

Iscah Migration Newsletter

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Hey,

Welcome to the latest edition of our FREE monthly visa newsletter on all we have seen over the last month.

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Kids back at school and getting close to the aussie rules footy season, bring it orrrrnn!!

On to Feb's news ...



Contents

- 1) Australia need 250,000 new migrants a year: study
- 2) How can you I prove Functional English
- 3) Problems that can arise if you have your visa cancelled
- 4) Likelihood of being successful with a visa appeal
- 5) Which states are sponsoring at the moment
- 6) A selection of (edited) Q&As from Iscah
- 7) Skill Select invitations 3rd February 2016

1) Australia need 250,000 new migrants a year: study

An article from last November (2015).

Australia needs to attract more migrants to boost the economy to sustain future growth, the Migration Council of Australia says. Independent modelling commissioned by the Migration Council of Australia warns about the dangers of reducing net migration. The modelling says Australia needs 250,000 migrants a year to boost the economy by \$1.6 trillion by 2050.

The latest intergenerational report shows people will be living longer over the next 40 years but must be prepared to work longer. The migration report comes as the government releases the five-yearly Intergenerational Report (IGR) which shows that migrants are expected to make up a smaller percentage of the population in coming decades.

The IGR provides a snapshot of Australia in 2055, when the population is tipped to almost double from 24 million today, to 40 million. The modelling shows Gross Domestic Product will fall and wage growth will slow. The government assumes net overseas migration will remain stable at 215,000 people per year, down from a peak of 300,000 in 2008-9. Currently, net overseas migration (new migrants arriving, minus Australians leaving per year) makes up 1 per cent of the national population, but that is expected to decrease to 0.5 per cent by 2055 under the IGR modelling. But Treasurer Joe Hockey said multiculturalism would not diminish. "It won't change the face of Australia because we are a diverse population," he told SBS.

The Intergenerational Report proposes skilled migration that is well targeted and appropriately adjusted to economic circumstances. But the alternate modelling from the Migration Council of Australia shows if annual migration was increased to 250,000 people, the economy would be boosted by \$1.6 billion – a rise of \$1,125 per person in Gross National Income. The treasurer said there were pros and cons to be considered.

"If you did that then you'd need to build more infrastructure to cope and that means government spending more money so that's a good debate to have and we welcome the debate," he said. The five-yearly IGR assesses how changes to Australia's population size and age profile may impact economic growth, workforce and public finances over the next 40 years. It finds economic growth will slow as Australians live and work longer.

By 2055 almost one in five people aged 65 will still be in the workforce, and around 40,000 people will make their 100th birthday. Gross Domestic Product is tipped to fall to 2.8 per cent over the next 40 years, compared with 3.1 per cent over the previous 40 years.

By 2055 almost one in five people aged 65 will still be in the workforce, and around 40,000 people will make their 100th birthday. Wages growth is also expected to slow to 1.4 per cent, down from 1.9 per cent over previous years. By 2055 the average Australian can expect to earn \$117,300. However, Australians are expected to be working much longer. By 2055 almost one in five people aged 65 will still be in the workforce, and around 40,000 people will make their 100th birthday.

The report also makes a case for further cuts to government spending, particularly in health and social services. It warns if proposed budget measures do not pass the parliament, net government debt would reach 60 per cent of GDP. In contrast, if proposed policy was implemented, the net debt would be wiped by 2031-32. By 2055 the average Australian can expect to earn \$117,300.

(Source: www.sbs.com.au)

2) How can you I prove Functional English

• When someone applies for a skilled visa they usually have to show that adult family members included in their application also have "functional english" in order to avoid paying the high english language charge (\$4885).

