent reduction proposed provided the appropriate balance between reducing the number of visa subclasses and maintaining a strong immigration system.

4.2 Current Regulatory Framework

4.2.1 The Government has recognised for some time that the current regulatory framework has become more and more complex and problematic for many clients to navigate and understand. A legislative structure that continues to expand and promote duplication and complexity is counterintuitive to the increased emphasis in government on efficiencies and cost as an important if not critical factor in government decision-making. For this reason, retention of the current regulatory framework is not supported.

4.2.2 Simplification of the visa framework could be addressed at the complexity within visas without reducing the number of visa subclasses. However, for a client who has little experience in navigating the visa subclass structure, this would not reduce the level of initial complexity that they face in selecting an appropriate visa.

4.2.3 While there is some scope to simplify policy documents and the governance structures around the existing visas, a focus on simplifying the supporting policy framework alone without addressing the underlying legal framework will not result in the processing efficiencies and costs savings that can be achieved through a reduction in regulation and more consistent legislative criteria.

4.3 Reduction in Visa Subclasses

4.3.1 A reduction in the number of visa subclasses to better reflect a client's purpose of entry to Australia provides clients with a simpler and more intuitive choice when choosing the most appropriate visa to apply for. For this reason a reduction in the number of visa subclasses is a central focus of the deregulation and simplification process and a primary objective.

4.3.2 The project seeks to repeal visas or provisions within visas that are redundant or no longer sustainable given their level of usage and to consolidate those visas that need to be retained on the basis of their common requirements and policy intent. This can be achieved through incorporation of existing subclasses as streams in a new consolidated visa and the 'sharing' of the common (and simplified) requirements, resulting in a net reduction in legislation. In doing so, careful attention needs to be paid to drafting of the streams in a way that is less complex than the current framework.

4.4 Alternatives

4.4.1 A public discussion paper on the deregulation and simplification of the temporary residence work visa group and the overall visa simplification and deregulation project was released by the Government on 4 June 2010. This paper proposed three temporary residence work visa models that drew together similarities between existing subclasses, including the general purpose of entry and length of stay and entitlements and requirements that are attached to the visas.

4.4.2 The submissions received were considered as part of a comprehensive comparative analysis of the current temporary residence work visa group. This analysis identified and mapped requirements that are identical across visa subclasses, similar but which can be standardised and unique and which cannot be simplified, and must therefore continue to stand alone in the new visa framework.

4.4.3 The proposed temporary residence work visa framework that emerged from this process creates fewer visas by combining areas of greatest regulatory duplication within the current group of temporary residence work visas. This preferred model was outlined in a second public discussion paper released by the Government in December 2010. Following consideration of responses, a finalised visa framework for temporary residence work visas was developed.

4.5 Proposed Temporary Work Visa Structure

4.5.1 Overview

The proposed temporary work visa structure reduces the number of Temporary Work Visas from eighteen to nine and delivers on the 50 per cent reduction target mandated by the Partnership. Simplification and deregulation will be achieved by combining common criteria and standardising similar requirements across visas. The proposal creates six new visas by consolidating thirteen existing visas, retaining three visas and repealing two visas. A pictorial representation of the proposed structure is at Attachment B.

4.5.2 New Visas

Temporary Work (Short Stay Activity) Visa (Subclass 400)

The proposed Short Stay Activity Visa (SSAV) would allow for the short term non-ongoing entry of much of the social, economic and cultural elements of the temporary residence program. It is a reorganisation of the current ambiguous manner in which short stay work and specialised activities are managed through the Visitor Program.

The introduction of the SSAV would greatly clarify and simplify entry requirements in this regard, and allow DIAC to better manage short term labour market access. In conjunction with proposed changes to the Visitor visas, the new visa would facilitate the repeal of the Subclass 456 Business (Short Stay) visa and the Subclass 459 Sponsored Business Visitor (Short Stay) visa.

Temporary Work (Long Stay Activity) Visa (Subclass 401)

This proposal creates a single sponsored temporary work visa for certain longer stay specialised activities, including sporting, religious and exchange activities. The creation of this new visa would simplify the temporary residence program through consolidation of exchange, sport and religious work into a single visa with a common sponsorship framework. It would replace the Subclass 411 (Exchange) visa, Subclass 421 (Sport) visa and Subclass 428 (Religious Work) visa.

