

G'day welcome to the first edition of 2023 of our monthly newsletter

It captures as much information we have come across of all the visa changes and interesting migration news in the last 4 weeks

On to this month's news...



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1) WA official selection results Dec 2022

Over 5000 invites in December

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

2) South Australian state migration update

Skilled and Business Migration Program Update – Final nomination allocation received for 2022-23

The Australian Government Department of Home Affairs has confirmed South Australia's final nomination allocation levels for 2022-23.

The final allocation for South Australia is:

- General Skilled Migration Program (visa subclass 491 and 190): 8,000 places
- Business Innovation and Investment Program (visa subclass 188): 70 places

For more information about the Department of Home Affairs 2022-23 nomination allocations, please visit the Migration Program planning levels webpage.

General Skilled Migration Program

Our program will continue to nominate General Skilled Migration (GSM) applicants in all streams, including offshore. South Australia has many opportunities for skilled migrants to obtain state nomination and further information can be found here.

Business Innovation and Investment Program

To manage the limited final allocation of 70 nomination places, the following measures are in place:

- Business Innovation stream (188A): Intention to Apply (ITA) process will remain open until 31 January 2023 and will then close for the remainder of the 2022-23 program year. A very small number of 188A applicants who have lodged an ITA will be invited to apply for state nomination in March 2023
- Investor stream (188B): Closed to new applicants for the remainder of the program year
- Significant Investor stream (188C): Closed to new applicants for the remainder of the program year
- Entrepreneur stream (188E): A very limited number of places are available. Applicants must first contact a Service Provider to be considered for the 188E stream and obtain information on both eligibility and availability

Subclass 888 state nomination applications and 132 review applications are not affected by nomination places and will remain open until 26 June 2023.

Adelaide Connected podcast series - Living and working in South Australia

The Adelaide Connected podcast series is aimed at sharing insights into the experiences of people who have lived abroad and why they have chosen Adelaide to live and work.

We encourage anyone thinking about making the Move to South Australia to listen to these informative podcasts.

Podcast - Adelaide Connected

Please subscribe to the NEWS section of our website to keep up to date with any new announcements.

3) New Zealanders easier for Australian citizenship

<https://immi.homeaffairs.gov.au/news.../archive/article...>

4) 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.

5) AAT (Appeal body) to be replaced

<https://www.abc.net.au/.../administrative.../101781300>

<https://www.aat.gov.au/.../reform-of-the-federal...>

6) Working Holiday Visa

Visa condition 8547

From 19 January 2022 to 30 June 2023, WHMs working in any sector anywhere in Australia may continue to work for the same employer or organisation for longer than six months without requesting permission. For details please visit: Visa condition 8547 - 6-month work limitation.

(Source: Home Affairs)

7) Migration review - Article from today's Financial Review

Cybersecurity and other gaps in Australia's sovereign capability could be better addressed through a less prescriptive immigration system, with permanent skilled visas targeted at younger, educated arrivals who stay long term.

As the federal government's review of Australia's migration system gets under way, think tank the Grattan Institute has called for permanent employer sponsorship to be made available for workers in any occupation earning more than \$85,000 a year, helping speed up and simplify processing.

The review of Australia's outdated immigration system is due to report to the government in March. Grattan says only a quarter of permanent visas issued in the past decade went to migrants on the basis of skill, with the remainder allowing family and humanitarian applicants to enter the country. The review has been tasked with promoting sovereign capabilities, including in renewable energy, digital technologies, medical research, cybersecurity and defence.

It comes as fewer international students and temporary sponsored workers are transitioning to permanent residency in Australia, with those who do facing much longer waiting times than in the past. Home Affairs Minister Clare O'Neil has asked the expert panel leading the review to consider how immigration aligns with Australia's education and training systems.

Grattan researchers Brendan Coates, Trent Wiltshire and Tyler Reysenbach found that while the number of international students on temporary visas grew significantly in the decade before the COVID-19 pandemic, the number of permanent visas did not.

In the past, about 25 per cent of student visa-holders transitioned to a permanent visa within six years of first arriving in Australia, but for more recent student cohorts that figure has halved to just 12 per cent.

“Temporary skilled migration helps fill shortages, but since it also provides much of the applicant pool for permanent skilled migration, the temporary skilled migration program should also target high-skilled migrants,” Mr Coates said.

Grattan called for a single points-tested visa to replace the skilled independent, state-nominated and regional streams.

Under the plan, points would only accrue for characteristics that predict migrants’ success in Australia, with more weight given to the skills of secondary applicants (such as partners and relatives) who account for about half of all permanent skilled visas.

The submission calls for the axing of the Business Investment and Innovation Program, which selects older and less-skilled migrants – a change Grattan estimates would save government budgets up to \$34 billion over three decades.

“Less-skilled migrants may be needed to meet care-economy workforce needs in the short term. But, given the risks, offering more visas to lower-skilled migrants is a poor long-term solution to workforce shortages,” Mr Coates said.

