



GES NewsFlash

Australia – Immigration NewsFlash

December 15, 2009

Summary

A previous Australia NewsFlash outlined the extensive changes to the Temporary Business Entry program, which were introduced on 14 September 2009 after the implementation of the *Migration Legislation Amendment (Worker Protection) Act*.

Some of the main changes were:

- Introduction of a new set of business **sponsorship obligations**
- Revamp of the **sanctions** regime in place to deal with non-compliance with these obligations
- Increased capacity for monitoring of business sponsors with introduction of information-sharing legislation between the ATO and the DIAC
- Removal of business sponsors' liability to cover health costs of 457 visa holders whose visas were granted after 14 September
- Introduction of health insurance requirement for 457 visa holders and dependent family members
- Changes to business sponsorship application criteria and validity
- Requirement to lodge a new nomination application with change of position under which a 457 visa holder was approved
- Nomination-only applications for existing 457 visa holders changing employer or position
- Introduction of requirement to employ 457 visa holders under equivalent terms and conditions (including salary) as those offered (or would be offered) to Australia employees in a similar role.

Please note that employers have until 1 January 2010 to ensure that their 457 visa holders are employed under equivalent terms and conditions to those of Australians.

Deloitte's View

We suggest that employers review the terms and conditions and salary details offered to their current sponsored employees and ensure necessary adjustments are made before this date.

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Deloitte's View

People to Contact

Our national teams will be holding information sessions around the states early in the new year, which will include practical experiences and real case examples following the introduction of the legislation above. We will send you information about the sessions early next year.

People to Contact

If you have any questions concerning the issues in this GES NewsFlash, please contact one of the tax professionals as follows:

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