



## FILMING IN AUSTRALIA

Australia welcomes foreign production. We have great locations, great crew, and a "can do" attitude.

However, if you are intending to film here, and want to bring any foreign crew/cast, all of these people will need to apply for a temporary residence visa - one of two subclasses of Entertainment visas, either a 423 or 420.

The Entertainment visa (subclass 423) will NOT require you to have an Australian sponsor. This visa is designed TV commercials and documentaries that will NOT screen in Australia. Subclass 423 is not intended for "entertainment" programs. If you think your project may qualify for a Subclass 423 visa it is important that you have this confirmed early in your pre-production process. Please contact Department of Immigration and Multicultural and Indigenous Affairs (DIMIA) in Sydney - telephone 612 9032 4048 - to confirm your ability to use this subclass.

The Entertainment visa (subclass 420) WILL require you to have an appropriate Australian sponsor. This sponsor should be a recognised local Production Company. This visa is designed for any project that might be regarded as "entertainment" and is designed for general viewing, or any project that might screen in Australia. You should be able to bring some crew and cast, but you will need to provide a "net employment benefit" to Australia.

If you wish to apply for a 420 visa for your personnel you will need to supply:

- \* a Form I 47 application for temporary residence visa for every person you wish to enter Australia
- \* evidence that each of these applicants is paid at least the equivalent local minimum
- \* evidence there is an intent to conform with local production conditions and safety standards (if possible, a production schedule)
- \* evidence that each of the applicants has sickness and accident insurance to cover any medical treatment while they are in Australia
- \* evidence that each of the applicants will leave Australia at the expiration of their visa (usually a return airline ticket)
- \* an application to DCITA for clearance of actors, or other "on screen" performers or personalities.
- \* evidence of employment of local Australian crew/cast to achieve "net employment benefit" - this needs to be approved by MEAA - the local Union representing crew and cast - before the application can be forwarded to Immigration.

Your Form I 47 applications must be lodged along with your Sponsor's Form I 48 covering application.



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The personnel you bring into Australia are now considered to be "working" here and so are subject to Australian taxation. However, in most situations, crew will be able to apply for, and receive, a taxation clearance (no tax will need to be paid). Actors will be subject to withholding tax unless they are US citizens, and are earning less than \$10,000. The Australian Government will issue a tax credit for any withholding tax. If you have Australian accountants they can handle this for you, or you can have your Sponsor's accountants handle this for you.

You should also note that Australia has a 10% goods and services tax (GST). This is refundable to an Australian registered company. Foreign production companies can re-coup this tax by establishing themselves as an Australian company (with an Australian Business Number) or again, your Australian sponsor may be able to cover your Australian expenditure and in turn re-coup the GST on your behalf.

We at The Melbourne Production Services company are pleased to act as Sponsor for legitimate foreign productions. We can provide services from straightforward sponsorship right through to full line production partnership.