

# Iscah Migration Newsletter

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*Hiya Everyone*

*Welcome to your monthly update on all the visa news that we have found across the country.*

Has been an up and down few weeks for the Freo Dockers footy team. That serial pest, Ballantyne returned from a minor injury to terrorise the cats again and at 5 wins 4 losses against the top 9 times with hopefully some easier foe in the next 2 months can have us moving up the ladder. I took my son's mate (aged 8) along to the footy Saturday to. His attention span lasted nearly 2 hours before the iPad won over .. so must have been a good game then ha

On to this month's migration news ...



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## 1) South Australia State Sponsorship

Permanent state nomination for SA provisional visa holders

From 14 May until 15 June 2014, people who hold a South Australian state nominated provisional visa (subclass 489, 475, 487 and 495 only), who are living and working in the state can apply for a 190 - Skilled Nominated Permanent visa through Immigration South Australia.

This trial program enables... people who have already secured a provisional state nominated visa to apply for a permanent visa through the same program.

Before you apply

You should make sure you are aware of the Department of Immigration and Border Protection cost associated with the 190 - Skilled Nominated visa. For a single applicant the minimum application cost is \$3520 compared to the \$370 for the 887 – Skilled Regional visa. For a complete list of charges visit: [immi.gov.au/Help/Pages/fees-charges/visa.aspx](http://immi.gov.au/Help/Pages/fees-charges/visa.aspx)

If you have already lodged an 887- Skilled Regional Permanent visa you should continue with this application.

Only South Australian provisional state nominated visa holders may apply through this program. All other states and territories provisional visa holders do not qualify.

You must be currently working in South Australia (minimum 20 hours per week) to apply.

State nominated applications made under this trial program will be priority processed. The trial program will run from 14 May until 15 June 2014 or until the nomination quota has been reached.

You must meet all the provisional visa holder requirements, no exemptions will be granted.

(Source: South Australian state government)

## 2) Federal Budget Statement about Immigration

Growth in business visa programmes will be prioritised and over \$300 million will be saved through changes to Australia's 2014-15 migration programme, Minister for Immigration and Border Protection, the Hon Scott Morrison, said today.

'The Abbott Government is ensuring our migration programme matches the nation's economic and skills needs while also contributing to a cohesive and strong community,' Minister Morrison said.

'This Budget allocates almost 68 per cent of Australia's migration places to skilled migration, and reprioritises employer-sponsored visas.

'With the reprioritisation towards employer-sponsored visas, employers will be assisted in finding workers to fill vital positions where they have been unable to find local workers. This also protects Australian workers, who will have less direct competition from independent migrants who arrive without a guaranteed job.

'The 2014-15 migration program provides a total of 190 000 places including 128 550 for skilled migration, 60 885 places for family migration and 565 places for migration under the special eligibility stream.

'The family stream will see more places being allocated for partners and children which together increase by 335 places, in recognition of the strong social and economic benefits of close family reunion, while the number of places in the contributory parent category has also been increased by 500 places.

'The additional 4 000 places in the family stream which the previous government allocated to illegal maritime arrivals have been removed, resulting in a saving of around \$267 million.

'This change will provide yet another disincentive for people considering the dangerous boat journey to Australia.

'Changes to the skilled and family stream intakes will provide approximately \$35 million in savings,' Minister Morrison said.

(Source: Department of Immigration)

### 3) Cessation of some Family and Parent visas

#### Cessation of applications for Other Family and Non-contributory Parent visas: further details

Following the MIA's request for clarification of the 2014 Federal Budget's announcement of the cessation applications for Other Family and Non-Contributory Parent visas, the Department has provided the following advice:

Applications can still validly be lodged. All valid applications will remain in the pipeline and be processed in due course. The cessation of new applications under the Other Family and Non-Contributory Parent visas will take place prior to the start of the 2014-15 programme year. The visa subclasses affected are:

Parent (subclass 103)  
Aged Parent (subclass 804)  
Aged Dependent Relative (114)  
Remaining Relative (115)  
Carer (116)  
Remaining Relative (835)  
Carer (836)  
Aged Dependent Relative (838).

Specifics concerning the date the necessary regulatory changes will take effect have not yet been settled and we will get earliest advice to you and your industry colleagues once these details become clear. The announcement in the Budget papers concerns the cessation of new applications under the Other Family and Non-Contributory Parent visa categories and didn't make reference to "capping at zero" or other measures, that would affect applications validly lodged prior to the cessation date.