Research and Training Visa (Subclass 402)

This proposal creates a single sponsored temporary visa for training and research activities with three streams reflecting existing arrangements for the entry of persons for training or research purposes, including professional development program participants, occupational trainees (including sports trainees) and visiting academics. This visa would replace the Subclass 419 (Visiting Academic) visa, the Subclass 442 (Occupational Trainee) visa and the Subclass 470 (Professional Development) visa. In addition, the existing provision in the Subclass 421 (Sport) visa for sports trainees would be removed and sports trainees would use the new visa. Importantly, the existing nomination requirement for visiting academics would be removed in recognition of the 'low risk' nature of this caseload. This would reduce administrative costs for the university sector.

Temporary Work (International Relations) Visa (Subclass 403)

This proposal creates an International Relations visa for existing temporary visa arrangements that serve Australia's international relations interests. The new visa would replace the following visas/provisions:

- Subclass 415 (Foreign Government Agency) visa;
- Subclass 406 (Government Agreement) visa;
- Subclass 426 Domestic Worker (Diplomatic and Consular) visa; and
- Persons accorded privileges and immunities under one or the other of the *International Organisations (Privileges and Immunities) Act 1963* or the *Overseas Missions (Privileges and Immunities) Act 1995*:
 - Subclass 456 (Business Short Stay) visa; and
 - Subclass 457 (Business Long Stay) visa).

The Subclass 995 (Diplomatic) visa would remain as a separate visa in support of Australia's obligations under the Vienna Conventions on Diplomatic and Consular Relations.

Temporary Work (Long Stay – Skilled) (Subclass 457)

This proposal would rename and streamline the existing Business (Long Stay) visa by removing obsolete provisions and relocating others to visas which more appropriately deal with the intent of those provisions. Additionally, it is proposed to provide for the entry to Australia of private domestic workers employed by certain Subclass 457 visa holders within the labour agreement provisions of the Subclass 457 visa. This would facilitate the repeal of the Subclass 427 Domestic Worker (Executive) visa.

Following the repeal of the Media and Film Staff visa, journalists would be required to use the Business (Long Stay) visa. Following incorporation of provisions for medical professionals into the Subclass 457 visa on 14 September 2009, the Medical Practitioner (Subclass 422) visa was closed to new applicants on 1 July 2010, other than family members wishing to join visa holders already in Australia.

Temporary Work (Entertainment visa) (Subclass 420)

This visa is for people to work in the Australian entertainment industry; in film, television or live productions in either a performance or behind-the-scenes role, such as directors, producers and other production personnel. It is proposed to retain this visa because of its vital role in supporting Australia's entertainment industry and its unique processing requirements which include a requirement for union consultation and an assessment of the 'net employment benefit' to the industry.

While this visa would be retained, the nomination criteria would be amended to provide a long stay pathway for persons making a documentary or commercial in Australia that would be shown 'exclusively overseas'. This follows the repeal of the Media and Film Staff visa. In addition, there is some scope to rationalise requirements by reducing duplication across the various nomination streams.

4.5.3 Repealed Visas

Media and Film Staff Visa (Subclass 423)

This visa is currently used by certain documentary and commercial makers and journalists. Current arrangements for the entry of these people are unnecessarily complicated, with clients entering on a number of different visas, depending on the intended length and purpose of stay. Documentary and commercial makers, for example, can enter Australia on the Media and Film Staff visa or a Business (Short Stay) visa (if the documentary or commercial is "exclusively for overseas use") or an Entertainment visa (if the documentary or commercial will be shown in Australia). Journalists may enter on a Media and Film Staff visa or a Business (Long Stay) visa.

Repeal of the Media and Film Staff visa would simplify entry arrangements for these two client groups. For short stays, they would be able to use the proposed new Short Stay Activity visa. For longer stays, journalists would use the Business (Long Stay) visa and documentary and commercial makers would use the Entertainment visa.

Domestic Worker (Executive) visa (Subclass 427)

This visa provides for domestic workers to be employed in the households of certain senior executives who hold a Subclass 457 (Business – Long Stay) visa and are in charge of an Australian office of an overseas organisation. Only 12 Subclass 427 visas were granted in 2009-10.

