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Department of Immigration and Border Protection

Skill Select

New validity requirement for skills assessments

From 1 July 2014, if a skills assessment is mandatory as part of a visa application, that assessment will only be valid for a period of three years from the date of issue, unless a shorter validity period is specified on the assessment.

A skills assessment must be valid at the time of lodgement for the following visas:

- Direct Entry stream of the Employer Nominated Scheme (subclass 186) visa
- Direct Entry stream of the Regional Sponsored Migration Scheme (subclass 187) visa
- Graduate Work stream of the Temporary Graduate (subclass 487) visa

A skills assessment must be valid at the time of invitation to apply through SkillSelect for the following visas:

- Skilled – Independent (subclass 189) visa
- Skilled – Nominated (subclass 190) visa
- Skilled – Regional (Provisional) (subclass 489) visa

“In addition, in what is sometimes a problem for applicants, the assessment and the IELTS test must also be valid at the date of application where a person has received an invitation and then applies within the required period of 60 days,” warns managing partner David Bitel.

These changes do not affect the Temporary Work (Skilled) (subclass 457) visa.

An occupation ceiling will be applied to invitations to apply to migrate under the points based skilled visas of the general skilled migration programme. There will be a limit on how many invitations are issued in these subclasses for a particular occupation to ensure that the migration programme is not dominated by a small number of occupations.

Occupational ceilings do not apply to State or Territorial Nominated, Employer Sponsored or Business Innovation and Investment visa subclasses.

As there are high levels of interest from prospective skilled migrants in the below occupations, pro rata arrangements for this occupational group will apply. These arrangements are subject to change throughout the programme years:

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

The table below shows the occupation ceilings for the 2014-2015 programme years for each occupations on the Skilled Occupations List (SOL) by four digit ANZCO code unit group, and the number of invitations issued for each occupation in the current programme year to date:

Occupations ceilings for the 2014-15 programme year

Occupation ID	Description	Ceiling value	Results to date
1331	Construction Managers	5178	0
1332	Engineering Managers	1428	0
1335	Production Managers	3132	0
1341	Child Care Centre Managers	1000	0
1342	Health and Welfare Services Managers	1356	0
2211	Accountants	5478	0
2212	Auditors, Company Secretaries and Corporate Treasurers	1188	0
2241	Actuaries, Mathematicians and Statisticians	1000	0
2245	Land Economists and Valuers	1000	0
2312	Marine Surveyor	1000	0
2321	Architects and Landscape Architects	1476	0
2322	Cartographers and Surveyors	1000	0
2326	Urban and Regional Planners	1000	0
2331	Chemical and Materials Engineers	1000	0
2332	Civil Engineering Professionals	2850	0
2333	Electrical Engineers	1332	0
2334	Electronics Engineers	1000	0
2335	Industrial, Mechanical and Production Engineers	1680	0
2336	Mining Engineers	1000	0
2339	Other Engineering Professionals	1000	0
2341	Agricultural and Forestry Scientists	1000	0
2346	Medical Laboratory Scientists	1092	0
2347	Veterinarians	1000	0
2349	Other Natural and Physical Science Professionals	1000	0
2411	Early Childhood (Pre-primary School) Teachers	1404	0
2414	Secondary School Teachers	7002	0
2415	Special Education Teachers	1044	0
2512	Medical Imaging Professionals	1014	0
2513	Occupational and Environmental Health Professionals	1470	0
2514	Optometrists and Orthoptists	1000	0
2521	Chiropractors and Osteopaths	1000	0
2523	Dental Practitioners	1000	0
2524	Occupational Therapists	1000	0
2525	Physiotherapists	1188	0
2526	Podiatrists	1000	0
2527	Speech Professionals and Audiologists	1000	0
2531	Generalist Practitioners	3672	0
2532	Anaesthetists	1000	0
2533	Internal Medicine Specialists	1000	0
2534	Psychiatrists	1000	0
2535	Surgeons	1000	0

