

Iscah Migration Newsletter
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Hey everyone

Welcome to our latest edition of all the visa news we have heard about for the last month
Hope you find it useful. If you want to subscribe or unsubscribe or simply have any suggestions,
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1. Home Affairs comment on various programs

National Innovation Visa

The National Innovation Visa will be a small, exclusive program with an increased focus on high calibre talented migrants. It will support productivity growth by enabling migrants with skills in areas such as advanced robotics, quantum computing, and clean energy to come to Australia.

State 190/491 visas

With this level of nominations, the number of on-hand applications is likely to continue to exceed the planning level throughout 2024-25, so processing times are likely to rise and remain elevated.

- Average processing times are expected to increase in 2024-25, with some applications likely to take approximately 18 months to be processed.
- Average processing times are also likely to increase into 2025-26.

Future State Migration program

From 2025-26, the planning horizon of the permanent Migration Program will be extended from its current 12-month outlook to a period of four years.

At the beginning of a four-year program cycle, the Government will set the planning level for year one and the nominal levels for years two, three and four. The Government may also set the upper and lower bounds over the program cycle, which will establish a 'range' within which the planning level can vary over the four years in response to changing circumstances. This range will be consistent throughout visa categories.

2. Information from the MIA and a presentation from Home Affairs

Skills in Demand visa Sc 482

Temporary skilled worker visa with up to 4 years validity

Clear pathway to permanent residence

Will have 3 streams - Specialist Skills, Core Skills and Labour Agreements

- Specialist Skills stream: Will be for highly skilled migrants earning at least \$135,000 in any occupation except trades workers, machinery operators, drivers and labourers
- Core Skills stream: Will be for skilled employees and there will be a new Core Skills occupation List and a Core Skills Income Threshold
- Labour Agreement stream: The TSS Labour Agreement stream will be renamed the Skills in Demand Labour Agreement stream

Work experience requirement reduced to one year

As the TSS visa will be replaced by the SID visa existing short-term and medium-term streams of the TSS visa will close to new applications.

The Department are currently working on this, and it will commence in 2024 before the end of the year.

National Innovation Visa (Sc 858)

Will replace the Global Talent visa but remain a Sc 858 visa

Will have a place for a broad range of high calibre talent with a diversity of backgrounds such as : Global researchers and thought leader e.g. published in leading journals, high levels of publications and citations, recipients of top of field awards

Entrepreneurs both established and emerging with lessons taken from successful State and Territory led initiatives

Innovative Investors with a focus on the quality of investment, not simple thresholds

Athletes and creatives particularly those that represent Australia internationally

Applications will be by invitation only and the EOI process will more closely reflect that of other invitation only visas.

The Department are currently working on this, and it will commence in 2024 before the end of the year.

The Department also provided a comparison between the NIV and the SID in the Specialist Skills stream, please see table below:

Skills in Demand (SID visa (Sc 482) Specialist Skills stream / National Innovation visa (NIV) (Sc 858)

Applicant profile Highly skilled, earning at least \$135,000, with an employer sponsor Internationally recognised record of exceptional talent, prominent in their field

Visa length Up to 4 years (with pathway to permanent residency) Direct to permanent residence

Sponsorship requirement Must have an approved sponsor Must be nominated via approved form 1000.

English Competent English Functional English or pay second VAC

Age Any age (PR requirements are separate) Any age

Occupation restrictions Almost any occupation except trades workers, machinery operators and drivers, and labourers No occupation restrictions

Grants each program year Demand driven Planned program and must be invited to apply

3. Bridging Visa update

- On 30 September 2024 there were 337,901 Bridging A, B and C visa (BV ABC) holders in Australia. The majority of BV ABC visas granted are associated with a substantive visa application, with most people on these visas having applied for a new visa while they were holding a substantive visa.
- The number of people holding an in-effect BV ABC in Australia varies throughout the year with annual seasonal peaks and troughs, in line with variances in other visa programs. There was a large reduction in the number of BV ABCs in late 2022 and in the first half of 2023 as visa application backlogs were cleared and visa holders granted their substantive visa.
- On 30 September 2024, the number of people in Australia holding an in-effect BV ABC had increased 76.8 per cent from the same time the previous year on 30 September 2023. The recent increases to the number of BV ABC holders in Australia can be attributed to growth in application volumes for student visas. It is likely this was driven by legislative changes implemented from 1 July 2024, which limits the holders of certain visas from applying for a student visa while they are in Australia.

