

Iscah Migration Newsletter

Monday 21st October 2013 | Edition 184

Hiya Everyone,

Summer approaching here soon, footy consigned to history and cricket is on the agenda. My 8 year old had his first ever game on the weekend and had his stumps demolished second ball. He didn't care as that meant he could go and play the more "fun" game with his mates behind the scorers tent. Good times at that age.

This newsletter is sent out on the first Monday of each month to around 3500 readers for the last 16 years (seriously) and contains all the latest information we have gathered about immigration policy and changes. If you want to receive it free just drop us a line to steven@iscah.com if you are not yet on the mailing list. Also backcopies are available at www.iscah.com

On to this month's news ...



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1) Snapshot of your occupation

A reminder that we offer a free snapshot service to our readers.

If you drop an email to snapshot@iscah.com (cool name huh ?) and tell us your occupation, you will receive a summary of whether your occupation appears on the 457, ENS as well as any of the 8 state and territory Skilled Demand Lists for the 489 and 190 visas. Also we will advise of the average salary for your occupation in Australia.

It costs nothing, so get cracking !!

Check one out ... [SampleSnapshot](#)

http://www.iscah.com/wp_files/wp-content/uploads/2013/07/SampleSnapshot.pdf

2) 485 Skills assessments not to be used for PR

DIBP (new title for Department of Immigration) have announced the following :

From 28 October 2013 skills assessments obtained for a Temporary Graduate (subclass 485) visa will no longer be accepted when you apply for a Employer Nomination Scheme (subclass 186) visa or a Regional Sponsored Migration Scheme (subclass 187) visa. If you applied for an Employer Nomination Scheme or a Regional Skilled Migration Scheme visa before 28 October 2013, and your application is yet to be decided by the department, this change will not apply to you.

The DIBP Explanatory Statement from DIBP about this change says the following :

The purpose of the Migration Amendment (Skills Assessment) Regulation 2013 ('the Regulation') is to amend Migration Regulation 1994 to put beyond doubt that assessments of the applicant's skills for a skilled visa may be applicable only to the visa applied for. The amendments in the Regulation will address any argument that a skills assessment might be used to permit the grant of a visa to which the assessment is not meant to apply. It is intended that a skilled visa shall not be granted as the result of a skills assessment that is restricted to another visa.

For these purposes, a 'skilled visa' is a Subclass 186 (Employer Nomination Scheme) visa, a Subclass 187 (Regional Sponsored Migration Scheme) visa, a Subclass 189 (Skilled Independent) visa, a Subclass 190 (Skilled Nominated) visa, a Subclass 485 (Temporary Graduate) visa or a Subclass 489 (Skilled Regional (Provision)) visa.

It is a criterion for the grant of a skilled visa that an 'assessing authority' or a 'relevant assessing authority' has assessed the applicant's skills as suitable for the occupation nominated in the application.

The assessing authority (both a 'relevant assessing authority' and an 'assessing authority') must be able to assess the suitability of an applicant's skills against different standards as the standards against which an applicant is assessed can vary depending on the visa applied for. The assessment may either be issued in respect of an application for a specific visa subclass or stream (for example, a Subclass 485 visa) or not be restricted by reference to a specific visa subclass or stream (i.e. an 'open' assessment).

The amendments in the Regulation clarify which skills assessments can be relied upon to either meet a requirement to make a valid visa application for, or to satisfy a criterion for the grant of, a skilled visa.

Iscah comment:

This will ultimately not have any effect on most visa applicant's ability to meet the criteria for permanent residence. It is really just closing down attempts by some to shortcut the system by using provisional skills assessments (ie Vetassess, TRA, Accounting bodies etc) to meet the skills assessment criteria for some permanent visas. Clearly DIBP did not want this and so they are legislating to make sure that any unintended loopholes are not taken advantage of. Those students who are applying for RSMS based on Australian qualifications and work experience are NOT affected. Neither are students applying on the basis of obtaining a full skills assessment already from some organisations.

(Source: Iscah and DIBP)

3) Speech by new Minister for Immigration

The honorable Mr Scott Morrison, the new minister for Immigration talked today about his new government's aims for the migration program over the next 3 years.

