

G'day

Welcome to our latest visa monthly newsletter on all the changes we are aware of over the last 4 weeks.

If you want backcopies, want to subscribe or unsubscribe, have suggestions or brickbats then drop a line to me at newsletter@iscah.com

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1) WA State Migration

WA State invite results from Friday 21st October

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

2) Tasmanian Skilled Migration State Nomination Program Update - 26 October 2022

Final stage opening – all eligible candidates

The Tasmanian Skilled Migration State Nomination Program is expected to open to Registrations of Interest (ROIs) from all eligible candidates on Tuesday 15 November 2022.

This means all candidates who meet the minimum requirements for one of the nominations pathways will be able register their interest in nomination. This includes candidates who are eligible for an Orange Pass.

How will I register my interest in nomination?

You must first register your interest in nomination in the Migration Tasmania Gateway. Please read the eligibility information carefully to ensure you meet the requirements for nomination. An Eligibility Checker has also been provided to help you to determine whether you meet the requirements and which pathway best suits your circumstances.

After you submit your registration, the gateway will tell you if you appear to meet the nomination requirements, and if you are competitive against the priority attributes listed for the pathway you have registered for. You cannot apply for nomination until you are invited to do so by the gateway. Registrations are valid for six months and only the most competitive applicants will be invited to lodge an application for nomination. There is no fee to register your interest.

The gateway will send you an email which will tell you your pass colour.

If you are given a Gold Pass you will be able to lodge an application for nomination immediately.

If you are given a Green Pass you will not be able to lodge an application straight away, but are likely to be invited to apply for nomination in the next 6–8 weeks.

If you are given an Orange Pass you may be invited to apply for nomination within the next six months, depending upon the volume of registrations and how many of the priority attributes you have. If you are not invited to apply within 6 months your registration will expire, and you will need to complete a new registration in the gateway to be considered for a nomination invitation.

If you are given a Red Pass it means you do not meet the minimum nomination requirements and will not be able to apply for nomination.

More information about the opening including dates, procedures and links to the gateway will be provided in future news updates and on the Migration Tasmania website.

Nomination allocation and usage (as at 26 October 2022)

Skilled Nominated (subclass 190) visa:

Nominations – 529 of 2000 places used

Applications not yet finalised – 312

Invitations issued but not yet accepted – 33

Skilled Work Regional (subclass 491) visa:

Nominations – 379 of 1350 places used

Applications not yet finalised – 135

Invitations issued but not yet accepted – 14

3) Canberra Matrix Invitation Round: 14 November 2022

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

4) 2022/23 Migration program

Numbers released for each category following the October federal budget

<https://immi.homeaffairs.gov.au/what-we-do/migration-program-planning-levels>

5) New official order of visa processing

Home Affairs have issued a new direction as to which applications are to have priority in processing order..

In particular note that those applicants who apply whilst OFFSHORE will have priority

The full direction and the effected visas is here

<https://immi.homeaffairs.gov.au/visas/getting-a-visa/visa-processing-times/skilled-visa-processing-priorities>

6) Streamlined health requirements for some visa applications until early 2023

<https://immi.homeaffairs.gov.au/help-support/meeting-our-requirements/health/who-needs-health-examinations>

7) NSW 491 RDAs

NSW are now accepting direct applications for the Skilled Work Regional visa (subclass 491)

Before you apply for NSW nomination, you must ensure you meet the eligibility requirements for your nomination stream.

For the 'Regional NSW-based direct pathway', this means you are:

- currently living and working in your nominated (or closely related) occupation in a designated regional area of NSW, and have continuously done so for the past 12 months with the same employer for a minimum of 20 hours per week, AND
- are paid at least the TSMIT level of \$53,900 per annum (prorated) excluding superannuation from this employment over the past 12 months.
- For 'Pathway 1', this means you:
 - meet the minimum point score and years of skilled work experience for your occupation as outlined on our skills list, AND
 - are currently either residing in NSW, or offshore, and have continuously done so for a minimum period of 3 months.

If you apply when you do not meet these requirements, your application will be declined. Application fees are non-refundable.

For a full list of eligibility requirements, and access to the application form, visit our Skilled Work Regional visa (subclass 491) page.

