

Iscah Migration Newsletter

Monday 16th December 2013 | Edition 186

Hiya Everyone,

Well that's the end of another year of visa news. I hope that you have enjoyed the updates and that in some way it has helped you in any desires you have to obtain a visa to live in Australia. We have enjoyed bringing the latest news and just a reminder that we have other news sources that keep you up to date such as our webpage at www.iscah.com which has almost daily updates on interesting items as well as our Facebook and Twitter feeds (these can be accessed from our webpage).

Also don't forget that we also now offer Skype interviews for people who find it too difficult to come into our office, whether you are overseas or just finding it hard to get around the City.

Finally from all of us at Iscah may I wish you and your families a safe and merry Christmas and a prosperous new year.

On to the newsletter ...



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1) WA State Migration News

The Skilled Migration Western Australia (SMWA) office will be closed from Wednesday 25 December 2013 and will reopen on Friday 3 January 2014.
No invitations for State nomination will be sent during this time.

The SMWA have announced status changes to the Western Australian skilled migration occupation list as follows:

Available = occupation is available for nomination

Restricted = occupation is under review and invitations will not be issued pending the outcome of the review

Closed = occupation is closed for invitations

The following occupations on the Western Australian skilled migration occupation list 2013-14 are now restricted:

ANZSCO 233211 Civil engineer

ANZSCO 233512 Mechanical engineer

ANZSCO 233513 Production or plant engineer

ANZSCO 272413 Translator

ANZSCO 234211 Chemist.

ANZSCO 263111 Computer network and systems engineer

If your occupation is restricted you will not receive an invitation to apply for State nomination.

If you have already received an invitation, your application will not be affected.

(Source: WA State Government)

2) Welfare Support Workers and Similar

The Welfare Support Worker industry in Western Australia (and I expect Australia wide given the nature of the services) faces a critical issue in being able to source skilled people to fill the growing need for such services in our community. There are great shortages being experienced in Disability, Aged care and general Residential care services. There will not be enough Australian residents and citizens trained in these professions to alleviate this growing demand and so a visa solution has to take place.

In short there is just NO visa solution at present. DIBP are adamant that the positions are at skill level 4 according to their Occupational Reference book ANZSCO. The authors of this publication have provided us with a clear distinction that puts the positions arguably in Skill Level 2 (enough for the 187-RSMS program). DIBP have decided to give this little weight in their decision making.

To further muddy the waters the salary level in this industry is extremely low and so a Labour Agreement for the 457 visa category is not possible. The industry would need to pay a total wage package of \$53,900 per annum and that is not possible in such a competitive low margin industry.

We have TWICE written to the Assistant Minister for immigration Michaelia Cash explaining the dilemma. To date her office has not replied back.

We will continue to pursue this issue as there is a clear Australian demand for the skills , the visa applicants are highly skilled (holding relevant diplomas with excellent english language skills) , but DIBP under current policy constraints will not allow these occupations to fall into any of their visa categories.

(Source: Iscah commentary)

3) DIBP now to award points for Offshore Technical Skills Record

Under the GSM points test categories (189/190/489 etc) points are awarded for amongst other items, an applicant's skills.

There has been an issue for quite some time that for some trades people from Certain Countries in certain trades, who had to do the Practical assessment with a TRA approved RTO, they did not always get a Cert III issued and therefore the 10 points for qualification was not ensured. This is only applicable to Plumbers and Electricians who are not given the Cert III but are given an OTSR to allow them temporary licensing while they complete their licensing requirements and possibly later qualify for the Cert III.

DIBP have last week confirmed to us that for GSM points test that OTSR is acceptable for the award of 10 points

(Source; DIBP)

4) Exemptions to labour market testing for 457 visas from 23/11/2013

DIBP have announced that as well as other minor exemptions. ALL skill level 1 and 2 occupations will be exempt from labour market testing except nursing and engineering professionals after 23rd November 2013.