**Since the date the necessary regulatory changes will take effect has not yet been decided, it would be advisable to lodge any pending application as soon as possible.**

(Source: Migration Institute of Australia)

## 4) Fast Track Visitor Visas for 51 more nations

Fifty one countries and regions have been added to the eligibility list for electronic lodgement of Visitor visa (subclass 600) applications from 9 May 2014.

Citizens from 124 countries can now benefit from lodging online to holiday in or visit Australia.

For those who are eligible, travellers to Australia will find the process of applying for a Visitor visa faster than ever.

Online access to these visas is being progressively expanded to all countries. To check if your country is on the eligibility list, or for more information about online lodgement arrangements for the Visitor visa (subclass 600), see our Visitor visa page: [www.immi.gov.au/e\\_visa/600.htm](http://www.immi.gov.au/e_visa/600.htm)

(Source: DIBP)

## 5) Interesting article on 457 visas and their benefits/issues for Australia

LAST MONTH the leader of the United Kingdom Independent Party, Nigel Farage, was criticised for hiring his German wife as his secretary. Farage, whose political stock-in-trade is anti-migrant rhetoric and Euroscepticism, frequently claims that foreign workers are taking British jobs.

Asked if this wasn't also true of his wife, he replied: "No, because I don't think anybody else would want to be in my house at midnight, going through emails, getting me briefed for the next day. Nobody else could do that job. I don't know anybody who would work those kinds of hours."

Farage's office was quickly flooded with job applications from people willing to be paid to do just that.

Beyond the hypocrisy, this story encapsulates much of the contentious debate over migrant workers. Over the past two decades, the proportion of migrants working in OECD countries has increased substantially, and they are now an integral part of the labour market.

In Australia, the 457 visa program has been the focus of debate. In many respects it is among the best-designed programs of its kind, but opportunities remain for exploitation and abuse.

At the end of 2013, about 100,000 holders of 457 visas were working in Australia, and between them they had around 70,000 dependants. More than 30,000 Australian businesses, universities, government agencies and not-for-profits employed 457 visa holders, and even the odd union has used the program in the past. They staff hospitals and clinics, work on mine sites, carry out research, administer offices and cook meals ..

Rest of the article here :

<http://inside.org.au/temporary-migration-the-pressure-points/?COLLCC=3430636596>

## 6) Iscah checkpoint

Have you lodged an application by yourself already (or even with another migration agent) ?  
Would you like to receive an independent assessment on whether you have provided the right documents, whether you are likely to meet the visa criteria and how long it may take ?

### **Welcome to Iscah CHECKPOINT**

We are a professional team of 11 including 4 ex Immigration Department employees with an intimate knowledge of what DIBP require in their documentation and to meet the 104 visa different visa categories.

We will:

- Go through your personal situation,
- Advise if you have applied for the correct visa,
- Check the evidence you have provided
- Advise if you are likely to meet the criteria
- Suggest further evidence you may provide
- Estimate how long it may take to process the rest of your visa application

Please call our office on [93533344](tel:93533344) or email us at [migration@iscah.com](mailto:migration@iscah.com) for an appointment and explain you want to go through the “Iscah CHECKPOINT” process.

We charge \$400+GST for this detailed servicing of your application so you can really know where you stand.



## 7) Skills needs in the Northern Territory (Darwin)

NT wants 2500 more Asian migrants per year

The Northern Territory government hopes to welcome 2500 migrants from Asia each year to fill labour gaps as part of a proposal to develop northern Australia.

Chief Minister Adam Giles says he is in talks with Prime Minister Tony Abbott and federal Minister for Immigration Scott Morrison about putting in place a regional migration agreement, but admits it hasn't been easy.

"There are challenges in perceptions around the country about increasing migration to the territory," he told reporters in Darwin on Tuesday.

He said the unemployment rate in the greater Darwin area was 1.3 per cent, posing problems for employers seeking labour, and plans haven't always come to fruition to bring up workers from Sydney and Melbourne, which have higher levels of unemployment.

"We are having a strategic advancement towards Asia; we believe that's the most positive move for the NT as a government and for northern Australia both on investment but also population and trade routes," Mr Giles said.

He said he is working on a trilateral agreement between the NT, East Timor and Indonesia, and still determining what a 2500 growth per annum in migrant workers would mean for the workforce, housing and essential services.

The NT had a long history of welcoming migrant workers, particularly from Asia, and Mr Giles said he hoped that would continue.

