A REVIEW OF TRENDS IN AUSTRALIAN IMMIGRATION LAW AND POLICY DURING 2006-07

On 2 September 2007 the resident population of Australia was projected to be 21,050,000

This projection is based on the estimated resident population at 31 December 2006 and assumes growth since then of:

- one birth every 1 minute and 56 seconds,
- one death every 3 minutes and 59 seconds,
- a net gain of one international migrant every 3 minutes and 15 seconds leading to
- an overall total population increase of one person every 1 minutes and 45 seconds.[1]

Competition in a Global Market for Skilled Migrants

In common with the experience of many developed countries however, Australia is experiencing a diminishing birth rate and consequently, immigration, so long as it does not impinge on the job opportunities of the existing population, is accepted as a legitimate means by which the problems associated with a naturally aging population can be overcome.

Historically, Australia has not experienced difficulty meeting its annual targets for skilled migrants. For more than 60 years since World War II successive governments have seen the need to increase Australia's population and they have done this by centrally administered laws and policy. Whether the success of its migration policy is attributable simply to the lure of a possibly inaccurate view of life in Australia or whether it is due to an adroitly administered immigration program, is unclear.

A Brief Overview – Australia's Current Immigration Program

The 2007–08 Migration Program provides up to 152 800 places, comprising:

- 50 000 places for family migrants who are sponsored by family members already in Australia
- 102 500 places for skilled migrants who gain entry essentially because of their work or business skills
- 300 places for special eligibility migrants and people who applied under the Resolution of Status category and have lived in Australia for 10 years.

The skill balance of the programme has been maintained with around 66 per cent of places in the Skill Stream. [2]

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[1] Australian Bureau of Statistics Population Clock - http://www.abs.gov.au/ausstats/abs%40.nsf/94713ad445ff1425ca25682000192af2/1647509ef7e25faaca2568a900154b63?OpenDocument

[2] See Annexure 1

Each year copious volumes of legislation in the form of amendments to the Migration Act and the Migration Regulations are introduced. In addition, policy changes, not having legislative effect, but nonetheless of considerable practical importance to practitioners, are promulgated in the form of Procedure Advices. These are collected for reference purposes in the Procedures Advice Manual (PAMs) and Immigration Series Instructions (MSIs).
The past year has been no exception and practitioners have been inundated with amendments to existing legislation as well as completely new legislation[3]

A Review of Business Visa Activity in the Last 12 Months

Temporary Business Entry:
The subclass 457 visa continued to be the 'workhorse' visa utilised by businesses wishing to employ overseas labour. This visa is available for employers who wish to bring in skilled professionals, associate professionals and tradespersons for periods of between three months and four years. Over 300,000 457 visa holders are in Australia at any one time. In the forthcoming year it is expected that 230,000 457 visas will be granted.

To be approval, an employer is required to give a number of undertakings to the Government (soon to be embodied and enacted in new legislation). These undertakings relate to a range of things including an undertaking to pay minimum annual salaries (Minimum Salary Levels or MSL) ranging from A$37,665 (Regional) to A$51,570 (IT professionals) (depending on occupation and location) plus superannuation of 9%, covering health costs for the employee and family and payment of repatriation costs at the end of the term of employment. In most cases, the MSL is A$41,850 plus superannuation per annum.

Processing times for this visa have historically been fast (4-8 weeks) but recent events have lengthened these times. DIAC is devoting more time to ensuring satisfactory training programs are in place for the Australian staff of sponsoring companies. The policy behind this is said to be to reduce the need for sponsoring overseas staff in future. Many firms, especially smaller ones, have inadequate or non existent training programs. You can see the most recent requirements for evidence of training and other matters by downloading DIAC's checklist at www.thorntonimmigration.com.au/457checklist.pdf .

Monitoring:
DIAC has been actively monitoring existing visa sponsors to ensure compliance with minimum salary requirements and other undertakings given prior to visa grant. Over three hundred employers were found to be either inadvertently or deliberately ignoring their obligations and many were sanctioned. Sanctioning took the form of warnings or suspension or cancellation of approval as sponsors. Investigations are ongoing and some companies have been seriously inconvenienced as a result.

