

Hey everyone

Welcome to the latest edition of our monthly visa newsletter.

This captures all the main visa news that we have heard about during the last month. It is free and you can subscribe and unsubscribe through our email address at newsletter@iscah.com

Huge invite numbers the last few weeks including 35,000 in the 189 program in just 1 round.

On to this month's news...



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1) WA State Migration

WA official selection results Nov 2022

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

WA official selection results Dec 2022

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

WA State Migration update

Holiday closure

The Migration Services office will be closed from 4:00pm WST Friday 23 December 2022, reopening 8.30am WST Tuesday 3 January 2023. No assessment outcomes will be sent during this time.

Email enquiries will be responded to as soon as possible once Migration Services re-opens.

<https://migration.wa.gov.au/services/skilled-migration-western-australia/latest-news>

2) Tasmanian State Migration update

Tasmanian Skilled Migration State Nomination Program Update
Application Gateway launched 12 December 2022

<https://sbmtasmania.powerappsportals.com/>

The new Migration Tasmania Application Gateway, which is the central portal for applying for Tasmanian skilled visa nomination, was launched.

Registrations received in the Gateway from 12 December 2022 will be held for six months, and the highest-ranking candidates according to the priority attributes claimed will be invited to apply for nomination

What does this mean for your interim ROI?

If you have already submitted an interim ROI and have been invited to apply:

- There will be no impact on you. You can continue to lodge your application for nomination up until Friday 9 December 2022.

If you have submitted an interim ROI but have not yet received an invitation to apply for nomination:

- If you are still interested in being nominated by Tasmania for a skilled visa you will need to record a new ROI in the Application Gateway after it is launched on 12 December 2022. ROIs submitted through the Application Gateway will be held for up to six months.

If you have not submitted an interim ROI:

- We are not currently accepting new ROIs until 12 December 2022. You will be able to submit an ROI in the Application Gateway after it is launched on 12 December 2022.

Final nomination allocation received

Tasmania has now received its final allocation of skilled visa nomination places for the 2022-23 program year. This includes an additional allocation of 900 subclass 491 Skilled Work Regional places.

Tasmania's final allocation comprises of:

- Skilled Nominated (subclass 190) visa: 2000 places
- Skilled Work Regional (subclass 491) visa: 2250 places
- Nomination allocation and usage (as at 6 December 2022)
- Skilled Nominated (subclass 190) visa:
 - Nominations – 784 of 2000 places used
 - Unfinalised nomination applications – 184
 - Invitations issued but not yet accepted – 12
 - Oldest application yet to be processed – lodged 13/10/2022
- Skilled Work Regional (subclass 491) visa:
 - Nominations – 480 of 2250 places used
 - Unfinalised nomination applications – 103
 - Invitations issued but not yet accepted – 8
 - Oldest application yet to be processed – lodged 3/10/2022

3) New Zealand stream 189 closed for new applicants

Skilled Independent (subclass 189) visa – New Zealand stream only – temporary closure of applications and streamlining measures commencing 10 December 2022

The New Zealand stream of the Skilled Independent (subclass 189) visa (the New Zealand stream) has temporarily closed to new applications. This means a new application cannot be made from 10 December 2022 until 1 July 2023.

This is a temporary pause on new applications while the Government considers future migration and citizenship pathways for New Zealand citizens in Australia, reflecting the close ties between our two nations.

During this period, the Department of Home Affairs will seek to finalise the majority of on-hand applications in the New Zealand stream, and has established a dedicated taskforce to prioritise the processing of this caseload.

The majority of New Zealand stream applicants have been waiting several years for their visa application to be finalised due to the limited number of places allocated to this group in recent years. The following streamlining measures introduced acknowledge that this group of New Zealand citizens are long-term residents of Australia, have been working here and contributing to Australia's economic recovery during the COVID-19 pandemic. These include removing the requirement for New Zealand stream on-hand applicants to satisfy criteria relating to:

- a period of residence in Australia;
- the income threshold; and
- health, given the access New Zealand citizens already in Australia have to Medicare.

Grant of New Zealand stream visas in the 2022-23 Program Year will allow visa holders to access the benefits of permanent residence more quickly, notably the immediate ability to access the National Disability Insurance Scheme and automatic acquisition of Australian citizenship at birth for their children born in Australia.

