

Hiya

Another year of visa drama, but with clear air hopefully ahead for a bumper 2022.

Hope you have enjoyed the updates and all the best for you and your family and friends for a safe and merry xmas

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1) Recent media articles

<https://www.afr.com/politics/federal/slowing-migration-to-boost-wages-is-bad-economics-says-business-20211117-p599kr>

<https://www.news.com.au/travel/travel-updates/international-students-skilled-migrants-to-return-to-australia-as-border-reopens/news-story/c48ebd81f6dafa4f1a3e299871e750ef>

<https://www.pm.gov.au/media/further-steps-reopen-australia-and-secure-our-economic-recovery>

<https://www.pm.gov.au/media/press-conference-canberra-act-29>

<https://covid19.homeaffairs.gov.au/vaccinated-travellers>

<https://www.skynews.com.au/australia-news/coronavirus/replacement-485-visas-to-be-made-available/video/a7af3635a4212486f8aa5c2bcdcf2c9>

<https://www.step.org/industry-news/australias-high-court-overturns-tax-rate-individual-working-holiday-visa>

<https://www.reuters.com/world/asia-pacific/australias-reopening-plans-doubt-after-omicron-cases-2021-11-28>

<https://www.news.com.au/travel/travel-updates/travel-exemption-plans-for-returning-australians-in-doubt-over-omicron-variant/news-story/7925d793d348572ac46aeb1e1152f65b>

<https://www.abc.net.au/news/rural/2021-12-01/migrant-visa-study/100661266>

<https://www.sbs.com.au/news/how-travel-plans-for-australian-visa-holders-have-changed-due-to-omicron/cf8d0dd6-d25a-46e0-8e5c-e086fbabda3b>

<https://www.theguardian.com/commentisfree/2021/dec/03/i-settled-in-australia-as-a-skilled-migrant-and-know-the-difference-between-policy-and-reality>

<https://johnmenadue.com/our-migration-program-many-questions-with-no-answers/>

<https://www.theguardian.com/australia-news/2021/dec/09/profound-anxiety-for-visa-holders-locked-out-of-australia-despite-border-reopening>

<https://www.news.com.au/travel/travel-updates/greg-hunt-shoots-down-concerns-astrazeneca-does-not-protect-aussies-against-omicron/news-story/d407a3ee1532b212e976db8a7ddd9953>

<https://www.abc.net.au/news/2021-12-14/covid-international-students-australia-falling-behind/100696618>

<https://www.sbs.com.au/news/migration-expected-to-return-to-pre-covid-levels-next-financial-year-treasury-predicts/a701aab3-87da-4916-82a5-d3ee8be328a5>

<https://www.sbs.com.au/news/after-nearly-two-years-australia-s-borders-are-open-to-visa-holders-again/b0753896-6d15-490b-b720-6c0fbc70b77a>

<https://www.sbs.com.au/news/australia-s-population-faces-slow-recovery-from-covid-19-pandemic-as-migration-falls/48d0a25d-d670-4d6e-b5df-bb6241587b08>

<https://www.theguardian.com/australia-news/2021/dec/18/coalition-slashes-costs-for-sponsoring-refugees-as-new-resettlement-scheme-hailed-as-watershed-moment>

<https://johnmenadue.com/australias-incoherent-visa-system-needs-urgent-repair/>

<https://www.dese.gov.au/reopening-international-travel-students/resources/factsheet-reopening-international-travel-students>

2) NSW 190/491 update

Civil Engineer and Environmental Engineer added to NSW 190 priority list

<https://www.nsw.gov.au/topics/visas-and-migration/skilled-visas/nsw-skilled-occupation-lists>

NSW Central Coast 491 -

Just added these occupations to Stream 2 and 3

Software Engineer

Systems Administrator

(Source: NSW State government)

3) Tasmanian update 190/491 update

Tasmanian 491 criteria

This just added

Category 3A: OVERSEAS TSOL (Subclass 491)

