

Iscah Migration Newsletter

Edition Number 224 | 20th February 2017

Hey everyone,

Hope you have had a great month, and... a great last 20 years. Yep, that is how long Iscah have been going now, having started advising people in February 1997. Time flies !!

We will continue to bring you all the latest breaking visa news, our thoughts, top quality visa advice and case management of your visa applications until ... my footy team the Freo Dockers finally win their first flag. Given how the squad looks at the moment, we will be out there helping you for quite a bit longer yet !! ha

This newsletter is sent out on the 3rd Monday of each month and is jam packed with everything we have heard about regards visa changes.

If you want backcopies go to our website www.iscah.com/free-newsletter , if you want daily updates then checkout our facebook page at www.facebook.com/iscah.migration and if you have suggestions on content or want to get on the monthly mailing list, email us at newsletter@iscah.com

Here we go ...



Contents

- 1) Changing your occupation on an EOI
- 2) Calls for “backpacker au pair” Visa
- 3) Victoria no longer needs to know you changed your business idea for 188 visa
- 4) A New points system in 2017 ??
- 5) Analysis of 1st February Skill Select
- 6) Labour slams proposed “Trump-like) powers for Immigration Minister
- 7) Victoria close computing occupations off state list
- 8) RSMS/187 visa possibly closing in Perth next month
- 9) New Temporary Parent visa from July 2017
- 10) Your visa questions answered - Q&A video series , edition 20
- 11) WA State Migration plan released
- 12) Skills assessment updates
- 13) Queensland guide to migrating to their state
- 14) News article on the positive affect of migration to the Australian economy
- 15) ACT sponsorship closed to overseas applicants until July 2017
- 16) DIBP more generous on new migrants not arriving by their first arrival date
- 17) Skill Select 1st February 2017 results

1) Changing your occupation on an EOI

Having been asked by a client we ran a few tests and it seems possible to change an occupation on the EOI system. This may be an advantage for an Accountant or IT person who has had a long wait and is able to change to another occupation (you still need the skills assessment) that is getting a quicker invite.

A couple of things though you need to be careful of

If you change the visa subclass or the points total then the EOI effective date will change to the current date
If you have had a birthday since you lodged your EOI then the EOI effective date will reset to this, even if that birthday has NOT changed your points

This last point about birthdays (that do not change your points total) seems a problem in the Skill select EOI Algorithm and we have raised it with DIBP.

Of course this is still a bit of a raffle as that may slow down those occupations you change to , but you will have to make that judgement...

(Source: Iscah)

2) Calls for “backpacker au pair” Visa

There have been calls to formalise the so-called "backpacker au pair" role and create a specific visa to ensure safeguards are in place for workers and families.

There is a rising demand for foreign live-in carers, but the industry remains unregulated and open to exploitation.

It comes as childcare reforms hit the headlines again and more families look for affordable and flexible alternatives for their children.

Peter Shoobert, a single parent of two young children, has had eight foreign au pairs over the years to help care for his son and daughter and their home. "They actually become part of the family — they have breakfast with us, they have lunch, dinner, all the rest of it," he said. "If there's a night out or friends get together with a dinner, they come with us, so yes, they're always with us."

The family lives an hour south of Sydney in the Royal National Park and the au pair takes the children to school 50 kilometres away and looks after them when Mr Shoobert is at work.

"I offer them accommodation, all their food is paid for, I have a spare car which they have the use of, and I help them get work locally because I only have the children 40 per cent of the time," he said. He also pays them \$100 for each day they care for the children.

Mr Shoobert said there were double standards, depending on the au pair's country of origin. "The Filipino girl which I tried to help come here, they apply for the visa, have an interview, then 30 days later they get a rejection, which is just outrageous, but that's how the Australian Government treats them," Mr Shoobert said.

He would like to see a fairer system, open to more countries, that benefits both families and workers.