<https://immi.homeaffairs.gov.au/what-we-do/skilled-migration-program/recent-changes>

4) Some New Zealand citizens can now apply for Australian citizenship earlier

The instrument replaces IMMI 17/108 and substantially maintains the arrangements in that instrument. The instrument also determines that a New Zealand citizen who holds a Subclass 189 (Skilled – Independent) visa in the New Zealand stream granted after 31 December 2021 and before 1 July 2023 is taken to have become a permanent resident on 1 January 2022, as is a member of the person's family unit who satisfied the secondary criteria for grant of a Subclass 189 visa. This change will enable affected New Zealand citizens to satisfy the general residence requirement set out in subsection 22(1) of the Act at an earlier point than they otherwise would. In some cases, a New Zealand citizen may be eligible to apply for Australian citizenship by conferral immediately after being granted a Subclass 189 visa in the New Zealand stream.

Subsection 6(1) provides that a New Zealand citizen who has previously held a special category visa and is the holder of a Subclass 189 (Skilled – Independent) visa in the New Zealand stream granted after 31 December 2021 and before 1 July 2023 is taken to have become a permanent resident on 1 January 2022. The provision also applies to a New Zealand citizen who has previously held a special category visa and is the holder of a Subclass 189 visa who is a member of the family unit of the primary visa holder and who satisfied the secondary criteria for grant of a Subclass 189 visa. When the instrument commences on 1 January 2023, a person to whom this provision applies will be taken to have become a permanent resident at least 1 year previously.

<https://www.legislation.gov.au/Details/F2022L01628>

5) New state migration 190/491 numbers announced

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

6) 189 Official Skill Select round results from Dec 8th published

35,000 189 invites ...

Given the 189 total invites this program year are well over the 32,100 in the Federal Budget, it seems that the department is anticipating many of the visa grants for these invites will be in the 2023/24 program year.

Current round

Visa subclass Number

Skilled Independent visa (subclass 189)	35,000	
Skilled Work Regional (Provisional) visa (subclass 491) – Family Sponsored		120

<https://immi.homeaffairs.gov.au/visas/working-in-australia/skillselect/invitation-rounds>

7) ACT/Canberra 491/190 update

Final Allocation of ACT Nomination Places 2022-23

We have received 2,025 nomination places for the Skilled Nominated (190) visa subclass, 2,025 nomination places for the Skilled Work Regional (491) visa subclass, and 10 nomination places for the Business Innovation and Investment Program. This is a significant uplift in total nomination places.

Unlike previous years, the allocation split of 491 and 190 nomination places has also changed considerably. Where previously we had more 491 nomination places, the split is now equal. This will have an impact on the ACT Skilled Migration program settings. As such, please be alert for updates to ACT Nomination policy settings in early 2023.

Any changes to the ACT Nomination Guidelines will take immediate effect once introduced and current policy settings will not be applied retroactively.

In the meantime, there are a few things to consider as you discuss migration options with your clients:

- The minimum Canberra Matrix score required to receive an invitation to apply for ACT nomination of a 190 visa will likely drop. We anticipate this could be as low as 70 initially, with the possibility to drop further depending on occupation demand and the numbers of remaining places, Matrix submissions received, and migrants already nominated for that specific occupation. We encourage all interested applicants to submit a Canberra Matrix for 190 nomination.
- Despite this, we believe your clients, particularly overseas residents, are still more likely to receive an invitation under the 491 pathway and would recommend advising your clients accordingly. The minimum Canberra Matrix score required to receive an invitation to apply for ACT nomination of a 491 visa will likely drop to as low as 60 initially, and possibly even further depending on occupation demand and the numbers of remaining places, Matrix submissions received, and migrants already nominated for that specific occupation.

Note, these scores are indicative only and no minimum scores are guaranteed. Depending on the number of Matrix submissions we receive (per occupation), the scores of those submissions, and the number of migrants we nominate (per occupation and by residency status), the scores above may increase or decrease.

Invitation Rounds

To get ready for the new year, we will conduct an invitation round before Christmas. Applicants will have three weeks to prepare their application instead of two, to accommodate any difficulties associated with collecting required documents over this period. This will only apply to this invitation round.

While our aim is to continue with fortnightly invitation rounds, the actual frequency may differ based on a range of factors, particularly as we ramp up processing in the new year.

You may have noticed the minimum score for certain occupations has already been much lower than usual. Every month, we assess the number of nominations per occupation to ensure we are inviting a broad range of applicants. If an occupation is in a priority field and there are few Canberra Matrix submissions or nominations for it, we will consider lowering the minimum score for occupations on a case-by-case basis. Please keep a close eye on the minimum scores published on the Skills Canberra website (document entitled "invitation ranking") so you can advise your clients accordingly.