Minimum Salary Levels:
Some companies assumed normal employment conditions under Australian industrial relations law would apply to these visas but have discovered, to their cost, that obligations are in fact more onerous. For example, it is not possible for an employer

[3] See Annexure 2 for a list and timing of main changes affecting business, employers and skilled migrants in the period 1 July 2006 and 1 October 2007.

to suspend salary payments to a female employee wishing to take unpaid maternity leave during the course of her employment while on a 457 visa. Salary payments must continue no matter what the contract of employment says. Where a company supplying, say, skilled nursing staff to hospitals on an 'as required' basis is confronted by an employee nurse refusing to accept a particular shift, the employer must nevertheless continue to pay the nurse the agreed annual salary if a failure to do so would take the salary below the Minimum Salary Level. In circumstances like this it might be necessary for an employer to terminate the employee's employment. This course of action carries with it the risk of other losses in the form of travel, accommodation, registration and training costs.

Changes to English Language Requirements for Subclass 457 visa regime Commencing 1 July 2007

A new English language requirement was introduced to the Employer Sponsored Temporary Business Visa (the subclass 457) Programme on 1 July 2007. People who have made an application for a subclass 457 visa before 1 July 2007 are not affected by the change. What is the new requirement?

From 1 July 2007, certain primary subclass 457 Visa applicants will be required to have proficiency in English equivalent to an average band score of 4.5 across the four test components in the International English Language Testing System (IELTS) test (reading, writing, speaking and listening). Applicants must meet a higher level of English proficiency where this is required for licensing or registration in their nominated occupation. Applicants will need to detail their English language skills on their visa application form.

Notwithstanding the evidence submitted with an application, the Department may ask an applicant to undertake an IELTS test to demonstrate English language skills.

IELTS?

IELTS or the International English Language Testing System is the system used to assess an applicant's English language ability. It has an academic test and a general training test – applicants only need to take the general training test unless advised otherwise by a registration or licensing body.

English for Registration/Licensing/Membership

A higher level of English is required for certain occupations where it forms part of registration/licensing or membership. Applicants can find out if their occupation requires a higher level of English by contacting the assessing authority for their nominated occupation. For example, engineers are assessed by Engineers Australia and a minimum IELTs score of 6 is required. Contact details for assessing bodies and skills recognition are available on the Department's website www.immi.gov.au.

Why has the requirement been introduced?

The Department explains that the English language requirement will help to ensure overseas workers are able to respond to occupational health and safety risks, raise any concerns about their welfare with appropriate authorities and benefit Australia by sharing their skills with other workers.

Who must meet the new requirement?

All primary applicants must meet the English language requirement unless they have been nominated for a position that does not require English language for licensing or registration and any one of the following applies:

- Their first language is English and they are a passport holder from Canada, New Zealand, the Republic of Ireland, the United Kingdom or the United States of America their nominated occupation is within the highly skilled major groups 1-3 of the Australian Standard Classification of Occupations (ASCO), comprising managers, administrators, professionals and associate professionals.
- They are to be paid at least a salary specified in a legislative instrument (initially a gross salary of $75 000 excluding all deductions) and the grant of the visa is in the interests of Australia.
- They have completed at least five years of continuous full time secondary and/or tertiary education at an institution where at least 80 percent of instruction was conducted in English.

Applications lodged before 1 July 2007
The new English language requirement will not apply to subclass 457 visa applications lodged before 1 July 2007.

Do current subclass 457 visa holders need to meet the new requirement?
Current visa holders will not be required to demonstrate their English skills while on their current visa (unless required by licensing or registration). Current visa holders who apply for a further 457 visa after 1 July 2007 will need to meet the English language requirement. Applicants that do not meet the English language requirement will not meet the criteria to be granted a further subclass 457 visa and will be required to make arrangements to depart Australia or apply for another visa that is appropriate to their continued stay in Australia.

The Future of the 457 category:
Originally used mainly for highly skilled managers, professionals and associate professionals, because of the current skills and manpower shortages in many industries, the 457 has seen duty in many and varied occupations, some of which would not normally meet the skills expectations for the visa. A number of publicised cases of exploitation of overseas workers on 457 visas have also put the category under pressure.

It is expected the category will remain but with tighter controls. These controls (such as the new English language requirement) will inevitably result in increased cost and delays in processing.

Business Skills Visas:
Fewer than 6000 business skills visas were granted in the past 12 months. A range of visas exist that enable a successful business person to obtain a provisional visa followed by a permanent visa after about 2 years. The provisional system was introduced in 2003 in the belief that visa holders would be encouraged to actually begin a business activity in Australia rather than putting it off more or less indefinitely as happened under the old regime.

