

ANNEX 4

**SCHEDULE OF SPECIFIC COMMITMENTS ON
THE MOVEMENT OF NATURAL PERSONS**

AUSTRALIA

1. This Schedule sets out Australia’s commitments in accordance with Chapter 9 (Movement of Natural Persons). This Schedule and Chapter 9 (Movement of Natural Persons) comprise the entirety of Australia’s commitments in respect of the temporary entry and temporary stay of natural persons.

2. The Schedules of other Parties shall not be used to interpret Australia’s commitments or obligations under Chapter 9 (Movement of Natural Persons) or other chapters of this Agreement.

Description of Category	Conditions and Limitations (including length of stay)
A. Business Visitors	
<p>Business visitors being natural persons seeking to travel to Australia for business purposes, whose remuneration and financial support for the duration of the visit must be derived from sources outside Australia and who must not engage in making direct sales to the general public or in supplying the services themselves.</p> <p>Business visitors comprise:</p>	
(i) Service sellers, as business visitors being natural persons not based in Australia who are sales representatives of a service supplier and are seeking temporary entry for the purpose of negotiating for the sale of services or entering into agreements to sell services for that service supplier.	Temporary entry is for an initial stay of six months up to a maximum of 12 months.
(ii) Business visitors, being natural persons seeking to travel to Australia for the purpose of participating in business negotiations or meetings.	Temporary entry is for periods of stay up to a maximum of three months.
(iii) Business visitors, being natural persons who are seeking to travel to Australia for business purposes, including investment purposes.	Temporary entry is for periods of stay up to a maximum of three months.
(iv) Business visitors, being natural persons who are seeking entry for the purposes of negotiating the sale of goods where such negotiations do	Temporary entry is for periods of stay up to a maximum of three months.

Description of Category	Conditions and Limitations (including length of stay)
not involve direct sale to the general public.	
B. Intra-Corporate Transferees	
<p>(i) Executives and Senior Managers being natural persons who are employees of an enterprise of another Party operating lawfully and actively in Australia, and who will be responsible for the entire or a substantial part of the enterprise's operations in Australia, receiving general supervision or direction principally from higher level executives, the board of directors or stockholders of the enterprise, including directing the enterprise or a department or subdivision of it; supervising and controlling the work of other supervisory, professional or managerial employees; and having the authority to establish goals and policies of the department or subdivision of the enterprise.</p>	<p>Temporary entry and temporary stay of such natural persons is subject to employer sponsorship.</p> <p>Employer sponsorship requirements, including eligible occupations, may change from time to time. Full details of employer sponsorship requirements, including eligible occupations, are available on the website of the Australian government department responsible for immigration matters: http://www.homeaffairs.gov.au/</p> <p>Temporary entry is for an initial period of stay of up to four years, with the possibility of further stay up to a maximum stay of 14 years.</p>
<p>(ii) Specialists being natural persons with advanced trade, technical or professional skills and experience who are employees of an enterprise of another Party operating lawfully and actively in Australia, who are assessed as having the necessary qualifications, skills and work experience accepted as meeting the domestic standard in Australia for their nominated occupation, and who have been employed by that employer for not less than two years immediately preceding the date of the application for temporary entry. A specialist may include members of a licensed profession.</p>	<p>Temporary entry and temporary stay of such natural persons is subject to employer sponsorship.</p> <p>Employer sponsorship requirements, including eligible occupations, may change from time to time. Full details of employer sponsorship requirements, including eligible occupations, are available on the website of the Australian government department responsible for immigration matters: http://www.homeaffairs.gov.au/</p> <p>Temporary entry is for periods of stay up to two years, with the possibility of further stay.</p>

C. Independent Executives	
<p>Independent executives being natural persons whose work responsibilities match the description set out below and who intend, or are responsible for, the establishment in Australia, of a new branch or representative office of an enterprise which has its head of operations in the territory of another Party and which has no other branch or representative office in Australia. Independent executives will be responsible for the entire or a substantial part of the enterprise's operations in Australia, receiving general supervision or direction principally from higher level executives, the board of directors or stockholders of the enterprise, including directing the enterprise or a department or subdivision of it; supervising and controlling the work of other supervisory, professional or managerial employees; and having the authority to establish goals and policies of the department or subdivision of the enterprise.</p>	<p>Temporary entry and temporary stay of such natural persons is subject to employer sponsorship.</p> <p>Employer sponsorship requirements, including eligible occupations, may change from time to time. Full details of employer sponsorship requirements, including eligible occupations, are available on the website of the Australian government department responsible for immigration matters:</p> <p>http://www.homeaffairs.gov.au/</p> <p>Temporary entry is for periods of stay up to a maximum of two years.</p>
D. Contractual Service Suppliers	
<p>Contractual service suppliers (including Independent Professionals or Specialists)</p> <p>Contractual service suppliers being natural persons with trade, technical or professional skills and experience who are assessed as having the necessary qualifications, skills and work experience accepted as meeting the domestic standard in Australia for their nominated occupation, and who are:</p> <p>(i) employees of an enterprise of another Party that has concluded a contract for the supply of a service within Australia and that does not have a commercial presence within Australia; or</p> <p>(ii) engaged by an enterprise lawfully and actively operating in Australia in order to supply a service under a contract within Australia.</p>	<p>Temporary entry and temporary stay of such natural persons is subject to employer sponsorship.</p> <p>Employer sponsorship requirements, including eligible occupations, may change from time to time. Full details of employer sponsorship requirements, including eligible occupations, are available on the website of the Australian government department responsible for immigration matters:</p> <p>http://www.homeaffairs.gov.au/</p> <p>Labour market testing may be required for some occupations, to the extent that this is not inconsistent with Australia's commitments under the WTO.</p> <p>Temporary entry is for periods of stay up to 12 months, with the possibility of further stay.</p>

E. Spouses	
Spouses of temporary entrants covered by (B), (C) and (D) are accorded full working rights where the stay of those temporary entrants is 12 months or more.	For such spouses, temporary entry and temporary stay is for the same period as for the temporary entrant.