

Iscah Migration Newsletter

Edition Number 263 | 18th May 2020

Hey Folks,

Another month of semi shutdown, but Australia looks to be having things reasonably under control (at the moment). And so we are seeing kids back at school, cafes opening and people returning to work.

I expect that some of the travel restrictions will be relaxed for provisional visa holders and student visa holders soon. However other categories may well take into 2021 and so this will have a significant effect on visas and the migration program.

Here is this months news on all the information we have so far on visa changes and the impact of the virus

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Also if you want to subscribe or unsubscribe (It is free) just email us to newsletter@iscah.com (not the auto email you received the newsletter from)

Ok on to May's news...



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1) Articles related to State financial assistance for visa holders

<https://mobile.abc.net.au/news/2020-04-22/financial-hardship-package-for-temporary-visa-holders/12171546>

<https://www.migration.sa.gov.au/news-events/news-releases/processing-of-state-nominated-visas-for-s48-bar-applicants>

<https://www.sbs.com.au/language/english/audio/south-australia-announces-13-8-million-international-student-support-package>

<https://www.vic.gov.au/workingforvictoria>

<https://www.theguardian.com/australia-news/2020/apr/30/victoria-latest-state-to-help-temporary-migrants-excluded-from-federal-coronavirus-support>

<https://liveinmelbourne.vic.gov.au/news-events/news/2020/government-assistance-for-temporary-and-provisional-visa-holders-coronavirus-covid-19>

<https://www.sbs.com.au/news/act-launches-support-package-for-temporary-visa-holders-after-federal-government-refused-to-act>

2) Changes in Processing policies related to Covid-19

<https://www.tradesrecognitionaustralia.gov.au/news-media/news/job-ready-program-jrp-participants-impacted-result-novel-coronavirus-covid-19>

[https://www.aat.gov.au/AAT/media/AAT/Files/Directions and guides/COVID-19-Special-Measures-Practice-Direction-Migration-and-Refugee-Division.pdf](https://www.aat.gov.au/AAT/media/AAT/Files/Directions%20and%20guides/COVID-19-Special-Measures-Practice-Direction-Migration-and-Refugee-Division.pdf)

3) Articles related to future Migration program policy

<https://www.sbs.com.au/language/english/audio/exclusive-acting-immigration-minister-alan-tudge-addresses-concerns-of-indian-nationals-on-temporary-visas-in-australia>

<https://johnmenadue.com/abul-rizvi-coronavirus-and-australias-population-and-economic-directions>

<https://neoskopos.com/en/164027/visa-holders-who-left-australia-due-to-covid-19-will-not-start-from-scratch-when-they-return-said-multicultural-affairs-minister-alan-tudge>

<https://www.afr.com/policy/economy/later-migration-plunge-to-hurt-economy-and-housing-20200501-p54p2g>

<https://www.sbs.com.au/news/labor-calls-for-overhaul-of-australia-s-lazy-approach-to-migration-after-coronavirus-crisis>

<https://www.theguardian.com/australia-news/2020/may/04/immigrants-dont-take-australian-jobs-they-create-jobs-for-others>

<https://www.smh.com.au/politics/federal/cutting-immigration-would-hurt-the-economy-and-communities-morrison-20200505-p54q1w.html>

<https://www.sbs.com.au/news/how-australia-splits-its-migration-intake-between-temporary-and-permanent-visas>

<https://www.smh.com.au/national/the-political-football-that-is-skilled-temporary-migration-20200507-p54qmb.html>

<https://www.smh.com.au/politics/federal/kickstart-migration-with-massive-partner-visa-increase-labor-mp-20200515-p54td4.html>

4) Other Covid-19 related articles

<https://www.sbs.com.au/news/migrants-in-australia-face-months-of-separation-from-family-after-being-denied-exemptions-to-travel-bans>

<https://johnmenadue.com/morrison-and-dutton-wash-their-hands-of-the-plight-of-overseas-students>

<https://www.sbs.com.au/news/immigration-minister-rejects-pleas-from-hundreds-of-temporary-visa-holders-to-return-to-australia>

<https://www.sbs.com.au/language/english/coronavirus-travel-restrictions-when-will-australia-open-its-borders-to-temporary-visa-holders>

<https://www.sbs.com.au/news/exclusive-visa-rule-changes-open-door-to-temporary-visa-applicants-with-a>

5) Refused 485 visa when chose wrong pathway

Most students would be aware that there are TWO streams of the 485 visa.

