

11.12.2023

В настоящее время Австралийское федеральное правительство находится под контролем "партии люмпенов" (*которая, по определению, не способна создавать или умножать что-либо, а лишь администрировать налоговую систему и тратить заработанное ранее партией созидателей*). В связи с этим Австралия вступает в эпоху экономии и пламенных речей о светлом будущем.

Таким образом, в течение двух ближайших календарных лет планируется:

- любыми способами отправить на работу Австралийских граждан (*а также людей, постоянно проживающих на территории Австралии в статусе "Постоянный житель Австралии"*), которые годами находили причину не работать и получали социальные пособия;
- дать возможность Австралийским работодателям реального сектора экономики (*чей бизнес не относится к спекулятивному или характеру пассивного инвестирования*) принять на постоянную работу временно находящихся на территории Австралии иностранных граждан, которые реально работали в их компаниях в течение последних лет;
- завуалировать очевидное пламенными речами о светлом будущем и постараться удержать власть в стране в течение этих двух лет последующего трехлетнего срока.

Одним из инструментов достижения этих целей является изменение Австралийской миграционной политики.

Опубликована миграционная стратегия Австралийского правительства на ближайшие 2 года, в течение которых планируется уменьшить в два раза количество иностранных граждан, легально находящихся в Австралии по временным визам с правом на работу (*к которым также относятся временные Австралийские иностранные студенты и выпускники Австралийских учебных заведений*). Таким образом, Австралийское правительство намеревается освободить нишу на рынке труда для трудоустройства "местных Австралийских лентяев", которые предпочитают не работать под разными предлогами, одним из которых является невозможность найти трудовую позицию в регионе их проживания из-за временных иммигрантов, готовых выполнять любую работу за минимальную оплату с целью продления их временных Австралийских виз и дальнейшего проживания на территории Австралии.

Тем самым, снять нагрузку с Австралийского сектора социального обеспечения населения.

Для этого:

#### 001.

Открывается ранее обещанная возможность для всех иностранных граждан, которые уже находятся на территории Австралии по временным:

#### **Class GK; Subclass 482 – Temporary Skill Shortage visas in the Short-term stream**

подать иммиграционное заявление в Департамент иммиграции Австралии с просьбой о грантовании:

- либо постоянной Австралийской Class EN; Subclass 186 - Employer Nomination Scheme (Permanent) visa in the Temporary Residence Transition stream или временной *(но с правом последующего перехода на одну из постоянных Австралийских виз):* Class PE; Subclass 494 (Skilled Employer Sponsored Regional (Provisional)) visa in the Employer Sponsored stream *(при условии, если их Австралийский работодатель заинтересован ставить такого иностранного работника в своей компании работать на постоянной основе);*
- либо любой постоянной GSM визы GSM-балльного теста *(для этих целей GSM-балльный тест будет обновлен с введением новых визовых оценочных критериев):* Class SI; Subclass 189 - Skilled-Independent (Permanent) visa in the Points-tested stream; или Class SN; Subclass 190 - Skilled-Nominated (Permanent) visa; или временной *(но с правом последующего перехода на одну из постоянных Австралийских виз):* Class PS; Subclass 491 - Skilled Work Regional (Provisional) visa nominated by a State or Territory government agency.

Таким образом, сохраняется в производственном секторе страны действительная рабочая сила, которая умеет создавать валовый доход и генерировать налоговые поступления в бюджет страны.

#### 002.

Для критериев грантования всех ВРЕМЕННЫХ Австралийских виз с правом на работу вводится разделение трудовой активности на 3 группы:

**Specialist Skills job:** это ЛЮБЫЕ профессии с минимальной заработной платой AUD 135,000.00 в год, которые не относятся к категориям: trades workers, machinery operators and drivers, labourers. Обладатели этих профессий способны приносить значительные стабильные налоговые поступления в течение продолжительного периода времени. Списка названий данных профессий не существует;

**Core Skills job:** это профессии, находящиеся в списке «Core Skills Occupation List» под редакцией «другой государственной прокладки» - агентства «Jobs and Skills Australia» с минимальной заработной платой AUD 70,000.00 в год. Обладатели этих профессий также способны приносить заранее прогнозируемые и контролируемые налоговые поступления;

**Essential Skills job:** это ЛЮБЫЕ профессии «временного, сезонного или по необходимости характера, не требующие большой интеллектуальной подготовки, но без которых невозможно поддерживать стандарты повседневной Австралийской жизни». Например: копать, переносить, убирать, доставлять, мыть, упаковывать, продавать, рекламировать, резать, шинковать, варить, жарить, парить, сушить, гладить, стирать, приготавливать пищу в местах быстрого или массового питания, вывозить, складировать, собирать урожай, сторожить, стричь, разделывать туши животных, сортировать, подстригать кроны деревьев, сажать растения, следить за домашними животными, оказывать эскорт услуги и т.п. Списка названий данных профессий не существует. Сбор налоговых платежей с граждан, обладающих этими профессиями возможен, но затруднителен, так как огромная их часть вовлечена в режим теневого бизнеса и оплаты труда наличными средствами. Вести налоговое администрирование этой категории граждан крайне затратно, поэтому настоящее "правительство люмпенов" намекает "местным Австралийским лентяям" на то, что: "Мы дадим вам возможность частично работать самим на себя в сфере оборота наличных финансовых средств и не доплачивать нам то, что мы не сможем доказать, но при этом вы не просите у нас платить вам социальные пособия"!

Таким образом, подтверждается то, что будет сохранен приток ВРЕМЕННОЙ иностранной рабочей силы в Австралию, но по строгому разделению: "Если ты готов заплатить в казну ожидаемые и прогнозируемые налоговые платежи - приезжай работать в Австралию. Если ты хочешь зарабатывать себе в карман - оставайся в своей стране, так как в этом секторе будут работать только местные Австралийцы в обмен на отказ от получения социальных пособий".

### 003.

Прием новых иммиграционных заявлений с просьбой о грантовании временной: Class GK; Subclass 482 – Temporary Skill Shortage visa прекращается. Вводится в Австралийское иммиграционное законодательство новая временная 4-х годичная "Skills in demand" visa, включающая в себя 3 направления (*streams*):

- Specialist Skills stream;
- Core Skills stream;
- Essential Skills stream,

для новых заявителей, чьи профессии или трудовые навыки должны соответствовать конкретному направлению (*the stream*) этой визы. Для каждого из этих направлений (*the stream*) будут применяться дополнительные оценочные критерии грантования данной визы.

Таким образом, подтверждается то, что будет сохранен приток ВРЕМЕННОЙ иностранной рабочей силы в Австралию, но по строгому разделению: "Если ты готов заплатить в казну страны ожидаемые и прогнозируемые налоговые платежи - приезжай работать в Австралию. Если хочешь зарабатывать себе в карман - оставайся в своей стране, так как в этом секторе будут работать только местные Австралийцы в обмен на отказ от получения социальных пособий».

004.