- Invitation Letter from Migration Tasmania via SkillSelect
- Employability

Unless your occupation is listed as High Demand on the Tasmanian Skilled Occupation List attach evidence that there are currently sufficient employment opportunities in your nominated occupation that are relevant to your skill set and recent experience. The evidence must include:

- Evidence of contact with at least two Tasmanian employers who have been operating in Tasmania for at least 12 months, expressing interest in employing you.
- Personal research into recent advertised positions relevant to your nominated occupation (a minimum of 2 vacancies, no older than 6 weeks before you apply for nomination. You must provide a copy of the full advertisement (saved as a .pdf):
- An employment statement for each advertisement. You must explain how your qualifications, knowledge and experience relate to and meet the requirements for each of the job advertisements.

Please note:

- * It is essential that the date of the job advertisement as well as the location of the job are clearly displayed
- * Web links alone are not acceptable and, if provided without the accompanying advertisement, will result in the criterion not being met
- * You must be able to demonstrate that you have the relevant qualifications, skill set and work experience etc. to meet the criteria of the advertised position; for example if the position requires:
 - a certain number of years relevant work experience: you must have that experience
 - a minimum qualification: you must hold that qualification
 - Australian work experience: you must have that experience
- * It is not enough to merely state that you meet a requirement in the advertisement – you must clearly explain, using examples, how you have the skills and experience to meet that requirement.
- * Job advertisements must be recent. Advertisements must be dated no more than six weeks before submission of the application.
- * Job advertisements must be relevant to the nominated occupation; for example:
 - if the nominated occupation is a Real Estate Agent we will not accept jobs for Property Manager
 - if the nominated occupation is HR Advisor we will not accept jobs for recruitment consultants
 - if the nominated occupation is for a manager, we will not accept assistant, support or junior positions

(Source: Tasmanian State Government)

4) ACT/Canberra News

Further Covid concessions for international students

<https://ministers.dese.gov.au/tudge/further-support-international-education-sector-and-international-students>

5) Federal Government Covid visa concessions

Visa changes to support the reopening of Australia and our economic recovery

The Morrison Government is making it easier for highly skilled migrants to remain in Australia and to continue working in critical sectors as Australia's economic recovery continues.

Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs Alex Hawke said these measures recognise the contribution of skilled migrants who remained here during the COVID-19 pandemic and encourage them to stay in Australia.

"Eligible skilled workers, already in Australia, will continue to support local businesses facing critical shortages, particularly in health, hospitality and our regions," Minister Hawke said.

"This recognises the economic value-add of these critical workers, and retaining them will greatly assist in Australia's economic recovery."

"The changes complement the Government's recent announcement that fully vaccinated eligible temporary and provisional visa holders may enter Australia without a travel exemption from 1 December 2021," he said.

These visa changes will improve access to permanent residence for:

- Existing Temporary Skill Shortage (subclass 482) visa holders in the short-term stream
- Legacy Temporary Work Skilled (subclass 457) visa holders who no longer meet the age requirement.

"This is a special concession recognising those highly skilled migrant workers who chose to stay in Australia throughout the pandemic, while continuing to address Australia's acute shortages. This allows them to stay here, with a pathway to Australian citizenship," Minister Hawke said.

"There are currently about 20,000 primary Temporary Skill Shortage and 457 visa holders in Australia who may benefit from these arrangements. Most of these workers are employed in the highest-skilled occupations and the largest cohorts of workers benefiting from these changes include those currently employed in the health and hospitality industries, including many workers in regional Australia," Minister Hawke said.

The Government will also extend visas for skilled regional (provisional visa) holders (subclass 489, 491 and 494) in recognition that this cohort has been adversely affected by COVID-19 related travel restrictions.

“Current and expired skilled regional provisional visas will be extended, providing additional time to meet regional work requirements for permanent residence,” Minister Hawke said.

“There are currently around 9,000 skilled regional provisional visa holders overseas. These visa holders can enter Australia from 1 December 2021, and they will also be eligible for an extension of their visa,” he said.

