

# Iscah Migration Newsletter

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*Hey*

Welcome to yet another quality edition of our monthly newsletter on all the visa news we are aware of over the last month.

This publication is free on the 3rd Monday of each month and backcopies are available from our website at [www.iscah.com](http://www.iscah.com)

If you have any suggestions or wish to subscribe or unsubscribe (you're kidding right ?) then drop us an email to [newsletter@iscah.com](mailto:newsletter@iscah.com)

Anyhow on to this months news ...



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## 1) Facebook LIVE chat

Thanks for all those who took part in our first ever LIVE facebook chat session on Thursday 10th April. It was a successful than we hoped for and we ended up answering queries live for over 2 hours rather than the planned 60 minutes.

We will look to schedule another in May and then likely each month after that. You can see the discussion details here as a highlighted item ...

[www.facebook.com/iscah.migration](http://www.facebook.com/iscah.migration)

## 2) Rise in Visa fees paid by credit card

From 19 April 2014, a credit card surcharge will apply to transactions made using Visa, MasterCard, American Express, JCB and Diners credit cards. The following rates will apply:

- Visa/Mastercard – 1.08%
- Diners Club International – 2.91%
- American Express/JCB – 1.99 %.

(Source: DIBP)

## 3) 18 new occupations added to South Australian State Nominated Occupations lists

Hairdressers, cooks, health workers and various management occupations are some of the 18 new occupations classed as in-demand, on the new South Australian State Nominated Occupation lists.

There are now two lists for South Australia:

State Occupations List, which is available to all applicants including South Australian international graduates, and

South Australian Graduates List, which includes former 'off-list' occupations

See full criteria here [www.migration.sa.gov.au/node/104](http://www.migration.sa.gov.au/node/104)

(Source: SA government and MIA)

## 4) Article from "The Australian" newspaper recently about the Hospitality industry

STRICT English language requirements for foreign workers are being reviewed as the Immigration Department negotiates a new labour agreement for the hospitality industry.

The department is evaluating an industry request to fast-track thousands more foreign chefs and cooks on temporary work visas.

Separately, the department is considering lowering the existing requirement for 457 visa workers to have "functional  $\neg$ English", as part of a government-ordered inquiry into the temporary work scheme.

Restaurant and Catering Australia chief executive John Hart yesterday revealed the hospitality industry wants the agreement to extend 457 visas to cover waiters and bar staff, as well as skilled chefs and managers.

The industry also wants to waive English language requirements and axe the \$53,900 minimum salary.

Mr Hart said foreign workers should be paid the same award rates as Australian staff. And he said kitchen staff did not need to speak English.

"The reality is that most of the people coming into the business are cooks and chefs and many of the kitchens, especially in the ethnic cuisine, don't use English at all," he said. "The language of the kitchen is the language of the cuisine. It is not appropriate to set the bar so high where there's no requirement for English in the workplace, particularly with cooks and chefs."

Mr Hart said the industry needed to recruit 3500 more chefs and cooks because of a shortage of local labour.

Restaurateur Philip Thompson, who owns the Sydney Cove Oyster Bar, said he had sponsored two chefs and two managers on 457 visas, and relied heavily on backpackers and foreign students to staff his popular Circular Quay eatery.

Mr Thompson said he paid award wages, but still could not find suitable Australian workers.

Only three of his 40 staff, including the head chef, were Australian. He has hired seven Italian waiters — "they're fantastic and really understand service" — but backpacker visa rules prevented him employing them for more than six months.

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“It’s not seen as a profession in Australia — it tends to be a part-time job for people to put themselves through uni — but a lot of the overseas people see it as a profession,” Mr Thompson said.

His general manager is Indonesian Dimple Nanikram, who first came to Australia from Bali to study business management.

She said Australian jobseekers did not want to work weekends, even though they were paid time and a half on Saturdays and double time on Sundays.

The restaurant’s floor manager is 27-year-old Turkish woman Hasrel Talus, who worked for years in international hotels and restaurants in Istanbul before moving to Australia to study English.

“We have 200 resumes at the moment and there is not one Australian one there — they are all from overseas,” she said yesterday.

“I love working here; you can’t complain working every day in front of the Harbour Bridge.”

(Source: The Australian Newspaper)

## 6) Flagged Occupations

With DIBP preparing the new Skilled Occupation List (SOL) for points test applications invited to lodge after 1st July 2014, it is worth remembering that the Australian government have a list of "flagged" occupations. These are occupations that are in danger of being removed from the SOL from 1st July 2014.

Over recent years around 6 occupations are removed each program year, usually from this list. (note this list also affects your eligibility for the 485 visa if you applied for your first student visa before November 2011).

The latest list can be found here ...

<http://www.awpa.gov.au/our-work/labour-market-information/skilled-occupation-list/Pages/Flagged-Occupations.aspx>

## 7) Simplification of the student visa Assessment Level Framework

On 29 October 2013 the Assistant Minister for Immigration and Border Protection released the findings of the Review of the Student Visa Assessment Level report and announced the government's proposal to simplify the student visa Assessment Level (AL) Framework.

From 22 March 2014 the department has simplified the AL Framework by removing AL4 and AL5. As a result the AL Framework now comprises three assessment levels (AL1 to AL3) with former AL4 countries/sectors reduced to AL3.