Всем временным Австралийским иностранным студентам, чья временная Австралийская: Class TU; Subclass 500 (Student) visa относится к категории временных Австралийских виз с правом на работу, будет рекомендовано *(через вновь вводимый оценочный критерий “Genuine Student Test”)* изучать только те учебные программы, которые лежат в основе получения профессий Specialist Skills и Core Skills уровней.

Таким образом, временным Австралийским иностранным студентам придется покупать более дорогие университетские учебные программы *(не забываем то, что временная Австралийская: Class TU; Subclass 500 (Student) visa – это прежде всего четвертая по величине экспортная выручка страны, а только после этого - все остальные помпезные фразы о «престижности, замечательности, «качестве» и т.п.)*. Если они захотят работать на территории Австралии в период обучения, то прозрачно намекается на то, что делать это необходимо только на соответствующих их уровню обучения трудовых позициях Specialist Skills и Core Skills.

Никто не собирается ликвидировать в Австралии учебные заведения средне-технического образовательного уровня Technical and Further Education (TAFE), предоставляющие к изучению учебные программы, лежащие в основе обладания профессиями Core Skills уровня, но поток временных Австралийских иностранных студентов, претендующих на изучение этих учебных программ, будет ограничен.

Таким образом, Австралийским гражданам будет открыта дополнительная возможность получения профессии Core Skills уровня, предупреждая возможные аргументы в том, что эти Австралийские граждане не хотят работать на уровне Essential Skills. Пожалуйста, обучайтесь в учебных заведениях Technical and Further Education (TAFE) *(временные иностранные граждане больше не будут «занимать ваши учебные парты»)*, начинайте работать на уровне Core Skills, платите налоги в полном предсказуемом объеме и отказывайтесь от получения социальных пособий.

Соответственно, приблизительно 300,000 трудовых позиций уровня Essential Skills, которые раньше занимали временные Австралийские иностранные студенты, окажутся свободными для Австралийских граждан-лентяев, которые *(смотрим выше по тексту)* предпочитают не работать под предлогом невозможности найти трудовую позицию в регионе их проживания и получать социальные пособия по безработице как можно дольше, являясь нагрузкой на Австралийский сектор социального обеспечения населения.

005.

Временная «переходная» Австралийская: Class VC; Subclass 485 – Temporary Graduate visa с правом на работу остаётся в Австралийском иммиграционном законодательстве, но срок её максимального действия уменьшается в два раза с целью «подтолкнуть» вчерашних временных Австралийских иностранных студентов, которые успешно получили теоретические основы профессий Specialist Skills и Core Skills уровней, побыстрее найти Австралийского работодателя, заинтересованного в долгосрочном использовании Specialist Skills и Core Skills на территории Австралии, побыстрее вливаться в постоянный производственный процесс и начать платить Австралийские налоги в полном и предсказуемом объёме.

Также с целью «заинтересовать» потенциальных Австралийских работодателей принимать на работу вчерашних временных Австралийских иностранных студентов, которые успешно получили теоретические основы профессий Specialist Skills и Core Skills уровней на постоянной долгосрочной основе *(но не с целью краткосрочной необходимости решить временные трудности в производственном процессе)*, снижается возрастной уровень вчерашних временных Австралийских иностранных студентов, которые смогут претендовать на грантование последующей временной «переходной» Австралийской: Class VC; Subclass 485 – Temporary Graduate visa.

Таким образом, подтверждается факт того, что Австралийское гражданство остаётся предметом торга посредством негласной государственной программы: «Австралийское гражданство в обмен на покупку дорогостоящего Австралийского университетского образования», так как это прежде всего четвёртая по величине экспортная выручка страны *(а только после этого - все остальные помпезные фразы о «престижности, замечательности, «качестве»» и т.п.)* и желание как можно быстрее пополнить будущие ряды Австралийских граждан именно теми людьми, кто способен платить Австралийские налоги в полном и предсказуемом объёме в долгосрочной перспективе.

006.

В случае, если не удастся уговорить "местных Австралийских лентяев" *(на то, что: "Мы дадим вам возможность частично работать самим на себя на Essential Skills уровне в сфере оборота наличных финансовых средств и не доплачивать нам в виде налоговых недоимок то, что мы не сможем доказать, но при этом Вы не просите у нас платить Вам социальные пособия")*, настоящее Австралийское "правительство люмпенов" предполагает возможность НЕМЕДЛЕННО завести вахтенным способом группы работников из стран Индо-Тихоокеанского региона по новой временной 4-х годичной "Skills in demand" visa in the Essential Skills stream для выполнения этих временных или сезонных производственных задач любыми возможными транспортными средствами.

В этих странах уже созданы специальные агентства найма трудовой рабочей силы Essential Skills уровня, которые держат наготове списки желающих "подзаработать в Австралии вахтенным способом" и способны немедленно прибыть с рюкзачком в пункт сбора и отправки. В этих странах присутствует огромное количество желающих поработать несколько месяцев в Австралии, получая заработную плату эквивалентную нескольким годовым заработным платам в их странах, после чего вернуться домой и жить не работая несколько лет.

Таким образом, Австралийское правительство декларирует не только то, что Австралия продолжает оставаться экономическим центром - хабом для стран-соседей Индо-Тихоокеанского региона с низко-рентабельной экономикой или её отсутствием, но также "экономическим донором" и важнейшим культурным центром, поддерживающим дружеские и культурные связи между народами Индо-Тихоокеанского региона.

## 007.

В Австралийском иммиграционном законодательстве остаются:

- Class TZ; Subclass 417 – Working Holiday (Temporary) visa;
- Class US; Subclass 462 – Work and Holiday (Temporary) visa,

с правом на работу на территории Австралии, но ещё раз акцентируется внимание на том, что эти ВРЕМЕННЫЕ визы доступны только для:

- граждан лимитированного числа стран;
- молодого возраста;
- способных выполнять временную сезонную работу именно Essential Skills уровня;
- именно на территориях региональной Австралии,

в обмен на краткосрочное пребывание на территории Австралии без полноценного вовлечения в экономику страны на постоянной основе.

Таким образом, Австралийское правительство понимает, что ему будет крайне затруднительно администрировать налоговые сборы этой категории временных иностранных граждан, но идёт на этот шаг, декларируя желание поддерживать дружеские и культурные связи с другими странами планеты в обмен на эти незначительные “упущенные” налоговые сборы.





Australian Government

# Migration Strategy

**Getting migration working for the nation**

For workers. For businesses. For all Australians.





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# Migration Strategy

December 2023

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## Acknowledgement

The Australian Government acknowledges the traditional owners and custodians of Country throughout Australia and acknowledges their continuing connection to land, waters and community. We pay our respects to the people, the cultures and the Elders past, present and emerging.

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# MINISTERS' FOREWORD

Australia is a nation shaped and invigorated by the diverse cultures and talents of millions of migrants. Coupled with the profound history of our First Nations peoples, multiculturalism is the bedrock of our unique national identity.

Our country stands at a pivotal point. We face a converging set of challenges. We need to get wages and productivity growth moving. We need to build our skilled workforce to help us transition to a net zero economy. We need to manage the pressures of an ageing population. Migration is not the full answer to any of these problems. But it is part answer to all of them.