Under the revised system a provisional visa holder has 4 years in which to implement his or her business plans and to meet the criteria for permanent residence. Although these provisional visas last for 4 years it is possible to make application for permanent residence after only two years.

Of the various categories of provisional visas available (which include Business Owner, Senior Executive and Investor), by far the most popular (about 80%) was the subclass 163 State/Territory Sponsored business Owner. This is probably because of the somewhat easier criteria applicable to this visa.

Migration Amendment (Employer Sanctions) Act 2006

New offences introduced by the Migration Amendment (Employer Sanctions) Bill 2006 could leave employers with a criminal conviction and facing a fine of up to $13,200, as well as two years' imprisonment. Companies will face fines of up to $66,000 for the same offence.

From August 2007, it becomes an offence under the Migration Act 1958 ("the Act") for a person to knowingly or recklessly allow an illegal worker to work or to refer an illegal worker to work with another business. The offences will apply to all illegal workers engaged to work or referred to work after the commencement of the new regime in August. The new offences include higher sanctions for persons who exploit illegal workers by subjecting them to forced labour, sexual servitude or slavery.
Illegal workers are non-Australian citizens who are working in Australia without a visa or with a conditional visa. For example, a working holiday visa allows employment with one employer for a specified period of time, while a student visa allows the visa holder to work a set number of hours per week.
The changes to the Act have been introduced to penalise persons who allow non-citizens to work in Australia illegally. The changes aim to deter employers and labour suppliers from employing illegal workers or from referring them for work, and to encourage employers and labour suppliers to verify the work entitlements of potential employees.
The offences apply to the following groups:

- Employers;
- Labour hire companies;
- Employment agencies;
- Taxi owners who bail or lease taxi cabs to drivers;
- Brothel owners who rent or lease out rooms to sex workers; and
- Businesses that operate informal labour hire referral services, such as backpacker hostels.

A person will have committed an offence if they were aware that the worker was working illegally, or were reckless in not investigating whether or not a worker was working illegally.
The Australian government has stated that employers who breach the new sanctions for the first time will receive a written warning, with subsequent breaches a cause for prosecution.

How can business owners protect their businesses against the new employer sanctions?

They should implement risk management strategies to minimise the possibility of employing an illegal worker.

By implementing basic procedures, businesses can minimise the risk to their owners of knowingly or recklessly employing an illegal worker:

- "Are you an Australian citizen or permanent resident?" needs to be a question directed at ALL new employees and should include sighting an Australian Passport, Australian Citizenship Certificate or Australian Birth Certificate. Any current employees whose contracts are renewed after 1 August 2007 will also need to have their employment status checked.
- If the person is not an Australian citizen but holds an Australian visa, employers need to confirm with the Department of Immigration and Citizenship ("the Department") that the visa they hold allows them to work. You can obtain this information in three ways:
- Through the Entitlement Verification Online, which is accessed through the Department's website at www.immi.gov.au/evo . The results of the verification check will be returned almost immediately.
- Through the Work Rights Faxback Facility, which requires the employer to fax an authority signed by the employee to obtain details of the prospective employee's visa conditions.
- By calling the Employer's Work Rights Checking Line to obtain information on visa conditions of prospective employees.
- Employers have a grace period of 48 hours after employing a worker to conduct the necessary checks on their employment status. This is to allow time to process all new workers in industries where large numbers of workers are employed on site, such as the building industry.
- If the prospective employee has a visa with conditions relating to employment, the business needs to make a record of the conditions and implement a procedure to ensure that these conditions are not breached. For example, if an employee is on a working holiday visa and can only be employed by the business for a period of six months, this needs to be recorded so that the employee is not still in the business' employ seven months down the track because everyone overlooked the visa conditions. For other visa holders (like students who can work only 20 hours a week) it will be necessary to track the amount of hours of work performed each week to ensure there is no breach of the visa conditions.

Employers need to be aware of the employer sanctions under the Migration Amendment (Employer Sanctions) Act and implement a risk management strategy as soon as possible, to minimise the risk of employing an illegal worker.

Changes to Australian Citizenship Law – effective date 1 July 2007

Prior to the creation of Australian citizenship in 1949 by the Nationality and Citizenship Act 1948 (later renamed the Australian Citizenship Act 1948) Australians were British subjects and Australia shared a common nationality code with the United Kingdom and the other Commonwealth countries at the time. The 1948 legislation been amended on many occasions but the most significant changes occurred in 1973, 1984, 1986 and 2002. The year 2007 is another such milestone.

