



NEWSLETTER 135

SC 485 - QUALIFICATIONS - SUNSETTING AND MAINTENANCE

The primary applicant for a Subclass 485 (Temporary Graduate) visa in the Post-Study Work stream must possess the qualification or qualifications of the kind specified by the Minister in a written instrument. Study must be done at level 7 or higher of the Australian Qualification Framework.

All applicants must have completed their degree at a qualified educational institution and have met the Australian study requirement within the six months previous to applying for a visa.

This will start on March 25, 2023, and end on April 1, 2033.

POLICE CHECKS - THIRD PARTY CHECKS NOT ACCEPTABLE

Applicants are reminded that police checks conducted by independent firms, like Veritas, are not suitable for immigration and citizenship requirements.

Requests for any police checks should be made directly to the relevant character-verification organization in the relevant nation. (including the AFP in Australia).



JOBS AND SKILLS AUSTRALIA - GOVERNANCE AND FUNCTIONS

The basis for the administration and duties of the statutory authority, Jobs and Skills Australia, is provided by the Jobs and Skills Australia Amendment Bill 2023. (JSA).

The JSA performs the following duties:

- offering impartial guidance on the current and future needs of employees and companies in terms of the labour market, skills, and training
- forecasting and scenario planning for the workforce that is essential
- updating the labour market quarterly
- fostering engagement and relationships among three parties
- conducting research at the national level and providing data analytics for jobs and skills

The JSA's governance structure will consist of:

- No more than two Deputy Commissioners may support a single Commissioner.
- A Ministerial Advisory Board made up of two state and territory officials, three union representatives, and three employer representatives. Additional members may be appointed up to four times, but they must come from non-union and non-employer groups.
- While the Minister for Skills and Training and the Department Secretary may ask the JSA for advice, the JSA Commissioner will make the recommendation independently and the Minister will not provide guidance on the advice's content.

INTERCOUNTRY ADOPTIONS

Although this relates to family law practice, the Explanatory Statement to this gives an excellent explanation of the conventions and bilateral agreements underlying Australia's recognition of international adoptions. Individuals dealing with these types of situations may find this explanation helpful.

ANZSCO CLASSIFICATIONS UPDATE

To better reflect the needs of stakeholders and reflect the modern labour market, ANZSCO is conducting a thorough assessment of its classification.

There will be a public consultation up to April 28, 2023.

Users of the categorization have the chance to offer feedback throughout this consultation process on professions that come under the chosen emphasis areas for each round of consultation.

Round 1 requests comments on the following professions:

- Accounting services
- Administrative services
- Aged care and disability services
- Childcare services
- Computer system and related services
- Education and training
- Financial and insurance services
- Library and other information services
- Management and related consulting services
- Market research and advertising services
- Scientific research services
- Statistical services
- Welfare and social assistance services

A **list of occupations** grouped by focus area is provided for reference.

Submissions should be made through the **ABS Consultation Hub** by the 28 April 2023.

DOWNER EDI FACES CLASS ACTION

Downer EDI, an ASX-listed mining company, is now subject to a potential class action after admitting to issuing false growth estimates and causing a drop in share price.

To determine if Downer EDI violated its ongoing disclosure responsibilities and participated in dishonest and misleading behavior, Maurice Blackburn will launch a fresh class action enquiry. This comes after the corporation acknowledged that it had overstated its revenue, which caused a sharp decline in the value of its stock.

Shareholders who purchased or acquired Downer EDI shares between 12 August 2020 and 26 February 2020 could be eligible for the class action.

JUDGE MARK RITTER ON THE TREATMENT OF YOUNG LAWYERS, GETTING TO THE BENCH AND LEADING BY EXAMPLE

The recently appointed West Australian District Court Judge Mark Ritter SC also reflected on his path to the bench and how His Honour intends to "illustrate the appropriate way to practise" in a recent interview with Lawyers Weekly.

His Honour's perceptions on the mistreatment of younger practitioners by certain employers.

INDIA COULD BE NEXT BIG GROWTH

OPPORTUNITY FOR GLOBAL FIRMS

BigLaw firms with operations in Australia are pleased with the government's decision to allow international attorneys and firms to operate in India. One major player already has a combination in place; will there be more soon?

Under the new rules, foreign firms and lawyers will only be entitled to practise in the country via registration with the BCI (which will cost \$25,000 per lawyer and \$50,000 per firm and be valid for five years), while "fly-in, fly-out" practitioners will not be able to operate in the country for more than 60 days within a 12-month period.

"Indian lawyers may already come to Australia and, without registration, practise foreign law on a 'fly-in, fly-out' basis for a maximum period of 90 days in any 12-month period. They may also practise foreign law on a more permanent basis by registering as an Australian-registered foreign lawyer. Registration also enables foreign lawyers to establish a commercial presence and enter commercial association with Australian lawyers."

Nevertheless, a global recession may be approaching, and in the face of high inflation and rising interest rates, it may be preferable to consolidate major practise groups in existing jurisdictions. (at least in the immediate future).

2ND CLASS ACTION FILED AGAINST AFL — IS THIS THE NEXT BIG AREA FOR LITIGATION?

Plaintiffs Darren Jarman, Shaun Smith, and the spouse of late Richmond player Shane Tuck—who died by suicide and was later found to have chronic traumatic encephalopathy (CTE)—are leading the second class action lawsuit against the AFL

Last Wednesday (15 March), the AFL released a statement: "The AFL has a team of people working specifically on brain health initiatives with further appointments to be made and we continue to strengthen protocols and the education of clubs and players as to why this issue is taken so seriously.

"If and when any formal documentation is served regarding a foreshadowed concussion class action, the AFL will review and respond in accordance with the relevant court's rules."



Student Visa Holders or Temporary Graduate Visa Holders claim free consultation at one of our office- Walk- Ins welcomes

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