

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

Exciting times continue as 189 invites kick off , albeit mostly for offshore EOIs, and states continue to expand their programs and pathways. Also the Federal budget in 2 weeks time may cast further light on what the Federal government intend to do with the skilled migration program over the next 1 to 3 years

On to this month's news...



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1) Massive changes proposed for the Migration System

* Note these are all proposals from the government and not finalised yet .. but expect the majority to be implemented. Some highlights:

- New points test
- No GTE for Student visas
- Automatic 485 visa grants after student visas
- A Parent visa lottery
- No Labour market testing for company sponsored visas
- Salary TSMIT to rise to \$70,000 for company visas
- All company sponsored temporary visas can have a chance of applying for PR

Here are the proposals -

1. Adopt a clear set of objectives and principles to guide the migration system and form the foundation of a migration strategy for the next two decades.
2. Ensure a single area of government, with deep expertise, is charged with stewarding the migration system, with all visa products to be designed and delivered by that department.
3. Develop an evaluation plan for the migration system, based on the outcomes government wishes to achieve through migration.
4. Develop a data strategy to support the migration evaluation plan. The data strategy should cover all migrant settlement and integration outcomes (not just economic) and support investment in better program and outcome data.
5. Move to planning migration over a long-term time horizon (e.g. 10 years).
6. Plan migration based on net overseas migration (which accounts for both permanent and temporary residents), rather than simply relying on permanent migration caps.
7. Work across government – and with states and territories – to consider how best migration can help meet place-based objectives, particularly in regional Australia
8. Revisit the allocation of places across the permanent skilled program. In particular, reconsider the size and role of the Business Innovation and Investment Program (BIIP), noting more positive outcomes from the Significant Investor Visa. Consider how to manage the allocation of places to state and territory nominated and regional visas, including possible consolidation of these programs.
9. Recalibrate the points test to select migrants with high human capital who will make the greatest longterm economic contribution.
10. Consider changes to the existing Global Talent visa to improve clarity in the selection criteria and remove the need for a nomination
11. Rely on the expertise of JSA to identify labour needs and market salary rates and provide deep insights and input in a way that links migration with skills and training.
12. Remove the requirement for labour market testing.
13. Renew and strengthen the role of the Ministerial Advisory Council on Skilled Migration (MACSM) as a tripartite advisory body.
14. Draw on advice of the JSA to further inform this tripartite approach.
15. Increase the Temporary Skilled Migration Income Threshold (TSMIT), index it to the Wage Price Index, and consider the adoption of age adjusted thresholds.
16. Adopt risk-based regulation of temporary labour migration, with three tiers: 1. a 'light touch' high salary cohort; 2. a 'mid-level cohort' (above the TSMIT, below the high-salary threshold of cohort 1); and 3. subject to further consideration across government, a lower wage cohort in sectors experiencing persistent shortages and who are most at risk of exploitation and displacing Australian workers with similar skills. Regulatory effort should be highest for cohort 3 and lowest for cohort 1.

17. Allow temporary migrant workers to move from their current employment to find work with another employer within the same sector or job family. Migrants could have up to 6 months to find new employment.
18. Require all employers of temporary visa holders to register that employment through a light-touch process; those with a history of serious workplace breaches would be deregistered and ineligible to employ visa holders.
19. Require employer fees and charges to be paid monthly, rather than up-front, to facilitate mobility between employers and increase access for small business by reducing up-front costs.
20. Provide migrant workers with targeted training on workplace laws and conditions based on the Pacific Australia Labour Mobility (PALM) scheme model.
21. Improve post-arrival monitoring and compliance including through coordination with the tax system, using tax file numbers (TFN) and single-touch payroll.
22. Review the drivers that have created a continuing 'permanently temporary' cohort with a view to ensuring future cohorts do not emerge.
23. Ensure the primary focus of the Working Holiday Maker program is cultural exchange and does not operate to tie migration outcomes to the performance of work. Subject to Australia's obligations under trade and other international agreements, consider limiting Working Holiday Maker (WHM) visas to one year
24. Introduction of a Parent visa lottery to prevent 4 further application backlogs
25. Introduce a cheaper, more attractive temporary visa 5 product for parents that might in the long term replace a permanent parent program.
26. Review the Student visa working hours cap, including whether unpaid work-integrated-learning, internships and work experience are counted towards the cap.
27. Provide a Temporary Graduate visa automatically upon study completion.
28. Align the duration of the Temporary Graduate visa with the time required to identify high potential graduates who will succeed on a permanent skilled visa. Within these parameters, minimise the time former students can remain in Australia on a temporary basis.
29. Explore options to provide a certain and direct permanent residence pathway for a very narrowly defined group of students.
30. Align the English language requirements of the Student and/or Graduate visas with skilled visa English language requirements.
31. Move from the Genuine Temporary Entrant criterion to a Genuine Student test.
32. Revisit the scope of settlement and integration support programs, with a view to making them more responsive to local differences in settlement location, and migrant need.
33. Review the Newly Arrived Resident Waiting Period (NARWP) to help improve government understanding of the impacts of this policy measure on migrant outcomes.
34. Invest in social enterprises and others that focus on the drivers of migrant economic integration, including for cohorts who face particular barriers in the labour market (e.g. migrant women, and humanitarian entrants).
35. Lead alongside states and territories a strategy to oversee efforts to streamline skills recognition, particularly for those occupations that can deliver the most benefit to Australia.
36. Examine visa processing arrangements for South-East Asia and the Pacific, to ensure we are presenting a welcoming face to our region, while balancing risk.
37. Invest in the Department of Home Affairs' capability to deliver the migration system, including through ongoing investment in ICT systems, technological adoption and data capabilities.
38. Undertake a phased program of legislative review and reform.