(Source; Home Affairs)

4. Partner Visa update

- The Partner category continues to make up the majority of Australia's Family Migration Program.
 - The Department is focusing on first stage Partner visa finalisations.
 - Partner visa application numbers increased by 26 per cent in 2023–24. This growth in demand has continued into 2024–25, with lodgements up 35.1 per cent compared to the same time last program year (as at 30 September).
 - Despite the significant increase in demand, visa processing activity has kept on-hand application numbers stable in 2024–25. As at 30 September 2024, 14,424 first stage Partner visas have been granted. There are 76,128 first stage Partner visa applications remaining on hand, up 1.4 per cent from 75,060 as at 30 June 2024.
 - A specialised team was established in September 2021 to process complex cases, with an initial focus on applications impacted by the now revoked Ministerial Direction 80, which provided the lowest processing priority to applications sponsored by permanent residents who arrived in Australia as unauthorised maritime arrivals. The Department has continued to prioritise aged and complex Partner visa applications in 2024–25, both through the specialised complex case team and the broader Partner visa processing network.
- There has been a significant reduction in the number of on-hand cases aged 24 months or older. As at 30 September 2024, 4,015 (5.3 per cent) of first stage Partner on-hand applications were 24 months or older, compared to 12,289 (21 per cent) on 30 June 2023 and 19,905 (30.8 per cent) on 30 June 2021.
- Partner visas are subject to a two-stage processing arrangement, with applicants lodging an application for a temporary and permanent Partner visa at once. The two-stage model ensures that only applicants in genuine and ongoing relationships are eligible for the benefits of permanent residence.
 - As part of the two-stage process, most applicants become eligible to be considered for the permanent visa two years after lodgement of the combined application.
 - In addition to first stage Partner finalisations, the Department continues to process second stage Partner visa applications. In 2024–25, as at 30 September 2024, 8,869 second stage Partner visas were granted. The number of eligible second stage Partner visa applications on hand was 21,880 as at 30 September 2024, reducing from 47,638 as at 30 June 2023.

(Source: Home Affairs)

5. Update on 191 and 887 visas

- The Permanent Residence (Skilled Regional) subclass 191 visa in the Regional Provisional Stream commenced on 16 November 2022. Over 10,500 visa applications were lodged in the 2023–24 program year. More than 3,000 visa applications have been lodged in the first three months of the 2024–25 program year alone. This is likely due to a greater number of visa applicants have held the eligible provisional visa for at least three years and meet the regional residency and other visa requirements to apply.
 - Significantly fewer Skilled Work Regional (Provisional) subclass 491 visa applications were lodged in the 2023–24 program year when compared to the 2022–23 program year. This may have been an outcome of lower state and territory nomination allocations given visa application pipelines already had sufficient volumes for the 2023–24 planning level.
 - In September 2022 the Government provided \$36.1 million to temporarily support visa processing undertaken by the Department to reduce the former backlog of on-hand visa applications. Visa processing of the Skilled Regional, subclass 887 visa caseload peaked in this period.
 - There have been fewer subclass 887 applications granted in 2023–24 compared to previous years as the eligible pool of applicants diminishes, noting the last of the prerequisite qualifying visas for the legacy subclass 887 visa closed to new applications in November 2019.
- (Source: Home Affairs)

