

# Newsletter

## 115



VISION  
OVERSEAS  
GROUP

### 1 Condition 8547 Temporary Relaxation

A person with a Working Holiday Maker visa may continue to do so for up to six months after December 31, regardless of any time spent working for an employer previously.

As a result, holders of Working Holiday visas may continue working for the same employer through June 30, 2023.

Latest news on the Working Holiday Maker program is on [Department's Website](#)

## Condition 8607 and Subclass 482 visa holders in exempt occupations



For more information please refer to the

[Department's factsheet.](#)

Initially subclass 482 visa holders in exempt occupations who ceased employment with their initial sponsor required a new nomination to not be in breach of condition 8607.

As of October 10, the Department has changed its earlier position, and people with SC 482 visas who work in exempt occupations do not need a new nomination even if they leave their initial sponsor as long as the SC 482 is still in place and they continue to do so.

## Business Innovation and Investment points test

This states that the applicant's score on the business innovation and investment points exam must be at least 65 points in order to be considered for the Business Innovation stream and the Investor stream (subclass 188 visa)

This change came in effect on 12th October 2022



## BV Webform Feedback

The BV webform, which is required to apply for a BVA, BVB, or BVC that is linked to a substantive visa and was submitted on paper or is currently being reviewed, has experienced issues. One issue, for instance, was that the webform did not issue a receipt, reference number, or time stamp upon submission.

The best way to provide feedback on the form is to fill out the online feedback form at the bottom of the page.

**As demand increases, more than two million visas are now processed.**

In less than a week, a specialized taskforce for the Temporary Skill Shortage visa will assess applications from the health and education sectors. Despite an increase in demand from companies, the number of applications in the queue has decreased for 11 weeks in a row.



## Australian Professional Year Qualifications

There has been queries regarding the PY whether the period of 12 months of the program had to be within the 48 months prior to being invited. The Department has confirmed that in order to be awarded 5 points for completing a professional year, you must have started and completed the course within the 48 months prior to being invited. The Department has taken the view that the term "completed" is more than just the end of the program and is referring to all parts or elements of the course therefore, the full 12 months of the program needs to occur in the 48 months prior to invitation.

## Health Requirements Temporarily Scrapped for Temporary Visa Applicants in Australia

Depending on the nationality, past residence, and intended length of stay, temporary visa applicants in Australia will not be required to undergo medical exams and chest x-rays to meet the health requirement.

Applicants for temporary visas in Australia will still need to get the necessary medical checks and/or chest x-rays if they:

- have applied for a medical treatment, temporary protection or a provisional visa
- expect to incur medical costs or require medical treatment
- are intending to work as (or study to be) a doctor, dentist, nurse or paramedic
- will enter a hospital, aged or disability care facility (if higher tuberculosis risk)
- are pregnant and intending to have the baby in Australia
- will work or train at an Australian childcare center
- are aged over 75 years (if applying for a visitor visa)
- have had previous household contact with tuberculosis or
- are requested to do so by the Department.

The appointment may be cancelled and refunded if the applicant have already scheduled a health examination with Bupa Medical Visa Services but have not yet shown up. Bupa will send an SMS. **DO NOT CANCEL THE APPOINTMENT BY CALLING BUPA.** The applicant should try to make it to the appointment even if they aren't informed that it has been cancelled.

If you are already in Australia, you are only eligible for this arrangement if you are applying for one of the following visa subclasses:

- 401 - Temporary Work (Long Stay Activity)
- 403 - Temporary Work International Relations
- 405 - Investor Retirement
- 407 - Training
- 408 - Temporary Activity
- 410 - Retirement
- 417 and 462 - Working Holiday
- 461 - New Zealand Citizen Family Relationship
- 476 - Skilled Recognized Graduate
- 482 - Temporary Skill Shortage
- 485 - Temporary Graduate
- 500 - Student
- 590 - Student Guardian
- 600 - Visitor
- 870 - Sponsored Parent (Temporary)
- 995 - Diplomatic (Temporary)



## 189 and 491 Invitation Round 6 October 2022

On October 6, 2022, Skillsselect invitation rounds for subclasses 491 and 189 were completed.

11,714 invitations for the subclass 189 Skilled Independent and 818 for the subclass 491 Skilled Work Regional (Provisional) were allocated

For more information please refer to the [Department's website](#).

# State and territory Update

## NSW UPDATE

A new direct pathway for Regional NSW skilled migrants that want to be nominated by the NSW Government for the sc 491 Skilled Work Regional visa

Priority will be given to applications from skilled immigrants who

- meet all eligibility requirements set forth by the Australian Government for this visa;
- are currently residing and working in their nominated (or closely related) occupation in a designated regional area of NSW, and have done so continuously for the past twelve (12) months for a minimum of 20 hours per week;
- hold a current skills assessment in a job or unit group that is listed on the NSW Regional Skills List and qualifies for the visa;
- are paid at least \$53,900 per year (on a full-time basis), or the TSMIT level, and
- are able to present employment documentation such as pay slips, employment contracts, and tax returns.

## SA Skilled and Business Migration – SC 188 Business Innovation and Investment Program

The following actions are being taken by Skilled & Business Migration due to the high demand and the small interim allocation of 70 nomination seats that South Australia has received from the Commonwealth Government Department of Home Affairs:

- Business Innovation stream (188A): Intention to Apply (ITA) process remains open
- Investor stream (188B): Temporarily closed to new applicants Significant
- Investor stream (188C): Temporarily closed to new applicants
- Entrepreneur stream (188E): Remains open with very limited places, you must first contact a Service Provider

## QUICK TIPS



- For visa refusal it is 21 days and for visa cancellation it is 7 days and the ones in detention center must act in 2 days about their future acting decision after which they would be given another 5 days. If you are facing such issue you must act fast and timely manner to avoid further delay.
- Your travel facility expires after five years. If you want to return to Australia as a permanent resident, you must apply for and be granted either: a Resident Return visa or Australian Citizen.
- A quick tip on the conveyancing matter:
  - Always read the contract thoroughly before signing.
  - Make sure you pay the amount in Trust account and not any other account to safeguard yourself.
  - Take legal advice for all these matters.
- In order to obtain divorce you must prove that your marriage has been broken down irretrievably and have been separated for at least 12 months. Separation generally means living apart from each other. Separation while living under the same roof is also possible, however, the Court may require further evidence to support this claim.

**FREE CONSULTATION FOR STUDENT VISA AND TR HOLDERS UNTILL 31 OCTOBER 2022**

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