The cost of maintaining separate visa arrangements for such a small number of visa applicants is no longer sustainable. It is proposed to repeal this visa and provide for the entry of these people through the labour agreement provisions of the Subclass 457 visa. Under this arrangement, domestic workers would continue to be sponsored and nominated, however, the sponsor of the employing Subclass 457 visa holder also be the sponsor of the domestic worker rather than the visa holder. This appropriately places responsibility for the domestic worker on the organisation that is the main beneficiary of the arrangement and supports a more efficient monitoring process.

4.5.4 Visas Retained

Special Program visa (Subclass 416)

The Special Program visa provides for a wide variety of needs within the government, community and non-profit sectors. Integrity within the program is derived from the Secretary's power to approve programs that provide for cultural enrichment and/or community benefit. Amalgamating the Special Program visa with other visa subclasses is likely to dilute the purpose of the visa and reduce the flexibility which allows this visa to address existing and emerging community needs. It is therefore proposed to retain this visa in its existing form.

Working Holiday visa (Subclass 417) and Work and Holiday visa (Subclass 462)

The option of consolidating Subclass 417 and Subclass 462 (see below) was considered as part of the development of the proposed framework. However, it is not considered desirable to consolidate the Subclass 417 and Subclass 462 visa programs at this time, as such consolidation may run counter to Australia's bilateral interests, and may limit the flexibility of the Government in current and future negotiations. As a longer term strategy, DIAC will be looking at ways to achieve a more streamlined Working Holiday Maker program.

5. Impact Analysis

5.1 Overview

5.1.1 The proposed changes to the temporary work visas do not directly contribute to economic growth and productivity. Rather the benefits more broadly flow from a simplified visa structure and the opportunity this presents for DIAC to improve its business processes, work more efficiently (for example, by consolidating work in one location), streamline application procedures and speed up processing for clients. As such the Partnership has not sought to quantify the costs and benefits of the 50 per cent reduction, but rather has focussed on simplification as an objective in itself.

5.1.3 It is therefore difficult to provide a quantitative assessment of the benefits of the proposed framework. The proposed framework does not change existing policy settings beyond harmonisation of criteria and does not create new temporary migration pathways for clients. As such there is unlikely to be an increase in the number of applications received. Furthermore, the temporary work proposal does not seek to impose new application charges or fees.

5.1.4 Client understanding of the new framework will be promoted through a comprehensive communication strategy in the lead up to implementation of the changes.

5.2 Business Impacts

5.2.1 The number of businesses affected will vary between visas, with the changes having a proportionately larger impact on the higher volume visas such as the Short Stay Activity visa and the Entertainment visa. The Short Stay Activity visa, for example, with an estimate of up to 50 000 grants per program year, engages a very broad range of industry groups. Others visas have comparatively much smaller volumes and service niche sectors of business and the community. An estimate of the annual number of visa grants for each of the new visas can be gauged from the combined 'TOTAL' grant figures in [Attachment A](#).

5.2.2 There are not expected to be any additional administrative costs for business in relation to compliance with the new regulatory framework. This is because simplification of sponsorship and visa arrangements (and associated changes to application forms and supporting IT infrastructure) will result in more streamlined application procedures and faster processing which are expected to lead to a reduction in administrative costs, for example, because businesses will spend less time preparing applications (including choosing the appropriate visa category) and be able to recruit workers more quickly.

5.2.3 For example, under the current arrangements a university intending to sponsor both a visiting academic and an occupational trainee would need to be separately approved as a visiting academic sponsor and an occupational trainee sponsor. Under the proposed simplified visa structure, they would only need one approval as a 'training and research' sponsor. The removal of the nomination stage for visiting academics would reduce the time required of sponsors in completing a nomination application form. Under current requirements, it is estimated that a visiting academic

sponsor spends around 45 minutes completing a nomination application form. With some 2,000 applications per year, the removal of the nomination stage would lead to an estimated time saving to the research industry of approximately 1,500 hours annually. This does not include the time involved in collating, preparing and submitting supporting documents.

5.2.4 Business would benefit in particular from the proposed Temporary Work (Short Stay Activity) visa. In responding to the Discussion Papers (see *6 Consultation*), a number of businesses highlighted current confusion about the appropriate visa to use for short term work, particularly around the Subclass 456 (Short Stay Business) visa, the Business ETA and e-visitor visa.

