

Hey folks

Welcome to a slightly late Christmas edition of the Iscah visa newsletter

Our last for a busy 2023

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

Best wishes to you and your family through the Christmas and new years period and see you in 2024

On to this month's news...



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1) Official migration review strategy

Clare O'Neil to unveil smaller migration program and tougher rules for temporary visa holders
Australia will have a smaller overall migration intake under the landmark strategy the Albanese government will launch on Monday, with an emphasis on new pathways for permanent settlers and highly skilled workers, as well as tougher rules to eject the temporary visa holders the nation does not need to stay.

Home Affairs Minister Clare O'Neil will set out a mechanism to manage a more orderly and predictable migration inflow over the medium term, to help state governments in the planning of infrastructure and social services, with less emphasis on the current settings overwhelmingly driven by foreign student demand.

As well, officials say the strategy will simplify and make the goals of migration more coherent, after a wide-ranging review led by former top federal public servant Martin Parkinson, published in April, declared the visa system was broken and neither meeting the interests of locals or the migrants themselves.

A government source confirmed next week's mid-year budget update would show a reduction in net overseas migration in coming years, to reflect recent visa vigilance and the new policy blueprint. The new blueprint will articulate a clearer rationale for the permanent program, currently set at 190,000 places, but which drives less than two-fifths of the overall current influx.

Treasurer Jim Chalmers says responsible economic management has been a "defining feature" of the Albanese... government this year. "We are working for Australia to take the pressure off Australians, to strengthen Medicare and to build a future made in Australia in a world of churn and change," Mr More Federal government sources are confident a recent crackdown on pandemic-era visas for temporary workers, a higher rate of visa refusal for foreign students, and fewer visa extensions for working holiday makers will suppress the number of arrivals in coming years.

Already the rate of visa refusal for foreign students is on the rise, particularly for applicants from high-growth countries where immigration officials have detected fraudulent documentation and where it is suspected that the right to work, rather than study, is the primary motivation.

As well, the federal government is ending a pandemic-era visa for about 120,000 temporary workers and is addressing longstanding visa-integrity issues that have undermined public confidence and led to worker exploitation by unscrupulous operators.

The Albanese government has come under fire from its political opponents over the surprise population boom, claiming Labor has lost control of borders and is effectively running a "Big Australia" migration program by stealth.

The post-pandemic population boom has caught Treasury and monetary officials napping, producing a spike in home values and rents, and exposing debt-laden states to unrelenting pressure on services.

The influx of 172,000 foreigners with work rights in the first four months of this financial year, or 10,000 people a week, is hindering the Reserve Bank's ability to read the underlying health of the economy and raising fears it could inflame homegrown inflation, which is running at just under 5 per cent or twice its three-decade average and the midpoint of the mandated target.

But the migrant-led population surge is keeping aggregate output growth in the economy in positive territory and easing skills shortages for employers in areas such as hospitality. Treasury's May estimate for the net migrant inflow in 2022-23 of 401,700 has been blown out of the water, as a record number of students, backpackers and workers on temporary visas hit these shores, and those already here were able to extend their stays to help employers fill a record high level of post-Covid vacancies.

In the year to March, net migration was 454,400, with new figures for the June quarter to be released on Thursday by the Australian Bureau of Statistics.

Experts predict the 2022-23 financial year produced a migrant inflow of close to 500,000, with the record influx continuing over the winter and autumn.

Treasury's net overseas migration estimate in May for the current financial year is 316,000.

Last week, the ABS projected the population rose by 0.7 per cent in the September quarter, or 190,000 people, with migration likely accounting for about 80 per cent of the increase or 152,000.

But according to a source familiar with the Mid-Year Economic and Fiscal Outlook, in the latter part of the budget's four-year planning period, and beyond into the medium term, net overseas migration will be scaled back under the influence of the changes to the visa system to below recent long-run averages of around 230,000 a year.

According to the Department of Home Affairs, since the start of July, the number of people here on student visas has increased by 104,000, or almost a fifth, to stand at a high of 673,000.

