

# INQUIRY INTO AUSTRALIA'S SKILLED MIGRATION PROGRAM

## Consult Australia's Advocacy Wins



### THE INQUIRY

In August 2021, the [\*Final Report into Australia's Skilled Migration Program\*](#) was released by the Commonwealth Parliamentary Joint Standing Committee on Migration. The purpose of the Inquiry, which commenced in February 2021, was to identify ways to improve Australia's skilled migration program especially in terms of effectiveness, competitiveness, affordability, and complexity.

Submissions were sought in two parts, Consult Australia's submissions covered a broad range of issues including age thresholds, skills lists and the levy process. Key to our submissions was the call for reducing the complexity of the program and streamlining many aspects (read our [part 1](#) and [part 2](#) submissions for more details).

In the Final Report the Committee makes 18 reform recommendations, with most of Consult Australia's recommendations being taken up and reflected. A summary of our key wins from this advocacy are set out below.

It is noted that the Final Report has been commended to the Commonwealth Parliament for review and Consult Australia awaits the government's response to the recommendations. Consult Australia will continue to campaign strongly, including with relevant government agencies and shadow ministers for the recommendations that benefit our industry.

### OUR WINS

#### **Age threshold increased from 45 years-old to 50 years-old**

Noting the negative impact of the current age threshold of 45 years for most categories under the skills stream of the migration program, Consult Australia called for an increase in the threshold.

In the Final Report the Committee recommends that the government provide further concessions for temporary regional visas, including raise the age limit to 50 (see Recommendation 8).

#### **More flexible skills and occupation lists**

Consult Australia noted that it is difficult to ensure that emerging jobs are incorporated into the relevant skills and occupation lists. For example, the Australian New Zealand Standard Classification of Occupations needs regular updates to ensure emerging job types are incorporated.

The Committee agrees that a more flexible approach is needed to adapt to the emerging labour market (see Recommendation 2) and that skills lists need to be regularly reviewed (Recommendation 6). It also recommends that multiple lists be consolidated (see Recommendation 4).

#### **A collaborative dynamic national workforce plan**

Consult Australia highlighted the systematic skill shortages facing our industry and the need for the National Skills Commission's skills priority list and skilled migration programs to incorporate information on market capacity and industry demands.

Several recommendations in the Final Report focus on issues related to skills shortages, including developing a dynamic national workforce plan (see Recommendation 1), and developing accepted definitions of acute and persistent skills shortages with a list of these to replace the existing priority migration skilled occupation list (see Recommendations 3 and 5).

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### Lowering the salary threshold for the global talent program

To improve the effectiveness of the global talent employer sponsored (GTES) program, Consult Australia advocated for a lower salary threshold.

It is recommended in the Final Report that the government increase the temporary skilled migrant income threshold, which is relevant to start-up businesses accessing the GTES program (see Recommendation 9).

### Assisting businesses navigate the migration program

Noting that the breadth and complexity of the current skilled migration program is difficult to navigate, Consult Australia advocated for an industry outreach officer initiative.

The Committee recommends the establishment of an industry liaison officer to assist businesses in navigating the skilled migration program as well as the provision of a specialist triage system to provide advice on complex visa applications (see Recommendation 13).

### Moving away from a 'one-size-fits-all' approach to labour market testing

Consult Australia called for a move away from a 'one-size-fits-all' approach to labour market testing, including recommending an exemption of such testing for intercompany transfers, particularly in professional sectors such as the design, advisory and engineering industry.

The need to streamline intracompany transfers of executive employees of multinational companies to Australia is recognised in the Final Report. It is recommended that exemption from labour market testing be introduced in certain circumstances (see Recommendations 11 and 15).

### Improving the Skilling Australians Fund levy process

Consult Australia highlighted how the current application of the Skilling Australians Fund (SAF) levy is burdensome and unfair. For example, refunds are limited to circumstances where an employee ceases employment with the sponsor within the first year. We argued that the broad nature of the SAF levy has a significant effect on the overall effectiveness of the migration program and refinements are needed.

The Committee recommends that employers be exempt from paying the SAF levy twice for the same applicant or for a subsequent visa (see Recommendation 16). It also recommends that the government guarantee a refund of the SAF levy where the visa application is unsuccessful and where there is no evidence of fraud on the part of the sponsor or applicant (see Recommendation 18).

### Improving visa accessibility for short-term roles

Consult Australia called for improved visa accessibility, emphasising the difficulties members face in navigating visa types to fill short-term roles.

In the Final Report the Committee recommends updating of the visa processing system to provide a more streamlined application process for applicants and employers (see Recommendation 12). Further, all employer nominated visas should provide the option of a pathway to permanency, including the short-term stream of the temporary skills shortage visa (subclass 482) (see Recommendation 7).