

## QUESTION TAKEN ON NOTICE

### ADDITIONAL BUDGET ESTIMATES HEARING: 9 FEBRUARY 2010

#### IMMIGRATION AND CITIZENSHIP PORTFOLIO

#### (111) Program 1.1: Visa and Migration

Senator Humphries asked:

#### Subclasses 487, 885, 886

- (1) Who are the main groups of people affected by the changes to General Skilled Migration (GSM) program that came into effect on 1st January 2010?
- (2) What is required for applicants that must participate in the Jobs Ready program, in terms of timeframe and obligations to undertake testing and evaluation?
- (3) If there are potential applicants for one of these visa classes who are currently already in Australia on another type of visa, such as a 485 Graduate visa, seeking permanent residency, do they now have to undertake the Jobs Ready program?
- (4) Is this caseload impacted by the changes to priority processing?
- (5) How long does the department anticipate that these people will have to wait before their application is decided?
- (6) What is being done to manage this caseload and the expectations they had to be issued with visas quickly?
- (7) What rights to work, Medicare and other benefits do these applicants have while they are waiting for their applications to be decided?
- (8) How long will they have to wait?

*Answer:*

- (1) Several reforms to GSM were introduced in response to the changing needs of the economy; and to ensure the ongoing integrity of the program through the delivery of suitably qualified and job ready migrants to the workforce.

From 1 January 2010, applicants seeking to apply for the following onshore GSM visas will be required to have a suitable skills assessment in their nominated occupation before submitting an application:

- Skilled - Independent (Residence) Visa (Subclass 885)
- Skilled - Sponsored (Residence) Visa (Subclass 886)
- Skilled - Regional Sponsored (Provisional) Visa (Subclass 487).

From 1 January 2010 the threshold English language requirement for applicants nominating a trade occupation was increased for onshore GSM visas from International English Language Testing System (IELTS) 5 (vocational English) to IELTS 6 (competent English) in each of the four components on the IELTS test. In addition, the threshold English language requirement for the onshore provisional Skilled –Regional Sponsored visa was increased from an average score of IELTS 5.5 to an average of IELTS 6.0.

The majority of people affected by these changes will be overseas students in Australia, as well as holders of a Trade Skills Training, Working Holiday and Occupational Trainee visas who apply for an onshore GSM visa.

- (2) In order to lodge a valid visa application and for the application to be considered for a decision, an applicant must have **obtained** a suitable skills assessment. For applicants nominating trade occupations, this may mean that their assessment will be conducted under the Job Ready Program (JRP). Questions about the specific requirements of the JRP with regards to timeframes and obligations should be directed to Trades Recognition Australia (TRA), which is the relevant assessing authority.
- (3) The Minister recently announced his intention that any applicant who holds an existing suitable skills assessment, will not be required to be reassessed. This will mean that applicants will not be subject to the JRP and this includes subclass 485 visa holders as they would have had to obtain a skills assessment in order to be granted their subclass 485 visa. If an applicant does not have a suitable skills assessment, and are in Australia on another type of visa, they will be required to obtain one in order to apply. If TRA are the relevant assessing authority for their occupation, they are likely to be assessed under the JRP.
- (4) Applicants for Skilled – Regional Sponsored Subclass 487, Skilled - Independent Subclass 885 and Skilled – Sponsored Subclass 886 visa are subject to the new priority processing arrangements that came into effect on 8 February 2010.
- (5) Applications for a Skilled - Regional Sponsored (Provisional) (Subclass 487) or Skilled - Sponsored (Residence) Visa (Subclass 886) visa from people

nominated by a State/Territory government in accordance with a State Migration Plan or whose occupation is on the Critical Skills List (CSL) are expected to be finalised within 12 months from the lodgement date. Visa applications from people who are not nominated in accordance with a State Migration Plan or whose nominated occupation is not on the CSL are unlikely to be finalised within 2 years from the date of application.

- (6) Concerns of applicants affected by new priority processing arrangements are being managed through a communications campaign and provision of public information. Amended public information has been provided on the Department's website, to the Department's contact centres, and in responses to client letters and emails.
- (7) Applicants for onshore GSM visas are generally able to work while they await a decision on their application. Similarly, they are usually able to access Medicare and are referred to Medicare for detailed advice.
- (8) Please refer to response provided to part (5).