There are many ways that "functional english" can be proven and they are listed here

- You are the holder of a valid passport issued by the United Kingdom, the United States of America, Canada, New Zealand, or the Republic of Ireland and you are a citizen of that country.
- An International English Language Testing System (IELTS) test result of an average band score of at least 4.5 based on the four test components of speaking, reading, listening and writing. Your test must have been completed within 12 months of visa application lodgement or can be completed during visa application processing.
- A Test of English as a Foreign Language internet-based Test (TOEFL iBT) test result of a total band score of at least 32 based on the four test components of speaking, reading, writing and listening. Your test must have been completed within 12 months of visa application lodgement or can be completed during visa application processing.
- A Pearson Test of English (PTE) Academic test result of an overall band score of at least 30 based on the four test components of speaking, reading, writing and listening. Your test must have been completed within 12 months of visa application lodgement or can be completed during visa application processing.
- A Cambridge English: Advanced (CAE) test result of an overall band score of at least 147 based on the four test components of speaking, reading, writing and listening and the test must have been taken on or after 1 January 2015. Your test must have been completed within 12 months of visa application lodgement or can be completed during visa application processing.
- A positive assessment by an Adult Migrant English Program service provider in Australia that you have functional English.
- Completed all years of primary education and at least three years of secondary education in an educational institution in or outside Australia and all instructions were in English.
- Completed at least five years of secondary education in an institution in or outside Australia and all instructions were in English.
- Successfully completed at least one year of full-time study or equivalent part-time study towards a degree, higher degree, diploma, or associate diploma in an institution in Australia and all instructions were in English.
- Completed a degree, a higher degree, a diploma or a trade certificate that required at least two years of full-time study or training in an institution in or outside Australia and all instructions were in English.
- The functional level of the Australian Assessment of Communicative English Skills (ACCESS) test certified by the relevant testing body. Your test must have been completed within 12 months of visa application lodgement or can be completed during visa application processing.

(Source: DIBP)

3) Problems that can arise if you have your visa cancelled

We often manage applications for 485 applicants who during processing will have their student visa cancelled (usually because they have not completed the course the COE was granted for). In these cases this would not affect the grant of a 485 visa. Nor would it affect later the possible grant of a permanent or provisional visa applicant.

It WILL however affect the potential grant of a further student visa or 457 visa in the future as a regulation called PIC 4013 will come into play.

That basically says that if a student visa is cancelled in these circumstances, any future temporary visa (such as 457, student, visitor) would not be successful for 3 years UNLESS there are some sort of compelling/compassionate circumstances are in play.

4) Likelihood of being successful with a visa appeal

Each refusal has it's own story and understanding that will help you assess the chances of success if you were to lodge an appeal with the AAT (formerly MRT also).

Below is a useful chart to take into account that lists the total appeals lodged this financial year in various categories and the number and percentage that were approved so far.

Case category	Total		Approvals	
	Decisions	%	Decisions	%S/A
Partner	2,262	32%	923	41%
Student refusal	1,109	16%	367	33%
Visitor	895	13%	485	54%
Family	526	7%	189	36%
Temporary work	487	7%	135	28%
Nomination/Sponsor approval	478	7%	105	22%
Permanent business	353	5%	118	33%
Bridging	331	5%	84	25%
Student cancellation	299	4%	65	22%
Skill linked	287	4%	51	18%
Other	37	1%	8	22%
Total	7,064	100%	2,530	36%

(Source: AAT)

5) Which states are sponsoring at the moment

Here are the numbers for each state and territory for the first half of this year.
Nominations by State and Territory Governments – 2015/16 total activity

The number of intending migrants who received nominations from State and Territory Governments from 1 July 2015 to the end of January 2016 is shown in the following table

Visa subclass	A C T	NS W	N T	QI d	SA	T as .	Vic .	W A	Tot al
Skilled - Nominated (subclass 190) visa	21 9	13 44	7 8	2 3 0	15 10	12 3	11 78	2 1 8	49 00
Skilled – Regional (Provisional) (subclass 489) visa	0	10 43	1 2 6	1 0 5	32 8	40	2	8	16 52
Business Innovation and Investment (subclass 188) visa	2	12 7	0	8 3	45	3	87 8	7 4	12 12
Business Talent (Permanent) (subclass 132) visa	1	11	0	1 0	84	3	23	4 8	18 0
Total	2 2 2	25 25	2 0 4	4 2 8	19 67	1 6 9	20 81	3 4 8	79 44

(Source: DIBP)

6) A selection of (edited) Q&As from Iscah

Q. Hi I just wanted inquire about teacher migration from India. Is it possible at the moment & what is the criteria ... Your help will be appreciated. Thanks

A. For a skilled visa to Australia you need to nominate an occupation on the Skilled Occupation List (SOL)(attached), have a positive skill assessment for that occupation, meet the English requirement and the 60point criteria. Once you have this, you will need to lodge and 'Expression of Interest' and wait for the Department to 'invite' you to apply for a skilled visa.

