

Filipino Migrants Forum

DOES YOUR OCCUPATION QUALIFY FOR SKILLED PERMANENT RESIDENCE?

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Applications for permanent residence continue to increase as growing financial hardship in the Philippines become apparent even to the landed and the business owners. There are free information kits published by the Department of Immigration, Multicultural and Indigenous Affairs (DIMIA) which can be downloaded from the internet. However, there are some basic errors and are under review. Some migration agents and solicitors also fail to check the latest amendments of the Migration Regulations before giving advice or writing an article of common interest. For this reason that we have been writing articles in this column, conducting regular information seminars, and pre-assessing intending applicants through our website or in our office to avoid costly mistakes.

Two of the common basic requirements of an application for permanent residence under the skilled migration scheme which continue to be overlooked are:

1. The visa applicant (or spouse if the assessment of spouse is being relied upon) must have a nominated occupation in the skilled occupations list (SOL) and
2. The visa applicant (or spouse, if the assessment of spouse is being relied upon) must be working in occupation which is also in the SOL for a period of not less than 6/12/24 months, as applicable, before filing the application for permanent residence.

The Skilled Occupations List (SOL) which is about 10 pages is not the same and must not be confused with the Australian Standard classification of Occupations (ASCO) Group 1 to 4. The task list of all occupations in the SOL can be found in the ASCO dictionary but not all occupations listed in the ASCO are in the SOL. For example, importers, farmers and commissioned police officers are in Group1, medical practitioners are in Group 2, sports coaches in Group 3 and travel agents in Group 4 but these occupations are not in the SOL and therefore, will not meet the requirements for skilled migration stated above.

The Migration Occupations in Demand List (MODL) is yet another list which entitles the visa applicant whose occupation is in the list to additional 10 to 15 points depending on certain circumstances. Registered nurses, chefs and hairdressers have been in the list for sometime now.

Registered nurses are so much in demand in New South Wales that an employer is now offering to finance the English test review, English test, the theoretical, clinical nursing review and assessment, nursing registration and airfare, and a 4 year employment contract.

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This information is of a general nature and should not be taken as authoritative legal advice for specific cases. The writer, Atty. Imelda Argel is a practising Filipino lawyer 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. More information is available at www.iargel.com.au

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