



## SPECIAL EDITION 457 TEMPORARY WORK VISA CHANGES

*On Tuesday 18<sup>th</sup> April 2017 Prime Minister Malcolm Turnbull announced new changes to the 457-visa programme*

### Subclass 457 - Temporary Work (Skilled) visa changes

A new visa scheme will be released in March 2018 replacing the 457 called TSS

#### Changes to the approved occupation list – phase 1

The first phase of a number of intended changes to the approved occupations has already been implemented – with amendments made to the existing legislative instrument that specifies approved occupations for the programme.

This instrument has two schedules, and lists the approved occupations for the purposes of the subclass 457 programme.

As of 19 April 2017, the lists contained in these schedules have been re-named:

- the Skilled Occupation List (SOL) as the **Medium and Long-term Strategic Skills List (MLTSSL)**;
- the Consolidated Sponsored Occupation List (CSOL) as the **Short-term Skilled Occupation List (STSOL)**.

Some other significant changes on the eligible occupations includes:

- **216 occupations removed** from the list of eligible occupations;
- **caveats added to 59 other occupations** - Caveats are included 'as a note' in the relevant legislative instrument for certain occupations to limit their use in the context of the subclass 457 programme (special conditions).

*For 457 visas granted on or after 19 April 2017, the maximum four year visa period will only be available where the primary applicant's occupation is on the MLTSSL.*

*For all other applicants where their occupation is not on the MLTSSL, a maximum visa period of two years will apply. This includes primary visa applications, lodged, which are still pending a decision on 19 April 2017.*

#### ...what happens now?

If you are granted a 457 visa off the **MLTSSL list**, it can be granted for **4 years**. You will be eligible to apply for a permanent 186/187 visa after 3 years on a 457 visa if that company decides to nominate you.

If you are granted a 457 visa off the **STSOL list**, it will only be granted for **2 years**. One (only) further extension allowed for another 2 years. You will **not be allowed to apply for a permanent 186/187 visa** under that occupation if it is on the STSOL.



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## 1 July 2017 system changes

Significant **IT changes** will also be implemented **on 1 July 2017** – the Department’s online subclass 457 application forms will migrate from the Department’s old “eVisa system” to the newer “**eLodgment Plus**”

The new “**eLodgment Plus**” will offer **dynamic document checklist** functionality and **collect additional information** to assist the Department to process applications more efficiently and improve the integrity of the programme, including:

- business summary information
- business website/URL
- projected payroll for next 12 months
- full details of nominated person’s position/location
- improved LMT details
- improved skills assessment information



## What will change for 1 July 2017?

Further changes to the programme are planned for 1 July 2017, including:

- possible **further adjustments to eligible occupation lists**;
- **expansion of client cohorts** for whom mandatory skills assessments are required;
- minor **changes to the training benchmarks** for subclass 457 sponsors; and
- subclass 457 programme penal checks – **police certificates required to be provided** from countries a visa applicant has lived in as per current policy for other visa subclasses.

## Changes to Permanent Employer Sponsored Skilled Migration programme (subclass 186 & 187)

- Employer Nomination Scheme (subclass 186) visa (ENS visa)
- Regional Sponsored Migration Scheme visa (subclass 187) visa (RSMS visa)

### From April 2017

- Occupation lists: 216 occupations removed and 24 restricted to regional Australia;
- The CSOL will be renamed Short-Term Skilled Occupations List (STSOL) and will be updated every 6 months based on advice from the Department of Employment.

### From July 2017

- Occupation lists;
- IELTS English language requirement of 6 in each component;
- Age

### By December 2017

The DIBP (Department of Immigration and Border Protection) will collect **Tax File Numbers** for visa holders, matching data with the **ATO records** ensuring that they are not paid less than their nominated salary. Those sponsors failing to meet their obligations will be sanctioned.

### From March 2018

- For the **ENS and RSMS visa** the MLTSSL will now apply;
- Minimum **market salary rate** for employers;
- **Residency** will be eligible after three years and not two
- Relevant **work experience** of at least three years
- Applicants must be **under 45 years old** at the time of the application
- A strengthened **training requirement** will apply to contribute towards training Australian workers

### RUMORS SAY...



457-Visa price application is likely to increase from \$1150 to \$2400

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