The Post study stream in short is for graduates of degree, masters and PHD qualifications who applied for their first student visa after November 2011. It is granted for 2 years or more.

The Graduate stream is for in short the rest and is only for 18 months

Occasionally we see people who should be applying for the post study stream instead tick the GRADUATE stream by accident when they apply. This requires a skills assessment to have been applied for BEFORE lodging this visa application. Of course most students who were really intending to apply for the POST STUDY stream would not have applied for this skills assessment simply because it is not a requirement for this pathway.

That leaves DHA with no option but to refuse the 485 which causes a lot of anxiety and logistical problems for those applicants.

Anyhow we have just had a case where the AAT has OVERTURNED such a refusal on the basis that the student (who lodged the 485 themselves) did not really know they had applied for the wrong 485 visa stream. And have instead deemed them to have substantially complied with applying for the correct Post study stream after all. Very lucky for them. It raises the possibility that others in the same situation may now be successful at the AAT, if they get such a generous tribunal member.

6) 408 visa – last resort option

DHA have provided new information about the new 408 visa for people affected by COVID-19 here

https://www.iscah.com/wp_files/wp-content/uploads/2020/04/408infoApril2020.pdf

7) TOEFL at home English language test

We emailed DHA about whether they will accept at home online test for migration purpose.

DHA advised us by email on the 22nd April 2020 as follows

"No we will not be accepting this"

Now their advice has changed and their new advice today is

"The Department has only recently been informed of the new TOEFL iBT Special Home Edition Test and is currently investigating whether it meets the requirements for Migration Regulation purposes"

<https://www.ets.org/s/cv/toefl/at-home>

8) Prime Minister's statement about migration levels

We have listened to the audio of the PM's statement today about migration dropping 85% for 2020/21 compared to 2018/19 and he states the figures are referring to "Net overseas migration".

This is VERY important as this is NOT the annual migration program of 160,000. Rather it refers to long term stays in Australia of 12 months in any 16 months period

See the definition here

<https://www.homeaffairs.gov.au/research-and-statistics/statistics/visa-statistics/live/net-overseas-migration>

So it refers also to students, temporary workers, working holiday makers etc who are now restricted through border controls from coming to Australia in the foreseeable future.

That would come as a relief to those wanting permanent residence as it is not suggesting the 160,000 migration program will be reduced by 85%. Although that number will likely reduce by a lesser so far unannounced figure.

(Source: Iscah)

9) NSW 491 regional sponsorship

NSW has still not opened up for state 491 sponsorship due to issues we have previously advised. Updates of when it may open up will be officially announced by NSW we expect on this page

<https://www.business.nsw.gov.au/live-and-work-in-nsw/visas-and-immigration/skilled-work-regional-visa-subclass-491>

We believe it will now open at the beginning of next program year, a July 2020 start date. Given the effects of COVID19 I expect that it will be on lowish numbers initially.

Please do NOT contact the NSW state government, no date has officially been advised and they will simply say watch their website.

10) ACT invite results

<http://www.canberrayourfuture.com.au/portal/migrating/article/canberra-matrix-invitation-round/>

11) WA update on state sponsorship

Retail Pharmacist no longer 'Regional WA Only'

From 24 April 2020, the occupation Retail Pharmacist (ANZSCO 251513) which is currently available on the Graduate Occupation list is no longer considered a 'Regional WA only' occupation.

If you wish to be considered for Western Australian State Nomination under the occupation 'Retail Pharmacist' (ANZSCO 251513) through the Graduate stream, you will now be able to provide a six month full time permanent or fixed-term employment contract from any location within Western Australian. Alternatively, you can provide evidence of six months Australian work experience.

All evidence must meet the Graduate Stream requirements.

Latest WA 190/491 invites -

<https://migration.wa.gov.au/services/skilled-migration-western-australia/invitation-rounds/current-invitation-round>

12) Offshore Employer Sponsored Processing

The MIA requested an update from the Department on the status of offshore processing for employer sponsored visa subclasses. The following reply has been received:

The Government is closely monitoring migration and visa settings to ensure they are consistent with public health measures, are flexible and do not displace job opportunities for Australians, so that Australia can effectively respond to the immediate and subsequent impacts of COVID-19.