“Offering permanent visas could limit exploitation, but could also see workers leave the sector unless wages rise, and would entail a large long-term budgetary cost if it meant fewer skilled visas were issued.” Former public service chief Martin Parkinson, University of Adelaide law professor and temporary labour migration expert Joanna Howe, and former Deloitte partner John Azarias will present recommendations from the review to the Albanese government by February, allowing proposals to be considered for the May 2023 budget.

Unions and industry are expected to play a key role, with the review tasked with finding ways to protect workers from exploitation.

The Albanese government this week announced it had paused the New Zealand stream of skilled independent visas, with streamlining measures planned for processing applications already in the queue. Applications lodged before last Saturday, December 10, will receive priority processing, with a previous 12-month waiting period removed for Kiwis to progress to the citizenship stage.

8) Immigration department now accept IELTS One Skill Retake (OSR) test

English language requirements generally apply to applicants wanting to study or work in Australia. You will need to check the eligibility page for the visa subclass you wish to apply for, to see what level of English you need and what evidence you must provide.

The Department accepts scores from the following tests undertaken at a secure test centre for English language visa requirements:

- Test of English as a Foreign Language (TOEFL iBT)
- International English Language Testing System (IELTS), including One Skill Retake (OSR)*
- Pearson Test of English (PTE)
- Cambridge English (CAE) (also known as C1 Advanced)
- Occupational English Test (OET), noting this is a test developed for health professionals

From 14 December 2022, IELTS One Skill Retake (OSR) will be available for certain test takers. OSR allows test takers to retake one of the four test components in either reading, writing, speaking or listening (once only).

For Australian visa purposes, the Department will accept IELTS test results that include OSR, with the exception of applications for subclasses 476, 482, and 485, which need scores from a single sitting/attempt.

9) Twitter post from Immigration Minister Andrew Giles -

We were left with almost 1 million visas in the department in-tray in June, and we haven't wasted a day in cleaning up the mess, waste and mismanagement left by a decade of the former Liberal government.

Since June last year, the Albanese Labor Government has processed 4 million visas. And we've brought the visa backlog down to below 600,000.

In 2023 we'll do even more.

10) 189 Official Skill Select round results from Dec 8th published

35,000 189 invites

<https://immi.homeaffairs.gov.au/.../ski.../invitation-rounds>

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.

11) News Articles

Universities back Aussie migration reset

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

Calls for migration system refresh as Australia grapples with skills crisis

<https://www.smh.com.au/politics/federal/calls-for-migration-system-refresh-as-australia-grapples-with-skills-crisis-20221219-p5c7ht.html>

New Zealanders' path to Australian permanent residency eased by ditching income and health checks

<https://www.theguardian.com/australia-news/2022/dec/21/new-zealanders-path-to-australian-permanent-residency-eased-by-ditching-income-and-health-checks>

More than cash cows: Overseas students key to migration program

<https://independentaustralia.net/politics/politics-display/more-than-cash-cows-overseas-students-key-to-migration-program,17092>

Migration system 'failing home builders'

<https://www.canberratimes.com.au/story/8031668/migration-system-failing-home-builders/>

Australia's visa backlog slashed further ahead of 2023

<https://neoskosmos.com/en/2022/12/27/news/australia/australias-visa-backlog-slashed-further-ahead-of-2023/>

Migration to Australia set to rebound to pre-pandemic levels, report finds

<https://www.theguardian.com/australia-news/2023/jan/03/migration-to-australia-set-to-rebound-to-pre-pandemic-levels-report-finds>

Rebound in migration figures 'optimistic'

<https://www.canberratimes.com.au/story/8039408/rebound-in-migration-figures-optimistic/>

Will Australia introduce backpacker visas for people aged over 35?

<https://www.sbs.com.au/news/article/push-to-change-working-holiday-visa-age/ujcnu7kwu>

My grandparents helped shape Australia. Migration will also be key to our future

<https://www.watoday.com.au/business/the-economy/my-grandparents-helped-shape-australia-migration-will-also-be-key-to-our-future-20230108-p5cb2r.html>

Labor urged to keep 'golden ticket' investor visa primarily used by Chinese migrants

<https://www.theguardian.com/australia-news/2023/jan/09/labor-urged-to-keep-golden-ticket-investor-visa-primarily-used-by-chinese-migrants>

Labor urged to boost regional migration

<https://www.canberratimes.com.au/story/8043016/labor-urged-to-boost-regional-migration/>

PALM workers set to be joined by families in 2023-24 as government commits to visa scheme

<https://www.abc.net.au/news/2023-01-10/pacific-worker-families-family-accompaniment-visa-palm-scheme/101829572>

Andrews calls for higher skilled migration cap and universally free early learning

<https://www.theage.com.au/politics/victoria/andrews-calls-for-increase-in-skilled-migration-cap-and-universally-free-early-learning-20230115-p5ccld.html>

Australia on track for 2023 migration boom as arrivals dwarf Treasury forecasts, ex-official says

<https://www.theguardian.com/australia-news/2023/jan/13/australia-on-track-for-2023-migration-boom-as-arrivals-dwarf-treasury-forecasts-ex-official-says>

Ok folks
That's all for this month, stay safe
See you all on Monday 20th February 2023.



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