5.2.5 The proposed Short Stay Activity visa seeks to address this confusion by clearly providing for short term non-ongoing entry of visa holders with skills, specialist knowledge or experience which can assist Australian business and which cannot reasonably be found in the Australian labour market.

5.2.6 According to Fragomen, a large global immigration law firm that claims to process more than 7000 temporary visas a year on behalf of clients, 76 per cent of businesses they surveyed stated that the existing sponsored Business Long Stay (Subclass 457) visa does not adequately address the need for urgent recruitment of short term specialist employees. The Short Stay Activity visa would complement the Subclass 457 visa which seeks to meet the longer term ongoing needs of business by providing for the short term non-ongoing entry of highly specialised staff.

5.3 Client Impacts

5.3.1 The reduction in the complexity of the visa system will translate into direct benefits for clients. Clearer pathways will result in less confusion about which visa to apply for. Likewise, the consolidation of like visas into a single streamlined product will provide greater clarification of requirements and consistency in application processes. This will in turn mean less risk of unlawful decision making.

5.3.2 The proposed visa framework groups similar visas together. For example, the proposed International Relations visa would bring together all temporary entry arrangements (with the exception of diplomatic visas) that seek to satisfy Australia's international relations obligations, while the proposed Training and Research visa would consolidate training and research related arrangements. Clients tend to know the category under which they wish to enter Australia, for example, for work or training, and under the proposed model they can refer to the relevant group without needing to be familiar with the particular visa subclass.

5.3.3 In addition to providing greater clarity around the most appropriate visa to apply for, consolidation of similar activities in a single product can, depending on the visa, provide flexibility for the decision maker to consider an applicant against a broader range of categories within the one visa, instead of requiring the applicant to apply for a different visa.

5.3.4 It is also proposed that clients will have the option of electronic lodgement of a visa application, in addition to the current paper-based application process. Clients would be able to complete and pay for an application online, with some automated processing of basic requirements.

5.4 Government Impacts

5.4.1 The proposal will deliver on the government's deregulation agenda by reducing the amount of visa-related regulation. This will lead to lower administrative and information technology costs. The top 25 visa subclasses account for 97.7 per cent of total visa grants. The low volume of activity in the remaining 110 subclasses imposes disproportionate levels of cost and specialist policy and program management support. A simplified system will encourage the Department to manage issues at a strategic level, rather than as tactical responses to individual visa program issues.

6. Consultation

6.1 External Consultation

6.1.1 On 4 June 2010, the Discussion Paper, *Simpler Visas: Creating a simpler framework for temporary and permanent entry to Australia*, was released by the former Minister for Immigration and Citizenship and proposed a number of principles for the overall visa simplification project and examined the current work visa framework through to 2015. The paper also introduced some internal suggestions on simplification for the temporary residence work visa framework.

6.1.2 Stakeholder responses indicate recognition of the complexity of the current system and general support for the simplification goals of the project, and many responses also provided comments on retaining or enhancing eligibility for visa applicants in the areas of the stakeholder's interests.

6.1.3 On 17 December 2010, the second Discussion Paper, *Implementing a simpler framework for temporary residence work visas*, was released by the Minister for Immigration and Citizenship, the Hon Chris Bowen MP. This paper discussed a single proposed option on the simplification of the temporary residence work visa framework. It proposed that 18 identified Temporary Residence Work visas be reduced to nine. Simplification will be achieved by combining common criteria and by standardising a number of similar requirements across this visa group.

6.1.4 Some 600 external stakeholders were directly notified of the release of the discussion paper and invited to provide comment. Responses were received from 67 groups or individuals. Table 1 lists respondents by industry type. A full list of respondents is at Attachment C. The majority of respondents were supportive of the preferred framework and enthusiastic about the aims of the project. A few expressed concern that there was not enough detail and others that the project might simply result in the consolidation of visas without any real simplification. DIAC continues to work with stakeholders to ensure that they have a level of information to clarify the objectives of the project and has undertaken to hold face to face meetings where specifically requested by stakeholders. It is intended that these meetings will continue until the temporary work visa project is implemented.