Migration should be helping us solve these national problems, and creating a prosperous and secure future. But the current migration system is broken: it is not delivering for workers, not delivering for businesses, not delivering for all Australians. We see too many instances of migrant worker exploitation. There are too many back doors and side doors into the system, undermining the system's integrity. There is insufficient regard for pressures on housing and infrastructure. And the skilled people we need are turned off by a complex, unworkable system.

Ultimately, the success of a migration program relies on the backing of the Australian people. This has been a hallmark of successful migration models throughout our history, like those put in motion by the Chifley and Whitlam Governments.

Our task is to get migration working for the nation. Reorienting the program to address our national challenges. Rebuilding social license by returning migration levels back to normal. And building better planning in the system so we can get the skills we need, where we need them.

Fixing the current system is a big task, and it will require business, unions and government to work together. The Albanese Government has embarked on an extensive consultation process with Australians from all walks of life to build our plan for reform. This strategy is not just about overcoming short-term skills shortages or managing migration levels. It is about laying the groundwork for generational change. To avoid doing so would be to fail those who elected us to build a better future.

The outcome of these consultations is laid out in the following pages. It is the first time Australia has had a written strategy for its migration program. This document articulates a clear vision, and explains how we will deliver that vision through eight actions and numerous policy commitments. Our thanks go to Dr Martin Parkinson AC PSM, Professor Joanna Howe, and Mr John Azarias for their invaluable contributions to this effort.

The Migration Strategy is a commitment to getting our system back on track and to returning migration levels back to normal. If you are a worker, whether local or migrant, this strategy means stronger protections of your wages and conditions. For businesses, it means getting the skills you need to grow and be more productive, particularly in critical areas like healthcare, the net zero transition, and the digital economy. For all Australians, it means a better-planned migration system, aiming to strengthen the community you live in and to improve your living standards.

This strategy sets Australia on a course to confidently tackle future challenges. It's about building a more prosperous and secure Australia for our citizens, and laying a strong foundation for the generations to follow.

It's about getting migration working for the nation.

For workers. For businesses. For all Australians.



The Hon Clare O'Neil MP  
Minister for Home Affairs  
Minister for Cyber Security



The Hon Andrew Giles MP  
Minister for Immigration,  
Citizenship and Multicultural Affairs

# EXECUTIVE SUMMARY

## Migration is central to Australia's national story

Migrants are and will always be an essential part of Australia's economic and social fabric. They have helped build Australia's modern dynamism and diversity, contributing their skills, experiences and cultures to the making of a nation that is both outward-facing and internally cohesive. Migrants make our country financially, culturally and spiritually richer. Their story is central to our national story, the making of a modern economy and society, and the forming of our nation's identity.

Migrants have been a bridge to the wider world: in commerce, culture and citizenship. Today, more than half of all Australians are either born overseas or have a parent born overseas. Migrants and their children are a presence in almost every aspect of our national life.<sup>1</sup>

In times of change, migration has helped Australia tackle national challenges and build long periods of prosperity and security for our citizens. Following the Second World War, political leaders looked to our migration system to help strengthen national security. Australians quickly came to recognise that migrants could also increase national prosperity at a time when their labour and skills were desperately needed for post-war reconstruction.

With the end of racial discrimination in migration policy in the 1970s, Australia emerged as a vibrant and multicultural nation with new migrants connecting the nation to an increasingly dynamic Asia. In the 1990s, the

share of skilled migrants more than doubled. This ushered in a new era of modernity and prosperity, and an even more diverse migrant population as Australia accepted migrants from every continent.<sup>2</sup>

At each of these generational junctures, migration has been underpinned by the backing of the Australian people. The focus was on arriving here and contributing to national endeavours, with migrants paid the going wage rate and accepted into the community. The migration system and the national interest were intertwined.

## Australia can seize the opportunities of the coming decades

The decades ahead are ripe with opportunity for Australia. There are also major challenges: as the population ages, the participation rate is expected to gradually decline. This will test our ability to provide goods, services and support to all who need them. We need to get productivity growth and wages moving, but both of these have stagnated in the past decade. There are pressures coming from the wider world—economic, technological, strategic and environmental—that will fully test our capabilities.



**Australia's economy is again being reshaped by profound demographic and global forces.**

Employment White Paper<sup>3</sup>

Australia is ideally placed to lift productivity, exports and living standards. We have a highly skilled and adaptable workforce. We have a world-class education system that builds the expertise of both Australian and international students. Our environment and resources set us up to take full advantage of the transition to a net zero economy, while our location places us in the world's most dynamic region, the Indo-Pacific. A better targeted migration system focused on getting the right skills in the right places can help support these ambitions.

Australia also has a highly developed social system that elevates fairness in the workplace and the community. We have institutions that have evolved to secure fair treatment of workers. Rapid developments in technology, climate change, environmental pressures and geostrategic shifts will make these aspirations especially important.

This Migration Strategy is designed to ensure that migrants fully enjoy the benefits of living and working in Australia and are not vulnerable to exploitation. It is also designed to give Australian workers confidence that their own wages and conditions are protected, and to give employers confidence that they will be supported if they do the right thing.

Tackling these challenges will require us to build stronger communities and further strengthen social cohesion. We have a strong history of well-managed migration that supports, rather than runs counter to, our housing and infrastructure needs.

This is essential to strengthening public confidence in our migration system, especially in the face of the formidable global and national challenges in the decades ahead.

We also continue to build our positive reputation as a nation committed to both our responsibility to good international citizenship and our partnership in the prosperity and security of the Indo-Pacific region. Most of our migrants come from that region, and they are among the very best ambassadors for Australia.

The task we have confronted in this Migration Strategy is to design a system that will maximise Australia's ability to respond effectively to present and future challenges and opportunities, and to ensure Australians back this approach at each step of the way.

It is time for Australia to once again adapt its migration policy to the nation's changing needs and to reconnect migration with the aspirations of Australians.



## Our task of reconnecting migration policy to nation building

Australia's migration system is not the nation building engine it once was. It often fails to identify and attract those people who are best placed to help build the skills base of Australia's workforce, boost exports and raise living standards. Complex and outdated occupation lists fail to reflect current or anticipated skilled labour needs. Our permanent program could be better targeted towards lifting Australia's long-term economic productivity and workforce participation.

International education is a new engine of economic growth for Australia and an important part of our social fabric. However, growth in the sector needs to be promoted through integrity and quality, and students and graduates need to be better supported to realise their economic potential in the labour market.



## Creating a fit for purpose system will require major reform.

Review of the Migration System<sup>4</sup>

Australia's historic commitment to a fair go in the workplace is not well served by the current migration system. Existing temporary skilled migration arrangements provide too many opportunities for migrants to be exploited in the workplace. Tying a migrant worker's visa to a single employer creates a power imbalance that an unscrupulous minority of employers abuse. The current approach to determining labour market need is also insufficient to ensure skilled migration is addressing genuine skills shortages.



More can be done to ensure our migration system is better managed and builds stronger communities. We have not had a long-term planning process that links with the levers that make migration successful, such as planning for housing, infrastructure and services.