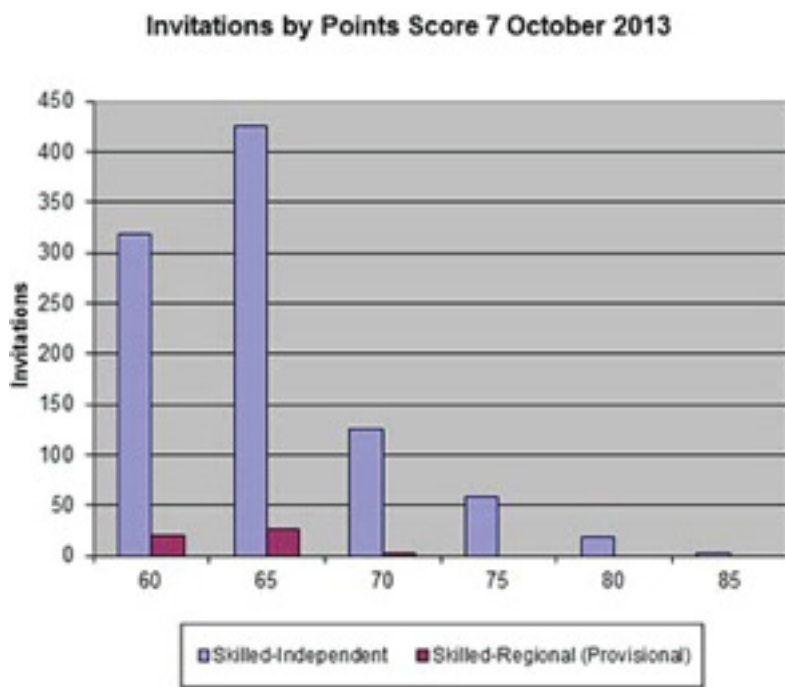
His full speech is here <http://www.minister.immi.gov.au/media/sm/2013/sm208937.htm>

In short he supports skilled migration remaining at over 66% of the current migration program. Employer sponsorship remaining the dominant feature of this. Australian companies being able to continue to sponsor overseas skilled labor for genuine shortages. Temporary visas being strongly supported even more to give Australia flexibility in the labour market, and then after a period permanent visas being available for those meeting certain criteria. Less government red tape. The promotion of the significant investor visa. Expansion of streamlined visas to some (22) vocational education institutions.

(Source: DIBP and Iscah)

4) SkillSelect Invitations to apply to migrate - 7 October Round Results

The following graph shows the points for clients who were invited to apply in the 7 October 2013 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.

7 October 2013

Visa subclass	Points score	Visa date of effect
Skilled - Independent (subclass 189)	60	26/09/2013 5.26 pm
Skilled - Regional Provisional (subclass 489)	60	29/09/2013 10.51 pm

Due to the continuing high numbers of EOIs received for the following six occupations, invitations for these occupations will be issued on a pro rata basis in each twice monthly invitation round over the remainder of the program year:

- Chemical and Materials Engineers
- ICT Business and Systems Analysts
- Electronics Engineers
- Telecommunications Engineering Professionals
- Other Engineering Professional
- Software and Applications Programmers.

The points scores and the visa dates of effect cut-offs for these occupations in the 7 October 2013 invitation round were as follows:

Occupation ID	Description	Point score	Visa date of effect
2331	Chemical and Materials Engineers	70	28/09/2013 12.25 pm
2334	Electronics Engineers	65	11/09/2013 12.54 am
2339	Other Engineering Professionals	70	20/09/2013 12.04 am
2611	ICT Business and Systems Analysts	65	26/08/2013 12.19 am
2613	Software and Applications Programmers	60	7/05/2013 1.18 pm
2633	Telecommunications Engineering Professionals	65	31/08/2013 12.01 am

(Source: DIBP)

5) Government vows to cut red tape for 457 Sponsorships

THE Abbott government has vowed to slash “union red tape” on 457 visas as business steps up its demands for the reversal of Labor’s crackdown on the scheme for bringing foreign skilled workers to Australia.

In a closed-door speech yesterday, Australian Mines and Metals Association chief executive Steve Knott advocated the dumping of Labor’s “pre-election, last-minute, politically driven, ill-considered, unnecessary and cumbersome” labour market testing requirements for 457 visas.

The testing requirements were introduced by the Rudd government amid claims of “widespread employer rorting” and require companies to demonstrate that they have tried for four months to recruit Australians before nominating a foreign worker for a 457 visa.

The Minister for Immigration and Border Protection, Scott Morrison, said last night: “We strongly opposed these measures in opposition and will be consulting on how best to cut union red tape on 457s, while maintaining legitimate protections that support the integrity of the scheme.

“The previous government made some wild and unsubstantiated claims about abuse of the scheme to ram their union-sponsored changes through the parliament.

“One of our first steps will be to put these claims to the test.”

The speech by Mr Knott to resources executives, obtained by The Australian, comes as a slew of industry groups, including the Business Council of Australia, have lobbied for Labor’s changes to the 457 visa scheme to be abandoned.

“The LMT requirement has proven in the past to be unworkable, impractical and will likely lead to a blowout in processing times and costs for 457 visas,” Mr Knott said.

“AMMA will advocate for Labor’s pre-election, last-minute, politically driven, ill-considered, unnecessary and cumbersome LMT to be removed by the new government to restore objectivity and confidence in the 457 visa program.”

In the speech, Mr Knott said Labor’s changes meant employers had not only to provide details of their advertisements for workers but also to document their participation at job fairs and fees they had paid in the course of recruitment. This came on top of a visa application system that already involved up to 50 pages of paperwork.

While the law allows ministerial exemptions from the requirements for certain occupations, Mr Knott said Labor had not indicated which occupations would receive them.