"It's important we focus on migration from the northern neighbours when we can't fill those gaps from southern Australia," he said, but stressed the need to ensure the plan had the support from the wider Australian community.

The biggest challenge for workers migrating to Australia from the neighbouring region would be mastering English, said Pak Ade, Indonesia's consul to the NT.

"In Java they are more proficient in English but if you're looking in the eastern part (of the country) you need to encourage them to further their English proficiency," he said

(Source: [www.tradingroom.com.au](http://www.tradingroom.com.au))

## 8) Identity requirements (PIC 4020)

New identity requirements were introduced for Public Interest Criterion (PIC) 4020 from 22 March 2014.

PIC 4020 is a criterion that attaches to a number of visa subclasses. If PIC 4020 is part of the criteria for the particular skilled migration, student, business skills, family or temporary visa you have applied for, you must satisfy PIC 4020 in order to be granted your visa.

Since 2011, PIC 4020 has enabled refusal of a visa if an applicant provides a bogus document or information that is false or misleading in relation to their application.

The new identity requirements mean that as part of your visa application you must now satisfy the Minister of your identity. If you are refused a visa because you are unable to satisfy the Minister of your identity, you will not be granted a visa for a period of 10 years after refusal. You won't be able to provide reasons to waive these new requirements, as they are not subject to a waiver.

If your visa is refused because you did not satisfy the Minister of your identity, anyone who is listed as a member of their family unit will also be refused. These family members will also be prevented from being granted another visa (where the visa requires you to satisfy PIC 4020 as part of the visa criteria) for 10 years.

The other criteria of the PIC remain the same and you are still required to satisfy them in order to be granted a visa.

Visa applicants must not provide bogus documents or false or misleading information in support of their visa application. If your visa application is refused because you or any of the members of your family unit provide bogus documents or information that is false or misleading in relation to your application, you might be prevented from being granted a visa for three years.

Find out more at: [www.immi.gov.au/Live/Pages/document-fraud.aspx](http://www.immi.gov.au/Live/Pages/document-fraud.aspx)

(Source: DIBP)

## 9) Check your worker can work in Australia

The Immigration department has made it easier than ever before for an Australian employer to check they are employing legal workers.

It is the responsibility of all Australian businesses to ensure the non-citizen workers that they employ or refer have permission to work in Australia. This is regardless of whether workers are sourced directly or through a contractor, labour hire or referral company.

If your worker is an Australian citizen, New Zealand citizen or Australian permanent resident

Australian citizens, New Zealand citizens and Australian permanent residents have unlimited permission to work in Australia. A single check confirming this at the time of employment is all that is required.

You don't need to conduct any other checks where:

- your worker has worked in Australia for five or more years and you have no reason to believe they may be a foreign national; or
- your worker states that they were born in Australia and lived here until at least 10 years old and you have no reason to believe this is not true; or
- your worker provides you with information that their primary and further education was in Australia and you have no reason to believe they may be a foreign national; or
- you have personal knowledge that your worker has lived in Australia long term (10 years or more) and you have no reason to believe they may be a foreign national.

If your worker is a non-citizen

If you have reason to believe your worker may be a non-citizen, you may need to conduct further checks. These checks should be conducted before your worker commences work, before their visa expires and if their circumstances change.

Visa Entitlement Verification Online (VEVO) is the department's preferred method of checking if a non-citizen is allowed to work in Australia.

You can also ask a non-citizen worker to send their current visa entitlements directly from the department's VEVO Email service.

You will need to confirm the worker's identity and ensure that it matches the VEVO details. VEVO cannot confirm a non-citizen's identity.

Find more information about checking your employees at: [www.immi.gov.au/legalworkers](http://www.immi.gov.au/legalworkers)

(Source: DIBP)

## 10) Source countries of migrants to Australia

BLOG article from DIBP ..

Executives from the Australian broadcasting service SBS will have taken delight knowing the kitsch, culture and cheese that was last Sunday's Eurovision broadcast was being actively consumed and celebrated by almost half a million Australians across the nation. Nonetheless, celebrations may have been slightly dampened by the knowledge that our newer migrants are unlikely to have shared this unique viewing experience.

The reason for this lies in the changing nature of migration to Australia. Back in the early 1980s, when Eurovision first graced Australian screens, new arrivals were a substantially different bunch than they are today.