Migration also works best when it ensures the right skills get to the right places. However, regional Australia is often locked out from the migration system because of the system's complexity and detachment from regional development planning.

Furthermore, while Australians don't want a nation of 'permanently temporary' residents, migration settings have led to a reliance on temporary migration over our traditional emphasis on permanent migration. This is not a recipe for building stronger communities or maintaining social cohesion, and it is not a pathway to strengthening the confidence Australians have in our migration system.

Australia's 50-year history of multiculturalism presents a positive image to our own region and the world. However, the many cumbersome features of our visa system detract from the ability of migration to act as a bridge to other peoples, places and cultures. Complaints about the system's lack of efficiency and fairness undermine our performance and reputation as a good neighbour in our region and a good international citizen in the wider world.

Nor is the present system suited to the increasingly competitive global race for talent in which Australia finds itself. It is too complex for migrants and employers, visa waiting times are often excessive and there is a perception among migrants and employers that the system lacks fairness and transparency. ICT systems don't always deliver a simple and friendly experience. There is a danger that migrants with the skills we most need are likely to turn their attention to other countries with better managed systems.

At the same time we need to ensure the integrity of the migration system is maintained. This means having a well-managed system with strong compliance so the actions of unscrupulous actors are not left unchecked.

## The Government's vision is to get migration working for the nation

The first comprehensive review of the migration system in a generation, the 2023 Review of the Migration System (the Migration Review), found 'a lack of clarity on what Australia has been trying to achieve through migration is at the heart of the problems the system faces today'.<sup>5</sup>

Five core objectives will underpin Australia's migration system, getting migration working for the nation and helping build a prosperous and secure Australia. These are:



**Raising living standards** by boosting productivity, meeting skills shortages and supporting exports



**Ensuring a fair go in the workplace** by complementing the jobs, wages and conditions of all workers and preventing migrant worker exploitation



**Building stronger Australian communities** by better planning the migration intake, and giving migrants the opportunity to invest in their lives in Australia through permanent residence and citizenship



**Strengthening international relationships** by building stronger economic and social connections with our region and international partners



**Making the system work** by being fast, efficient and fair for migrants and employers

## The Government has developed a policy roadmap **with 8 key actions** to realise this vision

To realise the new vision and objectives of Australia's migration system, an ambitious roadmap for migration reform is needed. As the Migration Review noted, 'successive governments and policymakers have responded to challenges through piecemeal reforms which have not addressed fundamental underlying issues'.<sup>6</sup> A more comprehensive approach is now needed.

The 8 key actions in the Government's Migration Strategy roadmap have been developed through extensive consultation with business, unions, civil, international education, civil society and many Australians. This draws on the key findings of the Migration Review, and the 483 public submissions it received.<sup>i</sup> These actions are supported by existing commitments, over 25 new commitments and areas for future reform.

<sup>i</sup> The report and submissions are available at [A Migration System for Australia's Future \(homeaffairs.gov.au\)](https://www.homeaffairs.gov.au/migration-review)

## The 8 key actions in the Migration Strategy are:

- 1 Targeting temporary skilled migration to address skills needs and promote worker mobility**  
A new Skills in Demand visa with 3 targeted pathways, and visa settings that encourage migrant worker mobility in the labour market
- 2 Reshaping permanent skilled migration to drive long-term prosperity**  
A commitment to explore a reformed points test for permanent skilled migration, and a new Talent and Innovation visa for migrants who can drive growth in sectors of national importance
- 3 Strengthening the integrity and quality of international education**  
A package of integrity measures to lift the standards for international students and education providers, while ensuring graduates help meet skills shortages and do not become 'permanently temporary'
- 4 Tackling worker exploitation and the misuse of the visa system**  
A comprehensive suite of legislation, powers, penalties and policies to combat worker exploitation and restore integrity to the migration system
- 5 Planning migration to get the right skills in the right places**  
A longer-term, evidence-based approach to planning migration that closely collaborates with states and territories and ensures population planning is based on the best available population data and forecasts
- 6 Tailoring regional visas and the Working Holiday Maker program to support regional Australia and its workers**  
A new direction to ensure visas for regional Australia are prioritised first, and a commitment to evaluating regional migration settings and the Working Holiday Maker program to ensure migration supports development objectives in regional Australia and does not contribute to worker exploitation
- 7 Deepening our people-to-people ties in the Indo-Pacific**  
A new approach to developing people-to-people links with our region, including through a direct pathway to citizenship for New Zealanders and increased mobility with Pacific Island and Southeast Asian countries
- 8 Simplifying the migration system to improve the experience for migrants and employers**  
A system-wide simplification agenda that will streamline visa settings, reduce visa classes and make the system easier to use

## The policy roadmap will be delivered across three stages of reform

Across these actions, a phased approach will ensure strong delivery of existing commitments, new commitments to build a system for the future, and areas for future reform requiring tripartite consultation. As part of this next phase of consultation, the Government will publish discussion papers on permanent skilled migration and regional migration, including the evaluation of the Working Holiday Maker program, early in 2024.



Further details on the implementation and timing of these actions can be found at [homeaffairs.gov.au/migrationstrategy](https://homeaffairs.gov.au/migrationstrategy)

## The Migration Strategy is expected to help return migration to near pre-pandemic levels by next financial year

During the COVID-19 pandemic, migration levels (sometimes referred to as net overseas migration or 'NOM') were negative for the first time since the Second World War. As borders have reopened, temporary and permanent migrants have returned to Australia, leading to a temporary rebound in the number of people arriving in Australia, and fewer departures from Australia.

For example, this has included first, second and third-year international students returning to Australia, and fewer international students departing because of the flow-on impacts of fewer arrivals during the pandemic.

This temporary catch-up will largely offset the loss of migrants Australia experienced during the pandemic.

In addition to the actions taken by the Government to date, the actions in the Migration Strategy deliver a better managed migration system and are expected to help return migration to near pre-pandemic levels by next financial year, through:

- **closing COVID concessions**, including through ending the Pandemic Event visa and uncapped working hours for international students
- **strengthening integrity and lifting the standards in international education**, including through increasing minimum English language requirements for student and graduate visas, applying additional scrutiny to high-risk student applications and cracking down on unscrupulous education providers
- **ending settings that drive long-term temporary stays (known as 'permanent temporariness')**, including through shortening graduate visas and ending settings that allow graduates to prolong their stay in Australia when they have fewer prospects of becoming permanent residents
- **tackling exploitation of the visa system**, including through investing in more immigration compliance officers and restoring integrity in the protection visa system to break the business model of unmeritorious protection visa claims
- **targeting skilled migration to genuine shortages**, including through increasing and annually indexing the minimum salary threshold for temporary skilled migrants (the 'TSMIT') and leveraging Jobs and Skills Australia's advice for where genuine shortages exist.

These actions are strongly aligned with the objectives of the Migration Strategy and help strengthen the confidence Australians have in the migration system. These actions also complement the Government's new approach to planning migration to get the right skills in the right places, including better migration planning, stronger integration with housing and infrastructure planning, and further support for regional Australia to ensure it continues to get the support it needs.