The department has also reduced the financial requirement for AL3 student visa applicants from 18 months to 12 months. However, as a result of this change, funds for AL3 applicants are required to be provided by the visa applicant or their close relative.

<http://www.immi.gov.au/students/student-visa-assessment-simplified.htm>

(Source: DIBP)

## 8) ACT (Canberra) State Nominations

Skilled Nominated (subclass 190) visa – Closure of ACT nomination program to overseas applicants for 2013/14

The Australian Capital Territory (ACT) is pleased to announce that program targets for the Skilled- Nominated (subclass 190) visa have been met for the 2013/14 financial year.

Effective close of business today (25 March 2014), applications for ACT nomination from overseas residents will not be accepted. If your clients are living overseas, they will not be able to apply for ACT nomination of a Skilled Nominated (subclass 190) visa until the program reopens in July 2014.

If your clients are living in Canberra and working in a skilled occupation, they are still able to apply for ACT nomination of the Skilled Nominated (subclass 190) visa providing they meet the current nomination criteria.

(Source: ACT Government)

## 9) Accountant on SOL

The occupation of Accountant is subject to considerable discussion as to whether it will remain on the Skilled Occupation List (SOL) after 1st July 2014. We do not know if it will/won't but as a safeguard those who have studied Accounting may wish to consider obtaining a skills assessment as an External Auditor (ANZSCO 221213).

This occupation is on the current SOL, requires a student to have completed Auditing as a mandatory unit, else is very similar to an assessment for an Accountant, and is not on the current "Flagged" list of occupations that may come off the SOL on 1st July 2014.

## 10) No deadline to clear 'warehoused' overseas students

THERE is no deadline for a decision in the skilled migration cases of thousands of "warehoused" former overseas students, the immigration department says.

More than 60,000 ex-students took up special 485 visas as part of a 2010 government package that promised stricter skilled migration system in future but offered "generous" treatment under old rules for overseas students already here.

Of the 61,771 granted the special "skilled graduate" visa with an end-2012 expiry date, 46,286 had won permanent residency or a bridging visa by March 10, the immigration department said. Included in this group are so-called "cooks and hairdressers" — overseas students who targeted the quickest and cheapest qualifications leading to skilled migration. Monash University researcher Bob Birrell said it was only now becoming clear just how generous the 2010 deal was; tens of thousands of "warehoused" students had been put to the back of the queue but since 2011-12 the department had been deciding their skilled migration applications in large numbers. This meant the new skilled migration program, with a design and rules supposed to better match visa grants to Australia's labour market, was still suffering a big hangover from the "cooks and hairdressers" period of the mid-late 2000s. Dr Birrell said he understood there were another 25,000-odd ex-students and their dependants still "warehoused" in the system. The department said there was no requirement for it to decide within a given time any permanent visa applications lodged by these ex-students on special 485 visas.

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A spokesman said the department could not “determine the likely anticipated date of finalisation for applicants in this cohort. “This is dependent on the number of applications lodged in higher priority groups, complexities of cases and other factors including any change in the size or composition of the annual migration programme.”

The department was “working through a residual caseload” after the end of the transitional arrangements put in place by former immigration minister Chris Evans.

A Labor administration authorised the 2010 reform trade-off although it had inherited lax skilled migration rules, open to large-scale manipulation by overseas students, from the Howard years.

(Source: The “Australian” Newspaper)

## 11) Restricted Occupations on the WA Skilled List

Restricted occupation on the Western Australian skilled migration occupation list 17 April 2014

The following occupation on the Western Australian skilled migration occupation list is now restricted: ANZSCO 312212 Civil engineering technician If your occupation is restricted you will not receive an invitation to apply for State nomination. If you have already received an invitation, your application will not be affected. See the occupations in demand page for all available occupations.

(Source; WA State Government)

## 12) Skill Select Results 14th April 2014

### 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.

#### Invitation process and cut off date by point score

Visa subclass	Points score	Visa date of effect
Skilled - Independent (subclass 189)	60	14/04/2014 10.49 am
Skilled - Regional Provisional (subclass 489)	60	12/01/2014 12.00 am

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 2013-14 programme year. Please also note that SkillSelect first allocates available places to Skilled – Independent (Subclass 189) visas and then remaining to Skilled – Regional (Subclass 489) (Provisional – Family Sponsored) visas. If all places are taken up by Subclass 189 visas then there will be no invitations issued for Subclass 489 visas:

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

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The points scores and the visa dates of effect cut-offs for these occupations in the 14 April 2014 invitation round were as follows:

**Note:** Below points score and visa date of effect is for Skilled Independent (subclass 189) and no invitations were issued to Skilled – Regional (subclass 489 (Provisional) – Family Sponsored.

<b>Occupation ID</b>	<b>Description</b>	<b>Points score</b>	<b>Visa date of effect</b>
2331	Chemical and Materials Engineers	60	05/02/2014 1.36 pm
2334	Electronics Engineers	60	09/01/2014 8.50 pm
2339	Other Engineering Professionals	60	13/11/2013 9.19 pm
2611	ICT Business and Systems Analysts	70	04/04/2014 8.18 pm
2613	Software and Applications Programmers	60	27/01/2014 4.15 pm
2633	Telecommunications Engineering Professionals	60	27/12/2013 6.28 pm

(Source: DIBP)

That is all folks, hope you have had a  
fabulous Easter and seeya all on  
Monday 19th May

Cheers



**Steven O'Neill**

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