

MIGRATION NEWS

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This newsletter contains important information about changes to general skilled and business skills migration. As a background to the specific issues raised in this newsletter it is worth noting that the Minister for Immigration and Citizenship, Senator Chris Evans, is in the process of changing the policy and processes of his Department in a series of ad hoc announcements which are delivered to the migration “community” late on Friday afternoons, therefore preventing any last minute applications being lodged. This is very different to previous Ministers who announced policy changes well in advance, allowing those people already engaged in the migration process to lodge applications before the changes came in to effect. For the record, this is not meant as a political criticism of the Minister or his Departments. We have worked with Governments and Ministers of both political parties, but have never encountered anything like this in 23 years of professional practice. We have always found the policy to be applied fairly and evenly and without surprises. Hopefully, once the changes are complete we can again settle down to a period of stability and predictability for our clients and ourselves.

GENERAL SKILLED MIGRATION APPLICATIONS

SUSPENDED

At about 5pm on Friday 7th May the Minister announced that DIAC will stop accepting General Skilled migration applications with immediate effect. What this means is that we are unable to lodge applications until further notice. This was done against the background of the changing skilled occupations list. The Minister announced previously that the skilled occupation list (SOL) was being reviewed and a new list would be announced toward the end of April for implementation late June. In late April an announcement was made saying the new SOL was not ready and would be announced sometime in May. We are both surprised and disappointed at the ad hoc nature of the Minister’s exercise of his powers, and our advice to clients is to continue to be patient. Specifically we would make the following comments

- For clients who have lodged applications, you shouldn’t be affected. Your applications are in the system and will be processed, however in most cases this will take some time.
- For those clients that have not lodged applications there are several possible scenarios, some of which we set out below:
 - You may still be eligible when the new SOL is announced. We believe that the new SOL will favour people currently on the

Critical Skills List (CSL) as well as people with high level tertiary education (Honors and Masters Degrees) as well as high level English

- For those that don’t fall into those categories, we will need to wait and see what the new SOL offers and then plan alternative options for you going forward.

Business Skills threshold changes

Continuing on the theme of policy changes, the Minister has announced changes to the minimum requirements for business skills applicants. He has raised the turnover minimums, equity holdings and assets required to be eligible for first stage visas. We have scrutinised all files for clients who have formally engaged our services but not yet lodged their applications and are in touch with those we believe will be affected. For those clients who have not yet decided to proceed, please contact us and we’ll take another look at your eligibility for you at no further cost to your initial consultation fee. These changes are in most cases quite mild and we are finding that most clients are still eligible, and where eligibility has changed, we are finding alternative options.

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CONSULTING TRIPS



SOUTH AFRICA

Our Managing Director, **Cecil Bass**, will be visiting South Africa in June and July to meet with prospective clients. Cecil will be consulting in Durban, Cape Town, and Johannesburg and for the first time in Nelspruit. Cecil has been a soccer fan since his youth and he will be catching a few Soccerroos games along the way at the world cup.

To arrange a consultation please contact one of the following offices:

Durban (Sandra Kryzstofiak)

sandra@hitchcock.co.za

+27 31 312 5038

Johannesburg and Pretoria (Valerie Small)

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DISTINGUISHED TALENT VISAS

Our firm has enjoyed a lot of success over the years in this visa category. It's an uncommon visa, and is intended to attract the best and brightest to Australia.

For people in professions, the arts and sports who are internationally recognised, this visa can be a comparatively simple pathway to permanent residence.

The basic requirements are:

- An internationally recognised career in your specific area of excellence
- Nominated by a prominent Australian in the same field
- The ability to support yourself in Australia

It's not intended exclusively for the David Beckhams and Brad Pitts of the world.

We have successfully assisted some very interesting applicants, including Yachtsman, Fishermen, Golf caddies, Doctors Photographers, Business Executives and others.

Please contact us if you feel you may be eligible.

SOME GOOD NEWS



Following a recent court decision DIAC have announced that in future, applicants can lodge English test results within 28 days of lodging the actual visa application.

This will enable clients under time constraints (e.g. 45th birthday) to lodge their application without an IELTS test but they have only 28 days after that to provide the results to DIAC.