

Iscah Migration Newsletter

Edition Number 262 | 20th April 2020

Hey Folks,

Another crazy month with visa policy and processes nearly all reacting to the COVID-19 effects on Australian and world societies

We bring to you in this months news all the information we have so far on visa changes and the impact of the virus

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Ok on to April's news...



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1) Corona Virus effect on the migration program

The big picture for the Australian government seems to be to restrict social interaction as much as possible and keep the number of people coming to Australia to a minimum until a vaccine is developed for this virus. The April 189 and 491 skill select round saw just 50 people in each category receive an invite. Whilst these two combined had over 2000 invites in March 2020. Granting of 189 visas has ground to a halt in April as well compared to March and previous months

DHA are now asking for additional information to justify a company needs to fill a skilled position with a 482 visa holder, and the AAT are similarly scrutinising similar visa appeals in the same way

For past dips in the economy such as the GFC and stock market crashes Australia has had a smaller migration program in the period of recovery due to high unemployment. This may be the case again, although there are arguments that this time it is not to do with economic structural issues. Instead the government may judge that the economy needs a kick along from a solid migration (permanent and temporary) program to kick off demand. We will have to wait and see.

At this stage some (VIC, ACT, WA) state governments are still inviting relatively large numbers in some states and they are coming to the end of their 2019/2020 programs. So we will need to see what July state allocations bring to the table

2) NSW State processing updates

Candidate's location

Due to the increased popularity of NSW as a skilled migration destination, NSW will no longer invite candidates who reside in another Australian state or territory to apply for NSW nomination for the Skilled Nominated visa (subclass 190).

If your occupation has the additional requirement, you must:

- be residing in NSW for at least the last six months, and;
- have been employed in NSW for at least one year, in your nominated occupation.

If your occupation does not have the additional requirement, you must either:

- be residing in NSW, or offshore for at least the last six months, or;
- be residing and employed in NSW or offshore for at least the last one month.

This information will be carefully checked if you are invited and submit an application for NSW nomination. NSW may vary this approach depending on the size and composition of the pool of candidates who have lodged and Expression of Interest (EOI) in SkillSelect.

NSW-Corona-FAQS

<https://www.business.nsw.gov.au/live-and-work-in-nsw/visas-and-immigration>

3) Northern Territory updates

In response to the evolving COVID-19 outbreak the Australian Government announced closure of its borders effective from Friday 20 March 2020 at 9pm EST (Eastern Standard Time).

In light of this MigrationNT will stop accepting offshore General Skilled Migration applications for the Northern Territory nomination effective from 12 midnight on Tuesday 24 March 2020 until further notice.

Existing applications received and paid will still be processed in accordance with current service standards.

4) South Australian updates

South Australia helping health professionals

<https://migration.sa.gov.au/news-events/news-releases/general-skilled-migration-changes>

5) Western Australian updates

FAQs

<https://www.migration.wa.gov.au/Pages/Skilled%20Migration%20WA/Frequent-questions-about-state-nomination.aspx>

Under review occupations (including Chef and Accountant)

<https://www.migration.wa.gov.au/services/skilled-migration-western-australia/latest-news>

Latest Invitation results for 190/491

<https://migration.wa.gov.au/services/skilled-migration-western-australia/invitation-rounds/current-invitation-round>

6) Tasmania updates

Bridging Visa holders: s48 bar - unable to lodge due to travel restrictions

If supported for visa state nomination a Subclass 491 applicant who holds a Bridging Visa A, B, C or E while seeking review of a decision would be required to depart Australia in order to lodge their visa application with the Department of Home Affairs. While travel restrictions are in place many applicants will find it difficult to depart Australia and all will be unable to enter Australia (unless exempt).

In an effort to manage this situation, as of 2 April 2020 all applications on hand and lodged thereafter by candidates who hold a Bridging Visa associated with Administrative Appeal Tribunal (AAT) or Federal Court review will continue to be assessed as normal. Unsuccessful applicants will be advised of the outcome and should not reapply until travel restrictions are lifted. All other applications will be placed on hold in our system and when travel restrictions are lifted we will contact applicants to obtain an update of circumstances (such as current residential location and employment details if applicable) to then finalise their application accordingly.

https://www.migration.tas.gov.au/skilled_migrants/skilled_regional

7) Other States updates

<http://www.canberrayourfuture.com.au/portal/migrating/article/canberra-matrix-invitation-round/>

<https://migration.qld.gov.au/latest-news/bridging-visa-holders-s48-bar-unable-to-lodge-due-to-entry-ban>

8) 491 Family Sponsored EOIs waiting for an invite

As mentioned in posts earlier this month the 491 family sponsored category has 2 major issues

- 1) The parameters for selection of having an occupation on the MLTSSL, not being a Pro Rata occupation, and a relative to sponsor living outside Melb/Syd/Bris leaves too little EOIs to sustain the program
- 2) Many of the issued invites are not being accepted by applicants as instead people are waiting for a future invite in the 189 or 190 categories. Remembering that if you are granted a 491 you CANNOT be granted another skilled PR visa for 3 years.

