



## Outcomes of the Migration Occupation in Demand List review – frequently asked questions

### Q 1 Why has the Migration Occupation in Demand List been revoked?

A review of the Migration Occupation in Demand List (MODL) was conducted due to concerns that it was not supporting the General Skilled Migration (GSM) program to meet Australia's medium to long-term future skill needs.

Findings of the review showed that the MODL was not effective in delivering a GSM program that meets the future skill needs of the Australian labour market. A number of stakeholders participating in the review supported these findings.

### Q 2 When will the MODL be revoked?

On 8 February 2010 the Minister for Immigration and Citizenship, Senator Chris Evans, announced the revocation of the MODL from 8 February 2010. This change applies to all GSM applicants except those who, at the date of announcement:

- 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.

Revocation of MODL does not affect applicants sponsored by an Australian employer.

### Q 3 Why is the MODL being revoked without warning?

The outcomes of the review need to be implemented as quickly as possible in order for the GSM program to provide the necessary skills required for the Australian labour market.

### Q 4 Will there be a new MODL?

No. Applicants planning to claim additional points for an occupation on MODL to meet the Points Test passmark should consider other options for additional points, for example, improving their English language score.

### Q 5 What is the impact of revoking the MODL on applications that have been lodged and are awaiting a decision?

None. Applicants who lodged a GSM application before 8 February 2010 will not be affected by the revocation of the MODL.

### Q 6 Are there transitional arrangements proposed for some applicants?

Yes, applicants who made an application for a GSM visa before 8 February 2010 will be eligible to claim MODL points (subject to meeting the employment/job offer requirements) if their nominated occupation was on the MODL at the time they lodged their application.

### Q 7 I am currently undertaking study in a MODL occupation. Can I claim MODL points when I lodge my GSM application?

No. The MODL was revoked on 8 February 2010. This means that if you lodge your application after this date you will not be able to claim MODL points. MODL points can be claimed by people, who at 8 February 2010 are:

- holders of a subclass 485 visa granted before 8 February 2010
- applicants for a subclass 485 visa lodged before 8 February 2010, or
- applicants for a GSM visa lodged before 8 February 2010.

These applicants must lodge their GSM application by 31 December 2012.

International students should not make educational choices solely on the basis of hoping to achieve a particular migration outcome. The GSM program will continue to change and adapt to Australia's economic needs.

People who wish to study in Australia may be granted a student visa that entitles them to come to Australia on a temporary basis for a specified period to undertake study at an Australian educational institution. While many overseas students make a decision to apply for permanent residence upon completing their studies, this is an entirely separate process and there is no guarantee that, on the basis of having held a student visa, a person will meet the requirements to be granted permanent residence.

It is important to note that student visas are aimed at achieving an educational outcome. GSM on the other hand is predominantly driven by the labour market needs of Australia.

The criteria for grant of GSM visas can change in response to the changing economic circumstances of Australia. All applicants seeking to be granted a permanent GSM visa must meet the relevant criteria set out in the migration legislation, regardless of whether or not they have previously been in Australia. It is important for student visa holders to note that any changes to the criteria for the grant of a GSM visa.

**Q 8 Is the MODL being replaced by other mechanisms designed to target applicants with certain occupations?**

No.

### 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 General Skilled Migration Program](#)
- [Changes to the current Skilled Occupation List](#)
- [Changes to offshore General Skilled Migration visa applications received before 1 September 2007](#)
- [General Skilled Migration Points Test Review](#)
- [Onshore international students – frequently asked questions](#)