Other figures from the department show that in the four months to the end of October, the student visa approval rate for primary applicants fell to 79.6 per cent, from 85.7 per cent last financial year.

In the decade prior to the pandemic, the visa grant rate never fell below 90 per cent.

(Source: The Australian Newspaper)

The tightening of student visas has been most pronounced for the higher education sector, where the grant rate fell from 96 per cent during the pandemic to 80.4 per cent in the first four months of this financial year.

In a press conference in Sydney on Saturday, Prime Minister Anthony Albanese said his government had a "plan to fix migration" and would announce a new migration strategy this week to bring migration back to "sustainable levels", noting parts of the migration system that had been "abused".

"People are coming here, enrolling in courses that don't really add substantially to either their skills base or to the national interest here. So, it's not in the interests of our neighbours, nor is it in the interests of Australia, that there not be a crackdown on this," Mr Albanese said.

"We have a plan to fix migration by ensuring Australia can get the skilled workers Australia needs, but putting an end to any abuse and any rorts,"

He said there was always going to be a jump in migration numbers post Covid, and the population figures were lower than those projected before the borders were shut.

3) High-paid workers fast tracked as migration boom fades

Labor has resisted political pressure to slash Australia's immigration intake, and instead tightened the screws on foreign students in a bid to drive migration back down to "normal" pre-COVID levels. The government also promised business a visa system that will grant approvals in seven days to highly paid overseas staff as it shifts the system in favour of skilled workers in areas with genuine shortages, and away from low-skilled work and students.

The immigration program will remain demand driven, but should be significantly easier for most employers to navigate.

Home Affairs Minister Clare O'Neil said the blueprint, to be announced Monday, was part of the government's commitment to "returning migration levels back to normal".

The plan comes amid growing public concern about the record-high rate of arrivals, which Treasury estimates hit 510,000 in 2022-23. While the government says that surge was a one-off, as students and holidaymakers return after being locked out, Treasury has been surprised by the speed at which the temporary program has bounced back.

The mid-year economic and fiscal outlook on Wednesday will forecast net overseas migration to fall to 375,000 people this financial year and 250,000 in 2024-25.

Actions taken by the government since the May budget will mean that 185,000 fewer net overseas arrivals will arrive over the next four years than would have otherwise been the case, according to analysis by the Home Affairs Department.

This includes putting an end to the COVID-era pandemic event visa in September, which had granted 120,000 people unlimited work rights for 12 months.

"For all Australians, it means a better-planned migration system, aiming to strengthen the community you live in and to improve your living standards," Ms O'Neil said.

But the migration strategy shows the government has largely spared the temporary skilled worker system as it seeks to put a lid on overseas arrivals. The program will remain demand driven, and should be significantly easier for most employers to navigate after the implementation of the strategy.

In a grand bargain between unions and business, the plan will increase the protections offered to the lowest-paid migrants, while making it significantly easier for employers to hire middle-to-high paid skilled foreigners, amid a global race for talent.

As part of the overhaul, the Albanese government will late next year create a new visa stream for employers to bring in migrants earning more than \$135,000 in an application process that will take just seven days end-to-end.

All temporary skilled workers will be able to switch employers from late next year and have a pathway to stay in Australia permanently as part of the shake-up.

Three-tier visa scheme

The strategy's signature action is the creation of a three-tiered temporary skilled migration program that will offer drastically faster processing times for employers to help Australia compete in the global race for talent.

The system will be underpinned by a new uncapped "skills in demand" visa with three separate pathways depending on the salary a migrant will earn in Australia.

At the top end is a "specialist skills pathway" for employers bringing in foreign workers earning at least \$135,000, whose visas will be approved in a median time of just seven days.

"These migrants are prime candidates to choose other countries if we do not provide competitive visa offerings and better compete in the global race for talent," the strategy said.

But as foreshadowed by The Australian Financial Review, highly paid tradies, machinery operators, drivers and labourers will be excluded from the fast-track pathway amid pressure from the union movement.