This means that any occupation that requires a diploma, degree or higher (except Nursing/Engineering) will NOT need to advertise the positions. Whilst most trade occupations (ie cook, mechanic, welder etc) will need to show some degree of labour market testing in the last 12 months.

The full policy can be seen here

www.immi.gov.au/Visas/Pages/457.aspx

Under the "Nominate" and then "Who can nominate" tabs.

Also some useful FAQs provided by DIBP are available here

www.iscah.com/wp_files/wp-content/uploads/2013/11/457LMTFAQs2013.pdf

In short the advertising requirement is not particularly onerous, even advertisements on company web and Face book pages are deemed to meet a fair test of the Australian Labour market.

5) Miscellaneous

Trades Recognition Australian have announced they will be closed from, 23 December 2013 until 2nd January 2014. Most of the other skills assessing bodies will also close for a similar period so please take this into account when trying to lodge any skills assessments for visa purposes.

The Migration Review Tribunal will allow Electronic lodgment of appeal applications from January 2013

The Australian Computer Society will have a new fee structure from 15th January 2013. Please look at their website at www.acs.org.au for further details

6) Trades Recognition Australia (TRA) Change

Important updates have been made to the TRA Migration Skills Assessment (MSA) and Migration Points Advice (MPA) Applicant Guidelines.

The updates include changes to reflect the title and structure of various Government Departments and to clarify the use of statutory declarations.

In addition, the guidelines reflect that TRA is changing its currency requirement for employment to take into account current global economic conditions. Applicants who apply from 15 December 2013 will be required to show that they worked in their occupation for at least 12 months within the last 3 years rather than 12 months within the last 2 years. Applicants should refer to section 2.4 of the TRA MSA Applicant Guidelines for more information.

(Source: TRA)

7) 489 Limitation on Relatives Sponsorships numbers

Due to a large number of applications there will be a limit of 35 invitations for subclass 489 – Skilled Regional (Provisional) (Sponsored) visas until further notice. This change will be implemented from the 16 December 2013 invitation round.

Please note that this will not have any impact on state or territory government nominations for subclass 489 – Skilled Regional (Provisional) (State or territory nominated) visas and nominations for these visas can continue.

(Source: DIBP)

8) Changes to the Job Ready Program - Removal of Professional Development training

As of 1 January 2014, participants will no longer be required to complete Professional Development training in Australian Workplace Language and Culture as part of the Job Ready Program.

Those participants that have already enrolled with a TRA approved RTO can elect to finish the training, but it is no longer an eligibility requirement to proceed to the Workplace Assessment step.

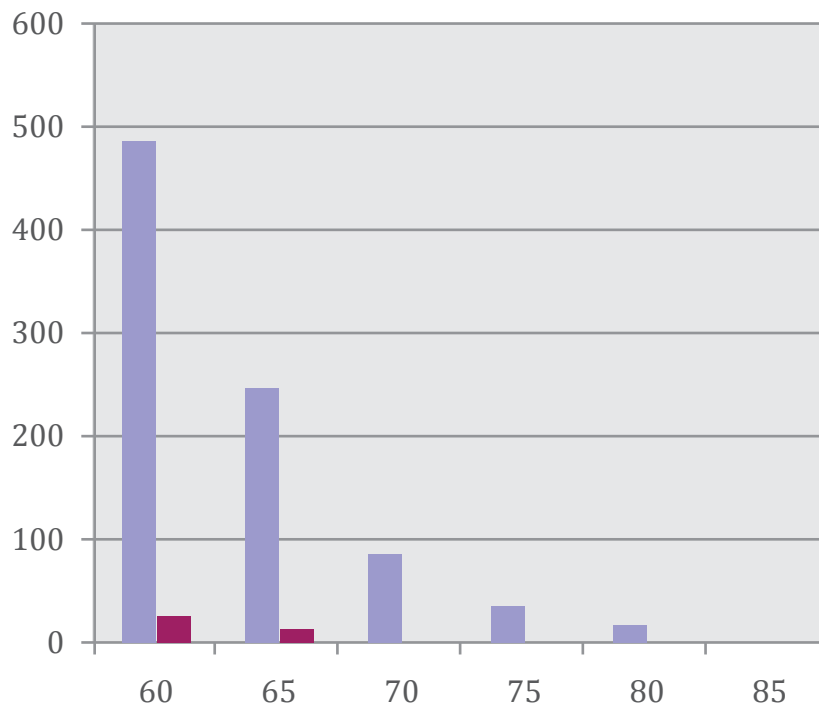
If you choose not to finish the training you must contact the RTO and your TRA Liaison Officer (TRA LO) to advise you have withdrawn from the course. The enrolment fee may not be refunded if you do not finish the training and you will need to discuss this with the RTO as TRA has no involvement with payments made directly to RTOs.

