

NEWSLETTER

123



MIGRATION & LEGAL NEWS

TEMPORARY CLOSURE OF NEW ZEALAND SUBCLASS 189 VISA

The regulations have been changed to allow for the more efficient processing of the current caseload, and the stream has been temporarily closed to new applications.

From 10 December 2022 until 1 July 2023, applications cannot be submitted due to the temporary closure.

Because of the close ties between the two countries, there will be a brief halt on new applications while the government explores potential migration and citizenship paths for New Zealanders living in Australia.

The following streamlining measures are established in recognition of the long-term residency, employment, and contribution of this group of New Zealanders to Australia's economic recovery during the COVID-19 pandemic. Among them is the elimination of the prerequisites for the New Zealand stream on-hand candidates, specifically:

- a period of residence in Australia
- the income threshold
- health, given the access New Zealand citizens already in Australia have to Medicare.

WHAT IS IN THE NEWSLETTER

1 - NZ STREAM 189- TEMP. CLOSURE

2 - AUSTRALIA NOMINATIONS

3 - SKILLS ASSESSING AUTHORITIES UPDATES

4 - FLEXIBILITY IN CITIZENSHIP

5 - DEFAMATION LAW

6 - AAT TO BE ABOLISHED



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SKILLS ASSESSING AUTHORITIES - UPDATE

HOLIDAY CLOSURE

AUSTRALIA COMPUTING SOCIETY

From Friday, December 23, 2022, until Monday, January 16, 2023, the ACS Skills office will be closed.

Any new applications submitted after Sunday, December 4, 2022, won't be evaluated* until January 31, 2023.

*Evaluated does not mean finalised; usual processing times still apply.

ENGINEERS AUSTRALIA

Engineers Australia will be closed from 26 December 2022 to 6 January 2023 inclusive. Assessment applications lodged between 5 December 2022 and 31 January 2023 may experience a service delay, including Fast Track applications.

TRADE RECOGNITION AUSTRALIA

Trades Recognition Australia will be closed for the Christmas and New Year Period. The Trades Recognition Australia Enquiry Line will close at 4pm on Thursday 22 December 2022 and will reopen at 10am on Tuesday 3 January 2023. All enquiries during this time can be emailed to TRAEnquiries@dewr.gov.au

VETASSESS

Head office will close for the end-of-year break, with the last working day being December 21, and the office reopening on January 4, 2023. Skills Assessment applications can be lodged but, the payments will be processed when their offices reopen.

AUSTRADE NOMINATIONS - SUBCLASS 888 APPLICANTS

As applicants are aware, Austrade no longer recommends candidates for Subclass 188 business skills visas.

As long as Austrade sponsored the applicant for a provisional SC 188 visa, Austrade will continue to support SC 888 petitions.

Queries about the SC 888 applications can be sent to investorvisas@austrade.gov.au.

SKILLED & BUSINESS MIGRATION OFFICE UPDATE

The Skilled & Business Migration office will be closed for the holidays starting at 3 p.m. on Friday, December 23, 2022. The office will reopen on January 9, 2023 at 9 a.m.

Applications for state nomination may still be filed throughout the closure, but any online inquiries must be made by Friday, December 16, at 5 p.m. in order to receive a response before the office closes.

FLEXIBILITY IN CITIZENSHIP CEREMONY FOR 2023

In order to reduce red tape and enable councils to host citizenship ceremonies on or near Australia Day, the Australian Government has today announced a modification to the Australian Citizenship Ceremonies Regulations.

For the first time in more than five years, there were less than 100,000 applications on hand as of December 9, 2022.

OUR LAWYER GAGANDEEP SINGH MIRANKOT SERVED AS A JUDGE IN MOOT COURT CONDUCTED BY FACULTY OF LAW AT MONASH UNIVERSITY- PROUD MOMENT (WE THANKS MONASH UNIVERSITY FOR THIS RECOGNITION AND OPPORTUNITY)

ADMINISTRATIVE APPEAL TRIBUNAL (AAT) TO BE ABOLISHED

The Albanese Government is abolishing the Administrative Appeals Tribunal, which he says "once commanded universal respect", citing "a disgraceful exhibition of cronyism" by the former government in appointments made over the last decade.

Matters currently before the AAT will be unaffected, the A-G stressed, noting that they will continue to be heard as the reforms progress.

Finally, Federal Court Justice Susan Kenny has been appointed as the acting president of the AAT, with a transparent and merit-based selection process to be undertaken in due course.