Sources consulted in the overhaul had warned the carve out would have an outsized impact on the mining industry, making it harder to bring in jobs like machinery installers who come to Australia temporarily to train local workers.

Instead, skilled tradespeople would need to apply through the new "core skills" visa stream, where a data-driven occupation list administered by Jobs and Skills Australia will assess whether their skills were in demand.

The core pathway applies to migrants who will earn between \$70,000 and \$135,000, and will make up the bulk of Australia's temporary skilled migration intake.

A major question mark remains over the operation of the bottom-tier of the system, which will encompass workers earning less than \$70,000.

The strategy says more work will be done next year on developing the so-called "essential skills" pathway, which the government is leaning toward limiting to low-paid jobs in the worker starved aged and disability care industries.

The pathway will contain heavy union-oversight, be sector-specific, and places will be capped.

Salary thresholds indexed

The salary thresholds for each of the three pathways will be indexed annually to average weekly ordinary time earnings.

Unlike the current temporary migration system, migrants will be able to switch employers to reduce the risk of worker exploitation.

To make mobility palatable to bosses, the government will explore a model whereby fees paid by employers, like the \$7200 Skilling Australians Fund levy, are incurred in small chunks at regular intervals rather than upfront.

To facilitate job-switching and greater oversight of employers, the government will develop a public register of businesses that are approved to sponsor temporary migrants.

The register will include the name of approved employers, how many temporary skilled workers they employ, and what occupations they work in.

Labour market testing will also be overhauled. Employers will no longer be required to advertise positions to locals on the government-run Workforce Australia website before applying to bring in a foreign worker.

Tighter rules for students

The strategy marks a continuation of the Albanese government's moves to tighten access to international student visas, which have largely underpinned the surge in migration over the past year.

The government has backflipped on an earlier promise to allow international students to stay in Australia for an additional two years after graduation.

The policy reversal appears to be because over 50 per cent of graduate visa holders are in low-skill jobs that would not be considered an asset when applying for residency.

The strategy also includes new measures aimed at curtailing visa-hopping by students and weeding out non-genuine students who use the student visa system to access the jobs.

A genuine student test will be introduced that will take into account "the circumstances of the applicant, such as their academic or career progression and the usefulness of the intended study to their future career prospects".

The migration review says at least some of the stratospheric growth in international students, who account for around 60 per cent of all temporary migrants, has been propelled by “non-genuine students and unscrupulous education providers” who have subverted and exploited loopholes in the visa system. The reforms come in the wake of other changes announced in the past couple of months aimed at curbing exploitative and corrupt behaviours by some agents, colleges and employers. It has been predicted that up to 200 private vocational colleges could go broke as a result of those changes, with many more undoubtedly at risk due to the additional measures.

Points overhaul

The strategy commits to reforming the points test, which is used by self-nominated temporary migrants to apply for permanent residence.

After the migration review found the current points test rewarded people for attributes that had little bearing on the economic dividend they would provide to Australia, the strategy flags a reformed version that would clearly reward skill over perseverance.

International student graduates working in skilled jobs would have more opportunity to become permanent under the revamped test, while those graduates not working in skilled jobs would find it tougher.

The government will also consider a new “talent and innovation” visa to lure in migrants who can make an outsized contribution to Australia

“This could create a single, streamlined pathway to attract relatively small numbers of highly talented migrants to Australia, such as high performing entrepreneurs, major investors and global researchers,” the strategy said.

It would effectively replace the much-criticised global talent program and business innovation and investment program (BIIP), which were both designed to attract entrepreneurs but had fundamental structural shortcomings.

Research by the Grattan Institute estimated the average BIIP recipient cost taxpayers \$120,000 over their lifetime in Australia, since applicants were mostly older migrants who were less likely to work and pay taxes.

The Coalition, led by shadow immigration minister Dan Tehan, has sought to capitalise on community concern over rapid rates of migration, accusing Labor of losing control of the program.

