Reduced timeframe for 457 visa holders to depart Australia after cessation of employment

The Department of Immigration and Border Protection has announced a reduction in the timeframe primary 457 visa holders can remain in Australia following cessation of employment.

This change is scheduled to come into effect from 19 November 2016 subject to final approval by the Governor-General of the Commonwealth of Australia.

Amendment to visa condition 8107

The change will be effected through the amendment of visa condition 8107 attached to newly granted primary Subclass 457 visas.

Under the revised visa condition 8107, all primary 457 visa holders who are granted their visas on or after 19 November 2016 will have 60 days to depart Australia or apply to remain upon the cessation of employment with their sponsoring employer. This has been reduced from the 90 days afforded to existing primary 457 visa holders.

What does this mean for business?

The change clearly affects your visa holders granted a 457 visa on or after 19 November 2016, so businesses may need to review current internal policies or communications if reference is made to the 90 day timeframe.

All sponsorship obligations of approved Standard Business Sponsors under the 457 visa program, such as the requirement to notify the immigration department of a cessation of employment within 28 days of their last day of employment, will remain unchanged.

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Contact us

Your KPMG Immigration professional can work with you to advise you further on this upcoming change and help navigate you through the legislation, so please do not hesitate to contact us with any queries.

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