6. Aged Care Labour agreement update

- On 5 May 2023, the Government announced the establishment of the Aged Care Industry Labour Agreement to help streamline the recruitment of overseas workers in the aged care sector where appropriately qualified Australian workers cannot be found and standard work visa programs are not available.
 - The Aged Care Industry Labour Agreement has been carefully designed, featuring concessions, and flexibility to standard visa requirements, to help support the aged care sector and improve the attraction and retention of skilled overseas workers.
 - The uptake of the Aged Care Industry Labour Agreement continues to increase among providers and overseas direct care workers.
 - As at 27 September 2024, there were 104 Aged Care Industry Labour Agreements in effect, which can provide for more than 28,000 direct care workers, depending on the demand from business.
 - As at 27 September 2024, there were 2,624 visa applications lodged, and the Department granted 1,763 visas under the Aged Care Industry Labour Agreement.
- (Source : Home Affairs)

7. Update on NT General Skilled Migration (GSM) nomination applications for 2024-25

MigrationNT is continuing to receive and assess onshore applications for nomination. Offshore applications will be reopened on Wednesday 14 August 2024 but only for the NT Family Stream and Job Offer Stream. To find work in the Northern Territory visit [WorkerConnect](#). Due to the significant volume of applications received to date, the Priority Occupations Stream will remain suspended for the time being. Existing offshore applications made under the Priority Occupations Stream will continue to be assessed. However, please note that there are likely to be significant delays in assessing these applications.

Before applying for nomination, please ensure that you have read through the [eligibility criteria](#) and have lodged an expression of interest through the Department of Home Affairs' [SkillSelect](#) system. Please note that we may not be able to guarantee nominations before visa expiry dates. Those who are onshore and have visas expiring should seek professional advice on their visa options and ensure that they remain lawful in Australia.

<https://theterritory.com.au/migrate/migrate-to-work>

8. Northern territory DAMA update

Important information – expiry of current NT DAMA

The head agreement between the NT Government and the Australian Government that governs the program is due to expire on 13 December 2024. We are currently in negotiations with the Australian Government's Department of Home Affairs to enter into a new 5-year NT DAMA. This will be the 3rd head agreement under the program (NT DAMA III). In negotiating this new agreement, we are seeking to make some key improvements to the program including an expanded occupations list and streamlined application processes.

While every effort is being made to formalise and implement NT DAMA III immediately after the expiry of the current agreement, realistically, this is not likely to occur before the end of this year. This will mean a brief period of suspension for the program. We hope to be in a position to implement NT DAMA III in mid to late January 2025. Please take note of the following important information as we manage this transition:

New endorsement and subsequent endorsement applications under the current NT DAMA

All new endorsement and subsequent endorsement applications under the current NT DAMA must be received by MigrationNT by Friday 6 December 2024.

This deadline is necessary to enable the team to assess and endorse eligible applications by the expiry date of 13 December 2024. Applications that are not decision-ready may not be endorsed in time.

The NT DAMA application portal will be **closed for all new applications after Friday 13 December 2024** until NT DAMA III is implemented.

Labour Agreement requests, variations and nomination applications with Department of Home Affairs

As long as a business has been endorsed by MigrationNT by 13 December 2024, they can proceed to lodge labour agreement requests and nomination applications with the Department of Home Affairs. They can continue to lodge these applications with Home Affairs after the NT DAMA expires (on 13 December), and they will be assessed as per normal.

As long as the endorsement from MigrationNT is received by 13 December 2024, the approved occupation ceilings will remain valid for new nomination applications and visa applications after the expiry of the current NT DAMA. For example, if MigrationNT endorses a business with year 1 ceilings on 30 November 2024, and their labour agreement with Home Affairs comes into effect on 16 December 2024, they will be able to lodge nomination applications under the first year ceilings for the 12-month period starting from 16 December 2024 (despite the current NT DAMA expiring on 13 December 2024).

Skills assessments

Skills assessment applications will continue to be accepted for prospective employees of businesses that lodge endorsement applications by Friday 6 December 2024, and these applications will continue to be assessed.

Transitioning into NT DAMA III

Once NT DAMA III is implemented, MigrationNT will provide businesses with detailed information on the new settings and application processes. Businesses that have a labour agreement under the current NT DAMA can continue to lodge nomination applications under the approved ceilings. If those businesses require additional ceilings, then they will need to apply for endorsement for MigrationNT and request a new 5-year labour agreement with Home Affairs.