In recognition of ongoing border arrangements, the Government will also extend by a further six-months Visa Application Charge waivers for new Visitor visa applicants overseas where their visa expired, or will expire, between 1 January 2022 and 30 June 2022.

“This measure will support the tourism industry by welcoming back visitors once it is safe to do so,” Minister Hawke said.

The Government has announced further measures to support the return of international students and graduates, bolstering the international education industry by:

- Allowing Temporary Graduate visa holders, who have been unable to travel to Australia as a result of COVID-19 international border restrictions, to apply for a replacement visa;
- Increasing the length of stay on Temporary Graduate visas in the Masters by Coursework and Vocation Education and Training (VET) streams;
- Simplifying the requirements for Temporary Graduate visa applicants for VET sector graduates; and
- Extending the existing measure for student and temporary graduates to recognise time spent offshore studying online to count towards qualifying for a Temporary Graduate visa application.

These changes are consistent with the National Plan to safely reopen Australia and follow earlier changes which have seen us welcome home fully vaccinated Australians, permanent residents and their immediate family members.

For more information please visit the Department of Home Affairs website.

(Source: Federal Government)

6) More 485 visa concessions for offshore visa holders

Temporary Graduate (subclass 485) visa holders who have been unable to travel to Australia as a result of COVID-19 international border restrictions will be able to apply for a replacement visa. Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs Alex Hawke said this would allow current and former Temporary Graduate (subclass 485) visa holders whose visas expired on or after 1 February 2020 to re-apply for a new subclass 485 visa of the same duration as their original visa.

"This recognises the importance of international students in our community, as well as our workforce, and aligns with other visa concessions made as a result of COVID-19," Minister Hawke said.

"We look forward to welcoming fully vaccinated Student and Temporary Graduate visa holders back into our communities from 1 December 2021."

Minister for Education and Youth Alan Tudge said this announcement will give confidence to international students that they will have the opportunity to use their skills and qualifications in Australia.

"Australia's border settings have been an important part of our health response to COVID-19, but we understand the impact that restrictions have had on current and former international students who remain overseas," Minister Tudge said.

"The Morrison Government's new Strategy for International Education will guide the recovery of the sector, strengthen the sector's resilience to market disruptions and support growth. This announcement forms part of that Strategy."

In normal circumstances, applicants are limited to just one initial subclass 485 visa in a lifetime and a further visa is only available on the basis of regional work and study.

There are about 30,000 Temporary Graduate visa holders who lost time in Australia due to travel restrictions, who will now have the opportunity to apply for another subclass 485 visa. Fully vaccinated Temporary Graduate visa holders outside Australia will be able to travel from 1 December 2021.

Those graduates whose visas have expired will be able to apply for a replacement visa from 1 July 2022.

There will also be other changes to Temporary Graduate visa settings to ensure Australia remains a competitive and attractive destination for international students.

The stay period on the Temporary Graduate (subclass 485) visa for Masters by Coursework graduates, will increase permanently from two to three years, to match the stay period for Masters by Research graduates.

As a concession during the COVID-19 pandemic, the stay period on the Temporary Graduate (subclass 485) visa Graduate Work stream, will increase from 18 to 24 months, and application requirements will be streamlined by removing the requirement for graduates to nominate an occupation from the skills occupation list.

These changes to Temporary Graduate visa stay periods will be implemented from 1 December 2021, and the removal of skilled occupation list requirements from 1 July 2022.

"Increasing the length of Temporary Graduate visas for Masters by Coursework and Vocational Education and Training (VET) graduates and expanding opportunities for VET graduates to apply for a Temporary Graduate visa will benefit our economy," Minister Hawke said.

These changes will be implemented progressively from 1 December 2021 through to 1 July 2022. Further details will be available on the Department of Home Affairs website shortly.

(Source: Federal Government)

7) ANZSCO Changes to occupations

The immigration department and many skills assessing bodies use ANZSCO as a descriptor for occupations and their common duties

This list has been updated in the following 4 areas

agriculture, forestry and fisheries

cyber security

naval ship building, and

emerging occupations identified by the National Skills Commission¹.