The Government also recognises that the migration system serves purposes beyond those set out in this roadmap, including family, humanitarian and social roles.

No human connection is more important than family. Families play a foundational role in Australia's migration system.

In an interconnected world, the ability to spend time with our families is a strength for our society. The pandemic and period of closed borders demonstrated how important these family connections are, with so many Australians experiencing intense isolation and loneliness as family members were unable to visit and stay in Australia. Preventing these connections harms us all. As the Migration Review identified, visa options are not working for many Australian families, including for the partners, parents and children of Australian citizens.

The Government is exploring what family visa settings are appropriate. This work is being progressed separately from the actions outlined in the roadmap.

Australia also has a role in responding to the global humanitarian crisis. More than 100 million people are forcibly displaced and more than two million people are in urgent need of resettlement worldwide. The Government is delivering a humanitarian program that provides refugees and others in situations of humanitarian need with certainty and security as they rebuild their lives in Australia and contribute to our economy and society.

In August 2023, the Government announced that the number of people resettled in Australia's Humanitarian Program will increase from 17,875 to 20,000 per year.<sup>7</sup> The Government has also created a pathway for permanency for around 20,000 people who were living in limbo in our country for more than a decade.

Our renewed migration system will also reinforce our focus on embracing migrants' inclusion into our multicultural society by building community connections and encouraging participation in civic life. This will be furthered by the Multicultural Framework Review, which is looking at ways for government and the community to work together to support a cohesive multicultural society and advance Australia's future prosperity.

We are investing in support to communities—locally and nationally, to nurture and strengthen Australia's cohesion. We understand that social cohesion is a foundation for social harmony, social justice and equity, participation in democracy, acceptance and belonging. Migrants deserve to live peacefully, free from experiences of racism, discrimination or violence. The responsibility to strengthen and foster social cohesion lies with Government and every Australian. We are committed to building and empowering resilient communities to prevent racial, ethnic and religious intolerance and social exclusion. We welcome and support migrants to participate equally in our diverse and multicultural society.



Australia's migration program is multifaceted and connected with a wide array of national policy goals. Yet, while directed by a clear vision and well-defined objectives, the approach in the Migration Strategy is not set-and-forget. Migration must adapt to changing circumstances and needs. The Government is committed to consulting with business, unions, the international education sector, civil society and governments through the reform process to ensure the system works for all who use it.

The result will be a migration system that benefits not only those who participate most directly in it, such as migrant workers and their employers, but one that will serve the common good by building capacity and restoring migration policy's place in nation building.





# VISION FOR THE MIGRATION SYSTEM



# VISION FOR THE MIGRATION SYSTEM

## Building the Australian nation

The efforts of many generations of migrants and their descendants in building our multicultural nation have been established on the achievements of First Nations peoples, who made this land a home teeming with life, story and song. Australia's future depends on our common commitment to living together in accordance with the principles of respect, justice and fairness.

The human history of this country has been a story of great achievement despite personal risk and challenges. First Nations people from the north of the continent, the Yolngu people, were pioneers in connecting their economies, societies and cultures with the wider region. Indonesian traders came to Australia from at least 1700 AD to collect sea cucumbers—a trade that would continue until the early years of the 20th century.<sup>9</sup>

The British who arrived in a land then known to them as New Holland from 1788 were often 'unwilling emigrants';<sup>10</sup> 160,000 convicts (1788–1868) literally built many of the foundations of the nation.

From 1831, Australia began to more consciously evolve a migration system designed to boost the population and serve the country's economic needs. Colonial governments of the 19th century assisted many migrants from Britain and Ireland to come to our distant land by paying for their passage with the funds derived from land sales.

Australia was far from these migration sources and suffered a disadvantage compared with the United States and Canada, to which British and European migrants could travel much more cheaply and easily.



To imagine a better life for you and your family and to make the leap of faith required to leave behind all that is familiar calls for a special kind of courage.

Frank Lowy, Speech to the Australian Multicultural Council, 2012<sup>8</sup>

While Australia's disadvantage declined with the discovery of better routes and improvements in technology, competition for migrants has continued to be a driver of innovation in our migration systems for almost two centuries. We must still ensure today that our migration policy responds effectively to a competitive global environment for the people we need to build our nation.

In the second half of the 19th century, Australia had among the highest living standards in the world. Migration was the foundation of the remarkable prosperity of what has been called 'the long boom'.<sup>11</sup> The gold rushes of the 1850s drew migrants from various corners of the world, including the United Kingdom, Europe, North America and China.

While the migrant population of Australia was overwhelmingly British and Irish in the years following the gold rushes, there were also significant minorities of European and Asian people. By the late 19th century, migrants had helped build an Australian economy based on exports such as wool and gold, and on construction, manufacturing and services, which fuelled the growth and prosperity of cities and towns.

Migration has proven essential in allowing us to respond effectively to national challenges. In 1945, Prime Minister Ben Chifley created the Department of Immigration and appointed Arthur Calwell as the nation's first Minister for Immigration, one of the first immigration ministers globally.<sup>12</sup> It was a decisive moment in the history of modern Australia.

Australian officials travelled to Europe, including to displaced persons camps, to find the migrants who would build Australia's post-war development and security.<sup>13</sup> Those who answered the call set the foundation for a post-war boom that delivered life-changing prosperity for Australian families. Men and women who had not imagined that they might ever own a home or a car now found themselves with both.

It was new migrants who were often in the mines and foundries, on the assembly lines and building sites, and in the shops and offices to meet the burgeoning demand for goods and services. Migrants also created successful businesses and helped rebuild industry to meet the needs of post-war society. It was this connection between migration and the country's national endeavours that led to growing public support for Australia's migration system.

Migration had again become a vehicle for nation building. Over 100,000 workers from more than 30 different countries, including thousands of newly arrived migrants, were employed to work on the Snowy Mountains Hydro-Electric Scheme—the largest and most ambitious infrastructure project in Australian history. It helped spark Australia's quest for industrial and agricultural development and national security. The power the Scheme generated helped run the factories that made possible 'the Australian way of life'.<sup>14</sup> Migrants, in turn, came to share in the nation's rising prosperity.

In the 1970s, the White Australia policy that began in 1901 came to an end under the Whitlam Government. Australia welcomed migrants from around the world, including from our neighbours in the region. Despite often tough economic times, Australia continued to accept migrants, now on a non-discriminatory basis. Multiculturalism was the term we adopted to describe our immigration and settlement policy but also, increasingly, our identity as a nation.

Prime Minister Malcolm Fraser continued this multicultural tradition, drawing in some 200,000 migrants from Asian countries between 1975 and 1982.<sup>15</sup> In the 1990s, the Keating Government used skilled migration to revive Australia's economy, helping deliver greater productivity and prosperity to the country.