2539	Other Medical Practitioners	1000	0
2541	Midwives	1000	0
2544	Registered Nurses	15042	0
2611	ICT Business and Systems Analysts	1620	0
2613	Software and Applications Programmers	5004	0
2631	Computer Network Professionals	1788	0
2633	Telecommunications Engineering Professionals	1000	0
2711	Barristers	1000	0
2713	Solicitors	3426	0
2723	Psychologists	1248	0
2725	Social Workers	1968	0
3122	Civil Engineering Draftspersons and Technicians	1000	0
3123	Electrical Engineering Draftspersons and Technicians	1000	0
3132	Telecommunications Technical Specialists	1000	0
3211	Automotive Electricians	1000	0
3212	Motor Mechanics	6444	0
3222	Sheetmetal Trades Workers	1000	0
3223	Structural Steel and Welding Trades Workers	4482	0
3232	Metal Fitters and Machinists	6816	0
3233	Precision Metal Trades Workers	1000	0
3311	Bricklayers and Stonemasons	1506	0
3312	Carpenters and Joiners	7164	0
3322	Painting Trades Workers	2448	0
3331	Glaziers	1000	0
3332	Plasterers	1980	0
3334	Wall and Floor tilers	1110	0
3341	Plumbers	4464	0
3411	Electricians	7854	0
3421	Airconditioning and Refrigeration Mechanics	1626	0
3422	Electrical Trades Distribution Workers	1000	0
3423	Electronics Trades Workers	2580	0
3513	Chefs	2547	0
3991	Boat Builders and Shipwrights	1000	0
4112	Dental Hygienists, Technicians and Therapists	1000	0

<http://www.immi.gov.au/Work/Pages/SkillSelect/SkillSelect.aspx#tab-content-2>

2014-2015 State Nomination Lists

An updated South Australian occupations list

https://www.migration.sa.gov.au/SNOL_data#

Review of the Western Australian skilled migration occupation list

<http://www.migration.wa.gov.au/skilledmigration/Pages/LatestNews.aspx>

Changes to Consolidated Sponsored Occupation List (CSOL) and Skilled Occupation List (SOL)

Skilled Occupation List (SOL)

The SOL is relevant for applicants for:

- Independent points-based skilled migration (subclass 189)
- A Family Sponsored points-based skilled visa (subclass 489)
- Temporary Graduate visa (subclass 485) – Graduate Work stream

Consolidated Sponsored Occupation List (CSOL)

The CSOL is relevant for applicants for:

- Points-based skilled migration who are nominated by a state or territory government agency under a State Migration Plan (subclass 190 and 489)
- The Employer Nomination Scheme (ENS), who must have been nominated by an Australian employer to fill a position in an occupation that appears in the CSOL (subclass 186 and 187)
- The Temporary Work (Skilled) visa (subclass 457)
- The Training and Research visa (subclass 402)

The following changes will apply to applications made for the above visas on or after 1 July 2014.

Occupations added to the SOL

- Chef (Australian and New Zealand Classification of Occupations (ANZCO) 351311)
- Bricklayer (ANZCO 331111)
- Wall and Floor Tiler (ANZCO 333411)

Occupations added to the CSOL

- Hydrogeologist (ANZCO 234413)
- Exercise Psychologist (ANZCO 234915)

Changes to occupation titles

The following titles will be changed:

- Ship's Surveyor will be titled Marine Surveyor (ANZCO 231215)
- General Medical Practitioner will be titled General Practitioner (ANZCO 253111)

Changes to assessing authorities

For new applications for the above visas made on or after 1 July 2014, new assessing authorities will be specified for the following occupations:

- Nurse Manager (ANZCO 254311): Australian Nursing and Midwifery Accreditation Council (ANMAC)
- Nurse Educator (ANZCO 254211): ANMAC
- Nurse Researcher (ANZCO 254212): ANMAC
- Marine Transport Professional not elsewhere classified (ANZCO 231299): Vocational Education and Training Assessment Services (VETASSESS)

<http://www.immi.gov.au/News/Pages/changes-csol-sol.aspx>

Skilled Migration Visas - ACT

If you have an occupation in demand in Canberra and have relevant skills and experience you may be eligible to apply for ACPT nomination of your skilled migration visa.

Skilled – Nominated (190) visa

The Skilled – Nominated (190) visa is a points-based visa for skilled workers who are nominated by a state or territory. You may be eligible to apply for ACT nomination if you are: (1) living overseas; or (2) Australian residents living in Canberra, subject to additional criteria as outlined below.

Canberra residents must be employed by an ACT employer in a skilled occupation and demonstrate you have lived in Canberra for three months prior to applying for ACT nomination.

International graduates from an institution located in another Australian state or territory must be employed fulltime by an ACT employer in your nominated occupation for at least six months.