Ross Taylor, president of the Indonesia Institute, said it was a good solution for the many families struggling to afford child care or find a placement.

"We should allow for foreign au pair workers, not only to come and work on a live-in basis with families, but to form a structure whereby it's actually at a rate that's affordable for these families," he said. "That's the significant thing."

The institute previously proposed au pairs from Asia be allowed to work in Australia and paid \$250 a week plus board, insurance and a return airfare home each year.

Mr Taylor said it was already happening with travellers from eligible countries on working holiday visas.

"What we have is a de facto au pair arrangement in place that's endorsed by the Government, and that's happening as a result of the 417 visa," he said. "So what we've seen is a move by very desperate families to access foreign backpacker workers and the foreign backpacker operates as an au pair."

Mr Taylor has called on the Federal Government to create a specialised visa to formalise the arrangement, ensure safeguards are in place and protect against exploitation.

Wendi Aylward, president of the Cultural Au Pair Association of Australia, has supported the call because there is no regulatory framework in place for au pairs in Australia.

→ *CONTINUED ON NEXT PAGE*

"There really is a need for clear guidelines for families, au-pairs, agencies to ensure for everyone it's a safe, rewarding experience and it's transparent," Ms Aylward said. She said the backpacker visa was not an ideal default, particularly as demand for au pairs continues to grow.

"Au pairs are looking after children and there needs to be guidelines in place for how they're recruited, screened, supported, and how families are supported when they choose to do a program such as this," Ms Aylward said.

In a statement, the Immigration Department said there was currently no intention to create a specific visa for au pairs as it would be inconsistent with the focus of Australia's temporary migration programs on skilled occupations and the simplification of the visa framework.

(Source: SBS)

3) Victoria no longer needs to know you changed your business idea for 188 visa

Victorian nominated subclass 188 - Business Innovation stream visa holders no longer need to notify or seek approval from Victoria to change their business activities following their nomination from Victoria. This change also applies to subclass 163, 164 and 165 visa holders.

As a result of this change, there are new visa nomination conditions for the subclass 188 visa - Business Innovation stream available on the Supporting Documentation & Forms page.

It is the responsibility of provisional visa holders to ensure that they meet the Victorian Government visa nomination criteria for the permanent visa stage.

Subclass 188 visa holders and migration agents should familiarise themselves with the subclass 188 visa - Business Innovation stream nomination conditions and the subclass 888 - Business Innovation stream nomination assessment criteria, in particular the 'eligible' business requirement, to ensure continued eligibility for permanent residence.

For information on Victorian nomination requirements for other permanent stage business visas, see our Business Visas page.

This change does not apply to the Business Talent (subclass 132) visa - Significant Business History stream. It is still a condition of Victorian nomination for the Business Talent visa that any proposed change of business activity must be agreed to in advance by the Victorian Government.

(Source: Victorian State Government)

4) A New points system in 2017 ??

A new points system in 2017 ?

It gets lost in all the daily action on visa changes and possible state government policies etc but DIBP intend to make major changes to the skilled migrant visa system shortly.

The following report was released in September 2016 and DIBP we expect will announce new requirements for various visas, including the points test likely in 2017. July possibly ...

<http://www.pc.gov.au/inquiries/completed/migrant-intake/report/migrant-intake-report-overview.pdf>

(Source: DIBP)

5) Analysis of 1st February Skill Select

Industrial, Mechanical and Production Engineers – There are approximately 800 EOIs in the system at 60 and 65 points uninvited so pressure is growing to gain the 17 places each round. It has moved forward just 1 day and an applicant lodging today an EOI at 65 points will probably wait around 10-12 months. We expect the invite mark to shortly be back at 70 points

Industrial, Mechanical and Production Engineers *65 points EOI dated* *2/11/2016*

Electronics Engineers – Around 200 EOIs in the system at 60 points still waiting for an invite. The invitation mark is still 60 points and so those at 65/70 should get an immediate invitation. Whilst those at the bare 60 lodging today will probably wait still 8-12 months

Electronics Engineer *60 points EOI dated* *3/11/2016*

Accountants – Our estimate is 4,000-6,000 in the backlog for this application at 60, 65 and 70 points. The pressure to get to 70 and 75 points has meant that the last 5 rounds has in total seen a movement of just 11 days at the 70 point invitation mark.