Points may be calculated here;
<http://www.iscah.com/points-test/>

Teachers require 7788 on the Academic IELTS;
<http://www.aitsl.edu.au/assessment-for-migration>

Q. I have a cert 3 in cooking and a Cert 4 in Business. If this ok for a 457 or RSMS for the skill level ?
A. **No. You need a Cert III plus 2 years work experience, or a Cert 4 in the TRADE. A Cert 4 in business is not related to cooking for the 457 or RSMS visas.**

Q. Dear Sir/Mam, One more question please. I have lodged an EOI as a skilled independent one month ago. I am also thinking of adding up the state sponsorship in the same EOI as an addition. I know that can be done but would that affect my application at all or result in any bad circumstances? Much appreciate in advance

A. **It would be better to lodge 2 separate EOI applications.**

Q. My question is .. if immigration refuses RSMS because I could not get the required 6 in each band of IELTS, but after refusal I obtain 6 in each band, is this ok ?

A. **No, this is a time of application criteria. You need to have this at the time you first lodge your visa**

Q. Hi , I applied my 485 visa in sep 2 and got bridging 4 sep. Submit my TRA assessment 27 oct. Any idea how long it's take...

A. **Average processing for a skills assessment is 2-3 months and for the 485 visa is 4-8 months.**

Q. I have 65 points for analyst programmer 261311. My skill assessment expired 3 months before. I applied for a new one before 3 days.my question is can I still submit an EOI? And what if I get invited but the new assessment is still in process?

A. **If you are invited before the new skills assessment is issued then you will not be able to accept the invitation and will have to wait for another.**

Q. Hi, I am overseas right now and will return back to Australia on 24th. I have to accept my 489 invitation before this 19th. Can I lodge my visa through online from abroad

A. Yes you can lodge the 489 from overseas

Q. Will I be able to apply from a second sponsor after 1 year. Because I heard if we complete 2 years full time from first sponsor then after 1 years work with second company I will be eligible for the 186 visa.

A. No that rule has not yet been introduced. So you need 2 years with the SAME employer for a 186TRT visa. (unless it is simply one company buying/taking over your initial company).

Q. Hi Thank for the info. Actually I want to know about visa subclass- 189, 190, 489. Is the IELTS requirement same for this subclass or need to do IELTS academic module?

A. All those tests listed in this link

http://www.iscah.com/wp_files/wp-content/uploads/2015/05/2015Englishmarks.pdf

can be used for the 189, 190 and 489 visas. If you choose to do the IELTS it can be the academic or general test .

Q. One more quick question, what sort of things do we need to prove our relationship. We met online to start with, then spent 3 weeks together and got engaged. Is this enough?

A. Given the relationship is so short it may be better for him to apply for a 9 months Prospective marriage visa. Then on arrival in Australia get married and apply for a partner visa. This allows you to not have to show such a strong relationship for the initial visa. <http://www.border.gov.au/Trav/Visa-1/300->

Q. Hello sir my bro have diploma of business and have 6 band can he apply as a manager 187 or 457 sponsorship thank you

A. An AQF diploma of business is an ok qualification for Retail Manager. And scores of at least 6 in each band is ok for RSMS. Note that Retail Manager is not on the 457 occupation list though.

Q. Hi there can a Cafe (not restaurant) sponsor to cookery student (having certificate 4 in cookery) as a cook under RSMS sponsorship ?

A. Yes a Café can sponsor a cook as long as it is not fast food and it requires a fully qualified cook to prepare the food served in the cafe

Q. I overstayed my visa and have a 3 year exclusion from another student visa. What about for RSMS/187? Is there any exclusion even with 187 visa?

A. There is no exclusion period for a RSMS/187 visa as long as were not refused/cancelled under 4020 (false information/documents).