2) Permanent Parent visas to be limited ?

Here are some comments from today's Migration review report suggesting that parent visas be reduced and replaced in a lottery system ..

These are NOT confirmed changes and may take some time for the government to consider text copied from the report below ...

In considering the cost of a parent migrant within a capped migration intake, the lost contribution of the migrant they displace, likely to be a skilled migrant, should be considered. On average, a skilled migrant has a lifetime positive fiscal benefit of around \$200,000. A parent, on average, costs \$400,000 over their lifetime due to their high use of government-funded services and limited taxes paid. Taking both into account, a permanent Parent migrant effectively has a fiscal cost of approximately \$600,000 over their lifetime if they displace a skilled migrant within the capped program. If Australia were to meet the demand for permanent Parent visas (expected to be about 30,000 per year), it would come at a lifetime cost of approximately \$18 billion for each annual intake.

A lottery approach could prevent visa backlogs A lottery approach could be considered if a permanent Parent program is retained but continues to be smaller than demand. It offers an effective option for managing demand and avoiding further backlogs. Consideration would need to be given to whether and how to apply the lottery to existing visa applicants.

Our temporary parent visa can be improved In addition to any option for managing permanent migration, an improved temporary visa product could help satisfy demand from migrants to spend time with their parents in Australia. With the lower than anticipated take up of the SPTV, it may be possible to adjust settings for the visa to enhance its attractiveness without increasing costs or risks to the community. Feedback received by the Review is that the cost of the SPTV is too high for a temporary visa. It may be possible to reduce the VAC, however the requirement to hold health insurance should be retained, noting that even with health insurance, parents will still place additional pressure on the health system. A further concern in relation to the current temporary product is that parents are allowed to remain in Australia for an extended period – up to 3 or 5 years.

This period is so long that people can lose their homes and connections in their country of citizenship, making it difficult for them to depart Australia. Temporary visa settings should support the continuation of a parent's ties with their home country. This might better be able to be achieved by limiting each stay in Australia to a shorter period – for example, 12 months within an 18-month period – while allowing the visa to be used multiple times over 10 years and for a longer total period in Australia over the life of the visa. Removing access to permanent migration – might this allow a fairer approach? High costs and detrimental demographic effects mean it will not be in the best interests of the Australian community to provide demand-driven access to permanent Parent migration. However, continuing to provide access to permanent migration for only a very small proportion of those seeking it raises fundamental questions about the fairness of the program. Consideration could be given to completely removing access to permanent residence for parents while improving access to temporary migration. The savings associated with this would allow a substantial reduction in the cost of a long-term temporary visa product, making it accessible for a larger cohort. While likely to be contentious, this approach might provide cheaper, fairer, faster and more certain access to a form of family reunification than is currently available

3) ACT Updates

Critical occupation list updated

<https://www.act.gov.au/migration/skilled-migrants/act-critical-skills-list>

New ACT nomination guidelines

<https://www.act.gov.au/migration/home>

4) National Press Club address - Australia's Migration System

<https://minister.homeaffairs.gov.au/ClareONeil/Pages/national-press-club-address-australias-migration-system-27042023.aspx>

5) VETASSESS

Six tips for a university lecturer applying for a Skills Assessment

<https://www.vetassess.com.au/home/updates/post/six-tips-for-a-university-lecturer-applying-for-a-skills-assessment>

6) RDA Hunter NSW closed for 491s

<https://rdahunter.org.au/skilled-work-regional-visa-subclass-491/>

7) Boosting WA's building and construction industry through skilled migration

<https://migration.wa.gov.au/news/boosting-was-building-construction-industry-through-skilled-migration>

8) Victoria Closed for State nominations

PUBLISHED: 8 MAY 2023

Victoria's 2022-23 skilled state nomination visa program is now closed to Registrations of Interest (ROI).