Now for point #1 above it has to be remembered that DHA have a policy of ONLY allowing pro rata occupations to be given an invite each round if ALL the invites for that Pro Rata occupation have NOT been used for 189 invites that round. So sometimes people may get lucky through a statistical fluke for some of the lower scoring Pro Rata occupations. But in essence only non pro rata occupations should be getting an invite for 491FS each round. There are though simply not enough eligible EOIs to make this current narrow selection process produce a significant 491FS program. Despite DHA upping the invite number to 500 in February and 300 in March. The following table shows the current EOIs waiting for an invite

| 491 Family Sponsored EOIs submitted as of March 2020 | | | © Iscah 2020 |
|--|----------------------|------------|--------------|
| Points (Inc 15 sponsor points) | EOIs submitted-total | Pro Rata | Non Pro Rata |
| 100 | 136 | 134 | 2 |
| 95 | 178 | 176 | 2 |
| 90 | 147 | 138 | 9 |
| 85 | 243 | 190 | 53 |
| 80 | 284 | 130 | 154 |
| 75 | 177 | 83 | 94 |
| 70 | 130 | 70 | 60 |
| 65 | 51 | 19 | 32 |
| Total | 1346 | 940 | 406 |

As you can see there are only 406 eligible EOIs in the NON PRO RATA category in the whole of Australia DHA are surely going to have to amend their policy to

- invite more Pro Rata occupations for 491FS, especially Accountants, Auditors and some Engineering professions;
- or
- expand the program to include some NONE-MLTSSL occupations

(Source: Iscah and DHA data)

9) DHA updates related to corona virus

General visa advice

<https://covid19.homeaffairs.gov.au/all-visa-holders#a>

Points Tested applications -

Due to COVID-19 applicants are asked not to undertake their medicals prior to lodgement of your application. Please wait until such time as you are requested in writing by the Department to do your medicals.

Relaxation of Student visa work hours -

<https://covid19.homeaffairs.gov.au/employers-and-education-providers>

Temporary visa holders

<https://minister.homeaffairs.gov.au/davidcoleman/Pages/Coronavirus-and-Temporary-Visa-holders.aspx>

More temporary visa info – FAQs

https://www.iscah.com/wp_files/wp-content/uploads/2020/04/FAQ-Detailed-COVID-19-Temp-Visa-Measures-4-April.pdf

Skill Select policy advice from DHA -

Under the Department of Home Affairs policy, the relationship status of 'engaged' is considered 'No Partner' in SkillSelect. From 16 November 2019, 10 points are awarded to the category of 'No Partner'. Please note, if you have selected 'engaged' in your EOI but include a partner in your visa application, you will likely be refused.

(Source: DHA)

10) English language and NAATI/CCL testing updates

PTE tests

<https://pearsonpte.com/articles/covid-19-information-for-pte-academic-test-takers-and-institutions/>

TOEFL - We are trying to confirm if this is acceptable for DHA visa purposes

<https://www.ets.org/s/cv/toefl/at-home>

IELTS computer bookings available in shorter time period

<https://ielts.com.au/computer-delivered-ielts/>

NAATI

<https://www.naati.com.au/other-information/ccl-testing/>

11) Media Articles over the last month

<https://www.theguardian.com/australia-news/2020/apr/01/left-with-nothing-australias-migrant-workforce-face-destitution-without-coronavirus-safety-net>

<https://www.theguardian.com/commentisfree/2020/apr/08/casual-and-migrant-workers-are-at-the-mercy-of-an-economy-that-punishes-its-victims>

<https://johnmenadue.com/abul-rizvi-who-are-the-missing-473000-temporary-entrants>

<https://mobile.abc.net.au/news/2020-04-04/coronavirus-backpackers-allowed-to-extend-stays-in-australia/12121004>

<https://www.dailymail.co.uk/news/article-8224203/More-300-000-people-leave-Australia-coronavirus-population-exodus.html>

<https://www.sbs.com.au/language/english/covid-19-update-government-s-message-to-international-students-and-temporary-visa-holders-in-australia>

