



Changes to the General Skilled Migration Program

Removal of the MODL

On 8 February 2010, the Minister for Immigration and Citizenship, Senator Chris Evans, announced the outcomes of a review of the Migration Occupations in Demand List (MODL).

The review found that the existing MODL needed to be revoked and replaced by a more targeted skilled occupations list to better meet the demands of Australia's labour market.

The revocation of the current MODL will not affect those who at the date of announcement:

- hold a Skilled—Graduate (subclass 485) visa, or have a pending subclass 485 visa application and are yet to apply for a permanent or provisional General Skilled Migration (GSM) visa, or
- have a pending GSM visa application.

New Skilled Occupation List from mid-2010

On 8 February 2010, the minister also announced the replacement of the current Skilled Occupation List (SOL) in the second half of 2010, with a new list of targeted occupations determined by the independent body, 'Skills Australia'. As the new SOL will be a comprehensive, targeted list, the current Critical Skills List will be revoked.

The new SOL will come into effect from mid-2010 and will apply to all applicants lodging visa applications made on or after this date, except to GSM applicants who at the date of announcement (8 February 2010):

- hold a Skilled—Graduate (subclass 485) visa, or had a pending subclass 485 visa application and had not yet lodged an application for a provisional or permanent GSM visa and who make an application by 31 December 2012, or
- have a pending GSM visa application.

In addition, the new SOL will not apply to people applying for a Skilled—Graduate (subclass 485) visa who at 8 February 2010 hold a:

- Vocational Education and Training Sector (subclass 572) visa
- Higher Education Sector (subclass 573) visa
- Postgraduate Research Sector (subclass 574) visa.

However these student visa holders will be required to have an occupation on the new SOL to apply for a permanent GSM visa.

GSM applications lodged before 1 September 2007

Under section 39 of the *Migration Act 1958*, the Minister for Immigration and Citizenship has the power to set a maximum number of visas of a class that may be granted in a particular financial year.

On 8 February 2010, the minister announced he would set a maximum number of offshore GSM visa applications made before 1 September 2007 that could be granted. Once this number is reached, any applications awaiting a decision will not be considered and the application returned to the applicant or their authorised recipient. These applications will be taken not to have been made.

Refunds of the visa application charge (VAC) will be made to the payer of these charges for affected visa applicants.

Who do the changes to GSM apply to?

Groups affected by the GSM changes	Revocation of the MODL from 8 February 2010	New SOL in effect from mid-2010
Current applicants	No	No
Skilled—Graduate (subclass 485) visa applicants and holders as at 8 February 2010 yet to apply for a permanent or provisional GSM visa	No, provided they apply for a permanent or provisional GSM visa by 31 December 2012	No, provided they apply for a permanent or provisional GSM visa by 31 December 2012
Higher Education, Postgraduate Education and VET sector student visa holders as at 8 February 2010	Yes	Yes, unless they apply for a Skilled—Graduate (subclass 485) visa prior to 31 December 2012.
People who are considering applying for a GSM visa	Yes	Yes

Useful documents

More information on the changes announced by the minister on 8 February 2010 is available on the following information sheets:

- [Revoking the Critical Skills List](#)
- [Changes to the current Skilled Occupation List](#)
- [Changes to offshore General Skilled Migration visa applications received before 1 September 2007](#)
- [Outcomes of the Migration Occupation in Demand List review—frequently asked questions](#)
- [General Skilled Migration Points Test Review](#)
- [Onshore international students—frequently asked questions](#)