Important information about skilled employment

For the purpose of NSW nomination, all employment must be deemed skilled. This includes meeting the employment requirements under the 'Regional NSW-based direct pathway' and 'Pathway 1'.

For information about what employment NSW deems skilled, visit our 'Common questions about skilled visas' website.

A list of each RDA and their website is here

<https://www.nsw.gov.au/visas-and-migration/skilled-visas/skilled-work-regional-visa-subclass-491>

8) South Australia Skilled Migration Program update for offshore candidates

To help address South Australia's urgent skills shortages, Skilled & Business Migration is increasing its nominations of offshore skilled migrants during 2022-23, with over 1,100 candidates already nominated.

<https://www.migration.sa.gov.au/news-events/skilled-migration-program-update-offshore-candidates>

9) QLD update on Business Migration Program

Migration Queensland's business nomination program (BIIP) will be temporarily suspended from 8 November 2022, as MQ has fulfilled our interim allocation for business nominations.

Currently, we are only internally processing nomination applications that have been submitted. MQ is now waiting for further clarification from Home Affairs regarding the Queensland BIIP allocation.

Further updates on any additional allocation will be posted on the Migration Queensland website. Please note: the Migration Queensland skilled program remains open

10) TRA Update

The Trades Recognition Australia (TRA) Offshore Skills Assessment Program (OSAP) Applicant Guidelines and Temporary Skills Shortage (TSS) Skills Assessment Program Applicant Guidelines have been updated.

<https://www.tradesrecognitionaustralia.gov.au/news/important-changes-updates-applicant-guidelines-offshore-skills-assessment-program-osap-and>

11) The Subclass 191 (Permanent Residence (Skilled Regional)) visa changes

191 is a permanent visa available to certain persons who have lived and worked in regional Australia who have held the relevant qualifying provisional 'pathway' visa beforehand. The pathway visas do not have any conditions that prevent further visa applications being made in Australia and hence an ability to waive such conditions is not needed to enable their holders to apply for a Subclass 191 visa in Australia. However, there may be impacted family members, for example, a spouse who is in Australia on a student visa with a 'No Further Stay' condition. These amendments ensure that such conditions may be waived in these circumstances to enable genuine family members to join the permanent visa application without having to depart Australia.

<https://www.legislation.gov.au/Details/F2022L01451/Explanatory%20Statement/Text>

12) Humanitarian visas for Myanmar

Responding to the grave humanitarian situation in Myanmar:

abc.net.au

More than 800 Myanmar people have applied for protection in Australia. Now their applications will be fast-tracked

The government says it will send \$135 million in aid and prioritise onshore protection visas for people from the South-East Asian nation.

More than 800 Myanmar people have applied for protection in Australia. Now their applications will be fast-tracked

13) 408 Covid visa update from MIA

COVID-19 Pandemic event - Subclass 408 - update to conditions

The following information has been received by the MIA on Subclass 408 visas in the Pandemic stream. The following updates and clarification of conditions include:

the Department implementing a less restrictive policy on visa condition 8107 work limitation for these visa holders, due to ongoing labour and skills shortage which allows them to work unrestricted these visa applicants and holders may change employment and work for more than one employer.

There is no need to contact the Department to advise of changes in employment visa holders working in Australia should continue to work while they have their SC 408 visa. If they are no longer employed, they should find new employment or make arrangements to leave Australia SC 408 visa holders who had visa condition 8101 applied to their previously held substantive visa, do not carry over that visa condition to their 408 visa when granted, as this is a substantive visa, not a bridging visa.

14) NAATI/CCL validity period

Home Affairs have confirmed that certificates issued:

- Before 9 August 2022 are valid for three years
- After 9 August 2022 are valid for five years

For the purposes of awarding points for credentialed community language qualifications, the validity period stated on the certificate issued by NAATI is relevant. Certificates issued before 9 August 2022 will not have an additional validity period.

15) 482 visa holders in exempt occupations who change employer - change of policy ...

Visa Condition 8607 for Temporary

Skill Shortage (TSS) Subclass 482 visa holders in exempt occupations

Policy intent of visa condition 8607 (as at 10 October 2022)

Visa condition 8607 is mandatorily imposed on all Temporary Skill Shortage (subclass 482) visas. This condition generally limits a subclass 482 visa holder to working for one employer, who is an approved sponsor, at a time.