The last 65 point invitation was back in October 2015.

This occupation is likely to close for invitations for this program year in late May 2017. And an EOI lodged today at 70 points would likely take over 12 months

Accountants *70 points EOI dated* *13/09/2016*

Auditors – This is starting to blow out as well, an application lodged today at 70 points should take around 7-10 months. With 55 places each round this should last until the first invite round in June 2017

The last 60/65 point invitation was back on 27th July 2015.

Auditors *70 points EOI dated* *8/11/2016*

ICT Business Analysts – There is big pressure on those at 65 points and there was no movement in the 65 point invitation date, suggesting 70+ points were needed for an invitation.

An EOI lodged today at 65 points will now take over 12 months unless DIBP change their policy. The program year's allocation to close in the first round of May 2017.

ICT Business and System Analysts *65 points EOI dated* *12/07/2016*

→ CONTINUED ON NEXT PAGE

6) Labour slams proposed "Trump-like) powers for Immigration Minister

Labor has vowed to strike down an attempt by the government to give the immigration minister "Trump-like" powers over certain visa holders. Proposed changes before parliament would allow Peter Dutton to force a "specified class of persons" to have their visas revalidated.

Mr Dutton could identify the group based on whether they hold a particular passport, live in a particular state, province or country, may have travelled through a particular area or applied for a visa during a certain period.

The minister can invoke the power if it is "in the public interest" - a broad term that could take into account public health and safety, national security or Australia's economic wellbeing.

He can then refuse to revalidate the visa if there is "adverse information" relating to the person.

Labor's immigration spokesman Shayne Neumann said the opposition cannot support a bill that could see whole groups of people targeted on the basis of their place of birth, passport or religion.

"The measures ... will give the minister unfettered power to target whole groups of people for extra scrutiny and visa suspension through the revalidation process," he told the lower house on Wednesday.

"Labor cannot give Trump-like powers to a minister who has such a high desire to see a divided Australia."

Mr Neumann said it was "extraordinary" that the measure had no genuine parliamentary oversight and could be abused to pursue a political agenda.

He said the minister already has the power to cancel visas on a number of grounds, including national security.

"These measures and the targeting of people should be of concern to everyone in Australia."

Mr Dutton, when introducing the bill last October, said the measure was being introduced to help manage the risks of a proposed new 10-year visitor visa.

Two other changes to the Act are also being debated, including one that will enable the use of contactless technology to clear travellers through Australia's SmartGate immigration clearance system.

Labor supports the other two amendments, but - unless they are split up - will vote against the bill as a whole.

(Source: SBS)

7) Victoria close computing occupations off state list

Due to a large volume of skilled visa nomination applications received, applications for Information and Communications Technology (ICT) occupations will be closed until 30 June 2017. Further updates will be provided should this be extended.

The occupations affected by the temporary closure are:

- 135112 ICT Project Manager
- 261111 ICT Business Analyst
- 261112 Systems Analyst
- 261311 Analyst Programmer
- 261312 Developer Programmer
- 261313 Software Engineer
- 261314 Software Tester
- 261399 Software and Applications Programmers nec
- 262111 Database Administrator
- 262112 ICT Security Specialist
- 263111 Computer Network and Systems Engineer

This temporary closure will allow processing of all outstanding applications and reduce the risk of delay for future applicants.

All applications currently in process will be assessed against current guidelines and an outcome will be provided in due course.

Applications for all other occupations eligible for Victorian Government visa nomination remain open.

