



TSS VISA | PLANNING FOR IMPACTS ON TIMING

In contrast to 2014/15 when Government processing for a 457 visa took a few weeks, current processing times for a TSS Visa have extended to 2 to 3 months in addition to longer visa preparation times. Under the new TSS Visa, it is now mandatory to obtain police certificates from each country the visa applicant has spent 12 months in over the past 10 years. Accredited sponsorship can be an effective way to accelerate the nomination and visa process. Businesses should also plan accordingly for Labour Market Testing (LMT) and police certificate requirements.

ACCREDITED SPONSORSHIP

Accredited Sponsorship is a more rigorous assessment by the Department of Home Affairs of eligible businesses to upgrade their Standard Business Sponsorship to accredited status.

Benefits include:

- Streamlined nomination processing and priority visa processing - usually within 1 week.

To apply, your business will need to be either:

- **Australian Trusted Traders** | An Australian business with at least 75% of its workforce in Australia.
- **A publicly-listed or private company** with an annual turnover of at least AUD\$4million in the last 2 years. The business must also be an active 457/TSS sponsor with a non-approval rate of less than 3% and a particular percentage of Australian workers.
- **A Commonwealth, State and Territory agency** with at least 75% of Australian workers.

Interstaff can assist your business to determine if it meets the requirements for Accredited Sponsorship and to prepare and manage the application process on your behalf.

Businesses must also plan for the time it takes to undertake new LMT requirements and obtain mandatory police certificates.

LABOUR MARKET TESTING

Businesses must conduct mandatory LMT prior to engaging an overseas employee unless trade obligations apply. This includes:

- Ensuring positions are advertised in particular platforms for 4 weeks.
- Publishing advertisements in the 4 months prior to a nomination application.
- Record keeping of all advertisements and payments for advertising.

Police certificate processing times and complexity vary from country to country.

For example:

Australia	UK	USA	Other countries
2 to 3 weeks.	2 to 4 weeks.	<ul style="list-style-type: none">• 2 to 3 weeks for citizens.• 3 to 4 months for non-citizens.	Lengthy timeframes possible due to requirements for: <ul style="list-style-type: none">• Paper-based applications.• Finger-prints.• Power of Attorney.• The requirement to obtain a letter from the Immigration Department prior to applying.

A waiver of a police certificate requirement is only granted under extremely limited circumstances and requires an applicant to demonstrate the extensive lengths taken to obtain the certificates. Accredited sponsors may use a letter in lieu of police certificates for employees.

POLICE CERTIFICATE TIMEFRAMES