You will **not** meet the ACT's eligibility criteria for nomination if you are currently living in another state or territory.

Please note overseas applicants who have lived or studied in another Australian state or territory within the last year may not meet the ACT's eligibility criteria. If this situation applies you should discuss your circumstances with our team prior to lodging your application for further information please contact David Bitel or Jia Li. Each application will be assessed on a case by case basis. Please refer to the ACT nomination guidelines below for verification of limited or closed occupations.

Skilled – Nominated (provisional) (489) visa

Please note the ACT does not have access to nominate subclass 489 visas.

Meeting the Requirements

1. Visit the DIBP website to make sure you qualify for the visa category you are seeking nomination. Remember the ACT Government does not grant visas.
2. Confirm your occupation is on the current ACT Occupation List.
3. As well as having a listed occupation, you need to meet the ACT nomination criteria. The criteria are clearly documented in the ACT nomination guidelines.

<http://www.canberrayourfuture.com.au/portal/migrating/article/skilled-migration-visas/>

Changes to QSOLS effective 1 July 2014

BSMQ is pleased to announce changes to QSOLS effective 1 July 2014. To ensure occupations available for nomination by BSMQ reflect the needs of Queensland industry, BSMQ regularly reviews the occupations, specialist skills and mandatory licencing, registration or memberships on QSOLS. This helps to ensure migrants have a stronger likelihood of securing employment in Queensland.

From 1 July 2014:

- A range of new occupations will be added to the QSOL
- A new stream is available under the subclass 489 visa for migrants who are already working in regional Queensland under another visa subclass.

Transitional arrangements for occupations that have changed or been removed from a QSOL

Expressions of Interest (EOIs) lodged prior to 1 July 2014 will be accepted based on the requirements of the QSOL that is effective until 11:59pm AEST on 30 June 2014. Applicants are required to lodge their complete application by 31 July 2014.

Outstanding applications

If you have already been contacted by BSMQ to provide further information to submit or finalise your application, you have until 31 July 2014 to lodge your final application with BSMQ.

If you are unable to finalise your application as you are waiting for licensing, registration or membership or other mandatory requirements to be able to work in your occupation in Queensland, please provide evidence that you have lodged your application with the relevant authority for these requirements by 31 July 2014.

Further information can be found on the relevant skills list page, for assistance please contact Jia Li in our office.

<http://migration.qld.gov.au/qsols-effective-1-july-2014/>

High Court rules against Scott Morrison's refugee protection visa cap – S293 of 2013 v. MIBP

The High Court has issued a stunning rebuke to the Federal government's border protection policy, striking down its decision to refuse to give refugees who arrive by boat permanent protection visas. In two unanimous decisions, with implications for thousands of boat arrivals, the full court ruled that Immigration Minister Scott Morrison's decision to impose a cap on the number of places in Australia's refugee intake for boat arrivals was invalid.

The Minister imposed the refugee intake cap in March after the Senate voted down his attempt to re-introduce temporary protection visas (TPVs) for boat arrivals, declaring that the Coalition would "not give an inch when it comes to protecting our borders". He vowed then to take "every step necessary to ensure that people who arrive illegally by boat are not rewarded with permanent visas". His March decision effectively imposed a freeze on the grant of permanent protection visas to about 1400 asylum seekers who had already been found to be refugees and has implications for many thousands more whose claims have not yet been decided.

"This is a very significant victory for the rule of law being brought to bear on the plight of refugees in our country," said the lawyer for the applicants David Manne. The High Court has also upheld a challenge on behalf of a Pakistani national who arrived by boat at Christmas Island in 2012. In both cases the court ordered Mr Morrison as minister to consider and determine the asylum seekers' applications for a protection visa according to the law as it stands. "Putting a freeze on the issuing of protection visas just because the Senate rejected the government's TPVs was always an act of petulance which caused great misery." Greens senator Sarah Hanson-Young described the ruling as "a win for fairness and decency", saying: "The court has ruled that the government's cruelty for cruelty's sake is illegal. This decision will allow refugees to start rebuilding their lives here in Australia."

<http://www.smh.com.au/federal-politics/political-news/high-court-rules-against-scott-morrison-refugee-protection-visa-cap-20140620-3ajpx.html>

Asylum seekers offered \$10k to go home

The Federal government is offering asylum seekers on Manus Island and Nauru detention centres up to \$10,000 to abandon their hope of resettlement in Australia and voluntarily return to country they fled from.