Note: Applicants applying under the streamlined PhD and 457 pathways are not affected by this closure and may apply with these ICT occupations during this time.

(Source: Victoria State Government)

8) RSMS/187 visa possibly closing in Perth next month

The WA Labour Party have made it clear that they will remove Perth from having RSMS status from the 11th March 2017 if they win the upcoming State election.

At the moment the Labour Party are favorites to win the state election so we should all take note this is now a strong possibility.

It would mean that for student graduates (and overseas skilled people) wishing to be sponsored by a company with no or little work experience, only the 457 temporary visa is initially available (with the possibility of PR after 2 years with that company if rules stay the same).

Also some occupations are NOT on this 457 list such as Retail Manager, so that option will disappear for Perth companies.

<https://thewest.com.au/news/wa/shorten-to-take-axe-to-skilled-migrant-intake-ng-b88358091z>

So if you are going to consider RSMS in Perth you need to lodge your 187/RSMS application before 11th March to give yourself your best chance of avoiding this possible program closure.

(Source: Iscah and the West Australian newspaper)

9 New Temporary Parent visa from July 2017

This is still on track to be introduced in July 2017. In the meantime you can view the discussion page on this visa and the submissions here

<http://www.border.gov.au/about/reports-publications/discussion-papers-submissions/temporary-visa-for-parents>

(Source: DIBP)

10) Your visa questions answered - Q&A video series , edition 20

Welcome to Edition 20 of the Iscah Q&A Video Series

This months edition is about Skilled visas, Tasmanian sponsorship, Accountants, 489s, 457s, points test and lots more

https://www.youtube.com/watch?v=G8_KbT1AjaE

(Source: Iscah)

11) WA State Migration plan released

The Department of Training and Workforce Development has released the 2017 Western Australian skilled migration occupation list.

You must have an occupation on the WASMOL and have relevant Australian or overseas work experience to be invited to apply for State nomination.

If you have received an invitation or lodged an application for State nomination before 1 February 2017, your application will not be affected by the changes to the list.

See the Western Australian skilled migration occupation list page for all available occupations. <http://migration.wa.gov.au/services/skilled-migration-wa/occupations-in-demand>

Iscah comment - in short there are no changes from the previous 2016 criteria, only a smaller number of eligible occupations)

(Source: WA State Government)

12) Skills assessment updates

Trades Recognition Australia (TRA) have announced from the 13/2/2017 there will be changes to the Migration Skills Assessment Program and Migration Points Advice requirements. The most significant of which will be all applications to be electronically lodged from 13/2.

Engineers Australia have advised that fast track CDR reports are now averaging 26 WORKING days. They are intending to put in more resources to shorten this time period.

ANMAC/Nurses Current processing time is 8 weeks.

Commencing 1 February 2017 ANMAC will require a certified copy of your basic transcript from your Australian Bachelor degree. This is to be posted together with other documentation.

ANMAC no longer requires you to request a 'Certificate of Registration Status' from AHPRA. ANMAC can now verify your registration online.

13) Queensland guide to migrating to their state

So you want to move to Queensland, Australia? BSMQ is starting a great series to help potential and current migrants. It's a guide to the important first stages of planning to settling down in Queensland (QLD). This introductory post will give you a brief overview of the migration process.*

<https://migration.qld.gov.au/latest-news/migrating-to-queensland-guide/>

(Source: QLD State Government)

14) News article on the positive affect of migration to the Australian economy

A really good analysis of the economic effects of migration on the Australian economy

<https://henrysherrell.wordpress.com/2017/01/20/analysing-australian-migration-getting-beyond-common-sense/>

15) ACT sponsorship closed to overseas applicants until July 2017

If you are living overseas you cannot apply for ACT nomination of a Skilled Nominated (subclass 190) visa until July 2017.

Canberra residents

This action does not affect Canberra based applicants. You are still able to apply for ACT nomination if you meet the nomination criteria.