In a nod to those concerns, the strategy also commits to planning migration over the longer-term and coordinating with states and territories on infrastructure and housing.

Describing the current migration system as broken, Ms O’Neil said the government will reduce the number of visas from 100 to 80, with further consolidation likely among programs that are no longer receiving applications or are duplicative.

(Source: Financial review newspaper)

3) Migration review to fast track visa processing for the regions

Home Affairs Minister Clare O'Neil. The government will move to fast track visa processing times for migrants moving to regional Australia and has pledged to work closely with the states and territories to ensure population is better targeted over the long term as part of a major shake-up to the migration system.

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The Albanese government will move to fast track visa processing times for migrants moving to regional Australia as it pledged to work closely with the states and territories to ensure population is better targeted over the long term as part of a major shake-up to Australia's migration system. The changes – set to be unveiled on Monday as part of Home Affairs Minister Clare O'Neil's response to the migration review – are designed to meet critical workforce needs in regional Australia and help supercharge regional communities.

However, Labor has ignored calls to limit the use of the working holiday maker program despite concern the scheme is a key driver of exploitation with visa holders previously subject to underpayment, sexual harassment and workplace safety concerns. The government has instead pledged to conduct a further review of the program and broader migration settings to ensure it "can better meet regional needs while not adding to worker exploitation".

Sky News host James Macpherson says Albanese is looking to "crack down" on migration to focus on bringing in skilled workers. "Labor is looking to seize back control of the narrative on migration," Mr Macpherson said. "After the detainee debacle of last month. "They now say Australia needs to crack down More

It comes after an interim migration system review led by former public service chief Martin Parkinson recommended that Labor end the ability for travellers to extend the visa beyond 12 months if the worker has spent 88 days employed in regional Australia.

The review said the primary focus of the visa should be for "cultural exchange" noting the visa plays an important role in some of Australia's international relationships.

Farming groups have been fiercely opposed to any restrictions being placed on the visa because backpackers had become a critical part of the nation's food system, while unions have been calling for the scheme to be abolished to protect workers from exploitation.

The government's response more broadly underscored the need for a co-ordinated approach to workforce needs in the regions with regional Australia's population forecast to grow by 0.8 per cent per year to 2031-31 compared to 1.2 per cent for capital cities.

It noted 2016 census data which indicated only about 14 per cent of migrants live outside capital cities compared to 34 per cent of the general population despite the range of existing place based policies.

The government also deepened its commitment to increasing skilled migration to help meet labour shortages in regional Australia.

“Migration can play a powerful role in revitalising regional communities and meeting critical workforce needs in regional Australia,” it said. “Regional migration works for migrants and for long-term regional development when supported by the policy levers that make migration successful, such as government planning, infrastructure investment and economic opportunities.”

The Albanese government has also committed to plan the nation’s migration intake over a longer-term horizon with better collaboration with states and territories to ensure it is best targeted to the areas which need it.

Labor will extend its planning period beyond 12 months in a bid to plan most effectively in the national interest and fill critical skills shortages such as in the technology and care economy.

“The existing short term planning approach for the permanent migration program does not effectively target migrants with the skills we need to meet current and emerging national challenges,” the response said. “This is especially important for regional Australia where the challenges that Australia faces as a nation are often experienced more acutely.”

Committee for Economic Development of Australia chief executive Melinda Cilento said Labor’s commitment to long-term migration planning with the states provided a “welcome and critical missing ingredient”.

“This will enable better long-term planning and investment in housing and infrastructure and should send clear signals about the scale and composition of our migration program,” she said.

“As current debates show, this is crucial to maintaining community confidence in and support for our migration system.”

(Source: financial Review newspaper)

4) 'Non-genuine' foreign students to be weeded out

A year after the Albanese government declared some international students could stay for an additional two years after graduation, Labor has backflipped on the promise as part of efforts to trim the number of temporary migrants in Australia.