If a subclass 482 visa holder wishes to change employer, while remaining in the same occupation, then they will require a new nomination to be approved before commencing with their new employer. If a subclass 482 visa holder changes both their employer and their occupation then they will require both a new nomination and a new visa.

Condition 8607 operates differently for exempt occupations listed in Migration (LIN 19/212: Specification of Occupations—Subclass 482 Visa) Instrument 2019.

Subclass 482 visa holders in exempt occupations listed in LIN 19/212, who have been successfully nominated by an approved sponsor, are able to work for multiple employers simultaneously in the same occupation.

Subclass 482 visa holders in exempt occupations do not require a new nomination to change employer, even if they cease employment with their initial sponsor, as long as they continue to work in the same occupation and their subclass 482 visa remains in effect.

16) Condition 8547 temporary relaxation

Official number of Aged Parent and Parent applicants there in subclass 103 and 804 streams. (That is the stream that generally takes around 20+ years for new applicants at the moment)

<https://l.facebook.com/l.php>

17) VETASSES Updates

<https://www.vetassess.com.au/home/updates>

18) General Advice from Immigration about lodging applications just once and checking them

<https://immi.homeaffairs.gov.au/check-twice-submit-once>

19) News Articles

Migration must build nation: opposition

<https://www.canberratimes.com.au/story/7946673/migration-must-build-nation-opposition/>

Coalition says plan to let New Zealanders vote gives them rights other temporary migrants 'do not enjoy'

<https://www.theguardian.com/australia-news/2022/oct/18/coalition-says-plan-to-let-new-zealanders-vote-in-australia-gives-them-rights-other-temporary-migrants-do-not-enjoy>

BIANCA DE MARCHI/AAP

Why permanent residents and long-term temporary visa holders should be able to vote in federal elections

<https://theconversation.com/why-permanent-residents-and-long-term-temporary-visa-holders-should-be-able-to-vote-in-federal-elections-192593>

How will our stretched housing market cope with surging immigration?

<https://johnmenadue.com/how-will-our-stretched-housing-market-cope-with-surging-immigration/>

Migration 'the elephant in the room' in international education

<https://www.timeshighereducation.com/news/migration-elephant-room-international-education>

This is Australia's fastest-growing migrant community

<https://www.sbs.com.au/news/article/this-is-australias-fastest-growing-migrant-community/qns2r0ccp>

'Fortress Australia' seeks to become immigration nation again

<https://asia.nikkei.com/Spotlight/Asia-Insight/Fortress-Australia-seeks-to-become-immigration-nation-again>

Interview with Anna Henderson, SBS World News

<https://ministers.treasury.gov.au/ministers/jim-chalmers-2022/transcripts/interview-anna-henderson-sbs-world-news>

More parent and skilled visas on the way: Here are the changes to immigration in the federal budget
<https://www.sbs.com.au/news/article/federal-budget-2022-this-is-what-labor-has-said-about-immigration-and-visas/2355Ingzu>

Goldfields-Esperance Designated Area Migration Agreement expansion could bring hospitality staff to regions and workers to seal Outback Way
<https://www.abc.net.au/news/2022-10-28/goldfields-esperance-wa-designated-area-migration-agreement/101584772>

Dutton pouts after Albo delivers on Migration Program
<https://independentaustralia.net/politics/politics-display/dutton-pouts-after-albo-delivers-on-migration-program-,16916>

Fixing Australia's visa backlog 'requires long-term funding'
<https://www.timeshighereducation.com/news/fixing-australias-visa-backlog-requires-long-term-funding>

Australian visa bottlenecks distress Indian students
<https://www.universityworldnews.com/post.php>

Australian visitor visa wait times have blown out with some nationalities in limbo for months
<https://www.sbs.com.au/news/article/australian-visitor-visa-wait-times-have-blown-out/g1m5rode7>

Skill stream under Labor's Migration Program hits historical high
<https://independentaustralia.net/politics/politics-display/skill-stream-under-labors-migration-program-hits-historical-high,16929>

Australian visa grants to Indian subcontinent students plummet
<https://www.timeshighereducation.com/news/australian-visa-grants-indian-subcontinent-students-plummet>

Ok folks,

That's all for this month, stay safe

See you all on Monday 21st November.



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