



# Frequently Asked Questions

## How will I be affected by the introduction of a new Skilled Occupations List?

The new Skilled Occupations List (SOL) will take effect from 1 July 2010.

The new list is specific to the general skilled migration (GSM) program and does not apply to employer-sponsored permanent or temporary visas. The list is available on the Department of Immigration and Citizenship's (DIAC) website.

**See:** [www.immi.gov.au/skilled/general-skilled-migration/whats-new.htm](http://www.immi.gov.au/skilled/general-skilled-migration/whats-new.htm)

The new list (based on the Australian and New Zealand Standard Classification of Occupations, or ANZSCO) identifies occupations that reflect the high value, nation building skills Australia needs – skills that take time and diligence to acquire, that are put to the use intended, and where the cost to the economy and local communities of the skill being in short supply is great.

### Is there a specific contact number that I can use to find out more about the changes?

The department is operating a dedicated phone line to respond to any queries on the new list of occupations.

**Telephone:** 1300 735 683

### How long would this new list be in effect?

The new list of occupations will be updated annually, and will change in accordance with the needs of the Australian labour market. While the new list would be expected to stay relatively stable, there is no guarantee how long a particular occupation may remain on it.

### Who would the new list apply to?

The new list will apply to all new GSM applications made from 1 July 2010.

### Are there any transitional arrangements?

Yes. A number of transitional arrangements have been introduced to minimise the impact of this change on international students.

The new list of occupations will not apply to any valid GSM applications already lodged before 1 July 2010. It will also not apply to people who, on 8 February 2010:

- held a subclass 485 (skilled graduate) visa or
- had a pending subclass 485 visa application

and who apply for a provisional or permanent onshore GSM visa on or before 31 December 2012.

Further, the new list of occupations will not apply to international students who, on 8 February 2010 held:

- a subclass 572 (vocational education and training sector) visa;
- a subclass 573 (higher education sector) visa; or
- a subclass 574 (postgraduate research sector) visa.

when they apply for a subclass 485 (skilled graduate) visa on or before 31 December 2012.

This will enable these students to remain in Australia for 18 months on the temporary skilled graduate visa after the completion of their studies to gain valuable work experience and the opportunity to secure an employer or state/territory government to sponsor them.

**See:** [www.immi.gov.au/skilled/general-skilled-migration/whats-new.htm](http://www.immi.gov.au/skilled/general-skilled-migration/whats-new.htm)

**Are there alternative pathways to migration for people who do not have skills that qualify them for an occupation that is on the new list of occupations?**

People who do not meet the new requirements for independent skilled migration may wish to consider their eligibility for alternative migration pathways, such as through employer or state/territory sponsorship.

**See:** [www.immi.gov.au/skilled/general-skilled-migration/whats-new.htm](http://www.immi.gov.au/skilled/general-skilled-migration/whats-new.htm)

**I lodged an application for a GSM visa before 1 July 2010. Will I be affected by these proposed changes?**

Any pending GSM visa applications lodged before the new list of occupations comes into effect on 1 July 2010 will not be affected by this change.

**I am an international student who on 8 February 2010 held a vocational education and training sector (subclass 572), higher education sector (subclass 573) or postgraduate research sector (subclass 574) student visa and I want to apply for a permanent GSM visa directly (not a subclass 485 skilled graduate visa first). Will I be eligible to apply nominating an occupation on the old SOL?**

No. You will not be eligible to apply for a permanent GSM visa unless your nominated occupation is on the SOL that is in effect at the time you seek to lodge your application. Transitional arrangements will only apply to you if you submit an application for a subclass 485 skilled graduate visa on or before 31 December 2012.

Up until 31 December 2012, you will still be able to apply for a subclass 485 skilled graduate visa, if your occupation is on the old SOL.

**I am an international student who on 8 February 2010 held a vocational education and training sector, higher education sector or postgraduate research sector student visa and I want to apply for a GSM visa. Can I apply under the old SOL and still claim additional points for an occupation on the MODL?**

No.

**I want to apply for a GSM visa after 31 December 2012. Will I still be able to nominate an occupation on the old SOL?**

No. You will have to nominate an occupation on the SOL that is in effect at the time you seek to lodge your application.

**I applied for a subclass 885 skilled independent visa before 8 February 2010. Will my application be affected by the changes to the MODL and the SOL?**

No. Your application will not be affected by these changes.