Offshore delivery of the Migration Program has been considerably impacted as a result of the COVID-19 pandemic, due to the draw-down and refocusing of staff on supporting urgent travel by Australian citizens, permanent residents and their immediate family and also functions that are critical to the Government's COVID-19 response. Further to this, delays have been experienced in offshore processing, due to substantial global disruption and unavailability of key assessment services (such as panel doctors, police services for penal clearances, biometric collection, and English language testing) and the consequent inability of applicants to meet visa criteria or for many of those granted visas offshore to travel.

While this has meant our visa processing in various skilled programs has necessarily been focussed on applicants onshore, we are also considering high value applicants with critical skills who can support the Government's COVID 19 response.

(Source: MIA)

13) DHA advice on 189,190,489,491 first arrivals

DHA official advice for 189,190,489,491 visa holders in FIRST arrival in Australia

DHA have provided a document that can be used for new visa granted people who are unable to make their first arrival date in Australia on time.

Here

https://www.iscah.com/wp_files/wp-content/uploads/2020/05/INFORMATION-FOR-FIRST-ENTRY-TO-AUSTRALIA-3.pdf

14) Iscah predictions on 189s for May 2020

Our predictions on what the 189 skill select round may look like for May 2020 (if it happened at all) – Given April saw only 50 invites for 189s we have split this months predictions to 50 (likely), 500 and 1000 invites given that DHA are very unpredictable at the moment

Selection Round 11th May 2020 predictions						
50 invites			500 invites		1000 invites	
	Points	EOI effect date	Points	EOI effect date	Points	EOI effect date
2211 Accountants © iscah 2020	100	10/05/2020	95	4/07/2019	95	19/07/2019
2212 Auditors	95	25/01/2020	95	27/03/2020	90	30/07/2019
2334 Electronics Engineer	95	25/04/2020	90	7/03/2020	90	11/04/2020
2335 Ind, Mech, Production Engineers	95	11/04/2020	90	10/12/2019	90	29/01/2020
2339 Other Engineering Professionals	95	11/04/2020	90	14/01/2020	90	13/03/2020
2611 ICT Business Analysts	95	26/04/2020	90	23/02/2020	90	4/04/2020
2613 Software Applications Programmer	95	25/04/2020	90	11/03/2020	90	18/04/2020
2631 Computer Network Professionals	95	11/04/2020	90	10/03/2020	90	16/04/2020
ALL other NON pro rata occupations *	95	30/04/2020	90	11/03/2020	90	18/04/2020

You can obtain your OWN personal estimate along with all state options through our quality monthly reports here – <https://www.iscah.com/members/>

(Source: Iscah)