New measures aimed at weeding out non-genuine students who use the study visa system to access the jobs market will include higher English-language proficiency requirements and more scrutiny of applicants with greater priority given to those who enrol in high-quality, high-fee universities and colleges.

International students will undergo far more scrutiny when applying for a visa to study in Australia. The reforms from Labor's migration review, released on Sunday, come after other changes announced in the past couple of months aimed at curbing exploitative and corrupt behaviours by some agents, colleges and employers. It has been predicted that up to 200 private vocational colleges could go broke as a result of those changes, with many more undoubtedly at risk due to the additional measures.

However, it was only last September that Education Minister Jason Clare announced that some international students would be given an additional two years to stay and work in Australia after finishing their degree – as a means of increasing the number who go on to become permanent residents.

The policy reversal appears to be because over 50 per cent of graduate visa holders are in low-skill jobs that would not be considered an asset when applying for residency.

There is also evidence that thousands of graduate visa holders reapply for another study visa once their time is up to lengthen their stay in Australia, known as visa-hopping.

However, those in high-demand skill areas, such as engineering, can apply for a new 'skills in demand' visa or permanent skilled visa under the changes.

The migration review says at least some of the extraordinary growth in international students has been propelled by "non-genuine students and unscrupulous education providers" who have subverted and exploited loopholes in the visa system.

A genuine student test will be introduced that will consider "the circumstances of the applicant, such as their academic or career progression and the usefulness of the intended study to their future career prospects".

Additional scrutiny will be applied to all visa applicants, particularly those applying to providers and universities deemed high-risk by the Department of Home Affairs.

The tougher rules for foreign students, and the ending of special COVID visas that was announced in August, will drive migration back down to "normal" pre-COVID levels.

Course switching to stay

The number of students switching to lower-level, cheaper courses to prolong their stay has proliferated over the past year. There are now 150,000 international students on a second or third visa, the review says, with the vocational sector the hub of most nefarious activity.

Six of the 10 most popular vocational courses for international students are diplomas in business, leadership and management – courses which deliver little practical skills and are in low-demand among employers.

Experts say this has led to a spike in new colleges that have been approved or are waiting to be so in just the last year. They say a number of these and existing colleges, which have become known as 'ghost schools' have few teaching facilities and exist merely to channel student visa holders into the workforce.

"It is incumbent upon the government to provide these migrants with clarity about their future. International students and graduates make up the largest share of 'permanently temporary' migrants with 108,000 having lived in Australia for five years or more," the review reads.

(Source: Financial Review newspaper)

5) Backpackers spared from migration overhaul

Labor has ignored a recommendation to limit the popular working holiday visa to one year, and instead promised to explore how to lure foreign workers to the regions.

The federal government's migration strategy, released on Monday, designated processing applications for migrants headed to regional Australia as a top priority to address the shortage of workers in the bush.

Farmers have warned against changes which could compromise critical workforce supply. Chris Ratcliffe/Bloomberg

The strategy notes that the existing approach to getting foreign workers to live in regional Australia has had limited success. Just 14 per cent of migrants live in regional Australia, compared to 34 per cent of the population as a whole.

As foreshadowed by The Australian Financial Review, the government has delayed acting on a recommendation to end the option for foreign workers to extend their stay by spending time working in the regions, amid concerns about the effect this would have on the agriculture sector. Currently, working holidaymakers can extend to a second or third year in Australia if they go to a regional or rural area for 88 days to perform specified work, including jobs in the construction, mining, fishing, and farming sectors.

"In considering any changes to the working holidaymaker program, the government will analyse the importance of the program in meeting labour shortages in regional Australia, especially in horticulture," the migration strategy says.

Home Affairs Minister Clare O'Neil has committed to publishing a wider evaluation of regional migration settings and the working holidaymaker visa in early 2024, including a detailed consultation into the 88-day work requirement.

Exploitation and underpayment

Former top public servant Martin Parkinson, whose sweeping review into the migration system underpinned Labor's strategy, said the primary focus of the working holiday visa program was "cultural exchange" – not employment.