Recently, the Australian Citizenship Act 2007 was passed by the Australian Parliament. The Act took effect from 1 July 2007. The following outlines the main changes.

New Residence Requirement:

People who become permanent residents on or after 1 July 2007 meet the residence requirement if they have been lawfully present in Australia for four years immediately before applying for citizenship, including at least 12 months as a permanent resident immediately before applying. Absences of up to 12 months are allowed during the four years, including no more than three months absence in the 12 months before applying. However, if a person was born in Australia, or is a former citizen, they need only have been present in Australia as a permanent resident for 12 months before applying (subsections 22(1), (1A), (1B) and (2)). This new provision is of particular benefit to subclass 457 visa holders who subsequently become permanent residents and wish to apply for Australian citizenship.

Resumption of Citizenship:
Former citizens who renounced their Australian citizenship because they wanted to acquire or retain another citizenship, or to avoid significant hardship or detriment, may now resume their Australian citizenship, if they are of good character.

Citizenship by Descent:
Since the commencement of the original Act in 1949, there has been provision for registration of children as citizens by descent in one form or another. For many years the law required that the child be registered within one year of the birth. This was later changed to registration within 18 years of the birth and provision was made for the registration of citizenship by descent of people who were already over the age of 18 years.

In 2002, in response to a recommendation by the Australian Citizenship Council, the age limit for registration was increased to 25 years. However, some Australians were not aware of the time limits for registration of a child as a citizen by descent and the result is that in some families there are children eligible for registration as citizens by descent and others who are not because they were not over 18 years in 1984 and are now over 25 years of age. The 2007 amendments remove this age limit completely.

Citizenship for Adult Children of Former Citizens:
The 2007 amendments allow the grant of citizenship to adult children of former Australian citizens (only where the parent lost Australian citizenship under section 17 of the 1948 Act prior to 2002). Prior to 2002 the effect of the former section 17 was that Australian citizenship was lost if a person voluntarily acquired the citizenship of another country.

Many people were not aware of Section 17 nor that they were no longer Australian citizens, until they attempted to register a child as a citizen by descent or sought to renew their Australian passport. In October 2003, a policy change enabled the provision of citizenship to children aged under 18 who were born overseas after their parent lost Australian citizenship under the former Section 17. This was managed by way of Ministerial discretion. The new Act reflects this policy change and enables those aged over 18 to access their Australian heritage.

People born outside Australia before 26 January 1949:
The new Act refers to persons born outside Australia or New Guinea before 26 January 1949 (the date of the commencement of the old Act). It provides that a person

born outside Australia or New Guinea before 26 January 1949 is eligible to become an Australian citizen if:

(a) a parent of the person became an Australian citizen on 26 January 1949; and
(b) the parent was born in Australia or New Guinea or was naturalised in Australia before the person's birth; and
(c) the Minister is satisfied that the person is of good character at the time of the Minister's decision on the application.

This provision is the equivalent of Section 11 of the old Act. Section 11 complemented the former subsection 25(3) which provided a person became a citizen automatically (by operation of law) if born outside Australia before 26 January 1949 if the father became a citizen on that date. Section 11 of the old Act provided for persons born outside Australia before 26 January 1949 whose mother became citizens on that date. Both Sections 11 and 25(3) required that a person enter Australia prior to 1 May 1987.

Section 11 was only in effect from 1991 to 1996. Many people were unaware of these limitations and as a consequence have been unable to access their entitlement to citizenship by descent. This new Section remedies those problems.

Residence Requirements where Residence was not in Australia during Relevant Period:
The objective of the residence requirements in the old Act was to ensure those conferred citizenship had established close and continuing ties with Australia. There was considerable disparity in terms of achieving this goal between the discretion available in the case of people who spend periods of time overseas following the acquisition of permanent residence (paragraphs 13(4)(b)(i) of the old Act) and the discretion available for people who had lawfully spent time in Australia prior to the grant of permanent residence (paragraphs 13(4)(b)(iv) of the old Act).

Under the old Act, a person could conceivably spend one day in Australia to give effect to their permanent visa and spend two years overseas (as long as they could establish some benefit to Australia). At the same time, a person who spent considerable periods of time in Australia on a temporary visa had to establish that they would suffer significant hardship or disadvantage if not approved for citizenship. Government policy also required that these people be in Australia continuously for 12 months. This former provision did not adequately reflect the fact that over the years changes under the Migration Act have seen people living temporarily in Australia for considerable periods prior to the grant of permanent residence. The new Act reflects those changes.