Q. I have a question: I am currently holding 489 family sponsor. I am working (35hrs per week) and staying in Perth for 1 year already. Do I have to do English test again?

A. There is NO english language requirement for the main applicant at the second 887 visa stage.

(Source: Iscah)

7) Skill Select invitations 3rd February 2016

(Note that with the increase in invites for Accountants to 250 it has meant the invite mar has dropped to 65 points, albeit with a 6 months waiting time.

The table below shows the number of invitations issued in the SkillSelect invitation round on 3 February 2016.

Invitations issued on 3 February 2016

Visa Subclass	Number
Skilled - Independent (subclass 189)	1,600
Skilled - Regional Provisional (subclass 489)	5

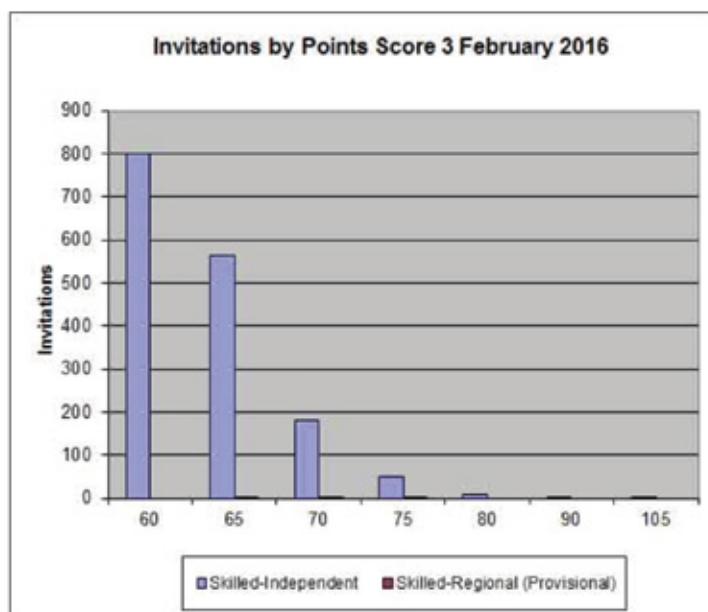
During 2015-16 the following number of invitations have been issued:
Invitations issued during 2015-16

Visa Subclass	July	Aug	Sep	Oct	Nov	Dec	Jan	Jan	Total
Skilled - Independent (subclass 189)	2300	2300	2300	2000	2300	700	2,400	1,600	19,000
Skilled - Regional Provisional (subclass 489)	80	80	80	40	40	5	5	5	345
TOTAL	2380	2380	2380	2040	2340	705	2,405	1,605	19,345

The above figures do not include invitations issued for State and Territory Government nominated visa subclasses. State and Territory Governments nominate throughout the month for specific points tested skilled migration and business innovation and investment visas. Separate results for these visa subclasses are provided monthly.

3 February 2016 results

The following graph shows the points for clients who were invited to apply in the 3 February 2016 round.



Invitation process and cut offs

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

Visa Subclass	Number	Visa date of effect
Skilled - Independent (subclass 189)	60	30 January 2016 6:10 PM
Skilled - Regional Provisional (subclass 489)	65t	12 October 2015 3:12 PM

Due to the continuing high numbers of EOIs received for the below occupations, invitations for these occupations will be issued on a pro rata basis in each monthly invitation round over the 2015-16 programme year. These arrangements are subject to change throughout the programme year. 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 in these occupations:

- ICT Business and Systems Analysts
- Accountants
- Software and Applications Programmers.

The points score and the visa date of effect cut-off for the above occupations in the 3 February 2016 invitation round is as follows. Below points score and visa date of effect is for Skilled Independent (subclass 189).

Points scores and the visa dates of effect cut off for the above occupations in the 3 February 2016 invitation round

Points	Description	Points score	Visa date of effect
2211	Accountants	65	3 August 2015 4:35 PM
2611	ICT Business and System Analysts	65	28 January 2016 4:10 PM
2613	Software and Applications Programmers	60	20 November 2015 3:19 AM

(Source: DIBP)

Okay that is all for another month
Have a great time and see you all on
Monday 21st March ...

Cheers




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