We will continue to assess any ROIs that have been submitted. ROIs will continue to be selected and invited to apply for Victorian visa nomination.

If you withdraw a ROI, you will not be able to submit a new one until the 2023-24 program opens. More information on the 2023-24 program will be published closer to the opening.

9) Job Ready Program Processing Times

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

10) New Aged Care Labour Agreement

<https://immi.homeaffairs.gov.au/what-we-do/skilled-migration-program/recent-changes/new-aged-care-industry-labour-agreement>

11) Further details about the 482 TSMIT and 186 TRT visa have been announced

From the end of 2023 ALL occupations can proceed from a 482 to a 186TRT visa whether on the short term or medium term occupation list.

Also only TWO years of work is now required on the 482 visa (instead of 3 years) for the 186TRT stream

Increase in the Temporary Skilled Income Threshold (TSMIT) to \$70,000 and expanded pathways to permanent residence

On 27 April 2023 the Minister for Home Affairs, the Hon Clare O'Neil MP announced an increase in the TSMIT. She also announced expanded pathways to permanent residence for employer sponsored temporary skilled visa holders.

Refer to the National Press Club address.

Raising the Temporary Skilled Migration Income Threshold

From 1 July 2023, the TSMIT will increase from \$53,900 to \$70,000. New nomination applications after this date will need to meet the new TSMIT of \$70,000 or the annual market salary rate, whichever is higher.

This change will not affect existing visa holders and approved nominations lodged before 1 July 2023.

Expanded pathways to permanent residence

By the end of 2023, the Temporary Residence Transition (TRT) stream of the Employer Nomination Scheme (subclass 186) visa will be available. This stream is for all Temporary Skill Shortage (TSS) visa holders whose employers wish to sponsor them.

Applicants will need to continue to work in the occupation nominated for their TSS visa(s). However, occupations will not be limited to the Medium and Long-term Strategic Skills List (MLTSSL). We will reduce eligibility for the TRT stream from three years to two years employment with the sponsoring employer. Applicants will need to meet all other nomination and visa requirements for the TRT stream of the Employer Nomination Scheme visa.

To facilitate these pathways, the Government is also removing limits on the number of Short-term stream TSS visa applications that visa holders can make in Australia. This is an interim measure to assist those currently onshore who would normally need to go offshore to make further visa applications.

These changes are in line with the Government's commitment at the Jobs and Skills Summit in September 2022 to expand pathways to permanent residence for temporary skilled sponsored workers. The changes will provide more equitable access to permanent residence. They will also provide more certainty to TSS visa holders and their employers about the permanent residence pathways available. Employers will be able to alleviate skills shortages by ensuring a permanent employer sponsored pathway is available for a wider range of occupations.

More information

We will make more information available on both of these measures closer to their implementation date. We will publish updates regarding these changes on the Department of Home Affairs website. Check the website regularly for more information.

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

12) Federal Budget Highlights

Boosting skilled migration

The Government is ensuring the system delivers the skilled migrants we need, including by: allocating around 70 per cent of places in the 2023/24 permanent Migration Program to skilled migrants, bringing long-term fiscal and economic benefits and addressing persistent skill shortages providing an extra 2 years of post-study work rights to Temporary Graduate visa holders with select degrees, to improve the pipeline of skilled labour in key sectors increasing the Temporary Skilled Migration Income Threshold to \$70,000 to ensure skilled migration settings are better targeted exempting international students working in the aged care sector from the capped fortnightly work hour limit until 31 December 2023 providing additional training places for Pacific Australia Labour Mobility scheme workers in priority sectors for the Pacific and Timor-Leste and where there are job shortages in Australia. The Government will increase Visa Application Charges (VACs) from 1 July 2023. In addition to the regular CPI indexation, VACs will increase by 6 percentage points for visa applications, as well as an additional 15 percentage points for select visitor and temporary visa subclasses and an additional 40 percentage points for business innovation and investment visas.