Advocates for limiting the working holiday program to one year argue the requirement to work in the regions left workers open to exploitation. A survey by the Migrant Justice Institute found that almost half of all working holidaymakers reported being paid well below the minimum wage.

But the National Farmers' Federation has warned that any changes to the scheme risked exacerbating a labour shortage if there were no alternative pathways.

Before the COVID-19 pandemic, about 22 per cent of working holidaymakers extended their visa into a second year by meeting the 88-day requirement.

Despite leaving the visa unchanged, Labor is still likely to overhaul the working holiday program. Labor's National Conference in August approved changes to the party platform supporting a review of the 88-day rule. Ms O'Neil and Immigration Minister Andrew Giles backed the amendment, which said Labor would review the visa conditions "in the context of significant workplace exploitation and regional labour markets".

The migration strategy notes that visa holders are regularly subject to exploitation during their 88-day regional stays, while underpayment is also rife.

"Visa holders have been subject to an increased dependency on employers, underpayment and non-payment of wages, sexual harassment and workplace health and safety problems," it says.

One option for Labor would be to allow visa holders to extend for a second or third year without any work requirements, the same conditions British passport holders will enjoy under the new Australia-United Kingdom Free Trade Agreement.

(Source: Financial review newspaper)

6) Indian students given exemption to work in Australia

Indian students who graduate from certain degrees will be allowed to stay in Australia to work for up to four years despite recent moves by the federal government to clamp down on “permanent temporary migrants”.

More than 400 education agents were briefed in Delhi by government officials on Wednesday that an existing free trade agreement with India signed by the Morrison government takes precedence over the Albanese government’s migration reforms announced on Monday.

Those reforms included increasing English-language requirements to qualify for a visa and far greater scrutiny of applications for student visas. The changes follow widespread rorting and abuse of the visa system by non-genuine students using study visas as a conduit to work.

In September, there were 153,250 overseas students from India enrolled in a course in Australia, according to the Department of Education. About 50,000 could be eligible for the longer visas under the trade deal, according to Austrade estimates.

The 46,600 individuals studying masters courses, who account for about a third of all Indian students, will be granted an extra year, and will be allowed to stay for up to three years. Around 1800 PhD graduates also get an extra year, taking them to four years.

In general, overseas students who have finished their course can apply for a temporary graduate visa that allows them to stay and work in Australia for two years.

As part of the migration strategy, Home Affairs Minister Clare O’Neil reversed a year-old decision to allow graduates in certain courses to stay and work in Australia for an additional two years.

But the masters and PhD students from India, which represents the second-highest source country of foreign students after China, will be eligible for an additional year. The glitch is a result of a free trade agreement with India signed in April last year by then-trade minister Dan Tehan. Indian high commissioner Philip Green has been quoted in the Indian media saying “commitments agreed between India and Australia under the ECTA will be upheld under the new migration strategy”.

The migration review put a strong focus on tidying up the flow of non-genuine students into Australia. Student visa holders from India, Nepal and Pakistan in particular were likely to be hit the hardest by the tougher rules.

The review also found that graduates on the post-study visas often worked in jobs well below the skill level they had achieved.

As The Australian Financial Review revealed this year, a surge in Indian student enrolments from late last year coincided with a bounce in unethical, and at times corrupt, practices and abuse of the visa system.

Phil Honeywood, chief executive of the International Education Association of Australia, said the very issue the migration review was trying to fix was being undermined by a previous agreement. “It now transpires that the very market that the government is trying to grapple with the most now has a diplomatic exemption,” Mr Honeywood said.

“While India education agents are triumphant, how do we explain this special deal to our other key student markets such as China, Nepal and Vietnam?”

Mr Honeywood said it was “ironic” that the “special carve-out” had been signed off by Mr Tehan when he was trade minister, and most recently he had “been demanding in parliament for weeks that we have fewer overseas students coming into the country”.

Bounceback or blowout?

Earlier this week, Mr Tehan accused the Albanese government of being “all talk and no action” on the “blowout” in the number of international students.