Streamlined PhD nominations

The ACT will accept applications for streamlined nomination from ACT PhD alumni living overseas. If you meet the nomination criteria, email migrationservices@act.gov.au for advice on how to lodge the online application.

ACT Occupation List will be updated in July 2017

The demand for ACT occupations will be reassessed in July 2017. The updated ACT Occupation List will be published when the ACT Migration Program reopens to overseas applicants in July 2017.

(Source: ACT government)

16) DIBP more generous on new migrants not arriving by their first arrival date

Most skilled visas granted to an applicant whilst they are overseas have a condition (8504) that they must make their initial arrival by a certain date. This condition has caused visa holders issues at times and DIBP have not always been flexible for a late arrival. However a recent letter sent to a client suggests DIBP may not take action if that is the only thing you have done wrong in relation to your first arrival.

The text from DIBP is as follows :

The grant of your General Skilled Migration visa included the following visa condition:

8504 The holder must enter Australia as the holder of the visa to which the condition applies before a date specified by the Minister.

This condition requires that an initial entry into Australia by each visa holder be made before the date specified in the "Visa Grant Notice" provided to you when your visa was granted.

General Skilled Migration is aware that you and/or your family members who were granted a visa as part of your application may not comply with this condition.

Failure to comply with visa conditions can render a visa liable for cancellation under the Migration Act 1958 and visa holders are encouraged to make their first entry by the initial entry date.

General Skilled Migration; however; has no objection to visa holders travelling to Australia in breach of condition 8504 and will not seek to cancel a visa where the only reason for doing so would be the breach of this condition.

(Source: DIBP)

17) Skill Select 1st February 2017 results

The table below shows the number of invitations issued in the SkillSelect invitation round on 1 February 2017.

Invitations issued on 26 October 2016

| Visa subclass | Number |
|---|--------|
| Skilled - Independent (subclass 189) | 1144 |
| Skilled - Regional Provisional (subclass 489) | 28 |

Invitations issued during 2016-17

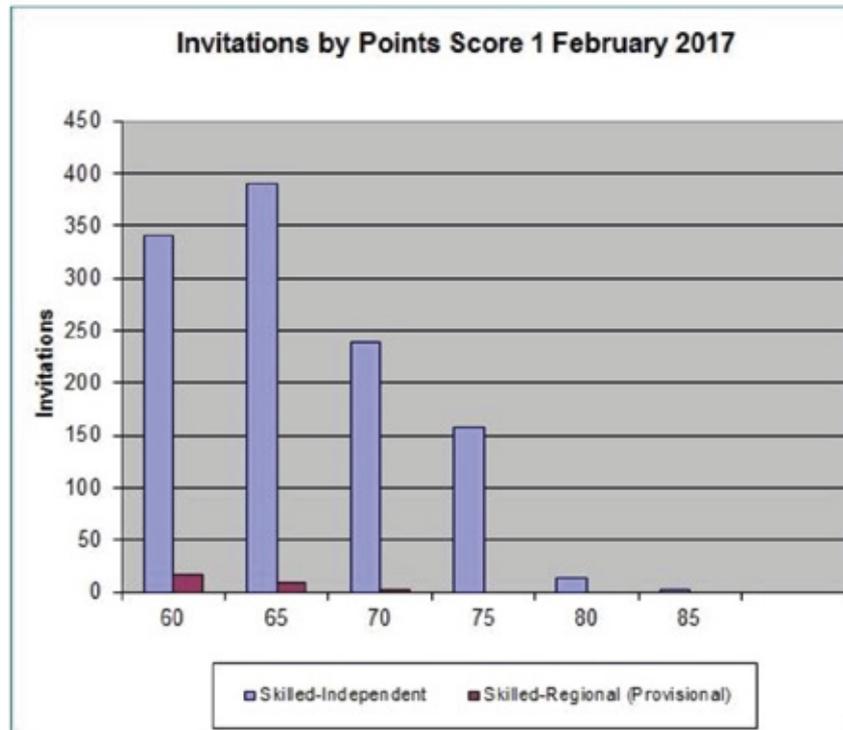
| Visa subclass | Jul | Aug | Sep | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | June | Total |
|--------------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|----------|----------|----------|----------|----------|---------------|
| Skilled - Independent (subclass 189) | 3050 | 2800 | 4200 | 2400 | 1861 | 2460 | 2016 | 1144 | 0 | 0 | 0 | 0 | 19936 |
| Skilled - Independent (subclass 189) | 200 | 200 | 363 | 100 | 69 | 69 | 44 | 28 | 0 | 0 | 0 | 0 | 1073 |
| Total | 3250 | 3000 | 4563 | 2500 | 1930 | 2530 | 1172 | 0 | 0 | 0 | 0 | 0 | 21,009 |

