

## **aml News - Migration Update Business - Floods and Cyclones**

Employers and visa holders in Queensland who have been affected by either the floods or Cyclone Yasi, and are concerned about their immigration situation can contact DIAC to discuss their options:

**Telephone 131 881 between 8.30 am and 4.30 pm, Monday to Friday.**

Over the next few months, officers from DIAC will visit the regions of Far North Queensland affected by the floods and cyclone to meet with employers looking to rebuild their businesses and discuss potential sources of labour from overseas.

Officers will be on the ground to provide assistance and advice on immigration matters to those businesses that currently employ overseas workers, or to government and non-government agencies that are supporting local businesses and visa holders.

Businesses, sponsors and agencies involved in the reconstruction effort and would like to arrange individual meetings with an officer, or need other help from the department, should contact the regional outreach officer for Far North Queensland, Mr Barry Duncan:

Tel - 07 4044 5912 Mob - 0427 600 430 Email - [qld.outreach.team@immi.gov.au](mailto:qld.outreach.team@immi.gov.au)

The government has also recently announced fast-tracked processing of 457 visa applications for reconstruction jobs in flood affected areas. Although the Queensland government has not requested a formal fast-track processing arrangement in relation to cyclone related reconstruction, sponsors who have a need to bring 457 workers into cyclone affected areas should contact our office to discuss their specific problems.

**Contact Peter Lee, Director of Australian Migration Lawyers on (07) 5597 8888.**

### **Skilled Migration and the New Points Test**

Subject to changes in the Migration Regulations, it is likely that a new points test will be introduced on 1 July 2011. In this event, applicants who currently meet the points test for skilled migration, may not meet the new points test that is coming into force on 1 July 2011. The new points test will favour people in the 25 to 32 year age bracket, those with higher English language skills, people with equivalent tertiary education, and recognised professional or trade employment experience.

It is therefore important that people who currently meet the points test and who may miss out under the new points test lodge their migration application before 1 July 2011.

### **ENS and RSMS policy**

It is reported that there will soon be a rewrite of ENS and RSMS policy. The expected date for when an announcement is likely to be made is around 2 April 2011.

This is not a legislative change. Rather it is a re-write of current policy to make the policy clearer for case officers. It is reported that the new version of policy will clarify such matters as business structures, full-time employment, financial viability of sponsors, occupation tasks, and exceptional appointments. There will be examples and scenarios to give better guidance.



At **aml**, we understand the importance of your migration requirements. We offer immigration services and specialist knowledge of Australian migration laws, policy and procedures to ensure accurate advice and preparation of all migration documents.

As a leading industry player with a strong focus on skilled employees, our current program involves regular trips to the UK and South Africa to meet clients, conduct migration seminars and attend migration expos to link Australian employers with skilled migrants.

## Multiculturalism

Over the past decade multiculturalism has been placed in the back burner by successive governments as its importance was downgraded. On 16 February the Government announced a new multiculturalism policy when it responded to a report produced by the Australian Multicultural Advisory Council. It agreed to all the ten recommendations made to government:

[http://www.immi.gov.au/media/publications/multicultural/pdf\\_doc/amac-response-to-recommendations.pdf](http://www.immi.gov.au/media/publications/multicultural/pdf_doc/amac-response-to-recommendations.pdf)

The Government said its response reaffirmed the "Government's unwavering support for a culturally diverse and socially cohesive nation." The response has resulted in two main initiatives being implemented;

- The adoption and establishment of a new National Anti-Racism strategy involving the partnership of key government agencies and stakeholders; and
- A social inclusion agenda developing strategies that will develop and address the particular needs of migrants and refugees.

## Refugee Assessment Process:

On 11 November 2010, the High Court, in a landmark decision placed all asylum seekers, including people who arrived by boat, on equal footing before the law regardless of their mode of travel. All of these people, as a matter of procedural fairness, are bound by the *Migration Act* and decisions of Australian courts.

In response to this, on 7 January 2011, the Government announced changes to the refugee determination process for irregular maritime arrivals in response to the High Court decision. The government will streamline the primary assessment process, to be known as a Protection Obligations Determination, with effect from 1 March 2011.

Professor John McMillan, has been asked by government to advise on the possible options for improving the efficiency and minimising the duration of the judicial review process for irregular maritime arrivals by the end of February 2011.



For assistance with all your migration needs, email us at [info@migrationlawyers.com.au](mailto:info@migrationlawyers.com.au) or visit our website [www.migrationlawyers.com.au](http://www.migrationlawyers.com.au). Alternatively, contact our specialised professional team at either our Gold Coast or Brisbane office.

### Gold Coast Office

9 Ouyan St  
Bundall QLD 4217  
PO Box 9073 GCMC QLD 9726  
T +61 7 5597 8888  
F +61 7 5597 8899

### Brisbane Office

Level 10, 410 Queen St  
Brisbane QLD 4000  
PO Box 3246 Brisbane QLD 4001  
T +61 7 3229 6099  
F +61 7 3226 9001

Please consider the environment before printing this newsletter. We do not waive any legal privilege, confidentiality or copyright associated with the contents of this newsletter. This newsletter has been prepared to provide general information only and does not constitute legal advice. Any material obtained from this newsletter should not be relied upon as a substitute for detailed advice. Liability limited by a scheme approved under professional standards legislation.