Benefit to Australia rule abolished:
However, it is now no longer possible to count periods spent outside Australia toward meeting the residence requirement even if the activities of the applicant while outside the country were beneficial to Australia.

Residence Requirements for Spouses and Interdependent Partners of Australian Citizens:

If the person is the spouse, widow or widower of an Australian citizen at the time the person made the application, the Minister may treat a period as one in which the person was present in Australia as a permanent resident if:

(a) the person was a spouse of that Australian citizen during that period;
and
(b) the person was not present in Australia during that period; and
(c) the person was a permanent resident during that period; and
(d) the Minister is satisfied that the person had a close and continuing association with Australia during that period.

Subsection 22(10) clarifies that for the purposes of new subsection (9), the meaning of 'spouse' of an Australian citizen includes a person granted a permanent visa as a de-facto spouse of that citizen. Subsection 22(11) extends this to interdependent partners.

This new subsection amends the Act by requiring that spouses of Australian citizens meet the same criteria as other adult applicants for citizenship. This reflects current policy, and the modern expectation that adult applicants should qualify in their own right rather than relying on a spousal relationship with another person.

However, it is recognised that in some circumstances the spouse of an Australian citizen may have difficulty meeting the residence requirements, for example if they are accompanying their Australian citizen spouse overseas (for example, spouses of Australians working overseas for international organisations). As a result this subsection introduces a new discretion to waive part or all of the residence requirements for the spouse of an Australian citizen who can demonstrate a close and continuing association with Australia.

Future Trends

Visa categories:

The existing large number of visa categories (approximately 146 sub classes) creates administrative problems for all involved in immigration practice. DIAC has indicated that it wishes to reduce the number of visa categories and has begun the process by collapsing the visa categories in the General Skilled area from 15 to 9 as from September 1, 2007. More will follow. Overall the Department wishes to simplify its existing 146 subclasses with their 1230 decision points to something like 40 subclasses with only 96 decision points.

General Skilled Migration fine tuning:

Changes in the GSM area are to be introduced designed to arrest "backdoor to permanent" skilled visas via short 'courses' in cooking and hairdressing where the graduate never applies their learning to the occupations studied. Many overseas students are utilising relatively short vocational courses in cooking and hairdressing as a means of gaining permanent residence. However these students have no intention of working in these occupations and are therefore not helping to address the labour shortages that actually exist.

Role of the DIAC in providing immigration advice to visa applicants:
Until now DIAC has observed a policy of not providing advice to applicants as to the appropriate category of visa applicable in a particular case. However an instruction has recently been formally issued through the Department advising of a revision of this policy. The advice stresses a requirement for advice to be given subject to the caveat that the applicant seek their own independent advice.

Possible return of Labour Market Testing:
The recent Senate committee enquiry into the subclass 457 visa has brought to light concern about lesser skilled workers being granted these visas. This has enlivened the debate about labour market testing and whether that should again be required. Generally, in higher paid positions (where the agreed salary is more than say $75,000) it has been considered not necessary to require LMT. However, this matter is still under consideration in the Department as there are mixed views from different State governments. COAG recommended a stronger price signal (imposition of costs on employers) than what is described in the current sponsor obligations bill. There is a general feeling in the Department that employers need to be encouraged to train and employ local employees rather than import them. The feeling is that there should be a cost disincentive to employ overseas trained workers. However it is also recognised that there is a need to be cautious in introducing LMT because of Free Trade Agreement obligations and also the government's obligation not to restrict trade (of labour as a commodity). In addition, of course, government is reluctant to impose an additional red tape burden on employers.

Fast Tracking of 457 visa applications for certain employers:
DIAC has analysed its 457 caseload and believes that it can allow fast tracking of about 20% of its cases. It would do this by allowing special treatment of employers who have had 3-5 'clean' 457 sponsorships in the past two years, where the occupations sponsored have carried salaries in excess of $75k and where those occupations are in the ASCO classifications 1 and 2.

Agent 'Star" ratings:
In Australia lawyers must be separately registered with the Migration Agents Registration Authority if they wish to give immigration advice and assistance. The profession has been pressing for recognition of their skills (as compared with the lesser skills of non lawyer agents). The Department is giving consideration to "Star Ratings" as a means of recognising and rewarding, in a free market sense, good migration agents (not only lawyers). This is a matter that has been under consideration in DIAC for some time. Two models are under consideration: one being a Department measurement of agent performance against published KPIs or metrics and the other being the EBay's client ratings.