The above figures do not include invitations issued for State and Territory Government nominated visa subclasses. State and Territory Governments nominate throughout the month for specific points tested skilled migration and business innovation and investment visas. Separate results for these visa subclasses are provided monthly.

→ CONTINUED ON NEXT PAGE

1 February 2017 results

The following graph shows the points for clients who were invited to apply in the 1 February 2017 round.



Invitation process and cut offs

The highest ranked clients by points score are invited to apply for the relevant visa. For clients who have equal points scores, the time at which they reached their points score for that subclass (referred to as the visa date of effect) determines their order of invitation. Expressions of Interest with earlier dates of effect are invited before later dates.

| Visa subclass | Points score | Date of effect |
|---|--------------|---------------------|
| Skilled - Independent (subclass 189) | 60 | 01/02/2017 12:06 am |
| Skilled - Regional Provisional (subclass 489) | 60 | 31/01/2017 6:25 pm |

→ CONTINUED ON NEXT PAGE

Due to high levels of demand, and in keeping with previous years, the below occupation groups will be subject to pro rata arrangements to ensure availability of invitations across the programme year. SkillSelect first allocates available places to Skilled – Independent visas (subclass 189) and then the remaining to Skilled – Regional (Provisional) visas (subclass 489). If all places are taken up by subclass 189 visas then there will be no invitations issued for subclass 489 visas in these occupations.

- Accountants
- Auditors, Company Secretaries and Corporate Treasurers
- Electronics Engineers
- Industrial, Mechanical and Production Engineers
- Other Engineering Professionals
- ICT Business and System Analysts

Points scores and the visa dates of effect cut off for the below occupations in the 1 February 2017 invitation round.

| ID | Description | Points score | Date of effect |
|------|--|--------------|---------------------|
| 2211 | Accountants | 70 | 13/09/2016 11:08 pm |
| 2212 | Auditors, Company Secretaries and Corporate Treasurers | 70 | 08/11/2016 1:13 pm |
| 2334 | Electronics Engineer | 60 | 03/11/2016 2:38 pm |
| 2335 | Industrial, Mechanical and Production Engineers | 65 | 02/11/2016 2:33 pm |
| 2339 | Other Engineering Professionals | 65 | 28/11/2016 10:14 pm |
| 2611 | ICT Business and System Analysts | 65 | 12/07/2016 9:01 pm |
| 2613 | Software and Applications Programmers | 65 | 21/12/2016 12:13 am |
| 2631 | Computer Network Professionals | 65 | 07/12/2016 11:47 pm |

(Source: DIBP)

OK folks, see you all on Monday 20th March. Have a great few weeks



Steven O'Neill

 iscah.migration

 iscahmigration

 iscah.com

 Phone: 08 9353 3344

 Fax: 61-8-9353 3350

 E-mail: newsletter@iscah.com

 Iscah Migration
Suite 14 (Kewdale Business Park)
133 Kewdale Road, Kewdale
Perth Western Australia, 6105
PO Box 75 Welshpool BC 6986



Registered Migration Agent 9687267