

ANNEX 11-A

SCHEDULE OF AUSTRALIA

The following sets out Australia’s commitments in accordance with Article 11.4 in respect of the temporary entry of business persons.

Description of Category	Conditions and Limitations (including length of stay)
A. Business Visitors	
<p><u>Definition:</u></p> <p>Business Visitors comprise:</p> <p>(a) business persons seeking to travel to Australia for business purposes, including for investment 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 goods or services themselves; and</p> <p>(b) service sellers, being business persons who are not based in Australia and whose remuneration and financial support for the duration of the visit must be derived from sources outside Australia, and who are sales representatives of a service supplying enterprise, seeking temporary entry for the purpose of negotiating for the sale of services or entering into agreements to sell services for</p>	<p>Entry is for periods of stay up to a maximum of three months.</p> <p>Entry is for an initial stay of six months and up to a maximum of 12 months.</p>

that service supplier.	
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Description of Category	Conditions and Limitations (including length of stay)
B. Installers and Servicers	
<p><u>Definition:</u></p> <p>A business person of Peru 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 installation or servicing activity which is the subject of the contract.</p>	<p>Entry is for periods of stay up to a maximum of three months.</p>

Description of Category	Conditions and Limitations (including length of stay)
<p>C. Intra-Corporate Transferees</p> <p>In accordance with, and subject to, Australia’s laws and regulations, Australia shall, upon application, grant the right of temporary entry, movement and work to the accompanying spouse or dependants of a business person that is granted temporary entry or an extension of temporary stay under these commitments.</p>	
<p><u>Definition:</u></p> <p>A business person of Peru employed by an enterprise of Peru established in Australia through a branch, subsidiary or affiliate which is lawfully and actively operating in Australia, who is transferred to fill a position in the branch, subsidiary or affiliate of the enterprise in Australia, and who is:</p> <p>(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</p> <p>(b) a specialist, who is a business person with advanced trade, technical or professional skills</p>	<p>Temporary entry of such 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 at entry into force, the address of that website was www.homeaffairs.gov.au). Sponsorship requirements, including eligible occupations, may change from time to time.</p> <p>Entry for executives and senior managers is for a period of stay up to four years, with the possibility of further stay.</p> <p>Entry for specialists is for a period of stay up to two years, with the possibility of further stay.</p> <p>Temporary entry of spouses and dependants is for the same period as the business persons concerned.</p>

<p>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.</p>	
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Description of Category	Conditions and Limitations (including length of stay)
<p>D. Independent Executives</p>	
<p>In accordance with, and subject to, Australia’s laws and regulations, Australia shall, upon application, grant the right of temporary entry, movement and work to the accompanying spouse or dependants of a business person that is granted temporary entry or an extension of temporary stay under these commitments.</p>	
<p><u>Definition:</u></p> <p>A business person of Peru 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 subsidiary of an enterprise which has its head of operations in the territory of Peru 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.</p>	<p>Temporary entry of such 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 at entry into force, the address of that website was www.homeaffairs.gov.au). Sponsorship requirements, including eligible occupations, may change from time to time.</p> <p>Entry is for periods of stay up to a maximum of two years.</p> <p>Temporary entry of spouses and dependants is for the same period as the business persons concerned.</p>

Description of Category	Conditions and Limitations (including length of stay)
<p>E. Contractual Service Suppliers</p> <p>In accordance with, and subject to, Australia’s laws and regulations, Australia shall, upon application, grant the right of temporary entry, movement and work to the accompanying spouse or dependants of a business person that is granted temporary entry or an extension of temporary stay under these commitments.</p>	
<p><u>Definition:</u></p> <p>Business persons of Peru 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> <ul style="list-style-type: none"> (a) employees of an enterprise of Peru 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. 	<p>Temporary entry of such 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 at entry into force, the address of that website was www.homeaffairs.gov.au). Employer sponsorship requirements, including the list of eligible occupations, may change from time to time.</p> <p>Temporary entry of such businesses persons may be subject to labour market testing requirements. If Australia enters into any agreement with a non-Party after the date of entry into force of this Agreement that provides more favourable treatment with respect to labour market testing for contractual service suppliers of that non-Party, Australia will notify Peru of this development, and the Parties shall then initiate a review, with a view to Australia extending, under this Agreement, treatment no less favourable than that provided under the agreement with the non-Party with respect to labour market testing. The Parties shall commence such a review within three months following the date of entry into force of the international agreement with the non-Party and will conduct the review with the aim of concluding it within six months following</p>

	<p>the same date.</p> <p>Entry is for periods of stay up to two years, with the possibility of further stay.</p> <p>Temporary entry of spouses and dependants is for the same period as the business persons concerned.</p>
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