Should you have any queries, please do not hesitate to contact the team at MigrationNT by emailing migration@nt.gov.au or by telephone (8999 5264).

Please read through this website for detailed information on criteria and application process. All endorsement and subsequent endorsement applications must be lodged online.
<https://dtbar.nt.gov.au/workforce/northern-territory-designated-area-migration-agreement>

9. South Australia State Migration

Unprecedented levels of interest in 2024-2025 General Skilled Migration Program occupations. South Australia's 2024-2025 General Skilled Migration Program has experienced unprecedented levels of Registration of Interest (ROI) applications for the following occupations:

- Chef
- Motor Mechanic (General)
- Enrolled Nurse

With interest so high, Skilled & Business Migration (SBM) is advising current and prospective applicants for these occupations to consider exploring alternative visa options, such as SBM's [DAMA Program](#). Clients can discuss visa options with their current employer and migration agent. Currently, the number of ROI's submitted exceeds the quota available to SBM. SBM will continue to send invitations to clients living and working in South Australia on a weekly basis across all available occupations.

10. South Australian Designated Area Migration Agreement Consultation

Consultation is now open to help inform the South Australian Government's approach to negotiations to establish a new iteration of South Australia's Designated Area Migration Agreement (DAMA) in 2025.

The DAMA is an overarching five-year agreement with the Australian Government that provides a range of concessions to Commonwealth criteria for employer sponsored visas including work experience, age, English language ability and salary.

They enable South Australian employers to sponsor skilled overseas workers for positions they are unable to fill with local workers and allow for more flexible requirements than are available via the standard skilled visa programs.

In April 2019, the South Australian Government entered into two DAMAs (the Adelaide Technology and Innovation Advancement Agreement and the South Australian Regional Workforce Agreement), both of which were extended for an additional year and cease in June 2025.

More information about the current DAMA including the occupation list is available [here](#).

The South Australian Government will soon commence negotiations with the Australian Government to establish the new iteration of the South Australian DAMA in 2025.

Interested businesses, industry associations and other stakeholders can have their say on the state's new DAMA. Your important feedback will inform the State's business case to the Australian Department of Home Affairs.

Written feedback is welcome to the Department of State Development, Strategic Policy and Migration by **31 December 2024** – dsd.migrationpolicy@sa.gov.au

11. Canberra Matrix Invitation Round: 24 October 2024

Canberra residents

Matrix nominating Small Business Owners

- 190 nominations: 1 invitation
- 190 minimum matrix score: 130
- 491 nominations: 3 invitations
- 491 minimum matrix score: 120

Matrix nominating 457 / 482 visa holders

- 190 nominations: 14 invitations
- 491 nominations: 2 invitations

Matrix nominating Critical Skill Occupations

- 190 nominations: 79 invitations
- 491 nominations: 97 invitations

Overseas applicants

Matrix nominating Critical Skill Occupations:

- 190 nominations: 1 invitation
- 491 nominations: 30 invitations

<https://www.act.gov.au/migration/resources/canberra-matrix-invitation-round>

12. VETASSESS

- Summer office hours and pause in Priority Processing

On December 1 we will pause accepting applications for our Priority Processing service, to give us time to assess applications and complete them within 10 business days before our Australian office closes for the summer break.

<https://www.vetassess.com.au/news/summer-office-hours-and-pause-in-priority-processing>

New skills assessing body and easier criteria for Early Childhood Teacher occupation

From 7 December 2024, the skilled migration assessment function for the 'Early Childhood (Pre-primary School) Teacher' occupation will transfer from the Australian Institute for Teaching and School Leadership (AITSL) to ACECQA. This change aligns with Action FA2-2 of the [National Workforce Strategy](#), and acknowledges the importance of having a streamlined process for individuals seeking both skilled migration and NQF assessment to work in Australia as an early childhood teacher.