12) Iscah Services

As well as the many free news items, tables and analysis we provide each week, we also manage applications for our clients all around Australia and overseas

These are some of our services -

- Full written assessment of all your visa options

www.iscah.com/members/?page_id=263 (\$200)

- One year of 12 monthly visa reports with your state visa options and personal EOI predictions (\$140)

www.iscah.com/members (\$140)

- Consultations including Skype consultations

Contact 0893533344 or reception@iscah.com (\$220)

Further information and our fees are on our website

www.iscah.com

Stay safe

13) Trades Recognition Australia - JRP

TRA has provided the following information on Job Ready Workplace Assessment during the COVID crisis: TRA are very aware that the COVID 19 outbreak and government imposed restrictions are impacting on Job Ready Program (JRP) participants.

We are currently working through our options and talking to RTO's who undertake the step 3 workplace assessment, to identify ways in which we can continue the service. There will, however, be a number of instances where it will not be possible to conduct a Job Ready Workplace Assessment (JRWA) for various reasons such as an inability to attend the workplace because of COVID 19. Where possible we will reschedule to a time when it is possible to do so.

TRA is continuing to monitoring the situation to ensure that applications and participation in the JRP will continue to be assessed wherever possible. While every effort will be made to minimise the impact of these interruptions, delays to some processes are anticipated, and may continue into the foreseeable future.

TRA are endeavouring to maintain contact with people affected by closures etc, and asking that participants in the program contact us when they are directly affected, through JRPEnquiries@dese.gov.au with their TRA number, name and details of the effect (business restrictions or closure).

(source MIA and TRA)

14) Citizenship ceremonies

Due to the Coronavirus pandemic, all face-to-face citizenship ceremonies have been placed on hold. Generally, conferees have 12 months from their notice of approval to attend a ceremony and make the pledge of commitment, however, during the COVID-19 period, citizenship approval will not be cancelled if a conferee cannot attend a ceremony within this 12 month period.

The Department is now working to introduce online citizenship ceremonies via secure video link, to enable people to continue to become Australian citizens. These ceremonies will be one-on-one with the presiding officer. Ceremonies performed via video link will continue to include integrity measures, like identity requirements.

The Department will be in contact with conferees with full details in due course. There is no need to contact the Department or your local council about your ceremony.

The Department will recommence in-person interviews and citizenship tests when it is safe to do so.

For more information, see the Minister's statement on Australian citizenship processing

Applying for citizenship

Due to the Coronavirus pandemic, all face-to-face citizenship appointments have been placed on hold. The Department will recommence in-person interviews and citizenship tests when it is safe to do so.

New applications for Australian citizenship are still able to be accepted during this period.

Processing continues on all applications for Australian citizenship that have already been lodged with the Department.

(Source: DHA)

15) DHA Visa processing times

<https://immi.homeaffairs.gov.au/visas/getting-a-visa/visa-processing-times/global-visa-processing-times>

16) New 408 visa for people who can't leave Australia

New 408 visa option for people unable to leave Australia because of the coronavirus -

<https://immi.homeaffairs.gov.au/visas/getting-a-visa/visa-listing/temporary-activity-408/australian-government-endorsed-events#Overview>

The purpose of the instrument is to provide a pathway for certain former and current holders of temporary visas to lawfully remain in Australia and who would otherwise be required to depart Australia who, but for the COVID-19 pandemic, are unable to leave Australia. The instrument limits the class of persons who can be granted the visa to those who hold a visa that is 28 days or less from ceasing to be in effect, or held a visa that is no more than 28 days from ceasing to be in effect. It further limits the class of persons to those who are unable to apply for the same temporary visa they hold or held or any other subclass of temporary visa other than the Subclass 408 visa.

The purpose of the instrument is also to implement a measure to respond to workforce shortages during the COVID-19 pandemic in relation to areas including, but not limited to, agriculture, aged care and public health. The instrument is designed to allow holders of temporary visas who are engaged in or have the relevant skills to undertake critical work relating to supply of essential goods and services, provided the applicant falls within the class of persons specified by the instrument.

(Source: DHA)

17) When will you get your 189 invite

When will you get your 189 invite – April 2020 predictions

The 11th April 2020 invitation round looks around 200 or less invites

Given the end of the program year is close, DHA's backlog of lodged applications, and the uncertainty of the coronavirus influence on the program we will continue to assume 200 invites for May 2020 and June 2020.