Lastly, the ACT Government continues to prioritise increasing the number of nominations for

overseas residents. This means you will see an increase in the number of invitations for overseas residents. To date, this increased number of invitations has not yet translated into a higher number of nominations, with the majority of nominations still for ACT residents. Please advise your clients accordingly.

Reasons for Refusals

A primary reason for refusal continues to be the evidence of current employment for overseas residents. All applicants must successfully demonstrate they are currently employed in a genuine position, which is separate from demonstrating the matrix points claimed for employment. This means we require employment documents up to the date of invitation (not the date of Canberra Matrix submission).

Other recurring reasons for refusal include not receiving evidence for the duration of the claimed ACT residence (up to the date of invitation, not Canberra Matrix submission), English tests or skill assessments that were valid at date of Canberra Matrix submission but not when assessed, and missing documents. Please read our guidelines carefully and make sure you have successfully substantiated all claims before submitting applications.

Do not forget to include your client's email address in the application. Agents are required to record their applicants' personal email address for all applications. Applications will not be assessed until the correct contact information is provided.

Lastly, please label all attached documents correctly, and do not attach anything unnecessary. If we don't ask for it, don't attach it. If you do attach it, label it appropriately. This will really help speed up processing times.

8) NSW 190 and 491 changes

The NSW government have decided to remove their 190 and 491 points and work requirements due to the enormous amount of 189 invites from the Federal government effecting the NSW program

<https://www.nsw.gov.au/visas-and-migration/skilled-visas/skilled-nominated-visa-subclass-190>

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

9) Changes made to NSW occupation list and requirements

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

10) Number of asylum applications

Number of asylum applications processed by DHA in November with a zero-approval rate were:

Malaysia (333); Indonesia (155); Vietnam (112); Tonga (73); Sri Lanka (58); India (53); Timor (37); Samoa (36); Fiji (24); Vanuatu (22); Ireland (18); UK (16).

11) AAT (Appeal body) to be replaced

<https://www.aat.gov.au/news/reform-of-the-federal-administrative-review-system>

12) TRA Update

Job Ready Program processing times

<https://www.tradesrecognitionaustralia.gov.au/news/job-ready-program-processing-times-0>

Current processing times and expedition requests for Migration Skills Assessment (MSA) and Migration Points Advice (MPA) programs

<https://www.tradesrecognitionaustralia.gov.au/news/current-processing-times-and-expedition-requests-migration-skills-assessment-msa-and-migration>

13) VETASSESS Updates

Vetassess Priority processing

Please be advised that we will suspend lodgements for our Priority Processing Service on December 2 and resume on Thursday, January 5 after our return to the office following the summer break.

This means the last day for Priority Processing applications to be lodged in 2022 will be 1 December 2022.

This will ensure that all Priority Processing applications lodged in December, and approved as eligible for the service, can be completed in 10 business days before the holiday break.

Vetassess newsletter

https://mailchi.mp/vetassess/asktheexpertswbinarjune2022_email02-1793689

14) News Articles

Net movement of visitor visa holders highlights Home Affairs hitch

<https://independentaustralia.net/politics/politics-display/net-movement-of-visitor-visa-holders-highlights-home-affairs-hitch,16992>

Overseas students visa criteria – a new approach needed

<https://johnmenadue.com/overseas-students-visa-criteria-a-new-approach-needed/>

Restoring visa integrity an essential political operation

<https://independentaustralia.net/politics/politics-display/restoring-visa-integrity-an-essential-political-operation,17028>

Fast-track visas for people to move to Australia with their job could soon be a reality

<https://www.sbs.com.au/news/article/fast-track-visas-for-people-to-move-to-australia-with-their-job-could-soon-be-a-reality/ladptwuk9>

Unions NSW survey of 7,000 foreign language job ads finds more than half offer illegal rates of pay

<https://www.abc.net.au/news/2022-12-05/unions-nsw-foreign-language-job-ads-survey-most-spruik-low-pay/101730106>

Why the world's smartest people will move to Canada over Australia

<https://www.sbs.com.au/news/article/australia-global-race-to-attract-top-talent/wah66z0vp>

Skilled migration needs a reset: report

<https://www.canberratimes.com.au/story/8020376/skilled-migration-needs-a-reset-report/>

'Visas in three days' for teachers and nurses who want to come to Australia

<https://www.sbs.com.au/news/article/visas-in-three-days-for-teachers-and-nurses/4rij2ck0l>

Universities back Aussie migration reset

<https://www.canberratimes.com.au/story/8024347/universities-back-aussie-migration-reset/>

Ok folks that's all for this month,
Merry Xmas and have a safe
New Years celebration with
your family and friends.

See you all on Monday 16th January 2023.



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