

GMS Flash Alert



Immigration Edition

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Australia - Federal Budget and Immigration Updates

Australia's Federal Budget announced that the program numbers for the 2021-22 Migration Program planning levels will be maintained at the current level of 160,000.¹ Family and skilled stream places will be maintained with a continued focus on onshore visa applications. With respect to skilled visas, priority will be given to highly-skilled migrants in the employer-sponsored, business innovation, and investor programs, and global talent program. Interestingly, there was no announcement in regards to visa application charges, which are usually increased annually on 1 July.

The federal government is taking action to grant certain concessions to temporary visa holders in Australia, while also centering on how migration can play a long-term role in the economic recovery.

WHY THIS MATTERS

Whilst Australian borders remain closed until 2022, the Budget has affirmed the federal government's focus on attracting global talent to and business investment in Australia to support the economic recovery.

- Overall, the Budget built on the **flexibilities** that continue to be necessary during the COVID-19 pandemic, where a careful balance needs to be struck between **addressing skill shortages**, the needs of Australian businesses, public health measures, and **preventing the exploitation of visa holders**.
- The Budget called out the recent introduction of the Global Talent visa (which replaced the Distinguished Talent visa), and also the Temporary Activity visa in the COVID-19 pandemic event stream which **has enabled certain individuals who would otherwise need to depart Australia to remain in Australia during the pandemic**.
- To encourage investment, the government announced an early engagement process which will be established to **provide potential investors and global businesses with greater certainty in order to streamline and simplify the associated processes**.

Inquiry into Australia's Skilled Migration Program

KPMG in Australia has recently made a submission in response to the inquiry into Australia's skilled migration program. A summary of recommendations by the Australian member firm follows:

- **Recommendation 1:** Conduct a review into the potential application of a risk-based approach to vaccinated travellers while concurrently working with counterparts to increase access to vaccines in low income countries.
- **Recommendation 2:** Consider a range of measures to make Australia attractive to young, skilled migrants including:
 - making post-study work rights easier and last longer;
 - adding further permanent residency points to those post-study work rights;
 - adding even further permanent residency points where both the course and post-study work rights are in an area of skill shortage outlined in updated skills lists; and
 - introducing an 'accelerated pathway to residency program' for regional students based on updated skills lists.
- **Recommendation 3:** That the Committee consider recommending a package of COVID-19 temporary concessions be developed to help address the immediate shortfall of workers in regional Australia including the temporary removal of Labour Market Testing for employer-sponsored streams, older age limits, and lower English language requirements for workers applying for temporary visas or permanent residency in regional areas.
- **Recommendation 4:** Consider improvements to the Global Talent Scheme and Hong Kong visa class to help ensure international competitiveness in a highly-competitive global market, including a review of salary caps, age thresholds, turnover requirements, and concessions on key criteria for Hong Kong nationals.
- **Recommendation 5:** Consider a further increase in program allocation numbers in recognition that highly-skilled individuals do not often migrate as sole travellers and will often have accompanying family members who are included in the current program caps.
- **Recommendation 6:** Consider a revision of the Global Talent Employer-Sponsored (GTES) program as it relates to start-ups to foster a broader representation of industries with the ability to access the scheme.
- **Recommendation 7:** Include KPIs for processing times and accrediting specialist third parties to review visa eligibility so that visa categories are adaptable and responsive to market changes in growth sectors.
- **Recommendation 8:** Introduce clearer policies and guidelines on identified target sectors to aid interest and uptake for highly-skilled individuals and businesses.
- **Recommendation 9:** Provide greater permanent residence options for businesses and their employees contributing to Australia's economic recovery.

Travel Exemptions

The following classes of persons are currently able to enter Australia without a travel exemption:

- Australian citizens and permanent residents of Australia;
- Immediate family members of Australian citizens or permanent residents (includes spouse, de facto partner, dependent child, and legal guardians);
- New Zealand citizens usually resident in Australia and their family members;
- A diplomat accredited to Australia, including his/her immediate family members (each member of the family unit must hold a valid subclass 995 visa);
- A person transiting Australia for 72 hours or less;
- Airline crew, maritime crew including marine pilots;
- A person who has been in New Zealand or Australia (or a combination of these two countries) for 14 days or more immediately prior to arrival by air in Australia;
- A person recruited under the government-approved Seasonal Worker Program or Pacific Labour Scheme;
- A person who holds a Business Innovation and Investment (subclass 188) visa.

Priority Migration Skilled Occupation List (PMSOL) Update

The occupation of "veterinarian" was added to the PMSOL on 11 May 2021.² There are now 19 occupations on the PMSOL, which are:

- Chief Executive or Managing Director (111111);
- Construction Project Manager (133111);
- Mechanical Engineer (233512);
- Veterinarian (234711);
- General Practitioner (253111);
- Resident Medical Officer (253112);
- Psychiatrist (253411);
- Medical Practitioner nec (253999);
- Midwife (254111);
- Registered Nurse (Aged Care) (254412);

- Registered Nurse (Critical Care and Emergency) (254415);
- Registered Nurse (Medical) (254418);
- Registered Nurse (Mental Health) (254422)
- Registered Nurse (Perioperative) (254423);
- Registered Nurses nec (254499);
- Developer Programmer (261312);
- Software Engineer (261313);
- Social Worker (272511);
- Maintenance Planner (312911).

Other

Student Visa Holders and Hospitality/Tourism Sectors – The Budget contained welcome flexibility, including for student visa holders in the tourism and hospitality sectors. Student visa holders working in these sectors will be able to work more than 40 hours per fortnight. This follows similar flexibilities previously announced in the agriculture, health, and aged care sectors.

Parent Visas – A new announcement regarding Parent visas confirmed that the validity period of Sponsored Parent (Temporary) visas will be extended by 18 months for individuals who are unable to utilise their visas as a result of COVID-19 travel restrictions.

FOOTNOTES:

1 For the Budget speech and related documents, see: <https://budget.gov.au/>. For our prior coverage of the Budget, see [GMS Flash Alert 2021-142](#) (12 May 2021).

2 For prior coverage of the PMSOL, see [GMS Flash Alert 2020-397](#) (10 September 2021).

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RELATED RESOURCE:

This article is excerpted, with permission, from "Where to Next? Immigration Updates Following the Delivery of the Federal Budget," (13 May 2021) in *Migration Newsflash*, a publication of the KPMG International firm in Australia.

Contact us

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