Then back to the long term average of 1000 per month for the 2020/21 program year

As always the predictions are based on logic/statistics and the biggest factor is how MANY invites DHA will give each month. That is unpredictable and so we always lean on being cautious in these predictions

Our full Assumptions are on the table below

| Assumptions | | EOI Lodged | | | | | Copyright Iscah 2020 |
|--|------------|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|----------------------|
| DHA have a budget target of 16,652 grants less 4000 for NZ citizens. Factoring in their current backlog and that an average EOI contains 1.4 people Split around 65% for pro rata and 35% for non pro rata 200 invites for May/June 2020 then back to the usual average of 1000 per month for 2020/21 | | today (11 April 2020) | 3 months ago (11/01/20) | 6 months ago (11/01/19) | 9 months ago (11/07/19) | 12 months ago (11/04/19) | |
| Iscah Estimated waiting period for an EOI invite - 189 visa as at 11 April 2020 | | | | | | | |
| 2211 Accountants | 100 points | 11/05/2020 | invited | invited | invited | invited | |
| | 95 points | not before Apr 2021 | 11/04/2021 | 11/11/2020 | 11/07/2020 | invited | |
| | 90 points | EOI expires before invite | |
| | 85 points | EOI expires before invite | |
| | 80 points | EOI expires before invite | |
| | 75 points | EOI expires before invite | |
| 2212 Auditors | 100 points | 11/05/2020 | invited | invited | invited | invited | |
| | 95 points | 11/07/2020 | invited | invited | invited | invited | |
| | 90 points | not before Apr 2021 | 11/04/2021 | |
| | 85 points | EOI expires before invite | |
| | 80 points | EOI expires before invite | |
| | 75 points | EOI expires before invite | |
| 2314 Electronics Engineer | 100 points | 11/05/2020 | invited | invited | invited | invited | |
| | 95 points | 11/05/2020 | invited | invited | invited | invited | |
| | 90 points | 11/07/2020 | invited | invited | invited | invited | |
| | 85 points | not before Apr 2021 | not before Apr 2021 | 11/04/2021 | 11/01/2021 | 11/10/2020 | |
| | 80 points | EOI expires before invite | |
| | 75 points | EOI expires before invite | |
| 2335 Ind, Mech, Production Engineers | 100 points | 11/05/2020 | invited | invited | invited | invited | |
| | 95 points | 11/05/2020 | invited | invited | invited | invited | |
| | 90 points | 11/08/2020 | invited | invited | invited | invited | |
| | 85 points | not before Apr 2021 | 11/12/2020 | |
| | 80 points | EOI expires before invite | |
| | 75 points | EOI expires before invite | |
| 2339 Other Engineering Professionals | 100 points | 11/05/2020 | invited | invited | invited | invited | |
| | 95 points | 11/05/2020 | invited | invited | invited | invited | |
| | 90 points | 11/08/2020 | invited | invited | invited | invited | |
| | 85 points | not before Apr 2021 | 11/04/2021 | |
| | 80 points | EOI expires before invite | |
| | 75 points | EOI expires before invite | |
| 2611 ICT Business Analysts | 100 points | 11/05/2020 | invited | invited | invited | invited | |
| | 95 points | 11/05/2020 | invited | invited | invited | invited | |
| | 90 points | 11/07/2020 | invited | invited | invited | invited | |
| | 85 points | not before Apr 2021 | not before Apr 2021 | not before Apr 2021 | 11/09/2021 | 11/01/2021 | |
| | 80 points | EOI expires before invite | |
| | 75 points | EOI expires before invite | |
| 2613 Software Applications Programmer | 100 points | 11/05/2020 | invited | invited | invited | invited | |
| | 95 points | 11/05/2020 | invited | invited | invited | invited | |
| | 90 points | 11/07/2020 | invited | invited | invited | invited | |
| | 85 points | not before Apr 2021 | not before Apr 2021 | 11/04/2021 | 11/01/2021 | 11/09/2020 | |
| | 80 points | EOI expires before invite | |
| | 75 points | EOI expires before invite | |
| 2631 Computer Network Professionals | 100 points | 11/05/2020 | invited | invited | invited | invited | |
| | 95 points | 11/05/2020 | invited | invited | invited | invited | |
| | 90 points | 11/07/2020 | invited | invited | invited | invited | |
| | 85 points | not before Apr 2021 | not before Apr 2021 | 11/04/2021 | 11/01/2021 | 11/09/2020 | |
| | 80 points | EOI expires before invite | |
| | 75 points | EOI expires before invite | |
| All other NON pro rata occupations * | 100 points | 11/05/2020 | invited | invited | invited | invited | |
| | 95 points | 11/05/2020 | invited | invited | invited | invited | |
| | 90 points | 11/07/2020 | invited | invited | invited | invited | |
| | 85 points | not before Apr 2021 | not before Apr 2021 | 11/04/2021 | 11/01/2021 | 11/09/2020 | |
| | 80 points | EOI expires before invite | |
| | 75 points | EOI expires before invite | |