Mr Dreyfus thanked Justice Berma Collier for her service as acting president in recent weeks.

MEDIA RELEASE

Albanese Government to abolish Administrative Appeals Tribunal

The Albanese Government will abolish the Administrative Appeals Tribunal and replace it with an administrative review body that serves the interests of the Australian community.

The AAT's public standing has been irreversibly damaged as a result of the actions of the former government over the last nine years.

By appointing as many as 85 former Liberal MPs, failed Liberal candidates, former Liberal staffers and other close Liberal associates without any merit-based selection process – including some individuals with no relevant experience or expertise – the former government fatally compromised the AAT, undermined its independence and eroded the quality and efficiency of its decision-making.

The Albanese Government inherited an AAT that is not on a sustainable financial footing, that is beset by delays and an extraordinarily large and growing backlog of applications and that is operating multiple and ageing electronic case management systems – a legacy of the former government's mismanagement of the amalgamation of the AAT with the Social Security Appeals Tribunal and the Migration Review Tribunal and Refugee Review Tribunal.

This comes at a very real cost to the tens of thousands of people who rely on the AAT each year to independently review government decisions that have major and sometimes life-altering impacts on their lives – decisions such as whether an older Australian receives an age pension, whether a veteran is compensated for a service injury, or whether a participant of the NDIS receives funding for essential support.

The AAT once commanded universal respect. As Attorney-General in the Howard Government, Philip Ruddock declared the AAT led the world "in administrative law innovation and best practice". It is inconceivable that any Commonwealth Attorney-General, Liberal or Labor, would make remotely similar comments today.

The Albanese Government is committed to restoring trust and confidence in Australia's system of administrative review – beginning with the establishment of a new administrative review body that is user-focused, efficient, accessible, independent and fair.

Over the coming months, the Government will consult with stakeholders on the design of the new body. This work will be led by a dedicated taskforce within the Attorney-General's Department, and be informed by an Expert Advisory Group led by the Hon Patrick Keane AC KC, a former Justice of the High Court of Australia.

As part of this reform, the Government has committed:

- \$63.4 million over two years for an additional 75 members to address the current backlog of cases and reduce wait times while the new body is being set up, and
- \$11.7 million over two years for a single, streamlined case management system.

The Government will undertake further work as part of the reform process to ensure the financial sustainability of the new body.

A central feature of the new body will be a transparent and merit-based selection process for the appointment of non-judicial members. Existing non-judicial members of the AAT, many of whom continue to embody the best traditions of that once-celebrated institution, will be invited to apply for positions on the new body in accordance with that process.

In line with our commitment to merit-based appointments, the Government has developed a set of guidelines for appointments to the AAT prior to its abolition. Appointments of non-judicial members to the new body will be consistent with the principles set out in these guidelines.

Matters currently before the AAT will be unaffected – they will continue to be heard as the reform progresses and will transition to the new review body once it is established.

Current staff of the AAT will transition to the new body as part of the reform. The Government is committed to working closely with the Community and Public Sector Union and the AAT to ensure that hardworking staff of the AAT are supported through this process.

The Albanese Government will deliver an accessible, sustainable and trusted federal administrative review system that serves the Australian community.

The Hon Justice Susan Kenny AM has this morning been appointed as the Acting President of the AAT. The Government will conduct a transparent and merit-based selection process for the role of President in due course.

The Government thanks the Hon Justice Berna Collier for her service as Acting President over the last few weeks.

Friday, 16 December 2022



Administrative Appeals Tribunal

HOW NEW DEFAMATION LAWS WILL CHANGE THE GAME

New defamation reforms, which would cover social media and search engines, have been agreed to in principle by all nine attorneys-general across the country. Here's what such reform means.

At their final meeting for 2022, Australia's nine attorneys-general endorsed, in principle, reforms to modernize the nation's defamation laws on search engines and social media platforms.

The Standing Council of Attorneys-General agreed to enact amendments in each jurisdiction to address the extent to which internet intermediaries are liable for reputation-damaging material published by third-party users online, in new reforms which would commence from 1 January 2024.

VISION OVERSEAS GROUP

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Office Christmas break

dates:

Closing 24th December

2022

(Saturday)

to

Reopen 09th January 2023

(Monday)

Meet all visa matter deadlines prior to the Christmas holidays!

-Richmond -Deer Park

-Dandenong -Geelong-