In contrast to its dismal Eurovision results in recent years, the UK was at the top of the table, accounting for almost a third of new arrivals in 1981, and placing it well ahead of New Zealand and Vietnam, each with about one in ten new migrants. Although the post-war European migration boom was by then a long gone phenomenon, there were also some surprisingly strong showings from Poland, Germany and the Netherlands.

Fast forward 30 years, and what is most remarkable is the emergence of China and India as major migrant source countries. Compared with 1981–82, both countries have experienced a twenty-fold increase in arrivals, with India going from just under 1500 arrivals in 1981–82 to more than 28 000 in 2011–12, while China went from fewer than 1400 to almost 27 000 new arrivals during the same period. To a lesser extent, the same story was repeated for the Philippines, with more than 13 000 new arrivals in 2011–12 compared with slightly more than 3000 in 1981–82.

Changes in the shares of new migrants, today versus the early 1980s

Offsetting this are the many other countries that now contribute far fewer new migrants than they used to. Most notable of these is the UK, which has lost its long-standing dominance, and ranked fourth behind New Zealand, India and China as a source of new migrants in 2011–12. Poland, Germany and the Netherlands, which featured quite strongly 30 years ago, have dropped off the radar, while the changing composition of our Humanitarian Programme has meant we now receive far fewer Cambodian and Vietnamese migrants than we used to.

With migration's centre of gravity shifting to the East, and with so many European countries contributing so little in terms of new migrants, the executives at SBS are faced with two difficult questions. Will Eurovision continue to appeal to a wider Australian audience? Should we shift our allegiances to the less catchy Asian Broadcasting Union Song Festival? The festival is an emerging player in the field of international singing contests, and its big plus is that it is open to Australian performers.

*(continued on next page)*

These are challenges for the future, requiring substantial planning, preparation, and dare I say, vision. For the time being at least, those in charge of marketing at SBS can rest easy, as most Australians still identify with a European ancestry. This means that for one night at least, millions of us can associate with, and appreciate the range of talent on display.

As they say in the classics, it's not over till the bearded lady sings!

In that respect, it was refreshing to see Austria's Conchita Wurst defy her name and defy convention to end up being voted best on the night. So while much of the appeal of Eurovision comes from its resistance to current musical tastes, and a reluctance to progress beyond the styles of the '70s, it still manages to capture the diversity and changing values of contemporary society.

Thirty years ago, if Conchita had attempted to perform, it would have sparked howls of outrage and profuse apologies from organisers; perhaps even bringing a premature end to the competition. In today's more enlightened age, she raised little more than a wry smile, as she took to the stage to rise (like a phoenix) above intolerance and prejudice to punch out a memorable power ballad.

So on Sunday night when she was announced this year's Eurovision winner, I am sure that there were many more than the 160 or so recent migrants from her corner of the world who would have been cheering her on.

(Source: DIBP)

## 11) Welfare industry work and visa options

There are many occupations from this industry that are affected by the current lack of visa pathways. Disability, Aged and Residential care all find that neither the standard 457 or 186/187 (RSMS) visas cater for what DIBP consider as semi skilled jobs.

When DIAC (now DIBP) started refusing these on skill level in 2013 they were saying that the skill level required (cert 3), the duties and the salary level all showed the skill level for the position was not that of the diploma level occupations.

As a result we consulted with the following explaining the issues :

- The case officers
- The Australian Bureau of Statistics (who authored the occupational descriptions under a publication called ANZSCO)
- The RSMS section manager in Perth
- The Labour Agreement section in Canberra (for 457s)
- The RSMS program manager in Brisbane
- Policy section in Canberra
- The Assistant Minister's (Michaela Cash) office in Perth.