This link shows the changes and additions

We will have to see what occupation list changes DHA now make as a result of this update

<https://iscah.com/anzsco-changes-to-occupations/>

DHA have advised the following about an update to occupation lists

“Skilled Migration Occupation Lists will be updated when the Australian economy has entered an appropriate recovery phase from COVID-19 and subject to advice from NSC”

(Source: Federal Government)

8) AAT changes to application process

Changes to application lodgement and document submission from 31 January 2022

29/11/2021

From early 2022, the AAT's preferred method of filing will be through our convenient online services portal.

We are making this change to streamline the application process for our users, so from 31 January 2022, people applying to have decisions reviewed in the General and Other Divisions should lodge and submit their documents online. Emails will be monitored intermittently from this point, which may cause some delays in the processing of applications and documents submitted via email.

Applicants will still be able to lodge applications and submit documents in person or by post and via email in exceptional circumstances. We will continue to manage general correspondence via email, but applications and documents should be lodged through the online services portal.

Lodging applications and submitting documents online is quick and easy and applicants will receive an automatic confirmation once their documents have been submitted successfully. Users can also track their cases and documents via the portal.

For more information about how to use the online portal, visit our website or contact us.

(Source; AAT)

9) Medical Exam update

Immigration Medical Examination have recommenced in all States and Territories following the recent easing of COVID-19 restrictions. Applicants whose appointments have previously been cancelled have already been contacted to rebook, and Bupa has opened public bookings via their website. Due to the current high demand, appointments may not be available until early 2022, particularly for clinics in New South Wales and Victoria.

The Department of Home Affairs is aware of the limited availability and that appointments may exceed the 28-day time frame given. For any questions regarding your visa application, please contact your visa processing officer.

(Source: Home Affairs)

10) Another 485 summary direct from Government report

The Australian Government will work with the sector to ensure visa settings continue to support diversification and growth and align with Australia's skills needs. The government has announced changes to visa settings which:

- i. permanently increase the length of temporary graduate visas for graduates from two to three years for Masters by Coursework students.
- ii. temporarily increase from 18 to 24 months the length of temporary graduate visas for VET graduates to match that of Bachelor Degrees.
- iii. temporarily expand opportunities for VET graduates to apply for a temporary graduate visa by removing the requirement for a qualification assessment and occupation nomination from the skilled occupation lists for 2022-23 financial year.
- iv. allow temporary graduate visa holders, who lost time due to pandemic travel restrictions, to reapply for a replacement visa.
- v. extend existing measures for students and temporary graduates to recognise time spent offshore studying online to count towards qualifying for a temporary graduate visa.

<https://www.dese.gov.au/australian-strategy-international-education-2021-2030/resources/australian-strategy-international-education-2021-2030>

11) WA State update on 190/491 sponsorship

WA results from November round

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

WA Invite round unofficial results 17/12/21

General Stream 1 -

WA resident, cut off 90 submission date : 17/12/19

General Stream 2 -

We did not see any invites (there may still have been a small number of invites)

Grad Stream -

Degree – Bach – 80 points EOI Submission: 23/11/2021

Vet - Chef – Adv Dip – 85 points EOI submission : 27/10/21

Other occupation – Diploma – 75 points EOI Submission: 02/11/21

WA State government update –

Applicants affected by Section 48 bar now eligible for State nomination

16 December 2021

The criteria for State nomination has been updated, meaning applicants affected by a Section 48 bar are now eligible for State nomination.

(Source: WA State Government)

12) Migration statistics from Home Affairs

Some interesting stats on lodgement of skilled points test applications in 2021

<https://www.homeaffairs.gov.au/foi/files/2021/fa-210900397-document-released.PDF>

Some statistics on 485 visa processing and backlogs

<https://www.homeaffairs.gov.au/foi/files/2021/fa-211000627-document-released.PDF>

13) Update from ANMAC – Nurses

Update from ANMAC (Nursing skills assessments)

Waiting times:

Work experience verification processes have been revised as part of ANMAC's commitment to continuous quality improvement. As a result, skilled migration assessments, including re-issues, may take longer to process. Processing times will vary depending on the number of professional references submitted in your application and the time taken to verify all documentation. Please be aware that ANMAC does not provide a priority service due the large number of applications.