From 1991, Australia enjoyed the longest running period of continuous economic growth on record anywhere in the world. The nation's openness to immigration, now increasingly from Australia's region, was a key to this story of economic success.<sup>16</sup>

In each of these instances, the government of the day recognised the challenges facing Australia and designed a migration system to meet them, anchored on the support of the Australian people. Multiculturalism is still central to our self-image 50 years later, working as both a description of our remarkable cultural diversity and our aspiration towards greater social cohesion and mutual respect.

Today, Australia is a proud migrant nation. Nearly every other country is represented in our community.<sup>17</sup>



Workers employed as part of the Snowy Mountains Hydro Electric scheme



# Challenges and opportunities ahead

A migration system can only be reformed through careful examination of where Australia will be in coming decades. It is not sufficient to just look at Australia as it is today. As the reviewers of the migration system noted, a post-pandemic Australia faces challenges similar to many other nations, but is also uniquely placed to seize opportunities to build a prosperous and secure Australia. Australia has in the past adapted its migration policy to the nation's changing needs. We must now do so again.

## Raising living standards for Australians

### We need to boost productivity and growth

The Government is committed to improving Australian living standards. This means lifting productivity performance in alignment with the Government's Employment White Paper.

Over the past decade, productivity growth has been below the long-term average in Australia and other advanced economies, and has coincided with low investment and wage growth.<sup>18</sup> In fact, productivity growth over the decade to 2020 was the slowest in 60 years.<sup>19</sup> Possible explanations include the absence of dynamism and technological adoption, and misallocation of resources.

Our migration system should never be a substitute for upskilling local workers, but a well-targeted migration system can help better connect skilled migrants to Australia's skills needs and contribute to productivity growth. As productivity growth is the key driver of real wage growth and rising living standards over the long-term, getting these settings right can make a real difference to the lives of working

Australians. The Migration Strategy forms a core part of the Government's broader 5-pillar productivity agenda and the need to build a skilled and adaptable workforce, as outlined in the Employment White Paper.

In coming decades, Australia also needs to diversify and grow our export trade. Supporting our largest export sectors, including international education and tourism, is an important part of this. International education alone is worth almost \$30 billion to the Australian economy.<sup>21</sup> An international education system that grows through integrity and its world-class reputation, founded in the confidence of the Australian people, will be well-positioned to thrive in the decades ahead. The approach taken in this Migration Strategy will help safeguard and strengthen the quality of the sector for prosperity in the years to come.

Protecting Australian living standards also means creating a secure and resilient future, through investment in sovereign capabilities such as cyber security, emerging technologies



Through a productivity lens, migration is an important avenue for attracting skills and knowledge, allocating labour to where it is most productive, and diffusing best practice from overseas.

Productivity Commission<sup>20</sup>

and ensuring supply of critical products to strengthen our supply chains. Specialists and other highly skilled people are hugely important, not only to the development of these critical capabilities but growing the skills and expertise of Australian workers within them.

Given the rapidly expanding demand for skilled workers, especially in areas such as the tech industry, skilled migration will necessarily play a role in building a more productive and dynamic workforce and a stronger economy. This will support rising living standards, business growth and better wages.

### **Our population is ageing**

In one of the most welcome trends of our era, Australians are increasingly living longer and spending more years in full health. At the same time, families are having fewer children, and they are having them later in life. This ageing population is reducing labour force participation. As the Intergenerational Report 2023 notes, as the population continues to age

over the next 40 years, the overall participation rate is projected to decline gradually, from 66.6 per cent in 2022-23 to 63.8 per cent by 2062-63.<sup>22</sup> This means a lower working age population and a lower tax base to fund services that Australians will increasingly need.

The care and support economy is projected to almost double as a share of the economy over the next 40 years, having doubled over the last 40. Many of the jobs in sectors in the care and support economy will continue to be hands-on and face-to-face despite the trends towards automation more generally. Migration has a role to play alongside our education, skills and training systems, in responding to labour and skills shortfalls in our hospitals, clinics and aged care homes. More than this, young skilled migrants increase the size of the working-age population, which boosts our workforce and delays the effects of an ageing population on the economy.



### **We need to make the transition to net zero**

Australia is making the transition to net zero emissions by 2050—the most significant shift in our economy since the industrial revolution. We are well positioned to seize the economic opportunity of this transition, but we need the skilled workforce to unlock this potential, in occupations such as engineering managers, scientists and geophysicists.



**The clean energy workforce will need to grow from approximately 53,000 workers today to 84,000 by 2050 to deliver the energy transformation that is fundamental to the Government's commitment to achieve net zero by 2050.**

Jobs and Skills Australia<sup>23</sup>

As we move towards a cleaner and greener economy, a well-targeted migration system will be critical to identifying and attracting skilled workers who have the global expertise required to support the transition, including in regional Australia, where most green jobs will emerge. A better targeted migration system will support the Government's broader climate agenda, including through its Nature Positive Plan, the Net Zero Authority and the development of a Net Zero 2050 plan, as well as measures to support local jobs, skills and training.

### **We need to embark on a technological and digital transformation**

Emerging technologies are transforming workplaces, industries and economies, with the potential for greater workplace safety, improved product quality, and new markets. Rising living standards and future job prospects for Australians will necessarily depend on our ability to take up these opportunities in areas such as artificial intelligence and advanced robotics.

The Government has set an ambitious goal of 1.2 million technology-related jobs by 2030. We are focused on training more Australians to work in the technology sector, but highly skilled and experienced migrants can help uplift and train our workforce to reach this goal.<sup>24</sup>

### **The global race for talent is ramping up**

As the Migration Review notes, other countries are anticipating the changing world economy and realising the benefits of attracting migrants into their labour market, particularly those with high skill levels. As a result, Australia will face competition for highly skilled migrants from both traditional and newer competitors.<sup>25</sup>

The global working population is also becoming more skilled overall, and the nature of who is willing to migrate is changing. For example, the global population of university graduates is expected to nearly double over the next decade, reaching 300 million by 2030, with graduates from China and India accounting for about half of this pool.<sup>26</sup>



## CASE STUDY



### How to recruit a future Nobel laureate

Australia has shown it can attract exceptionally talented people from around the world in the past. We have, for instance, arguably had 4 Nobel laureates in Physics.

In 1915 the prize went to the father-and-son team of W.H. and W.L. Bragg. William Henry Bragg was a migrant who in 1885, as a 23-year-old Cambridge graduate, was appointed Professor of Mathematics and Physics at the University of Adelaide. His son William Lawrence Bragg was an Australian-born Adelaide graduate who, at 25, remains the youngest Nobel laureate in Physics.

Alexander Mikhailovich Prokhorov, who won the award as a Soviet physicist in 1964, was born in Queensland in 1916 to migrants in that state's vibrant Russian community.

Australia produced another Nobel laureate in Physics in 2011. Brian Schmidt came to a position at the Australian National University from Harvard University in the United States in 1995. Schmidt's ground breaking discovery as an astrophysicist that the universe was accelerating came soon after his arrival. Today, he is ANU Vice Chancellor.

Schmidt was granted his visa to work at the ANU's Mount Stromlo Observatory in just 4 days. Up until recently, if a brilliant young astrophysicist tried to come to Australia from Harvard to pursue world-leading research, they could wait many months and struggle to navigate the complexity of today's system, if they decided to come at all.