The revelation comes as the High Court issued a stunning rebuke on the government's border protection policy, striking down its decision to refuse to issue permanent protection visas to boat arrivals found to be refugees. In two unanimous decisions, with implications for thousands of boat arrivals, the court ruled that Immigration Minister Scott Morrison's decision to impose a cap on the number of places in Australia's refugee intake for boat arrivals was invalid. The sudden boost in payments is the latest tactic being used by the government to cement its hard-line stance against asylum seekers who come to Australia without a visa. In what are dubbed "return packages", the Coalition has dramatically increased monetary incentives from \$3300 to \$10,000 based on "individual circumstances", compared with the previous government's offering of between \$1,500 and \$2,000 last year.

Australia now ranks 17th in the world to resettle refugees, according to the Refugee Council of Australia. Asylum seekers who take up the cash offer are transported to the Hideaway Hotel in Port

Moresby that is paid for by the International Organisation for Migration before being flown back to their country of origin.

Fairfax Media understands Lebanese asylum seekers are being paid \$10,000 if they voluntarily return to Lebanon, while Iranians and Sudanese are being offered \$7000, Afghans are being given \$4,00 and Pakistani, Nepalese and Burmese asylum seekers are receiving \$3,300. Immigration Minister Scott Morrison confirmed that 283 people had voluntarily returned home since September 2013.

<http://www.smh.com.au/action/printArticle?id=5531010>

Migration Act changes

The Federal Government has introduced wide-ranging legislation to overhaul Australia's processing of asylum seeker claims. Immigration Minister Scott Morrison says his amendments to the Migration Act will make it easier to send asylum seekers to other countries and demands they provide documents more quickly to support their claim for protection. "We need the tools to ensure public confidence in Australia's capacity to assess claims for asylum in the interests of this country, and against those who show bad faith," he said. "These changes uphold the importance of integrity, the establishment of identity and increased efficiency in our protection processing system." Mr Morrison says, if passed, it would become an asylum seeker's responsibility to prove their claim, and protection visa applications would be refused when a person cannot or will not establish their identity.

<http://www.abc.net.au/news/2014-06-25/morrison-pushes-for-asylum-seeker-processing-overhaul/5549388>

Migration Act changes raise risk threshold for returning asylum seekers

The Bill also raises the risk threshold for sending arrivals in Australia back to another country. Currently, people will not be returned to the country they came from if there's a 10 per cent chance they will suffer significant harm there. The Government will not raise the risk threshold to greater than 50 per cent. Mr Morrison says the higher threshold is the Government's interpretation of its international obligations. "It is the Government's position that the threshold applicable to the non-refoulement obligations Under the [United Nation's] Convention against Torture and the ICCPR (International Covenant on Civil and Political Rights) is more likely than not," he said. "Now this is an acceptable position which reflects the Government's interpretation of Australia's obligations."

<http://www.abc.net.au/news/2014-06-25/morrison-pushes-for-asylum-seeker-processing-overhaul/5549388>

Changes to asylum seeker repatriation test attacked

A move to radically reduce the threshold for deciding to send asylum seekers back to possible danger will violate rights and endanger lives, leading refugee lawyer David Manne has warned. Under the proposed changes introduced to Federal Parliament, those whose protection claims are rejected face return to their country unless it is decided they are "more likely than not" to suffer significant harm.

Immigration Minister Scott Morrison says the existing threshold, under which they are not returned if there is a “real chance” of them suffering harm, means they can stay as this risk is “as low as 10 per cent”. The new “more likely than not” test would mean there would have to be a “greater than 50 per cent chance” of a person suffering significant harm for them not to be returned, he said. The change, covering those seeking protection under international treaties against torture and on civil and political rights, was one of many to toughen the process for seeking asylum.

<http://www.smh.com.au/federal-politics/political-news/changes-to-asylumseeker-repatriation-test-attacked-for-risking-lives-violating-rights-20140625-3ato4.html>

Education

Top destination in the world for international students

Sydney is the most popular city in the world for international university students, beating more than 83 cities including Melbourne, London, Paris and New York to the coveted spot, a new global ranking reveals. Global consultancy firm A.T. Kearney put Sydney ahead of dozens of cities after studying the size of international student populations for its 2014 Global Cities Index. Figures from the federal government show that Sydney is home to an estimated 50,000 international students studying at the city’s universities, with another 50,000 studying vocational and English courses.