As a result of the removal of the Professional Development training from the program, the cost to participants to complete the JRP has reduced from up to \$4150, down to \$2950.

If you have any further questions please contact your TRA LO at jrpenquiries@industry.gov.au.

9) Skill Select results – 2nd December 2013

The following graph shows the points for clients who were invited to apply in the 2 December 2013 round:



Invitation process and cut offs

The highest ranked clients by points score are invited to apply for the relevant visa. For clients who have equal points scores, the time at which they reached their points score for that subclass (referred to as the visa date of effect) determines their order of invitation. Expressions Of Interest with earlier dates of effect are invited before later dates.

(continued on next page)

2 December 2013

Invitation process and cut off date by point score

Visa subclass	Points score	Visa date of effect
Skilled - Independent (subclass 189)	60	02/12/2013 12.01 am
Skilled - Regional Provisional (subclass 489)	60	01/12/2013 10.30 am

Due to the continuing high numbers of EOIs received for the following six occupations, invitations for these occupations will be issued on a pro rata basis in each twice monthly invitation round over the remainder of the program year. Please also note that SkillSelect first allocates available places to Skilled – Independent (Subclass 189) visas and then remaining to Skilled – Regional (Subclass 489) (Provisional – Family Sponsored) visas. If all places are taken up by Subclass 189 visas then there will be no invitations issued for Subclass 489 visas:

- Chemical and Materials Engineers
- ICT Business and Systems Analysts
- Electronics Engineers
- Telecommunications Engineering Professionals
- Other Engineering Professional
- Software and Applications Programmers.

The points scores and the visa dates of effect cut-offs for these occupations in the 4 November 2013 invitation round were as follows:

Note: Below points score and visa date of effect is for Skilled Independent (Subclass 189) and no invitations were issued to Skilled – Regional (Subclass 489 (Provisional) – Family Sponsored

Points scores and the visa dates of effect cut-offs for occupations in the 2 December 2013 invitation round

Occupation ID	Description	Points score	Visa date of effect
2331	Chemical and Materials Engineers	65	07/10/2013 12.01am
2334	Electronics Engineers	60	28/5/2013 1.23 pm
2339	Other Engineering Professionals	70	22/11/2013 8.30 pm
2611	ICT Business and Systems Analysts	65	15/9/2013 9.19 pm
2613	Software and Applications Programmers	60	01/8/2013 10.52 am
2633	Telecommunications Engineering Professionals	65	23/10/2013 11 pm

Okay folks, all over for 2013. Have a merry xmas and a safe new years. Hope to see you all on Monday 20th January 2014.

Cheers



Steven O'Neill

 **iscah.migration**


 **iscahmigration**

 **iscah.com**

 **Phone: 61-8-9353 3344**

 **Fax: 61-8-9353 3350**

 **E-mail: newsletter@iscah.com**

 **Iscah Migration**
Suite 14 (Kewdale Business Park)
133 Kewdale Road, Kewdale
Perth Western Australia, 6105
PO Box 75 Welshpool BC 6986



Registered Migration Agent 9687267