Source: G.M. Caroe, William Henry Bragg 1862-1942: Man and Scientist (Cambridge: Cambridge University Press, 1978)

## A fair go in the workplace

### We need to grow wages and build secure jobs

We need to ensure migrants, along with local workers, are able to enjoy the full benefits of Australia's economic and social systems, including growing wages and secure jobs. This needs to balance the benefits of markets with a significant role for government to help deliver a just society. This balance has been called 'a new province for law and order', 'civilising capitalism' and 'the Australian settlement'. Others have simply called it 'the fair go'.<sup>27</sup>

In recent years, this has not always been the case. For example, wage growth in Australia has been subdued in the past decade. Prior to the COVID-19 pandemic, wage growth averaged 2.7 per cent a year from 2010 to 2020 compared to an average of 3.7 per cent in the 10 years prior.<sup>28</sup>

To ensure 'the fair go' is a hallmark of our labour market in coming decades, more needs to be done to drive real wage growth, improve safety and job security, combat worker exploitation and support the participation of migrants—particularly migrant women.<sup>29</sup> This is particularly important in light of challenges such as rapid developments in technology, climate change, environmental pressures and geostrategic shifts, and the changing nature of work.

A well-functioning migration system, supported by strong institutions, worker protections and compliance, will complement (that is, to support rather than displace or undercut) fair wages, conditions and job security.

Ensuring migrant workers receive fair treatment in the workplace helps them achieve their full social and economic potential, and strengthen public support for migration. Coordination of the education, training and migration systems is needed ensure that the focus remains on building local workers' skills and job opportunities.

### We need to open up more opportunities for women

In the past 60 years, one of the major shifts in Australian workforce participation is women entering paid employment in increasing numbers. Having made up only around 30 per cent of the workforce in 1966, women now make up almost half of the paid workforce.<sup>30</sup> This has been a major driver of economic and productivity growth. However, in the workforce today, women remain over-represented in lower paying occupations and can be more vulnerable to exploitation, and their participation is constrained by the fact they tend to have responsibility for more unpaid care. They can face gender discrimination and bias. These problems are magnified for migrant women.

It is important that migration settings support migrant women to realise their full social and economic potential, whether as a primary or secondary applicant, including access to well-paid, secure jobs.

## CASE STUDY



### Port Kembla as an industrial migrant community

Port Kembla is a suburb of Wollongong, in New South Wales. It became a major centre for industry, noted especially for its steel production. In the years following the Second World War, migrants from many nations came to work and live there.

Migrants were able to use their secure employment at the standard rate of pay—and the higher rates offered by shift work—as a pathway to a better life, even while experiencing the sacrifices that come from being away from their homeland.

It was critical to public acceptance of migration, at the local level as well as nationally, that the newcomers were paid the going wage rates and afforded the same rights as locals. Most migrants, having access to employment offered on the principle of Australia's 'fair go' system, were able to share in Australia's post war prosperity and assist in nation building.

Like many industrial centres, Port Kembla has reinvented itself. In doing so, it draws on its Indigenous, industrial, worker and multicultural histories. Steel production continues in the town on a smaller scale, with BlueScope Steel exploring the potential for the decarbonised production of 'green steel'. A new phase in Port Kembla's migration history might be about to begin.

Sources: Eklund E (2002) *Steel Town: The Making and Breaking of Port Kembla*, Melbourne University Press, Carlton  
Peacock P (2022) [Australia's biggest steelmaker refines its green steel plans](#), PV Magazine, accessed 19 September 2023

## Building stronger Australian communities

### We need to nurture our cohesive, democratic and multicultural society

Australia's vibrant, modern multicultural society is a national strength. A cohesive, multicultural society is one which is more adaptable and resilient. It has stronger social bonds through better inclusivity, understanding and a diversity of perspectives and ideas, creating innovation and a richer experience for all.

However, while social cohesion improved during the early years of the pandemic, the sense of national pride and belonging we have in Australia appears to be declining, along with our involvement in our communities. The decline in national belonging has been felt across society but particularly among young adults and people who are financially struggling.<sup>31</sup>



**A sense of national identity and belonging is a particularly important indicator of social integration for our newest Australians who have migrated here**

Scanlon Foundation Research Institute<sup>32</sup>

Migration reform presents an opportunity to strengthen social cohesion by helping migrants more fully participate in Australian life and by building more public confidence in the migration system. An improved migration system will achieve far more than providing migrants merely to fill gaps in the labour market for a short period. It will reconnect

migration policy to nation building, democratic engagement and civic participation, as it was during our times of greatest success as a migrant nation. Removing conditions that lead to 'permanent temporariness', restoring integrity to the migration system and international education, and better planning our migration intake will all assist with these aspirations.

### We need to better manage the migration intake

As the Migration Review notes, Australia's capital cities have generally experienced much faster population growth than non-capital cities in recent years. They have sometimes struggled to plan for the infrastructure and services needed by rapidly growing populations.

The population of regional Australia has grown at only half the national rate, with remote areas of regional Australia experiencing population declines. In coming decades, many of these trends are forecast to continue.<sup>33</sup>

A better managed migration system, supported by Commonwealth regional and urban policy initiatives and state and territory government planning and infrastructure levers necessary for successful migration, can help to manage planned cities and revitalise regional communities. This also requires investment in housing and infrastructure such as schools, hospitals and transport to align with migration levels. When this does not occur, public confidence in the migration system can erode, undermining the economic and social benefits of migration.

Through a renewed focus on integrity and more targeted skilled migration, the Migration Strategy is expected to help return migration back to near pre-pandemic levels by the next financial year, which will ensure Australia can reap the greatest benefits of migration. This will be further supported by a more robust approach to migration planning, in collaboration with state and territory partners.



## CASE STUDY



### The Nhill model

The settlement of Karen refugees from Myanmar in the north-west Victorian town of Nhill (current population 2184) is one of the most remarkable stories in modern Australian migration history. It reveals the capacity of migrants to help revive a regional economy, reinvigorate a town, enrich a community and inspire others. These are not temporary migrants, but people who have committed to Australia, bought homes, formed community organisations and sent their children into apprenticeships and to university.

The initiative came from Mr John Millington, General Manager of poultry business, Luv-a-Duck. Responding to an increase in demand, Mr Millington needed additional workers, who could not be found locally. AMES Australia, a settlement agency, connected him with an emerging Karen community in Werribee, near Melbourne. Between 2010 and 2014, 160 Karen arrived, which represented about 10 per cent of Nhill's population. Luv-a-Duck employed over 50 Karen, a quarter of its workforce.

According to a 2015 report by AMES and Deloitte Access, the Karen's presence added over 70 full time equivalent positions and \$41.5 million to the local economy. Karen were soon to be found across many local businesses. The boost to the population increased the viability of hospitals, schools and trade.

'We are all enriched because of the exposure to another culture and it has made Nhill a better place to live,' the Hindmarsh Shire Chief Executive, Tony Doyle, has said. The Nhill experiment worked not only because migration settings were in place but because there were local economic opportunities to be grasped and a community willing to adapt and welcome new members in their midst.