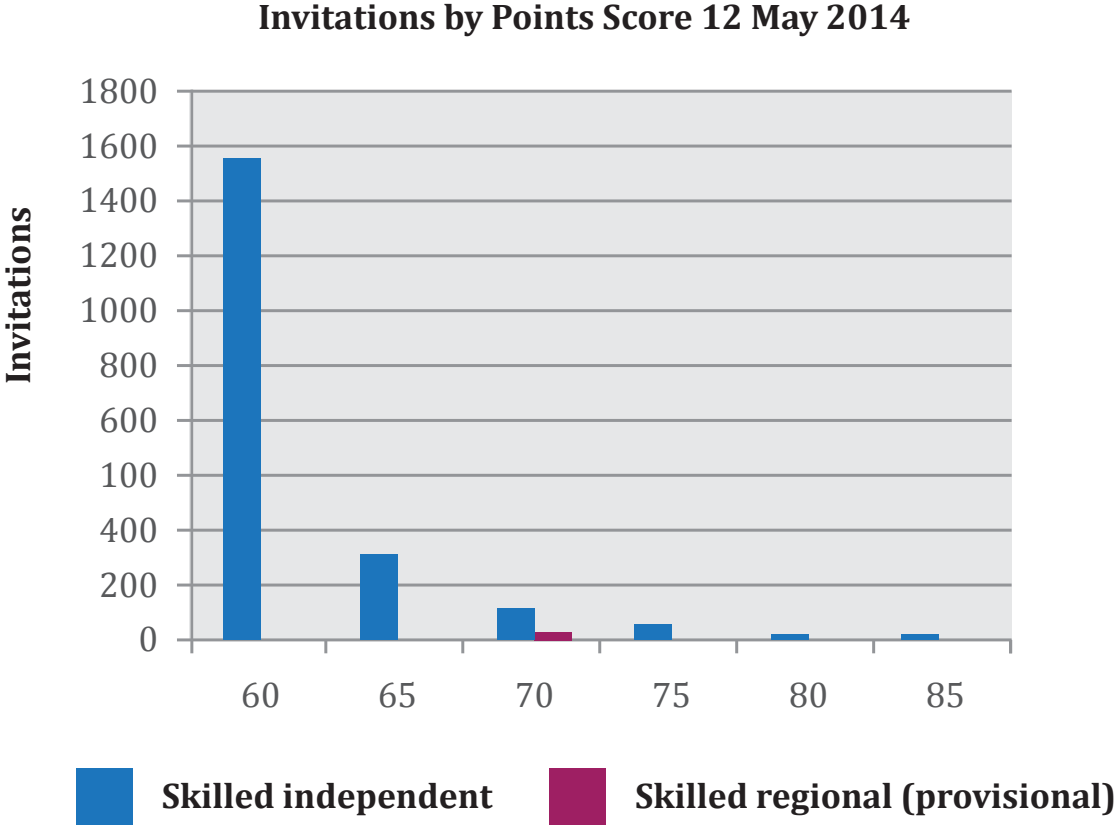
They all were on the same page, the positions being nominated had no pathway under the current migration legislation. As such we believe they are looking at possible legislative and policy changes to allow a pathway as they understand there is an acute skills shortage in many welfare support, disability, aged care, residential and community workers etc. This legislative change has not yet happened and so as such we expect applications to continue to be refused under RSMS and 457 policy.

The Assistant Minister said two weeks ago that she can see some flexibility in the 457 Labour Agreement in regards one of the stumbling blocks , the minimum salary of \$53,900. The issue then becomes what about after 2 or 4 years when such workers want permanent residence ? But at least it is a starting point. Any employer of such workers may now want to consider a labour agreement pathway for 457 visas. If you need any details about this process you are welcome to contact us at [migration@iscah.com](mailto:migration@iscah.com)

(Source: ISCAH comment)

## 12) Skill Select Results 12th May 2014

The following graph shows the points for clients who were invited to apply in the 12 May 2014 round:



*(continued on next page)*

## 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.

### Invitation process and cut off date by point score

Visa subclass	Points score	Visa date of effect
Skilled - Independent (subclass 189)	60	29/4/2014 8.48 pm
Skilled - Regional Provisional (subclass 489)	70	10/3/2014 12.01 am

Due to the continuing high numbers of EOIs received for the below occupation, invitations for this occupation will be issued on a pro rata basis in each twice monthly invitation round over the remainder of the 2013-14 programme 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:

- **ICT Business and Systems Analysts**

The points scores and the visa dates of effect cut-offs for these occupations in the 12 May 2014 invitation round were as follows:

*Note: Below points score and visa date of effect is for Skilled Independent (subclass 189).*

Occupation ID	Description	Points score	Visa date of effect
2331	Chemical and Materials Engineers	60	29/04/2014 1.05pm
2334	Electronics Engineers	60	27/04/2014 6.33pm
2339	Other Engineering Professionals	60	29/04/2014 12.01am
2611	ICT Business and Systems Analysts	65	11/12/2013 3.34pm
2613	Software and Applications Programmers	60	29/04/2014 8.48pm
2633	Telecommunications Engineering Professionals	60	29/04/2014 7.21am



Okay folks all done for another month.  
See you all hopefully on Monday 16th June.  
When the soccer world cup will have kicked  
off too. So best of luck to your team !!!



**Steven O'Neill**

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