

Migration Newsflash

3 July 2018



Immigration – new financial year update

As we enter the 2018/19 financial year, we are awaiting the final round of legislative changes due to come into effect under the Temporary Skill Shortage (TSS) visa (Labour Market Testing (LMT) changes and Skilling Australia Fund (SAF) implementation).

The Department of Home Affairs (Home Affairs) has increased their fees effective 1 July 2018 and the Global Talent Scheme has been introduced.

Labour Market Testing

As we navigate through the new TSS visa scheme, LMT criteria continues to evolve. Effective Monday 18 June 2018, we saw the period of viable LMT decrease from advertising conducted in the preceding 12 months to advertising conducted in the last 6 months.

At present, transitional arrangements are still in place for LMT evidence which permits a more lenient approach to the content of the advertising conducted within the specified period. Any advertising conducted between January 2018 to 18 March 2018 (within the last 6 months) does not have to confirm to the prescriptive requirements in the legislation.

Due to recent lobbying by LinkedIn, Home Affairs has now approved the extension of acceptable online recruitment platforms to include LinkedIn. This is a significant win for many sponsors as LinkedIn is the main source used by potential job hunters globally.

Visa application charge fee increases

In line with yearly indexation, effective 1 July 2018 the cost of a majority of visa subclasses increased. The full suite of price increases is outlined in the Migration Amendment (Visa Application Charges) Regulations 2018 however a summary of the major visa subclasses is as follows:

400 Visa Applicable Charge	Current VAC	New VAC
Base application charge	\$280	\$285
Additional applicant charge for an applicant who is at least 18	\$280	\$285
Additional applicant charge for an applicant who is less than 18	\$70	\$75
482 Visa Applicable Charge – Short-term list	Current VAC	New VAC
Base application charge	\$1,150	\$1,175
Additional applicant charge for an applicant who is at least 18	\$1,150	\$1,175
482 Visa Applicable Charge – Medium List	Current VAC	New VAC
Base application charge	\$2,400	\$2,455
Additional applicant charge for an applicant who is at least 18	\$2,400	\$2,455
Additional applicant charge for an applicant who is less than 18	\$600	\$615
186 Applicable Charge	Current VAC	New VAC
Base application charge	\$3,670	\$3,755
Additional applicant charge for an applicant who is at least 18	\$1,835	\$1,875
Additional applicant charge for an applicant who is less than 18	\$920	\$940
187 Applicable Charge	Current VAC	New VAC
Base application charge	\$3,670	\$3,755
Additional applicant charge for an applicant who is at least 18	\$1,835	\$1,875
Additional applicant charge for an applicant who is less than 18	\$920	\$940
820/801 Partner Visa Applicable Charge	Current VAC	New VAC
Base application charge	\$7,000	\$7,160
Additional applicant charge for an applicant who is at least 18	\$3,505	\$3,585
Additional applicant charge for an applicant who is less than 18	\$1,755	\$1,795

Skilling Australia Fund

The precise date of implementation of the SAF has still not been fixed however recent announcements from Home Affairs have advised that the fund will come into effect in the first quarter of 2018/2019 financial year.

Once SAF is implemented, the period of advertising will be further restricted to 4 months with the period the advertising to remain 'live' for increased to 4 weeks. There are currently no exemptions to the LMT provisions other than the outlined International Trade Obligation exemptions.

Global Talent Scheme Pilot

Further to our 23 March 2018 Newsflash, the Global Talent Scheme (GTS) has now come into effect. This scheme is only available to accredited sponsors for the initial period of 12 months (July 2018 – June 2019) and is by invitation only for set numbers of positions.

The GTS does not have a set mandated list of occupations (unlike the TSS scheme) which potentially broadens out the skill-set that sponsors are able to attract, particularly in the technology space where positions may be available which didn't exist in the market 10 years ago.

The scheme features two distinct streams:

'Established business' stream requirements

- Companies must be publicly-listed or have an annual turnover of at least AUD 2 million for each of the past 2 years.
- They will need to be able to demonstrate that they already prioritise the employment of Australians and have a track record of hiring and training Australians.
- They must not have any breaches of workplace or immigration law.
- The grant of the visa will result in a transfer of skills to their Australian workforce.
- The nominated position must be labour market tested and annual earnings offered for the role must be at least \$180,000.

'Startup' stream requirements

- Startup business must be technology-based or STEM related, and recognised by a 'startup authority'.
- They will need to be able to demonstrate that the GTS will support job opportunities and skills transfer to Australians.
- They must not have any breaches of workplace or immigration law.
- The nominated position must be labour market tested and annual earnings offered for the role must be at the market salary rate.

The key benefit of both streams of the Global Talent Scheme is that it provides businesses with highly skilled foreign individuals an opportunity to offer employment for a 4-year temporary visa (where this may not be available under the TSS scheme) and affords them a pathway to Australian permanent residence after 3 years of employment in Australia. This is a significant draw card for employers seeking to attract highly talented individuals to Australia to fill skill gaps.

Department of Home Affairs System updates

During the system outage that took place on Friday 29 June 2018, Home Affairs updated their online system as follows:

- Applicants for TSS visas will be required to provide a good quality full-face view photograph with their application. A High quality scanned photograph of the applicant's (primary and secondary applicants) full-face will be required for all TSS applications lodged after 1 July 2018; and
- Applicants for TSS visas who are required to provide full biometrics will now automatically receive a letter requesting this as soon as their application is lodged (this will apply to certain visa applicants associated with Overseas Business Sponsors).



Contact us

Your KPMG Immigration professional can work with you to help minimise the impact of these upcoming changes and help navigate you through the legislation, so please do not hesitate to contact us with any queries.

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