



MIGRATION NEWS

ISSUE 55

JANUARY-FEBRUARY 2010

This newsletter follows on the previous edition, with the changes in migration legislation continuing at a rapid pace. We continue to engage with our clients to keep them abreast of these changes and this newsletter plays a useful role in that regard.

INTERNATIONAL STUDENT CHANGES

Inside this issue:

The role of international students and their impact on the Australian economy is almost constantly in the news. DIAC have again announced major changes that will affect this particular sector of the migrating population. There is no doubt that the Federal Government has decided to apply a massive brake to the process of international students obtaining permanent residence after completing their studies in Australia. The sheer volume of students applying for permanent residence and the disproportionate emphasis in students' choice of study focussing on a handful of trades (eg cooks and hairdressers) has forced the Government to relook at the whole program. The changes coming in to effect from 1 January 2010 will have the effect of far fewer students achieving permanent residence. The steps announced include

- All applications for permanent residence must include a skill assessment. Previously, students could show that they had lodged a skill assessment application and then lodge their residence application, providing the skill assessment later, now they must include a positive skill assessment
- Both Trades Recognition Australia and Vetassess (two of the major skills assessing bodies), will only issue skill assessments with proof of work experience or work ready assessments. These two assessing bodies would cover a very significant number of students and the result is that the work experience waiver for students being assessed by these two bodies is effectively lost
- The costs of these work ready assessments are considerable (over and above DIAC application fees and fees paid by clients to migration firms like ours), and will deter a number of students

- with trade qualifications from applying
- Students can apply for further temporary visas allowing them to remain in Australia whilst they gain the necessary work experience and adjust to life in the Australian workforce
- An increase in the evidence of funds available for living costs for new student visa applications from \$12,000 to \$18,000 per annum. Again, this will deter many international student visa applicants who ultimately seek permanent residence in Australia.

As a result of these changes, together with higher levels of integrity checking, applications for student visas have dropped off dramatically. DIAC has realised that the system as originally designed has morphed into something unintended and not meeting Australia's needs for skilled migrants. An unfortunate consequence of these changes is that thousands of students whose families have made major financial sacrifices to afford these young people the opportunity to study in Australia and to obtain permanent residence have had their hopes dashed. We anticipate that once the system settles down to more realistic levels, the general skilled program will also revert to previous and more acceptable processing levels.

It is likely in the medium term that skilled migration selection criteria will shift back more to off shore applications and off shore work experience, in much the same way the system operated a decade ago. The major surge in demand from international students in recent years, is a reflection of the true demand for migration to Australia. Such demand is clearly continuing to be very strong.

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CONSULTING TRIPS



SOUTH AFRICA

Our Managing Director, **Cecil Bass**, will be consulting in South Africa from **1st February 2010**, visiting all the main centres.

To arrange a consultation with Cecil, please contact our South African Marketing Team as follows:

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Our fees for a consultation in South Africa have not increased in five years and we intend to keep it that way for the time being.

HITCHCOCK PEOPLE

Welcome to Jarred Stein who has joined us recently. Jarred is a Chartered Accountant and that brings to three the CA's working at Hitchcock & Associates.

Our policy of employing the best and brightest continues and in addition to the accountants we have three Solicitors amongst our professional ranks of registered migration agents. Add to this people with science degrees, social work degrees, commerce degrees and the like, we believe our professional skills cover a

wide and diverse range of academic backgrounds, providing a dynamic skills set for our clients.

At same time we say farewell to Jackie Shay who is going to be taking some time off to do her own thing. Jackie has made a valuable contribution to the firm and our clients and we wish her well in the future.



JOHANNESBURG OFFICE

We are moving our Johannesburg office. Many clients will remember our Midrand offices and really vintage clients will still remember our Illovo offices. We closed Midrand and Pauline and Michaela moved to Pretoria and Valerie has been working from the Regus offices in Sandton. With the need for a more permanent arrangement as well as to accommodate our staff, we will occupy a really lovely suite of offices at 158 Jan Smuts Avenue in Rosebank.

Rosebank is centrally located for our clients and staff and there is lots of underground parking in the building. An added advantage is that the company (VFS) that receives all visa applications on behalf of the Australian High Commission is based in the same building and this will make for a smoother process of lodging applications for clients as well as evidencing visas when they are granted. We expect the offices to be ready in early February. Val and Jade would

welcome a visit, whether it's to drop off documents, collect a passport or just to have a chat and a cup of tea. This office is a welcome addition to our already bustling and busy offices in Pretoria manned by Pauline & Michaela, Durban run by Sandra and Cape Town by Gail. We view this as a further strong commitment to our South African clients and look forward to seeing you in Rosebank soon.

GENERAL SKILLED MIGRATION (GSM) - Updates

Elsewhere in this newsletter we have written about international students and their impact on the General Skilled Migration (GSM) process and outcomes. As so many clients have been affected by the processing changes we thought an update would be useful

- Critical Skills List (CSL) applications are being processed very quickly and we are seeing a shortening of processing times, which hopefully will lead to an easing of the current processing priorities
- We wrote in a previous newsletter about our representation to the Minister through the Migration Institute of Australia (MIA) regarding severe cases of concern where clients who had done their medical and character checks were put on hold till 2012. It seems our lobbying has paid off and we are very pleased to advise that almost all clients in this position have begun processing again, with a number

of visas already being granted in the last few weeks

- A number of GSM clients who are frustrated by the delays are looking for alternative ways to complete the migration process as quickly as possible. The two options that we have been recommending are either through the Employer Nomination Scheme or by applying as a business migrant. If you have lodged a GSM application and can find an Australian employer to sponsor you, your application will be priority processed. Many GSM applicants are either business owners or senior managers in business and this creates possible opportunities to look at business migration. If you think these options may work for you, please contact us.



MEDICAL FOR VISITOR VISAS

Clients who have applied for visit visas will know that once you are over 70, you need to do an aged visitor health check. We were pleased to note that from 9 November last year that age limit has been increased to 75. This will save a number of clients a fair bit of money and time.

AUSTRALIA ECONOMY RECOVERING QUICKLY

It has been very pleasing to see the recovery in the Australian economy that has been taking hold since the fourth quarter of 2009. Unemployment rates are declining, job advertisements are increasing, consumer spending before Christmas was at record highs and the Australian stock market is experiencing a strong recovery. The Commonwealth Bank recently announced record profits for the fourth quarter of 2009, and its expected the other big banks will follow a similar pattern. Coupled with this is a gradual but steady increase in interest rates. What the effects of this will be on the migration program is the topic of some debate within professional circles. Firstly, we anticipate new demand for skills in short supply. This demand is likely to be filled in two ways, firstly through the

facilitation of employer sponsored visas both permanent and temporary. Currently permanent employer sponsored visas are receiving priority. We anticipate a more accommodating approach from DIAC on 457 visas and finally the increased processing of

general skilled visa applications, with a more proactive and accommodating approach to the current applications in limbo. All this will depend on the continuing strengthening of the economy.