“What we’ve seen is a blowout in international student numbers that is putting pressure on the social licence that international students have in this country,” he told Sky News.

“Obviously, there is a place for international students as well, but in the last 18 months under this Labor government, it’s got completely out of whack and that isn’t good for the international students in this country, it’s not good for our reputation ... and it’s one of the messes that the Labor government have created.”

In fact, the number of international students is only 2 per cent higher than in 2019, before the pandemic brought arrivals to a halt overnight.

Although net overseas migration surged to 510,000 in 2022-23, that was largely a bounceback from the COVID-19 period where more people left the country than arrived. The measure is forecast to return to normal pre-pandemic levels by 2024-25.

7) Student and Student Guardian visa processing priorities

A new Ministerial Direction for prioritising student and student guardian visa applications was signed on 14 December 2023.

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

8) Contributory Parent applications - Queue date changes

"The Department is currently assessing a large number of Contributory Parent visa applications for a place in the queue. In order to ensure that clients are not disadvantaged by the delay, the Parent Visa team are currently utilising provisions within Ministerial Direction 103 to assign a retrospective queue date to provide a fair and objective approach to assigning queue dates for this caseload.

Given the large number of Contributory Parent visas under current assessment this will ensure that cases lodged months or potentially years apart do not 'skip' each other for a place in the queue due to our processes. It will also align with the queue method applied to Contributory Parent visas that were lodged up to 1 June 2018.

To ensure equity, the Parent Visa team are currently revising the queue date assigned to a small number of Contributory Parent visa applications lodged post 1 June 2018 that were incorrectly assigned a 2021, 2022 or 2023 queue date."

(Source: MIA/Home Affairs)

9) NT Update

Closure of NT General Skilled Migration (GSM) nomination applications for 2023-24

The number of NT nomination applications received under the GSM program has now exceeded the available allocations for the 2023-24 program year.

MigrationNT will stop accepting new GSM nomination applications from close of business on Monday 4 December 2023.

Existing applications that have already been lodged through the online MigrationNT portal prior to this time will continue to be assessed under existing eligibility criteria, and eligible applicants will be issued nominations, subject to availability of allocations. Some eligible applications may need to be placed on hold until new allocations are received in the 2024-25 program year (commencing 1 July 2024). You will be contacted via our online portal if this applies to your application.

Those who have visas expiring should seek professional advice on their visa options and ensure that they remain lawful during their stay in Australia.

MigrationNT continues to advocate for nomination allocation numbers that meet the needs of the Territory.

Northern territory now allowing 494 DAMA visa holders to apply for 191 PR after just 2 YEARS work

<https://industry.nt.gov.au/migration-for-business/northern-territory-designated-area-migration-agreement/permanent-residence-pathway>

10) Temporary Graduate Sc 485 - Australian Study Requirement - change of policy

Members should be aware that following the announcement that the COVID-19 concession period ended on 25 November 2023, the Department have posted a change of policy to their website for subclass 485 visa applications. The message states that for applications lodged from 25 November 2023 student visa holders who undertook online study offshore due to COVID-19 travel restrictions are no longer able to use this study to meet the Australian Study Requirement (ASR).

Previously Subclass 485 visa applicants who were studying offshore whilst holding an Australian visa that authorised them to study and were not permitted to travel due to COVID-19 pandemic, were able to use the offshore online study towards meeting the ASR.

The MIA queried this change with the Department and have been provided the below clarification: As per the Departmental website, for applications lodged from 25 November 2023, Student visa holders who undertook online study outside Australia because of COVID-19 travel restrictions are no longer able to use this study to count towards the Australian study requirement for the purposes of applying for a Temporary Graduate (subclass 485) visa. Please be advised the relevant policy documentation will be updated in due course.

Offshore study during Covid

From 25 November 2023, online study requirements reverted to pre-COVID settings. However, online study undertaken during the COVID concession period (1 February 2020 to 25 November 2023) will continue to count towards the Australian Study Requirement.

