

Migration Update - What has changed?

The newspaper headlines and reports on the changes made to the immigration program on 8 February 2010 cannot cover the complexity and the implications of those changes.

Many of our clients have contacted us concerned how the changes may affect their immigration hopes, and so we now provide a summary of the main changes.

- The changes affected the general skilled migration scheme (skilled visas) **only**. The employer sponsorship visas and the family visas were not affected by the changes.
- The Migration Occupations in Demand List (MODL) was revoked as of 8 February 2010, **but** skilled graduate visa holders or pending holders, and pending skilled visa applications were unaffected.
- The Critical Skills List was revoked as of 8 February 2010, **but** that list was only used for the purpose of priority processing of the occupations on that list.
- A new Skilled Occupations List (SOL) will be introduced in mid-2010, **but** applicants can nominate occupations on the current SOL until the new list is introduced.
- Pre-1 September 2007 offshore applications will have a quota imposed by the Minister, and the applicants not within the quota will not be processed.
- The Minister will review the points test, and so it is expected that new points will be allocated for skills, age, English language and recent work experience, and perhaps new points passmarks.
- Current student visa holders will be able to lodge a skilled graduate visa application, **if** the nominated occupation is on the SOL that existed as at 8 February 2010, **if** the student visa is a 572 (vocational), 573 (higher education), 574 (post-graduate research), **and** the application is made prior to 31 December 2012.

A study of the changes shows that efforts have been made to put transitional measures into place. **However**, the complexity of the changes requires a thorough examination of the circumstances of each person in light of the immigration requirements to determine the eligibility for a particular visa. **Essential**, therefore, is the engagement of a well-informed registered migration agent. It is helpful to recall the very **basic principle** of migration practice: if a person meets the criteria now, he or she must not wait, but must make application without delay - we have seen too many people who have waited to find that later changes to the immigration program have resulted in their no longer being eligible for any visa.

aml | australian migration lawyers is watching the changes closely and will be letting our clients know of any important developments. We assure all our clients that we will continue to offer the best advice and representation in making any visa application, and so give you the best chance of achieving your migration goals.

For assistance with all your migration needs, email info@migrationlawyers.com.au or visit our website www.migrationlawyers.com.au. Alternatively, contact our professional team at our Gold Coast or Brisbane office.

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At **aml**, we understand the importance of your migration requirements. We offer immigration services and specialist knowledge of Australian migration laws, policy and procedures to ensure accurate advice and preparation of all migration documents.



As a leading industry player with a strong focus on skilled employees, our current program involves regular trips to the UK and South Africa to meet clients, conduct migration seminars and attend migration expos to link Australian employers with skilled migrants.