

# Skills in Demand Visa

## What is new and not so new

9 December 2024

This webinar will start at 4pm AEDT & is being recorded

A J U R I A  
LAWYERS

The information contained in this webinar & document is of a general nature and not intended as legal advice for any specific situation



# Welcome to Country

Ajuria Lawyers acknowledges the Traditional Custodians of the land on which we meet today and their ongoing connections to land, sea and community

We pay our respect to their Elders past and present, and extend that respect to all Aboriginal and Torres Strait Islander peoples here today.

# Presenting



**Lillian Ajuria**  
Partner



**Ron Kessels**  
Partner

# In a nutshell

- The Temporary Skill Shortage (TSS) visa has been replaced by the new Skills in Demand visa (SID) under the 482 Subclass
- There is a new list of occupations CSOL - SID \$73,150 to \$135,000 & Direct Entry Employer Nomination Scheme (PR)
- International Trade Agreements will become much more important to the SID process - creating a lot of uncertainty
- TSS visa holders in occupations not on the new list cannot transfer employer in that occupation and cannot extend visa in that occupation. They will need to move to PR, change occupations or depart Australia
- Temporary visa holders will have easier pathway to PR as they can change employer and still count time worked to the 2 years (TRT)
- The SAF continues
- LMT continues
- English requirement - At least 5 in each component of IELTS
- SID Visa application fees - \$3115 as per the old Medium/Long Term List
- Global Talent Visas are now National Innovation Visas (NIV) - but nothing much changed other than the name
- 400 visas continue
- Training visas continue

# Before & After

TSS lodged or granted before 7 December	SID lodged or granted on or after 7 December
<ul style="list-style-type: none"> <li>• Decided based on the TSS rules               <ul style="list-style-type: none"> <li>◦ 2 years of experience</li> <li>◦ 2 occupation lists</li> <li>◦ Given 2 or 4 year visa (5 years for HK/BNO passport holders)</li> </ul> </li> <li>• No ability to renew or transfer employer in an occupation that has been removed from CSOL (can use new occupation if eligible)</li> <li>• Pathway to PR <u>even</u> if removed from the CSOL               <ul style="list-style-type: none"> <li>◦ LA occupations not in ANZSCO will still need a LA pathway for PR</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Decided using the new SID rules               <ul style="list-style-type: none"> <li>◦ 3 pathways:                   <ul style="list-style-type: none"> <li>▪ Specialist - \$135,000 and above, ANZSCO 1,2,4,5,6 (no trades) + Caveats apply</li> <li>▪ Core Skills - \$73,150 and above, CSOL list with caveats</li> <li>▪ Labour Agreement (to be replaced by Essential Skills)</li> </ul> </li> <li>◦ 1 year of experience</li> <li>◦ up to 4 year visa (5 years for some)</li> <li>◦ English language increase for some roles (previously 2-year list)</li> </ul> </li> <li>• Core Skills Income threshold (\$73,150) &amp; Specialist Skills Income threshold (\$135,000) to be indexed every July</li> <li>• Pathway for PR for all               <ul style="list-style-type: none"> <li>◦ LA occupations not in ANZSCO will still need a LA pathway for PR</li> <li>◦ Leave without pay now included under policy</li> </ul> </li> </ul>

# Winners & Losers

## On list

Cyber Security & Data Analytics

Legal Secretaries

Procurement Manager

HR Adviser

Retail Manager

Content Creators

Childcare Worker

## Off list

Restaurant Managers

Financial Dealers  
Financial Investment Manager

Childcare Manager

Graphic Designer

Specialist Managers NEC

## New caveat - ITO

Chefs limited to Chinese & Indian chefs  
(and possibly other ITO countries)

HR Manager

Corporate Services Manager

Finance Manager

Supply & Distribution Manager

CEO  
Corporate General Manager

Chief Information Officer

# Business risks & considerations & what you should be doing

<b>Those off the list</b>	Salaries under 135k or Trades	<ul style="list-style-type: none"><li>• Review the occupation classification under new OSCA and compare to ANZSCO<ul style="list-style-type: none"><li>◦ Align the business positions with the occupation</li></ul></li><li>• Review the current pending hires &amp; open positions<ul style="list-style-type: none"><li>◦ Check the occupation</li><li>◦ Check the LMT</li><li>◦ Check the skills assessment rules</li></ul></li><li>• Review critical current employees - those who are in occupations that have come off the list<ul style="list-style-type: none"><li>◦ PR pathway?</li><li>◦ Alternative occupation if needed</li></ul></li><li>• Look to alternative options such as regional 494 visas</li><li>• Look at industry Labour Agreements for off-list occupations but this is very likely to change</li></ul>
---------------------------	-------------------------------	---

# Questions & Discussion





# AJURIA

LAWYERS

**Email** [ron@ajurialawyers.com](mailto:ron@ajurialawyers.com)  
[lillian@ajurialawyers.com](mailto:lillian@ajurialawyers.com)

**Website** [www.ajurialawyers.com](http://www.ajurialawyers.com)

**Phone** 02 9222 6100