Table 1: Responses to Second Discussion Paper by category

<i>Industry Type</i>	<i>No.</i>
Peak Industry Group	22
Commonwealth Government	20
State Government	7
Community Group	4
Migration Agent	6
Member of the Public	6
Trade Union	2
Total	67

6.2 *Internal Consultation*

6.2.1 A series of DIAC internal workshops were held between May and December 2010 to develop a preferred model for the new temporary residence visa framework. In developing the framework, the existing temporary work visas were first grouped according to their purpose and then subjected to an assessment block harmonisation audit. This involved comparing visa criteria for each visa in the group across standard visa assessment blocks to determine the level of commonality. This provided validation for the initial selections and scoped the extent of harmonisation achievable within the group. In some cases, for example, where there were strong policy reasons for doing so, a recommendation was made to retain an existing visa as a separate entity.

6.2.2 The outcomes of these workshops represent a consensus view from all internal stakeholders on a new temporary residence visa model and were widely circulated for comment in National Office and the Department's State and Territory and overseas networks.

7. Conclusion and recommended option

7.1 The proposed temporary work visa framework is recommended as it delivers on the Partnership commitment to reduce the number of temporary work visas by 50 per cent by 2012 and brings benefits (see *5 Impact Analysis*) to clients, business, government and the community at large, including clearer pathways and faster processing. A simplified, clearer, more streamlined visa system with less regulation is expected to lead to a reduction in compliance costs for all stakeholders.

8. Implementation and Review

8.1 Communication Strategy

8.1.1 A comprehensive communication strategy has been prepared to manage the transition to the new framework. Further consultation for the temporary work visa proposal will be conducted with external stakeholders as the project progresses through to the implementation date. This communication will be conducted through a variety of means including:

- comprehensive DIAC website information;
- advance notification of upcoming changes prior to implementation;
- development of a fact sheet for prospective visa applicants and Frequently Asked Questions (FAQs) for key stakeholders, sponsors, migration agents and government departments;
- placing of sponsor awareness information on DIAC website;
- the use of the Department's Industry Outreach Officers to communicate changes to key stakeholders; and
- targeted mail-outs to stakeholders where there is an identified need for direct communication.

8.2 Approval

8.2.1 The Partnership to simplify Australia's visa policy framework will proceed in two stages: the first stage will reduce the number of temporary working visa subclasses; and the second stage will reduce the total number of visa subclasses.

8.2.2 Policy approval for legislative and regulation changes to temporary working visa subclasses is required from the Minister for Immigration and Citizenship and will be sought following formal assessment that the RIS is compliant. Subject to policy approval, legislative drafting will be completed by the end of 2011.

8.3 Legislation

8.3.1 The proposed implementation date for simplified temporary residence work visas remains in 2012 in keeping with the Better Regulation Ministerial Partnership on visa simplification commitments.

8.3.2 Legislative changes for temporary work visas will be undertaken in the regulation change round scheduled for November 2011. This will enable changes to the visa system to be finalised before the end of 2012. Changes to systems will be introduced on a rolling basis across the duration of the Project.

8.4 Review

8.4.1 A post implementation review will be conducted 12 months after the completion of the Visa Simplification and Deregulation project in 2015.

ATTACHMENT A

VSD Temporary Work visa grants: 2007–08 to 2009–10

Visa Category	A 2007–08	B 2008–09	C 2009–10
Short Stay Activity visa			
Business Short Stay (456) ¹	206 663	170 036	171 843
Long Stay Activity visa			
Exchange (411)	1 356	1 191	462
Sport (421)	2 743	3 118	825
Religious Worker (428)	1 861	1 571	1 420
TOTAL	5 960	5 880	2 707
Training and Research visa			
Occupational Trainee (442)	5 438	4 945	3 726
Professional Development (470)	604	557	531
Visiting Academic (419)	3 328	2 916	1 943
TOTAL	9 370	8 418	6 200
International Relations visa			
Government Agreement (406) ²	n/a	n/a	232
Foreign Government Agency (415)	345	353	274
Domestic Worker (Diplomatic or Consular) (426)	125	138	127
TOTAL	470	491	633
Long Stay Skilled visa			
Business (Long Stay) (457)	110 570	101 280	67 980
Medical Practitioner (422)	1 272	1 235	765
TOTAL	111 842	102 515	68 745
Entertainment visa			
Entertainment (420)	14 867	13 158	14 428
Retained visas			
Working Holiday (417)	154 345	187 837	175 517
Work and Holiday (462)	3 488	6 404	7 422
Special Program (416)	2 787	2 215	2 148
Repealed visas			
Media and Film Staff (423)	1 013	1 116	215
Domestic Worker (Executive) (427)	28	8	9

