



IMPORTANT AUSTRALIAN VISA INFORMATION

TEMPORARY RESIDENCE VISA, Subclass 457

- 1. NEW POLICY GUIDELINES, Effective: FEBRUARY 24, 2009**
- 2. EASING OF POLICY for FOREIGN PERSONS BUYING RESIDENTIAL REAL ESTATE**

1. AMENDED POLICY GUIDELINES – SBS & NOMINATION & VISA APPLICATIONS

Expatriate International has received notification from the Australian Department of Immigration (DIAC) that as a result of the downturn in our national employment figures, new Policy guidelines relating to assessment of subclass 457 Temporary Residence Visa applications will result in even more careful scrutiny than previously.

The changes, which will particularly focus on nominated salary details and sponsors demonstrating the overseas appointee's benefit to the Australian economy, relate to applications for:

- Standard Business Sponsorship (SBS), *and*
- Nomination and Visa applications

CHANGES TO SBS PROCESSING:

DIAC must be satisfied that both the sponsoring company, and the foreign appointee will meet the Benefit to Australia criteria in at least one of the following elements:

- ✓ Creation of maintenance of employment for Australian Citizens or Permanent Residents
- ✓ Expansion of Australian trade in goods or services
- ✓ Improvement of Australian business links with international markets
- ✓ Competitiveness within sectors of the Australian economy.



CHANGES TO NOMINATION and VISA APPLICATION PROCESSING :

Greater attention will be paid to the proposed Base Salary and its comparison to the DIAC'S Minimum Salary Level (MSL) **and** to the *Total* Remuneration Package.

DIAC's objective of the revised 457 program is only to "top up" the existing labour force. The program is not intended as a "guest worker" scheme and thus the MSL will be viewed as absolutely floor level compensation.

References to external indicators of average remuneration within the applicant's business, occupation group or Industrial Award will be carefully considered, and applied against each application.

Professionals who receive a Total Remuneration Package (e.g. pension, bonus, other allowances, etc.) in excess of AU\$100,000 are exempt from further examination.

2. EASING OF POLICIES FOR FOREIGN PERSONS PURCHASING AUSTRALIAN RESIDENTIAL REAL ESTATE

The Australian Federal Government has announced Policy and Regulation changes which will streamline processes for purchase of Australian residential real estate by foreign persons.

Policy Changes effective December 18, 2008 include:

- ⇒ Requirement to hold an Australian residence visa with at least 12 months' duration has been abolished, although tourists and some business people will not be considered as temporary residents.
- ⇒ Foreign students resident in Australia are no longer limited in the amount they can spend on an established residence purchased as a principal place of residence.
- ⇒ Property developers can sell more than the previous limit of 50% of off-the-plan new dwellings to foreign purchasers. Some restrictions apply.
- ⇒ Foreign-owned companies can purchase established dwellings for use by Australian-based staff. Some conditions apply.



Regulation Changes:

Amended legislation is expected to apply in late March, 2009, and among other changes, includes.

- ⇒ Removal of requirement for Temporary Resident visa holders to notify FIRB of proposed residential property acquisitions. Some conditions apply.

THE DESCRIBED CHANGES THAT HAVE OCCURRED, AND THOSE WHICH ARE PROPOSED, ARE COMPLEX WITH EXTENSIVE QUALIFYING BACKGROUND DETAIL WHICH IS NOT LISTED IN THIS COMMUNICATION

EXPAT INTERNATIONAL WILL BE PLEASED TO ANSWER YOUR QUERIES, AND GUIDE YOU ON ASPECTS OF THE INFORMATION PROVIDED, OR WITH OTHER AUSTRALIAN OR INTERNATIONAL VISA MATTERS YOU MAY WISH TO DISCUSS

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