<https://www.acecqa.gov.au/latest-news/recent-acecqa-board-determinations>

13. Guidelines on how student education providers count their allocation of students in the new immigration caps

Overview of the Provider Limit process

- The Provider Limit will be a set amount of NOSCs allocated to each provider in PRISMS.
- A NOSC occurs when a student is onshore and starts a non-exempt course at their first provider, and each time they change provider.
- NOSCs will be counted towards the Provider Limit when a Confirmation of Enrolment in PRISMS that meets the definition of a NOSC moves into the Studying status.
- The count towards the provider's limit is cumulative. Providers will start at zero on 1 January 2025 (assuming no commencements on that date) and the count increases as students Confirmation of Enrolment move into Studying status.
- Most Student Course Variations (SCVs) that result in a Confirmation of Enrolment cancellation will 'return' the NOSC to the Provider Limit. This assumes that the cancellation occurs in the same year as the commencement, and the provider has not exceeded their limit.
- The Department will be working with providers to help them avoid exceeding their limit. If a provider exceeds their limit, consistent with provisions of the Education Services for Overseas Students Amendment (Quality and Integrity) Bill 2024 (ESOS Bill), the provider will be automatically suspended. This suspension means no further students subject to the NPL can commence.
- A provider suspended for exceeding their Provider Limit can continue to:
 - o teach and accept money from international students who have already commenced.

- o enrol and commence domestic students and international students in exempt courses (e.g. research students)
- o enrol international students for future years

14. Media Article on Migration Politics

Why Albanese's migration nightmare should frighten Dutton too

Australians are about to get a rude awakening on one of the key issues for the coming federal election – and the awkward facts will set up yet another clash over housing and the cost of living. Adding more heat to the argument, the political dispute will turn, as it usually does, to competing claims about a Big Australia.

The preliminary estimates for net migration, due in early December, will offer a preliminary verdict on Labor policies before the campaign gets under way in earnest next year. The government hoped for an intake of about 395,000 for the year to June, but will have to own up to a big miss with that forecast.

This is hard news for Anthony Albanese at the very time he is aiming to lift Labor's fortunes and prove to voters he is acting on housing, the cost of living and the economy – which also means managing the migration intake.

But this is not an unalloyed victory for Peter Dutton because he is running out of time to explain how his approach would deliver a different outcome. The opposition leader and his colleagues have been ducking and weaving on migration ever since they promised a cut in the intake in May. All the Coalition has offered voters is six months of doubt. Dutton said in his budget reply in May that he would cut the permanent intake, then expanded on this on 2GB the next day to claim he would reduce net migration to about 160,000 – based on the central assertion that he could get the outcome 100,000 below the Labor forecast.

How will he do this? Nobody can say. The Coalition cannot say if it will meet its target by cutting family reunion or skilled foreign workers. It has a number for its humanitarian program – 13,750 compared with the Labor plan for 20,000 a year – but the rest is a mystery.

The migration update in December should force a closer look at the fumbled Treasury forecasts and the empty Coalition rhetoric. Behind it all is the fact that Labor came to power with a sense of confidence that migration was under control because the nation's doors were closed during the pandemic. Then it was shocked by the huge queue trying to get in once the doors were opened. The initial Labor forecast for net migration in the year to the end of June 2023 was just 235,000 people, reflecting the comfortable outlook in the government's first budget in October 2022. That was revised to 400,000 in the budget in May 2023. The actual intake for the year was 528,000.

Those are confronting numbers because everyone has a stake in the outcome. There is a social contract between migration and population: voters are generally against a higher intake when asked in opinion polls, but they also understand the need to bring in foreign workers and keep the economy growing. They expect the government to manage it smoothly.

Big surprises can undermine confidence in the overall program – and lead to anxiety about housing, congestion and rapid social change from the arrival of outsiders. The fears run deep, even though history shows Australia's extraordinary multicultural success.

The numbers for the year to June 2024 will repeat the surprises of the previous year. Labor initially forecast net migration of 235,000 for the year in its first budget in October 2022. That was revised to

315,000 in the budget in May 2023. One year later, the next budget ticked the forecast up to 395,000.