1. Included in the number of grants is the Business Visitor applicant, comprising of approx. 70 per cent of the caseload. Business Visitor applicants will form part of the Visitor visa framework.
2. Introduced on 14 September 2009

Temporary Work Visas Proposed Restructure				
Existing visa or provision	Count		Proposed visa	Count
Business (Short Stay) (exc. Business visitors) (UC 456)	1	➔	Temporary Work (Short Stay Activity)	1
Exchange (TE 411)	2		Temporary Work (Long Stay Activity)	2
Sport (TE 421)	3	➔		
Religious Worker (TE 428)	4			
Occupational Trainee (TH 442)	5		Training and Research	3
Professional Development (UV 470)	6	➔		
Visiting Academic (TH 419)	7			
Government Agreement (TH 406)	8		Temporary Work (International Relations)	4
Foreign Government Agency (TH 415)	9			
Domestic Worker - Diplomatic or Consular (TG 426)	10	➔		
<i>Immunities and Privileges (from UC 456)</i>	-			
<i>Immunities and Privileges (from UC 457)</i>	-			
Medical Practitioner (UE 422)	11	➔	Temporary Work (Long Stay Skilled)	5
Business (Long Stay) (UC 457)	12			
Entertainment (TE 420)	13	➔	Temporary Work (Entertainment)	6
<i>Documentaries and Commercials (overseas use) (from TE 423)</i>	-			
Special Program (TE 416)	14		RETAINED	7
Working Holiday (TZ 417)	15		RETAINED	8
Work and Holiday (US 462)	16		RETAINED	9
Media and Film Staff (TE 423)	17		REPEALED	-
Domestic Worker - Executive (TG 427)	18		REPEALED	-

List of Respondents to Second Public Discussion Paper

Attorney-General's Department: Administrative Review Council
AIMS Research
ANAO
Association of Mining and Exploration Companies Inc
Ausfilm
Australian Bureau of Statistics
Australian Government Information Management Office (AGIMO)
Australian Human Resources Institute
Australian Human Rights Commission
Australian Medical Association
Australian Migration and Visa Lawyers
Australian Mines and Metals Association
Australian Nuclear Science and Technology Organisation
Australian Petroleum Production and Exploration Association (APPEA) Limited
Australian Sports Commission
Australian Trade Commission
Barwon Health and Colac Area Health
Business SA
Capital Football
Catholic Immigration Office
Centiem/Fragomen
CFMEU
Committee for Economic Development of Australia
Consult Australia
CSIRO
Department of Agriculture, Fisheries and Forestry
Department of Education, Employment and Workplace Relations
Department of Employment, Economic Development and Innovation
Department of Families, Housing, Community Services and Indigenous Affairs
Department of Foreign Affairs and Trade
Department of Health and Ageing
Department of Infrastructure and Transport
Department of the Premier and Cabinet - WA
Department of the Prime Minister and Cabinet: Office of the Arts
Department of Resources, Energy and Tourism: Tourism Australia
Federation of Ethnic Communities' Councils of Australia
Flinders University
Global Interactions
Golf Australia
Government of South Australia
Greenberg Australia Pty Ltd
Housing Industry Association Limited
Interstaff
John Chen
Kamal Shrestha
Leong Mungran
Macquarie University
MAF International Asia Pacific
Marine Asset Management
Media, Entertainment and Arts Alliance
Migration Review Tribunal - Refugee Review Tribunal
Minerals Council of Australia
National Council of Churches in Australia

Regulation Impact Statement: Simplification of Temporary Work Visas

National Tourism Alliance
NSW Department of Premier and Cabinet
NSW Public Schools
Office of the Australian Information Commissioner
Queensland Tourism Industry Council
Queensland University of Technology
Russell Kennedy PTY LTD
Skills Australia
The Migration Institute of Australia
The University of Sydney
Unified Vietnamese Buddhist Congregation of Australia-New Zealand
Universities Australia
University of Technology Sydney
Victoria Department of Premier and Cabinet