For the 2023–24 permanent Migration Program, the Government will return the planning level to the longer-term level of 190,000 places and will allocate 137,100 places (around 70 per cent) to the Skill stream, helping address Australia's longer term skill needs. The Government will improve pathways to permanency for Temporary Skill Shortage (TSS) (subclass 482) visa holders. Restrictions will be removed to enable TSS visa holders on the short-term stream access to permanent residence pathways through the Employer Nomination Scheme (subclass 186) visa. The limit of one onshore renewal for the short-term stream TSS visa will also be removed.

The Government will grant an extra two years of post-study work rights to international higher education graduates of Australian institutions with eligible qualifications to strengthen the pipeline of skilled labour. This measure will apply from 1 July 2023. The work hour cap for international student visa holders will be reinstated from 1 July 2023, following its removal during the COVID-19 pandemic. It will be increased by 8 hours from pre-pandemic levels to 48 hours per fortnight. International students working in the aged care sector will be exempt from the 48 hour per fortnight work limit until 31 December 2023.

These changes are in line with recommendations made in the report to Government by the Post Study Work Rights Working Group in October 2022.

The increase to post-study work rights is estimated to increase receipts by \$800.0 million, and increase payments by \$185.6 million, which includes a \$185.0 million increase in GST payments to the states and territories over the 5 years from 2022–23. Bringing back the work hours cap for international students is estimated to result in an unquantifiable increase in receipts over the 5 years from 2022–23.

13) New 2023/24 Migration Program Numbers

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

14) From 1 July 2023, work restrictions for student visa holders will be re-introduced.

<https://immi.homeaffairs.gov.au/visas/getting-a-visa/visa-listing/student-500/temporary-relaxation-of-working-hours-for-student-visa-holders>

15) News Articles

Albanese government makes Australian citizenship easier for New Zealanders to obtain

<https://www.abc.net.au/news/2023-04-21/australian-government-new-path-citizenship-for-kiwis-new-zealand/102253684>

What to look for in a Migration Strategy

<https://johnmenadue.com/what-to-look-for-in-a-migration-strategy/>

Australia's 'broken' migration system leaves 1.8m workers 'permanently temporary', review finds

<https://www.theguardian.com/australia-news/2023/apr/26/australias-broken-migration-system-leaves-18-million-workers-permanently-temporary-review-finds>

Labor poised for overhaul of 'broken' migration system, changes for skilled workers and families expected

<https://www.sbs.com.au/news/article/labor-poised-for-overhaul-of-broken-migration-system-review-handed-down-today/i9ohjugv3>

Albanese government to radically streamline migration with three-tiered system for skilled workers

<https://www.theguardian.com/australia-news/2023/apr/27/albanese-government-to-radically-streamline-australia-migration-with-three-tiered-system-for-skilled-workers>

Albanese defends record surge in migrants coming to Australia

<https://www.9news.com.au/national/migration-numbers-400000-students-china-india-anthony-albanese-politics-national-news/9c16c441-2cb7-4716-87d2-bb1eafa558ee>

Treasury's net migration forecast likely overestimated

<https://independentaustralia.net/politics/politics-display/treasurys-net-migration-forecast-likely-overestimated,17469>

Parkinson immigration review: very good as far as it goes

<https://johnmenadue.com/parkinson-immigration-review-very-good-as-far-as-it-goes/>

Will Labor restore immigration compliance activity?

<https://johnmenadue.com/will-labor-restore-immigration-compliance-activity/>

Australian visa changes for 2023-24

<https://www.sbs.com.au/news/article/australian-visa-changes-for-2023-2024/8oypo0xui>

Liberals, warning on big migration, seek to win back multicultural Australians

<https://www.smh.com.au/politics/federal/liberals-warning-on-big-migration-seek-to-win-back-multicultural-australians-20230503-p5d5bb.html>

Why unis and vocational colleges are key to Australia's temporary migration challenge

<https://theconversation.com/why-unis-and-vocational-colleges-are-key-to-australias-temporary-migration-challenge-205011>

Chinese travellers voice frustration over Australian tourist visa refusals

<https://www.abc.net.au/news/2023-05-06/chinese-tourists-frustrated-at-visa-rejections-australia/102304420>

Is Treasury driving the 'Big Australia' debate?

<https://johnmenadue.com/is-treasury-driving-the-big-australia-debate/>

Peter Dutton warns 'unplanned' migration will worsen housing and cost-of-living crises

<https://www.sbs.com.au/news/article/peter-dutton-warns-migration-boost-will-worsen-australias-housing-crisis-in-budget-reply/ubm4ugk63>

What should we make of the 2023-24 Migration Program planning levels?

<https://johnmenadue.com/what-should-we-make-of-the-2023-24-migration-program-planning-levels/>

Ok folks

That's all for this month, stay safe

See you all on Monday 21st June 2023.



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