Employer Training Requirements for their Australian workers:
Training benchmarks – DIAC has so far made no progress on mandating or measuring training that 457 sponsors ust provide to their domestic workers. DIAC's approach has historically been that the 457 visa was intended as a 'stop gap' measure only and that it is preferable to train local workers. It is probably the case that this has become

less important in the current climate of extreme labour shortage in many industries.

Skill levels – Trades Recognition Australia have let contracts in trial overseas markets where Australian assessors will accredit skills overseas. No other progress to report.

Michael Thornton

ATTACHMENT 1

Visitor Visa Granted Outside of Australia between 1 July 2001 to 30 June 2006					
Visa Category	2001-02	2002-03	2003-04	2004-05	2005-06
Business Visitor Visas					
Short Stay Business Visitor (Subclass 456)	133,726	126,767	147,701	174,617	185,656
Sponsored Business Visitor (Subclass 459)	18	11	4	107	634
Electronic Travel Authority - Business Entrant - Long Validity (Subclass 956)	33,420	28,057	24,721	18,417	15,410
Electronic Travel Authority - Business Entrant - Short Validity (Subclass 977)	90,874	99,356	126,413	146,283	166,633
Total Business Visitor visa approvals	**258,038**	**254,191**	**298,839**	**339,424**	**368,333**

Migration Program Statistics

The following table contains the 2004-05 and 2005-06 Migration Program Outcomes and 2006-07 and 2007-08 Planning Levels

Category	2004-05 Outcome	2005-06 Outcome	2006-07 Planning Levels
Partner	33,060	36,370	37,300
Child	2,490	2,550	2,500
Preferential/Other Family	1,690	1,870	1,700
Parent	4,500	4,500	4,500
Total Family	**41,740**	**45,290**	**46,000**
Employer Sponsored	13,020	15,230	15,000
Skilled Independent	41,180	49,860	49,200
State/Territory Sponsored	4,140	8,020	10,000
Skilled Australian Sponsored	14,530	19,060	17,700
Distinguished Talent	190	100	200
Business Skills	4,820	5,060	5,400
Total Skill	**77,880**	**97,340**	**97,500**
Skill as percent of total programme	64.9	68.1	67.7
Total Special Eligibility	**450**	**310**	**500**
Programme Planning Range	**120,060**	**142,930**	**144,000**

Timing of Significant Legislative Changes 2006-07

Effective 1 September 2007

- General Skilled Migration Reforms

Effective 19 August 2007

- Migration Amendment (Employer Sanctions) Act 2007

Effective 1 July 2007

- Australian Citizenship Act 2007 and the Australian Citizenship (Transitionals and Consequentials) Act 2007
- Australian Citizenship Regulations 2007
- Amendment to Sponsorship, Nomination and Time of Decision criteria for Subclass 457 (Business (Long Stay)) visas
- Amendment to Time of Decision Criteria for Subclass 457 (Business (Long Stay)) visas to require English language proficiency
- Visa application charges on Tourist (Class TR) visa and Temporary Business Entry (Class UC) (Subclass 456) visa. Studying on Subclass 676

Effective 23 April 2007

- Amendment to the health service provider in regulation 1.15AA
- Trade Skills Training visa and Bridging visa E

Effective 1 January 2007

- Changes to General Skilled Migration (GSM)

Effective 1 October 2006

- Waiver of some health requirements for certain onshore skilled visa applicants in certain circumstances
- Registered Migration Agents able to certify documents relating to visa applications

- Dependent family members of New Zealand citizens eligible to apply for employer nominated permanent residence in Australia
- Changes To General Skilled Migration Provisions

Effective 1 July 2006

- Introduction of two-stage Skilled - Designated Area-sponsored visa
- Changes to General Skilled Migration (GSM) provisions
- Amendments to the Sponsored Business Owner Visa
- Amendments to Subclass 459 - Sponsored Business Visitor visa
- Amendments to Subclass 457 - Temporary Business (Long Stay) visa
- New Initiatives for Working Holiday (Subclass 417) and Work and Holiday (Subclass 462) visas
- Amendments to Temporary Business (Long Stay) (Subclass 457) Visa - Sponsorship and Visa Regulations