

**Our newsletter this month:**

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**1. General news**

With the election of a minority Labour government confirmed, it is likely that we will see the continuing reform of the migration program during the course of the year. With the initiatives announced by the government on 8 February 2010, it is possible that the General Skilled Migration program could further evolve before the end of the financial year. In addition to the changes in the General Skilled Migration program, it is also possible that Employer Sponsored programs, like the Employer Nomination Scheme and the Regional Sponsored Migration Scheme, could be amended. It is also likely that we will see changes in the way illegal immigrants are processed. The minority

Labour government continues to look at a processing centre in East Timor, but given the new influence of the Greens in Parliament, it will be interesting to see what will come of this proposal as the Greens have voiced opposition to it.

**2. Post 1 July 2010 announcements****i. ANZSCO**

The Department of Immigration & Citizenship (DIAC) introduced a new Standard Classification of Occupations on 1 July 2010. Prior to that date, it was the Australian Standard Classification of Occupations (ASCO) that was used. The Australia and New Zealand Standard Classification of Occupations, or ANZSCO, is the new occupation classification system that has replaced ASCO. It is far more detailed and up to date in the classification of occupations.

**ii. Skilled migration**

A new Skills Occupation List (SOL) was also released on 1 July 2010 for the General Skilled Migration (GSM) program. The list has shrunk considerably from over 400 occupations prior to 1 July 2010, to just 181 occupations. This will have obvious ramifications in reducing the range of skills that will be eligible for Australian migration under the General Skilled Migration program.

DIAC has introduced decision ready checklists to assist migration agents to lodge visa applications. The use of these decision ready lists will help expedite the application process for skilled applicants.

**Subclass 485 visa:** With the stringent skills assessment regime announced in February this year, students completing their studies in Australia will find it difficult to apply for the subclass 885 Skilled Independent and subclass 886 Skilled Sponsored visas, due to the way skills assessments are now performed. Many international students completing their studies can only apply for subclass 485 Graduate visa, as they are unable to obtain full assessment of their qualifications until they gain professional employment experience.

Consequently, international students will need to be strategic in their study program if they wish to apply for migration. It is in their interests to seek professional migration advice as early as possible in planning pathways to Australian migration.

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.

It is also well known that the processing times for GSM cases has greatly increased, and there is reason to believe that the estimated processing time may now take up to 3 years to finalise if the applicant's occupation is not on the current skills list, and 2 years if the occupation is on the current skills list.

### iii. Employer Sponsored visas

The introduction of Temporary Residence Business Long Stay visas and Employer Nominated Scheme (ENS) *Skills Occupation List* is relevant for employer sponsored visas as applicants must ensure that their occupation is listed in the appropriate skills occupation list. DIAC has informed **aml | australian migration lawyers** that processing times for ENS cases can take up to 8 months to finalise. DIAC has a backlog of 17,000 cases that need to be redistributed from the Parramatta Processing Office to other immigration centres around Australia. This will impact on the processing times for ENS cases. Medical practitioners previously applying under subclass 422 are now encouraged to apply under subclass 457 - the Temporary Long Stay Business visa.

### iv. State Migration Plans

The announcement of state migration plans is expected soon. This will permit state governments to sponsor people for skilled migration where their occupations are not listed on the new GSM *Skills Occupations List*.

## 3. Exchange rates

To assist clients and overseas investors in obtaining competitive exchange rates, **aml** is pleased to recommend the services of OzForex, a foreign exchange company. For information about this service, please contact **aml** and we will be pleased to provide further details.



## 4. Mediation

In addition to his expertise as a migration lawyer, Peter Kuek-Kong Lee is also an accredited mediator with the Institute of Arbitrators and Mediators Australia (IAMA). He is available to assist clients who need a mediator to resolve their disputes. Contact **aml** for more details.

## 5. The Team at aml | australian migration lawyers

Director of Migration Services, Peter Kuek-Kong Lee, has a long history in the migration industry. He was previously a professional immigration officer with the Department of Immigration in Canberra for over 24 years. Peter has worked as a migration lawyer since 2004, initially with Myer Vandenberg Lawyers in Canberra and subsequently with Australian Visa Lawyers. He also teaches migration law at Australian National University and Griffith University.

The team looks forward to assisting you with your migration enquiries and processing. **aml** will soon announce the establishment of its new representative offices in Sri Lanka and East Malaysia.

**aml** holds a number of seminars during the year, if you wish to be notified of these, please contact Yasmine Kon, T:5597 8888, E:[ykon@msslawyers.com.au](mailto:ykon@msslawyers.com.au), and we will send you invitations for these events.

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For assistance with all your migration needs, email us at [info@migrationlawyers.com.au](mailto:info@migrationlawyers.com.au) or visit our website [www.migrationlawyers.com.au](http://www.migrationlawyers.com.au). Alternatively, contact our specialised professional team at either our Gold Coast or Brisbane office.



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