As all students were required to return to in-person study in July 2023 by TEQSA, the tertiary education regulator, we anticipate that this position should not disadvantage any students, but also provide a clear end date to the announcement of the previous government made in November 2021.

11) Great South Coast DAMA update

IMPORTANT UPDATE REGARDING GSC DAMA ENDORSEMENTS

We would like to inform you of some important developments in our Great South Coast Designated Area Migration Agreement (GSC DAMA) Program that may impact the timeline for your application.

We have received a significant increase in the number of endorsement requests for positions under the GSC DAMA Program and all of the available positions allocated under our agreement for this current year with the Department of Home Affairs (DoHA) have already been utilised. Whilst we are pleased to see such strong interest from businesses in the program, which demonstrates the value it brings to our region, it means we are now unable to endorse any further positions to DoHA until the end of March 2024.

We understand that the GSC DAMA Program plays a crucial role in addressing workforce shortages in our region, and we appreciate your commitment to this initiative. On several occasions over the past 12 months, we have requested an increase in our regional cap to accommodate the growing demand for skilled workers however this is yet to be accommodated and is unlikely to occur. Rest assured that we will continue our efforts to advocate for the necessary changes to support our local businesses and communities.

We encourage you to prepare the information required for your application so we can submit it when we have the numbers to do so.

If you have any questions or need assistance, please do not hesitate to contact our DAMA Coordinator Angie Doldan (adoldan@warrnambool.vic.gov.au).

Thank you for your ongoing support of the GSC DAMA Program, and we look forward to working closely with your business to ensure the successful endorsement of the positions you may require in the future.

12) News Articles

Business leaders say migration needed to cool labour market, but this risks overheating housing market

<https://www.proactiveinvestors.com.au/companies/news/1034275/business-leaders-say-migration-needed-to-cool-labour-market-but-this-risks-overheating-housing-market-1034275.htm>

Work cut out for Government in managing net migration

<https://independentaustralia.net/politics/politics-display/work-cut-out-for-government-in-managing-net-migration,18133>

Home Affairs Minister Clare O'Neil unveils new migration strategy to crack down on roting and import skills

<https://www.news.com.au/national/politics/albanese-government-to-unveil-migration-strategy-revealing-plans-to-crack-down-on-migrants/news-story/8e6f286fc1235756d29baf93ad63b60a>

Federal push to cut migration could derail state budget predictions

<https://www.watoday.com.au/national/victoria/federal-push-to-cut-migration-could-derail-state-budget-predictions-20231211-p5eqlv.html>

Universities oppose caps, levies on overseas students amid plan to slash migration

<https://www.watoday.com.au/politics/federal/universities-oppose-caps-levies-on-overseas-students-amid-plan-to-slash-migration-20231211-p5eqm9.html>

International students left in limbo as new migration strategy reduces eligible age for graduate visa

<https://www.abc.net.au/news/2023-12-15/graduate-work-visa-age-limit-change/103224544>

The 'tradie' fast track visa stream beat-up

<https://independentaustralia.net/politics/politics-display/the-tradie-fast-track-visa-stream-beat-up,18174>

Is migration heading "back to normal"?

https://insidestory.org.au/is-migration-heading-back-to-normal/?fbclid=IwAR25u5nbzy_iNyWaR64_jTeJkWfPebLLzcHnjrogW-FThxUYpyCE8r4f6lc

Migrants scapegoated as cause of Australia's housing crisis a 'disturbing' trend, advocates say

<https://www.theguardian.com/australia-news/2023/dec/19/migrants-being-scapegoated-as-cause-of-australias-housing-crisis-in-disturbing-trend-groups-say>

Australia's New Migration Strategy

https://thediplomat.com/2023/12/australias-new-migration-strategy/?fbclid=IwAR0X6C4dXBO1H1uEdHJ4alHw_FkjcdV0t27BY2H4gMVG9hL-wkNQlj4iRWI

Ok folks

That's all for this month, stay safe

See you all on Monday January 15th 2024



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