**I am an international student who was planning to apply for a GSM visa in Australia at the completion of my course of study. My intended occupation is on the new list of occupations. Will I be affected by these changes?**

You will be eligible to lodge an application for a provisional or permanent GSM visa that can be granted in Australia if your nominated occupation is on the SOL that is in effect at the time you apply, provided that you also meet the other criteria applicable at the time you apply.

Please note, however, that even if your nominated occupation is on the new SOL that comes into effect on 1 July 2010, this does not guarantee that it will also be on the list that is in effect at the time you complete your studies and wish to apply for a GSM visa. While the new list can be expected to remain relatively stable, it will be reviewed annually to ensure it continues to be targeted at those skills Australia needs in the medium to longer term.

**I am an international student who was planning to apply for a GSM visa at the completion of my course of study. My intended occupation is not on the new list of occupations. Will I be affected by the changes?**

You will not be eligible to apply for a permanent or provisional GSM visa unless your nominated occupation is on the SOL that is in effect at the time you seek to lodge your application.

However, if on 8 February 2010 you held a subclass 572 (vocational education and training sector) visa, a subclass 573 (higher education sector) visa or a subclass 574 (postgraduate research sector) visa, you will still be able to apply for a subclass 485 skilled graduate visa. This is the case even if your nominated occupation is not on the new list of occupations, provided that you apply on or before 31 December 2012 and nominate an occupation that is on the old SOL. The old and new SOLs are available on the department's website.

**See:** [www.immi.gov.au/skilled/sol](http://www.immi.gov.au/skilled/sol)

If you held one of the eligible student visas as at 8 February 2010 and you wish to apply for a permanent GSM visa that can be granted in Australia after the new SOL comes into effect on 1 July 2010, you will be required to nominate an occupation on the new SOL. If your nominated occupation is not on the new list, you may still be able to apply for a temporary or permanent employer sponsored visa on completion of your studies to allow you to work in Australia. You will be required to have an employer willing to sponsor you.

**See:** [www.immi.gov.au/skilled/skilled-workers/](http://www.immi.gov.au/skilled/skilled-workers/)

**I am an international student who has completed studies in Australia. I do not meet the proposed requirements to apply for a GSM visa or any other work visa. Would I have to return home?**

If you are unable to obtain a visa to allow you to remain in Australia, you are required to depart.

People who are not eligible for independent migration may be eligible to apply for migration in other visa categories.

**See:** [www.immi.gov.au/skilled/general-skilled-migration/whats-new.htm](http://www.immi.gov.au/skilled/general-skilled-migration/whats-new.htm)

**I was granted a student visa after 8 February 2010. Would I be affected by these changes?**

If you were granted a student visa after 8 February 2010, you will need to nominate an occupation that is on the SOL in effect at the time you seek to lodge your application for a permanent or provisional GSM visa, including a subclass 485 visa.

If your nominated occupation is not on the new SOL and you intend to lodge a GSM visa application after it comes into effect on 1 July 2010, you may still be able to apply for a temporary or permanent employer sponsored visa on completion of your studies to allow you to work in Australia. You will be required to have an employer willing to sponsor you.

**See:** [www.immi.gov.au/skilled/general-skilled-migration/whats-new.htm](http://www.immi.gov.au/skilled/general-skilled-migration/whats-new.htm)

**I held a subclass 485 (skilled graduate) visa, or had a subclass 485 visa application pending, on 8 February 2010. Will I be affected by these proposed changes?**

If you held a subclass 485 (skilled graduate) visa on 8 February 2010, or had a subclass 485 application pending, you will be able to nominate an occupation that is on the old SOL if you apply for a permanent or provisional onshore GSM visa on or before 31 December 2012. The old SOL contains more than 400 occupations and is available on the department's website.

**See:** [www.immi.gov.au/skilled/sol](http://www.immi.gov.au/skilled/sol)

If you want to apply for a provisional or permanent GSM visa after 31 December 2012, you would need to nominate an occupation which is on the SOL at the time you seek to lodge your application.

**I applied for a permanent independent permanent GSM visa in January 2010 and then changed my application to a permanent sponsored permanent GSM visa after 8 February 2010. Does the old SOL still apply to my application?**

Yes, if you change your application from one subclass to another but within the same GSM visa class, that is:

- for onshore from subclass 885 to subclasses 886 or 887; and
- for offshore from subclass 175 to subclass 176.

**There are a number of new occupations on the new SOL, what are the relevant skills assessing authorities for each of these applications?**

Information on the relevant skills assessing authorities is available on the department's website:

**See:** [www.immi.gov.au/skilled/sol](http://www.immi.gov.au/skilled/sol)