14) Victorian State 491/190 info

Victorian State invite results

<https://liveinmelbourne.vic.gov.au/migrate/program-review>

15) Skills assessment for Management Consultants

<https://www.vetassess.com.au/home/updates/post/skills-assessment-tips-for-management-consultants>

16) WA South West DAMA agreement

WA South West DAMA signed off to start -

<https://minister.homeaffairs.gov.au/AlexHawke/Pages/new-designated-area-migration-agreement-for-sw-wa.aspx>

Likely occupations -

Hospitality, Accommodation, Tourism, and Retail Sector

Accommodation and Hospitality Manager

Baker

Bar Attendant (Supervisor)

Café or Restaurant Manager

Cook

Hospitality Workers

Hospitality, Retail and Service Manager

Hotel or Motel Manager

Hotel Service Manager

Pastrycook

Retail Supervisor

Waiter

Waiter Supervisor

Carers, Health & Welfare Workers

Aged or Disabled Carer

Child Care Worker

Community Worker

Disabilities Services Officer

Enrolled Nurse

Family Support Worker

Nursing Support Worker

Residential Care Worker

Welfare Worker

Youth Worker

Construction Industry & Engineers

Construction Project Manager

Civil Engineer

Mechanical Engineer

Production or Plant Engineer

Transport Engineer

Plant Operators

Backhoe Operator

Earthmoving Plant Operator

Excavator Operator

Loader Operator

Timber Industry

Truck Driver

Timber Industry Logging Plant Operator

Sawmill or Timber Yard Worker

Technician and Other occupations

Concreter

Driller

Metallurgical or Materials Technician

Sand Blaster

Steel Fixer

Tyre Fitter

Dairy Industry

Dairy Product Maker

Medical

Sonographer

General Practitioner

Technology

ICT project Manager

17) Goulburn DAMA agreement

<https://minister.homeaffairs.gov.au/AlexHawke/Pages/gvt-sup-ports-goulburn-valley-to-fill-critical-skill-shortages.aspx>

18) Ombudsman for wage complaints

Fairwork Ombudsman update -

If you're experiencing workplace exploitation, like being underpaid, we can help. You can ask for our help without fear of visa cancellation – even if you've breached your work-related visa conditions. Find out more: <https://www.fairwork.gov.au/find-help-for/visa-holders-migrants>

Everyone working in Australia has the same minimum rights and protections at work, including visa holders. It's against the law for your employer to pay you less than the minimum wages under your award or agreement.

Your employer can't cancel your visa. If your boss has threatened to cancel your visa because you've raised a work issue, remember that only the Department of Home Affairs can grant, refuse or cancel a visa.

We have an arrangement with the Department of Home Affairs, called the Assurance Protocol, to help visa holders. Under the Assurance Protocol, your temporary visa will not be cancelled for breaches of your work-related visa conditions if you:

- had an entitlement to work as part of your visa
- believe you have been exploited at work
- have reported your circumstances to the Fair Work Ombudsman
- are assisting the Fair Work Ombudsman's inquiries
- commit to abiding by your visa conditions in the future
- there is no other basis for cancelling your visa (such as on national security, character, health or fraud grounds).

19) ACT/Canberra update on 190 sponsorship

<https://www.act.gov.au/migration/resources/canberra-matrix-invitation-round>

20) Skill Select official newsletter December 2021

Home Affairs official Skilled Visa Newsletter December 2021 -

<https://immi.homeaffairs.gov.au/what-we-do/skilled-migration-program/skilled-visa-newsletters/december-2021>

Ok folks,

That's all for this month and 2021

See you all on Monday 17th January 2022!



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