The Minerals Council of Australia has also attacked the 457 visa changes. In a brief for the incoming government, it said the changes added “additional layers of complexity, red tape and cost which will impede the minerals industry accessing the appropriate skills for a productive workforce”.

(Source: The Australian newspaper)

6) Student visas growing again

Statistics released in the annual Student Visa Program Trends report show that student visa numbers have experienced a return to sustainable growth in the last two years. This is part of a broader trend during the past 10 years from 2003.

Between 2005 and 2009, overseas student numbers, particularly in the vocational education and training sector, increased at an unsustainable rate due to many people using student visas as a pathway to skilled migration. When the government decoupled the link between studying in Australia and permanent migration, international student numbers started to decrease from 2009–10.

Student visa lodgements have been growing steadily with an increase of 0.4 per cent in 2011–12 and 3.8 per cent in 2012–13. This growth was driven by applications lodged outside of Australia which increased by 11.1 per cent in the same period. As with lodgements, student visa grants have also been increasing.

In addition, data from the Student Visa Program Quarterly Report shows there were 304 251 student visa holders in Australia as at 30 June 2013. Of these visa holders, 23.4 per cent were from China, the largest cohort, followed by 10 per cent from India.

During the June 2013 quarter, 75 per cent of all student visas were processed within 30 days, while 50 per cent were processed within 14 days. About 93 per cent of applications assessed during this period were granted a visa.

(Source: DIBP)

7) Open Job Markets to some Vocational students

EDUCATION Minister Christopher Pyne has promised to open the jobs market to more overseas students who have graduated from Australian universities, as a means of rehabilitating the stagnant \$14 billion international education industry. In his first speech on the industry since he was sworn in as minister, Mr Pyne said yesterday the Abbott government would move quickly to extend the streamlined visa process beyond universities to training colleges, and maximise career opportunities in Australia for the best foreign graduates of our universities.

Monash University researcher Bob Birrell said he was troubled by any policy changes that used migration or easier labour market access as a lure to sell education, especially if it encouraged a repeat of last decade's boom in low-quality diplomas pitched at foreign students seeking permanent residency. "We know from past experience there are literally hundreds of operators who are skilled in packaging courses that provide the cheapest possible entry," Dr Birrell said. Under the Howard government, which linked gaining an Australian tertiary qualification with permanent residency, thousands of students swarmed into low-level vocational diplomas and dozens of dodgy private colleges exploited the lax policy. Mr Pyne acknowledged past abuses and said preventing any repeat would be "very much part of our planning, to get that right." "But Labor used a sledgehammer to break a walnut (following the excesses of the education-migration boom) and we don't want to repeat that error. But we also don't want to go back to a situation where people lose faith in the quality of education in Australia."

Mr Pyne told the Australian International Education Conference in Canberra he would work with Immigration Minister Scott Morrison to maximise the international student market while maintaining visa integrity and educational quality. Universities Australia welcomed Mr Pyne's speech as showing the government's intention "to turbo-charge international education policy against a backdrop of declining enrolments and export revenue". A report from accountancy firm Deloitte yesterday identified education exports as one of five "super-growth" sectors offering prosperity as the mining investment boom recedes. At yesterday's conference, attended by several hundred education delegates from around the world, Mr Pyne said Labor had presided over a decline in education exports from \$18.6bn in 2009 to a little more than \$14bn last year - "quite an achievement in a growing economy".

He cited forecasts that the Asia-Pacific middle class would rise from 500 million to 3.2 billion by 2030, and that the number of young people in the world looking to study abroad would double to more than seven million by 2020. The National Tertiary Education Union said last night it feared Mr Pyne's proposal was part of a broader government strategy to avoid increasing taxpayer funding to universities. Jeannie Rea, the union's national president, said the government was seeking to increase international student fee revenue to universities rather than plug the direct funding gap faced by universities. "It becomes a cross subsidisation," Ms Rea said. - See more at:

(Source; Australian Newspaper)

8) Indian Police Clearances

10 September 2013:

PCC applications will be only accepted, if applicant had been lived, worked in India or travelled to India within last 5 years from the date of application. Anyone who has lived, worked in India or travelled to India before 5 years will not be able to apply for PCC.

<http://www.vfs-in-au.net/news.html>

9) DIAC Processing Times

DIAC will no longer be publishing allocation dates by processing centre as we are using a number of strategies to manage the caseload more efficiently. Generally they are managing allocations via the following:

Priority 1: Decision Ready, complete applications in ANSCO 1 & 2 occupations (by date of lodgement)

Priority 2: All other Decision Ready applications (by date of lodgement)

Priority 3: ANSCO occupations 1 & 2 requiring further documentation (by date of lodgement)

Priority 4: All other applications by date of lodgement

GSM visas are available here <http://www.immi.gov.au/skilled/general-skilled-migration/estimated-allocation-times.htm>

For other visa categories are available here

<http://www.immi.gov.au/about/charters/client-services-charter/standards/2.1.htm>

(Source: DIBP)

That's all for another month.
See you all healthy and happy on
Monday 18th November.

 **Kind regards, Steven O'Neill**

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