More than 300,000 international students are studying across the country, the most recent figures from Universities Australia show, with the top five countries being China, India, South Korea, Malaysia and Vietnam. Enrolment data also reveals an increase in the number of students from Pakistan, Colombia and the Philippines and the most recent data published by the Department of Immigration showed that, in the last six months of 2012, there was a 27 percent growth in higher education student visas granted to offshore applicants.

Sydney Lord Mayor Clover Moore said “being the world’s most popular destination for international students helps build Sydney’s cultural diversity and strengthen our regional and global connections.”

“Sydney offers first-class education, professional experiences, cutting-edge research opportunities, a strong economy and a lifestyle that is unmatched. Ms Moore said graduates from universities in Sydney include some of Australia and the world’s most successful academics, specialists and business figures. This includes five Nobel laureates, six Prime Ministers and two Governors-General.

<http://www.smh.com.au/national/education/sydney-named-top-destination-in-the-world-for-international-students-20140427-zqz2a.html>

Students set to pay up to 45% of fees in TAFE restructure

Most students will spend more on their training qualifications at TAFE and private colleges next year when set fees are introduced in NSW. Some will be forced to pay as much as 45 per cent of their fees from their own pockets, under sweeping reforms of the state's vocational education system. Fees for apprentices will be capped at \$2000 and disadvantaged students and low income earners will receive exemptions and concessions. But fees for some courses will rise significantly, and 40 percent of students will pay between \$500 and \$1500 extra on fees, while many will pay up to \$500 more. NSW Education Minister Adrian Piccoli released the state government's response to the final report from the Independent Pricing and Regulatory Tribunal, which included regulating fees at TAFE and accredited private colleges and students contributing 25 to 45 percent to the cost of their qualification.

Aboriginal students and students with a disability will be exempt from fees under the reforms, and concessions for some students of Centrelink benefits will be available up to certificate IV level, but higher level qualifications such as diplomas and advanced diplomas will not receive concession because they are covered under student loans. He said the government was determined to ensure as many people as possible could access high quality training. "A new way of determining training prices and student fees will make sure training in NSW is targeted to those who most need skills to find employment and to support economic growth. From 2015 students will pay a set fee per qualification rather than per year. This is fairer as students will know exactly what their cost will be regardless of how long they take to complete their qualification."

The government also released a skills list identifying priority areas for training. Only qualifications on that list will attract government subsidies.

<http://www.smh.com.au/nsw/students-set-to-pay-up-to-45-of-fees-in-tafe-restructure-20140515-38cwh.html>

Opportunities for regional and rural students

Regional students and their communities will be among the big winners from the Federal Government's higher education reforms. The reforms include:

- Expanding the demand driven Commonwealth funding system for students studying for higher education diplomas, advanced diplomas and associate degrees
- Extending Commonwealth funding to all Australian high education students in registered non-university higher education institutions studying bachelor courses
- Creating more opportunities for students with low socio-economic backgrounds and from regional areas through a Commonwealth scholarships initiative;
- Maintaining the Higher Education Loans Programs (HELP) where the taxpayer funds all students' fees up front; and
- Removing all HELP loan fees which are currently imposed on some students undertaking higher education and vocational education and training.

<http://ministers.education.gov.au/pyne/expanding-opportunities-regional-and-rural-students>

Higher Education Symposium 2014

This symposium acknowledges the important role that private education and training plays in equipping Australian students with the skills and knowledge they need for the jobs of the 21st century, and to acknowledge the role that Australian Council for Private Education and Training (ACPET) plays in public debate about a range of key issues. Budget education reforms will create new opportunities for all non-university higher education institutions, many of which are ACPET members, as well as for our universities and – above all – for our students.

They are the biggest reforms of our higher education system in 30 years. Australia will not be left behind as global competition intensifies. Australia has a strong higher education and research system. But it needs to be better. Private as well as public higher education institutions have important roles to play in this. Commonwealth funding to Australian higher education students enrolled in registered non-university higher education institutions studying accredited undergraduate courses.

<http://ministers.education.gov.au/pyne/higher-education-symposium-2014-australian-council-private-education-and-training-acpet>

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