Note the assumptions that we listed at the top of the spreadsheet. These predictions will change if DHA change their current selection policies

With low numbers it gives more of a chance for places to be left for PRO RATA occupations in the 491 family sponsored category. We expect the required score to continue around 85/90 points (including the 15 sponsor points) <https://www.iscah.com/will-get-189-invite-may-2020-predictions> (Source: Iscah)

18) DATA on 190 invites for NSW, Victoria and Queensland

<https://www.iscah.com/state-190-invitations-20192020/>

19) Financial help available for some temporary visa holders

<https://www.redcross.org.au/news-and-media/news/help-for-migrants-in-transition>

20) Condition 8504 – first arrival date

Condition 8504 - Must enter Australia before specified date -

The Department has provided information for the holders of skilled and business visas who were offshore at the time of grant and are subject to Condition 8504 'must enter before a specified date'.

Skilled visas

Skilled Migration is aware that in certain circumstances the visa holder and/or family members may not be able to comply with this condition. Failure to comply with visa conditions can render a visa liable for cancellation under the Migration Act 1958 and visa holders are strongly encouraged to make their first entry to Australia by the initial entry date provided in your grant notification.

However, generally the Department will not seek to cancel a Skilled visa where the only reason for doing so would be breach of this condition related to the COVID-19 Pandemic.

This information applies to the following visa subclasses:

Skilled Independent (subclass 189)

Skilled Nominated (subclass 190)

Skilled Regional (subclass 489)

Skilled Work Regional (subclass 491)

(Source: MIA and DHA)

21) Skill select round 11th April 2020 results

Current round Invitations issued on 11 April 2020

| Visa subclass | Number |
|--|--------|
| Skilled Independent visa (subclass 189) | 50 |
| Skilled Work Regional (Provisional) visa (subclass 491) – Family Sponsored | 50 |

Invitation process and cut off points

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 date of effect) determines their order of invitation. Expressions of Interest with earlier dates of effect are invited before later dates.

| Visa subclass | Min Points Score | Date of effect |
|--|------------------|-------------------|
| Skilled - Independent (subclass 189) | 95 | 25/03/2020 5:36PM |
| Skilled Work Regional (Provisional) visa (subclass 491) – Family Sponsored | 95 | 10/04/2020 7:12PM |

Point scores and the dates of effect cut off for the pro rata occupations in the 11 April 2020 invitation round.

Due to high levels of demand, and in keeping with previous years, the below occupation groups will be subject to pro rata arrangements to ensure availability of invitations across the program year.

SkillSelect first allocates available places to Skilled – Independent visas (subclass 189) and then the remaining to Skilled Work Regional (Provisional) visa (subclass 491) – Family Sponsored. If all places are taken up by subclass 189 visas then there will be no invitations issued for subclass 491 visas in these occupations.

| Subclass | ID | Description | Min points score | Latest date of effect |
|----------|------|--|------------------|-----------------------|
| 189 | 2211 | Accountants | 100 | 25/03/2020 8:33PM |
| 189 | 2212 | Auditors, Company Secretaries and Corporate Treasurers | 95 | 16/01/2020 6:41PM |
| 189 | 2334 | Electronics Engineer | 95 | 20/03/2020 8:36PM |
| 491 | 2334 | Electronics Engineer | 95 | 18/03/2020 9:45PM |
| 189 | 2335 | Industrial, Mechanical and Production Engineers | 95 | 18/03/2020 10:04PM |
| 491 | 2335 | Industrial, Mechanical and Production Engineers | 105 | 19/11/2019 7:50PM |
| 189 | 2339 | Other Engineering Professionals | 95 | 23/03/2020 12:45AM |
| 491 | 2339 | Other Engineering Professionals | 105 | 11/12/2019 5:17PM |
| 189 | 2611 | ICT Business and System Analysts | 95 | 13/03/2020 4:10AM |
| 491 | 2611 | ICT Business and System Analysts | 105 | 2/04/2020 3:20PM |
| 189 | 2613 | Software and Applications Programmers | 95 | 24/03/2020 3:15PM |
| 491 | 2613 | Software and Applications Programmers | 95 | 10/04/2020 7:12PM |
| 189 | 2631 | Computer Network Professionals | 95 | 21/03/2020 10:25AM |

(Source: DHA)

Ok folks.
That's all for the last month
Keep well and see you all
on Monday 18th May 2020.



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