**ANNEX 10A**

**SCHEDULE OF SPECIFIC COMMITMENTS ON**

**ENTRY AND TEMPORARY STAY FOR BUSINESS PERSONS**

**AUSTRALIA**

1. The following sets out Australia’s commitments in accordance with Chapter 10 (Entry and Temporary Stay for Business Persons) in respect of the entry and temporary stay of business persons.

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| **Description of Category** | **Conditions and Limitations (including length of stay)** |
| **A. Business Visitors** | |
| Definition:  Business visitors being business 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 goods or services themselves.  Business visitors comprise: |  |
| (a) Service sellers, being business persons who are 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 and up to a maximum of 12 months. |
| (b) Business visitors, being business 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. |
| (c) Business visitors, being business 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. |
| (d) Business visitors, being business persons who are seeking entry for the purposes of negotiating the sale of goods where such negotiations do not involve direct sale to the general public. | Temporary entry is for periods of stay up to a maximum of three months. |

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| **B.** **Installers and Servicers** | |
| Definition:  A business person who is an Installer or Servicer of machinery or equipment, where such installation or servicing by the supplying enterprise is a condition of purchase under contract of the said machinery or equipment, and who must not perform services which are not related to the service activity which is the subject of the contract. | Entry is for periods of stay up to a maximum of three months. |
| **C. Intra-Corporate Transferees** | |
| Definition:  A business person employed by an enterprise of the UAE established and lawfully and actively operating in Australia, who is transferred to fill a position in the parent, branch, subsidiary or affiliate of that enterprise in Australia, and who is:  (a) an executive or a senior manager, who is a business person responsible for the entire or a substantial part of the operations of the enterprise 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; or  (b) a specialist, who is a business person with advanced trade, technical or professional skills and experience who is assessed as having the necessary qualifications, or alternative credentials accepted as meeting Australia’s domestic standards for the relevant occupation, and who must have been employed by the employer for not less than two years immediately preceding the date of the application for temporary entry. | Temporary entry of business persons is subject to employer sponsorship. Full details of employer sponsorship requirements, including eligible occupations for sponsorship, are available on the website of the Australian government department responsible for immigration matters (as at entry into force, the address of that website was:  <http://www.homeaffairs.gov.au>).  Sponsorship requirements, including the eligible occupations for specialists, may change from time to time.[[1]](#footnote-2)  Temporary entry for executives and senior managers is for a period of stay up to four years, with the possibility of further stay.  Temporary entry for specialists is for a period of stay up to four years, with the possibility of further stay. |

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| **D. Independent Executives** | |
| Definition:  Business personswhose work responsibilities match the description set out below and who intend, or are responsible for, the establishment in Australia, of a new branch or subsidiary of an enterprise which has its head of operations in the territory of the UAE, and which has no other representative, branch or subsidiary 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. | Temporary entry of business persons is subject to employer sponsorship.  Employer sponsorship requirements, including the list of eligible occupations for sponsorship, are available on the website of the Australian government department responsible for immigration matters (as at entry into force, that website was: [http://www.homeaffairs.gov.au](https://www.homeaffairs.gov.au/)”).  Temporary entry is for periods of stay up to a maximum of two years. |
| **E. Contractual Service Suppliers** | |
| Definition:  Business 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:  (a) employees of an enterprise of the UAE that has concluded a contract for the supply of a service within Australia and that does not have a commercial presence within Australia; or  (b) engaged by an enterprise lawfully and actively operating in Australia in order to supply a service under a contract within Australia. | Temporary entry of business persons is subject to employer sponsorship. Full details of employer sponsorship requirements, including the list of eligible occupations for sponsorship, are available on the website of the Australian government department responsible for immigration matters (as of entry into force, that website was <http://www.homeaffairs.gov.au>).  Sponsorship requirements, including eligible occupations, may change from time to time.  Labour market testing may be required, to the extent that this is not inconsistent with Australia’s WTO commitments.  Temporary entry is for periods of stay up to 12 months, with the possibility of further stay. |
| **F. Spouses and Dependants** | |
| For a business person of the UAE who has been granted temporary entry or an extension of temporary stay under the commitments set out in sections (C), (D) and (E) of this Annex for a period of 12 months or longer and who has a spouse or dependant, Australia shall, upon application, grant the accompanying spouse or dependant the right of entry and temporary stay, movement and work for an equal period to that of the business person. | |

1. Changes to eligible occupations must not be inconsistent with Australia’s WTO commitments. [↑](#footnote-ref-2)