We've heard more than a year of argument about why this is happening. Students have returned in big numbers, working tourists are eager to visit after the pandemic, and skilled foreign workers can easily find work in a tight labour market. The government did not make this happen, but it must deal with it.

The best analysis of the problem, by former immigration department deputy secretary Abul Rizvi, estimates a net intake of 463,000 for the year – about twice Labor's expectation in its first budget. Rizvi set this out in a nine-page study this week for the progressive journal Independent Australia. The government has taken some radical steps to get the numbers down, including placing unprecedented caps on overseas students. The higher education sector is livid over the financial pain, but Labor ministers are adamant about the need for the curbs. The argument this year has crystallised the concern that universities are selling pathways to residency just as much as steps to a qualification – the problem many prefer not to talk about. By imposing caps, the government has forced a decision on the level of growth the community should expect.

The migration numbers are not only shaped by how many students arrive but by how quickly they depart. Rizvi estimates there are about 1.1 million students and former students in Australia because so many want to stay. "How far the government is prepared to let this number grow is a crucial policy question," he says.

Australia needs the workers, of course. As Ross Gittins wrote this week, the country has a shortage of workers rather than a shortage of jobs. Even so, there is a debate to be had about how many we take.

The government has imposed tougher rules on some visas, as well as hoping the flow will fall back to earlier levels. But this has not been able to meet its forecasts – even the one it produced as recently as May.

What we do not know is how the Coalition can possibly reduce net migration from about 463,000 to its claimed target of 160,000. A cut of that scale, even over three years, could damage the industries that need foreign workers. What happens to farmers who need working tourists to pick fruit? And what of the universities? Their finances are suffering under the Labor caps, but they could be ruined under the Coalition alternative.

Dutton is facing a date with migration destiny. How can he cut the intake without wrecking parts of the economy? The official estimates in December will show that Labor has missed its forecasts. But they will also show that the Coalition has an even bigger task in explaining its vague policy – if it is to be taken seriously on migration at all.

(Source: The West Australian)

15. News

The government says Australia needs 60,000 new houses a year. Who will build them?

<https://www.sbs.com.au/news/article/the-government-says-australia-needs-60-000-new-houses-a-year-who-will-build-them/glqwbc0z4>

Australia's fertility rate plunges to record low according to ABS data

<https://thewest.com.au/news/wa/australias-fertility-rate-plunges-to-record-low-according-to-abs-data--c-16401771>

Treasury's net migration data playing into Dutton's narrative

<https://independentaustralia.net/politics/politics-display/treasurys-net-migration-data-playing-into-duttons-narrative,19094>

What now for international HE amid the great anglophone visa crunch?

<https://www.timeshighereducation.com/depth/what-now-international-he-amid-great-anglophone-visa-crunch>

Rescinding Australian visa processing directive 'not a panacea'

<https://www.timeshighereducation.com/news/rescinding-australian-visa-processing-directive-not-panacea>

Jason Clare is wrong on net migration and student caps

<https://johnmenadue.com/jason-clare-is-wrong-on-net-migration-and-student-caps/>

Why Canada has cut permanent migration and Australia shouldn't

<https://independentaustralia.net/politics/politics-display/why-canada-has-cut-permanent-migration-and-australia-shouldnt,19127>

Australian construction industry calls for skilled migration overhaul to ease 'desperate' shortage of tradies

<https://uk.news.yahoo.com/australian-construction-industry-calls-skilled-230058364.html>

Does Australia have much control over temporary migration?

<https://www.abc.net.au/news/2024-11-10/does-australia-have-much-control-over-temporary-migration/104581354>

Dutton's failure on border protection

<https://johnmenadue.com/duttons-failure-on-border-protection/>

'Set up to fail': Number of visas cancelled on character grounds increases tenfold in last decade

<https://www.sbs.com.au/news/article/set-up-to-fail-number-of-visas-cancelled-on-character-grounds-increases-tenfold-in-last-decade/hlvancpv9>

Ok folks

That's all for this month, stay safe

See you all on Monday 16th December 2024

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