

Filipino Migrants Forum

Is Your Occupation on the Critical Skills List?

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The Department of Immigration and Citizenship (DIAC) has created a Critical Skills List (CSL). The CSL entitles visa applicants whose nominated occupations are on the list to be given higher visa processing priority than those whose nominated occupations are not on the list. General Skilled Migration applicants other than applicants for skilled graduate temporary visas and skilled regional personal visas will be affected by these changes, including those applicants whose applications are already lodged but not yet granted.

The CSL is a list which is separate from the Skilled Occupation List (SOL), Migration Occupations in Demand List (MODL) and State and Territory skills shortage list. While it allows visa applicants whose occupations are on the list to be given priority in regard to visa processing, it does not have any effect on the merits of the visa application, that is, whether the visa will be granted. All applications will still be assessed in accordance with the criteria at time of application and at the time of decision. If your nominated occupation is not on the CSL, and you are not sponsored by an employer or by a State or Territory, your visa application may have a longer processing time but it does not necessarily mean it will not be granted if it meets the criteria. Last year, the average processing time for skilled permanent resident visas was 10 to 12 months.

A range of occupations are listed on the CSL such as Bricklayer, Carpenter, Dentist, Civil Engineer, Mining Engineer, General Medical Practitioner, Obstetrician, Registered Mental Health Nurse, Speech Pathologist, Registered Midwife, Secondary School Teacher, Motor Mechanic, Physiotherapist, Metal Machinists, Plumber, Mechanic and Surveyor Toolmaker. Accountant and Computer Professional are listed on the CSL only where certain requirements are met. For the occupation of Accountant to be listed on the CSL, you must have an IELTS score of at least 7 per component. For the occupation of Computer Professional to be listed on the CSL, your specialization must be listed on the MODL.

As a result of the creation of the CSL, processing for skilled *permanent* visa applications is now in the following order:

1. Employer sponsored permanent resident applications, where skilled migrants are sponsored to work in jobs that cannot be filled locally
2. State or Territory sponsorship
3. Skilled migrants who have an occupation on the Critical Skills List (CSL) but do not have an employer or government sponsor

4. Skilled migrants who have an occupation on the Migration Occupations in Demand List (MODL).
5. All other applications

Visa processing for skilled *temporary* visa application is now in the following order:

1. State or Territory sponsorship
2. Family sponsorship where the applicant's occupation is listed on the Critical Skills List (CSL)
3. All other applications

You may access the CSL through the link on our homepage at www.iargel.com.au.

This information is of a general nature and should not be taken as authoritative legal advice for specific cases. Australia has a scheme that requires persons who give immigration assistance to be registered as migration agent. The writer, Atty. Imelda Argel is a practising Filipino migration solicitor and a registered migration agent in Sydney, Australia. She is a Solicitor of the Supreme Court of New South Wales, the High Court of Australia, an Attorney at law in the Philippines and in the State of New York, USA. Her Registered Migration Agent no. is 9682957. She is also the recipient of the inaugural NSW FAWAA (Filipino-Australian Women's Achievement Award) for her outstanding achievements in corporate practice and entrepreneurship. More information is available at www.iargel.com.au

Readers of the Philippine Community Herald Newspaper are invited to send their comments to "The President, Filipino Migrants Forum" c/o Imelda Argel & Associates, Solicitors & Attorneys, by email at info@iargel.com.au or by fax at (+612) 9699 3210 or by post to Suite 41, Ground Floor, 61-89 Buckingham St. SURRY HILLS NSW 2010.