15) Skilled invitation 189/491 results April 2020

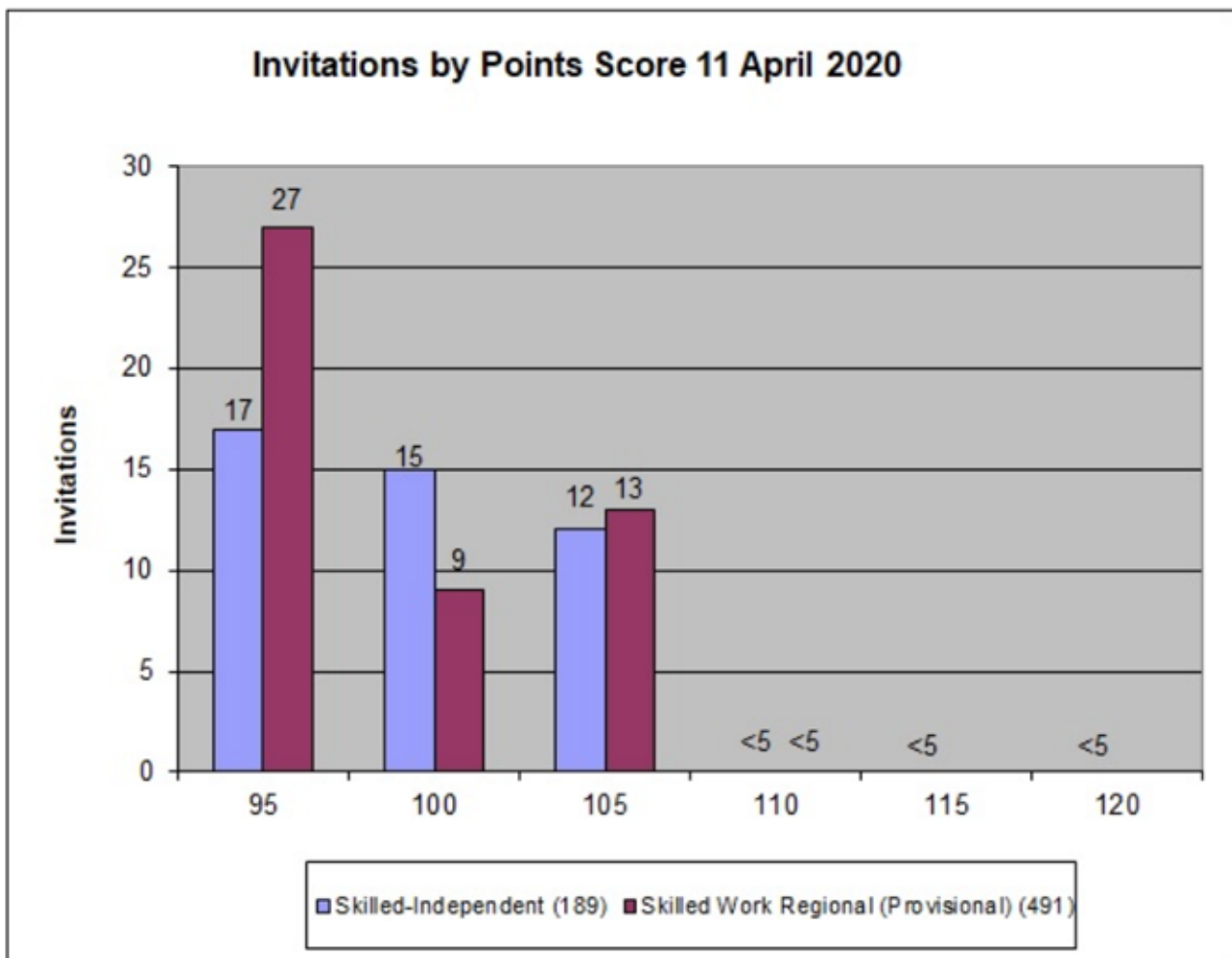
Current round Invitations issued on 11 April 2020

Visa subclass	Number
Skilled Independent visa (subclass 189)	50
Skilled Work Regional (Provisional) visa (subclass 491) – Family Sponsored	50

During 2019-20 program year the following numbers of invitations have been issued:

11 April 2020 results

The following graph shows the points for clients who were invited to apply in the 11 April 2020 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 date of effect) determines their order of invitation. Expressions of Interest with earlier dates of effect are invited before later dates.

Visa subclass	Min Points Score	Date of effect
Skilled - Independent (subclass 189)	95	25/03/2020 5:36PM
Skilled Work Regional (Provisional) visa (subclass 491) – Family Sponsored)	95	10/04/2020 7:12PM

Point scores and the dates of effect cut off for the pro rata occupations in the 11 April 2020 invitation round.

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 program year.

SkillSelect first allocates available places to Skilled – Independent visas (subclass 189) and then the remaining to Skilled Work Regional (Provisional) visa (subclass 491) – Family Sponsored . If all places are taken up by subclass 189 visas then there will be no invitations issued for subclass 491 visas in these occupations.

Subclass	ID	Description	Min points score	Latest date of effect
189	2211	Accountants	100	25/03/2020 8:33PM
189	2212	Auditors, Company Secretaries and Corporate Treasurers	95	16/01/2020 6:41PM
189	2334	Electronics Engineer	95	20/03/2020 8:36PM
491	2334	Electronics Engineer	95	18/03/2020 9:45PM
189	2335	Industrial, Mechanical and Production Engineers	95	18/03/2020 10:04PM
491	2335	Industrial, Mechanical and Production Engineers	105	19/11/2019 7:50PM
189	2339	Other Engineering Professionals	95	23/03/2020 12:45AM
491	2339	Other Engineering Professionals	105	11/12/2019 5:17PM
189	2611	ICT Business and System Analysts	95	13/03/2020 4:10AM
491	2611	ICT Business and System Analysts	105	2/04/2020 3:20PM
189	2613	Software and Applications Programmers	95	24/03/2020 3:15PM
491	2613	Software and Applications Programmers	95	10/04/2020 7:12PM
189	2631	Computer Network Professionals	95	21/03/2020 10:25AM

(Source: DHA)

Ok folks.
That's all for the last month
Keep well and see you all
on Monday 15th June 2020



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