

# Fact Sheet

## Temporary Work (Short Stay Specialist) Visa - Subclass 400

The 400 visa program enables foreign workers to perform non-ongoing, highly specialised roles in Australia on a short term basis.

### **About this visa**

The applicant must show that they intend to work that is highly specialised. This would normally require the applicant to show that they have skills not readily available in Australia, for instance skills relating to overseas technology; or where the required skill set is in limited supply in Australia

The work must be not ongoing in nature. This means that the activity is likely to be completed within 3 months. A stay of up to 6 months may be considered where there is a strong business case. Workers must not be "rotated" through the same position. If the position requires to be filled for periods longer than 6 months, you should consider a subclass 482 Temporary Skills Shortage visa.

### **Application Process**

#### Strong Business Case

Applicants applying for a visa which may result in a total stay in Australia of more than three months require a strong business case. Applicants will be required to provide evidence that their employment conditions satisfy Australian workplace standards and that their activities will not adversely impact Australian workers. The following factors may be considered:

- Evidence as to the nature, size, duration and importance of a project, and any potential impacts on the business/community should the project not be able to proceed
- Evidence that specialist advice/expertise from overseas is required
- Whether there are contractual obligations to be fulfilled by the visa applicant
- Evidence that the proposed employer has tried unsuccessfully to hire an Australian to do the proposed work (for example, evidence of job search)
- The number of Australians being employed on the project and/or by the business
- Time available for an Australian to be trained to do the proposed work over a longer period.

#### Invitation from Inviting Organisation

A company wishing to bring an overseas worker to Australia through the subclass 400 program should provide a statement to Immigration in support of the visa application. The letter should provide details of the project, the highly specialised skills required and demonstrate that the work is non-ongoing.

#### Visa application

The employee would then apply for a 400 visa to work in Australia in the nominated position. The applicant must have the skills and experience needed for the nominated position, meet English language, health and character requirements for the visa and hold suitable health insurance.

### **Processing Times**

The current timeline for allocation of cases for assessment is between 16 and 27 days. The visa application is processed by the Australian consular post in the country where the visa application is made, processing times vary depending on the location of assessment.

### **What happens when the 400 Visa is granted?**

The 400 visa is generally valid for up to three months however a six month period may be considered in limited circumstances, if supported by a strong business case. This visa lets you:

- stay in Australia while your visa is valid
- do short-term, highly specialised, non-ongoing work for which you were granted the visa
- work solely for your inviting organisation
- bring members of your family with you to Australia. Your family members will not be allowed to work or attend school in Australia.

### **Our Services**

We offer commercially-focused immigration solutions to help you obtain work visas for employees efficiently. We work on a fixed fee basis, our services include initial eligibility assessment, strategic planning, review and advice in relation to supporting evidence, preparation of the application submission, and liaison with the Department of Immigration.

### **Need more information?**

Find further information about The Migration Agency and our services on our website [www.themigrationagency.com.au](http://www.themigrationagency.com.au) or contact us by phone on (02) 8896 6056.