Sources: AMES and Deloitte Access Economics Report (2015), Small Towns, Big Returns: Economic and Social impact of the Karen Resettlement of Nhill.

IMPACT (2014) [The Karen of Nhill: an experiment in regional settlement](#), Impact, 17 February 2014, accessed 22 September 2023

Bearup G (2018) 'How refugees saved a town', Weekend Australian Magazine, 21 July 2018

## Strengthening international relationships

### We need to strengthen our relationships in the region

The Indo-Pacific is the fastest-growing region in human history, and is the region forecast to have the greatest impact on Australia's future prosperity and security. We are also ideally placed to continue to benefit from the region's economic dynamism. At the same time, the Indo-Pacific is undergoing a profound transition, both economic and strategic, and previously accepted global norms are under increasing pressure.

Migration has a major role to play in managing these profound regional shifts. It is a means by which we strengthen people-to-people relationships, improve cross-cultural understanding and build our shared prosperity. It provides material and other benefits to migrants and their home nations, contributes to Australia's security and expresses a sense of shared values and aspirations. It is underpinned by our international legal obligations and builds on the history shared by Australia and the countries of our region.

Australia shares a wider vision for a region that is peaceful, stable and prosperous, where sovereignty is respected. In support of this, the Government's new International

Development Policy will drive our investments in tackling regional challenges like poverty, economic growth, healthcare, infrastructure investment, climate change and gender equality. We will invest in greater connectivity between Australia and the region, particularly Southeast Asia and the Pacific, through our international scholarship, volunteer, education and worker mobility programs.

Initiatives like the Pacific Labour Mobility Scheme (PALM) are critical to strengthening our regional relationships. The PALM scheme contributes to the economic development of the Pacific and Timor-Leste, including through remittances and building the skills of those who participate in the scheme to use when they return home, while helping Australian businesses address labour shortages and supporting the economy, particularly in rural and regional areas.

*Invested: Australia's Southeast Asian Economic Strategy to 2040*, a report to the Government by Special Envoy to Southeast Asia Nicholas Moore AO (the Moore Report), outlined that a critical enabler for increasing Australian business engagement with our region is a visa system that works to support our links with Southeast Asia.

# Why we need reform

As in the era of post-war reconstruction, Australia now confronts new challenges and opportunities with a migration system that needs reform. As the Migration Review notes, 'While aspects of the migration system are performing well, key areas of the system are broken'. Getting migration working for the nation through a system that drives a more prosperous and secure Australia will require major reform: 'it cannot be achieved by further tinkering and incrementalism'.<sup>34</sup>

This section briefly summarises the challenges with the system today that are further detailed in the relevant roadmap actions.

## **Reform is needed to ensure migration helps raise living standards for Australians**

Skilled migration—matched to the needs of the workforce and the economy—needs to be restored to its central place in migration policy. Temporary skilled migrants who come to Australia provide many immediate benefits to the economy. They supply labour, add needed skills and generate the demand for goods and services on which economic growth depends. They also contribute to community life by volunteering in educational institutions, trade unions, religious bodies, migrant organisations and sporting clubs.

However, the system today is not designed to meet our national challenges. The multiple occupation lists<sup>ii</sup> that form the basis of decision-making in the granting of temporary skilled visas are out of date and inflexible. They are a poor instrument for responding to a dynamic global economy in which technological change in areas such as artificial intelligence and robotics is rapidly generating demand for workers with skills for which there is strong global competition.

Australia's visa system, as currently designed, cannot successfully compete in such an environment. A patchwork approach will not drive the productivity improvements that are necessary to underpin our future prosperity. Australia's key permanent visa to drive innovation, **the Business Innovation and Investment Program, sees over 80 per cent of company directors invest in small retail or hospitality businesses**, rather than in sectors that will drive Australia's future innovation and productivity.

Similarly, **the long-established points test system is no longer operating in a way that will lead to the selection of skilled migrants best able to contribute to Australia's long-term needs. Migrants are often awarded points for persistence and their ability to prolong their stay in Australia**, rather than their contribution to Australia's long-term economic needs.

Our world-class education system has increased our prosperity by supporting exports, but many international students struggle with the transition into the labour market post-study. **More than 50 per cent of graduate visa holders with a bachelor's degree or higher are working significantly below their skill level.**<sup>35</sup>

We also need to do more to strengthen integrity in international education, to ensure **only genuine providers and genuine students are able to participate in the sector.** Growth needs to be sustainable and principally driven by quality and a strong connection with our national interest. This has not always been the case in recent years. The Migration Strategy will ensure this occurs.

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<sup>ii</sup>Short Term Skills Shortage List, the Medium and Long Term Shortage List, and the Regional Occupations List





## Restrictive occupation lists make it harder for Australia to attract highly skilled migrants

As the world decarbonises, Australia has a unique opportunity for economic transformation that ensures the nation, its regions and community realise and share the benefits of the net zero economy. We need to make sure we have the skills and the ability to attract the best talent to do this.

Goterra is a Canberra-grown start-up, building a circular economy that harnesses the power of insects to radically reduce the impact of food waste on the planet. They have created a modular waste management infrastructure to farm black soldier fly larvae at the site waste is produced.

When Goterra needed highly specialised insect farming expertise, they found their perfect fit in a South African insect farming specialist, one of a handful in the world. Despite having extensive experience, their highly skilled candidate was not eligible for an employer-sponsored skilled visa as his occupation was not on the combined skilled occupation list.

Goterra instead had to negotiate and enter into a Company Specific Labour Agreement, requiring a detailed business case that included support from several key industry and government bodies such as CSIRO, University of Queensland and the Insect Protein Association of Australia.

This process takes significantly longer and is more resource intensive than the standard business sponsorship or other permanent skilled visa options. Hundreds of businesses looking for highly skilled migrants have had to follow this same cumbersome process, with many likely losing out on talent.

Source: Goterra – [goterra.au](https://goterra.au); ABC News, 26 April 2023, [Migration system review to trigger major visa reforms - ABC News](#), both last accessed 3 August 2023

## **We need to redesign the system to give workers a fair go**

We have the opportunity to design out of the migration system features that act as a barrier to both migrant and local workers enjoying the benefits of a fair and inclusive labour market. As noted by the Migrant Workers' Taskforce, '[t]he underpayment and exploitation of a substantial number of temporary migrant workers in Australian workplaces is an unacceptable practice... [and] it has been a feature of the Australian labour market for too long ... It is unfair not only to migrant workers, but also to other employees who are undercut on wages and job opportunities, and law abiding employers trying to compete on price.'<sup>36</sup>

The migration system has also increasingly been used in lower paid sectors, where the risk of underpayment for migrant workers is higher, and where some evidence suggests a poorly designed migration system can depress wages or limit wage growth.<sup>37</sup>

The Grattan Institute notes that 'freezing the Temporary Skilled Migration Income Threshold [at \$53,900] appears to have put downward pressure on wages earned by Temporary Skill Shortage (TSS) visa-holders,' especially those in the hospitality sector.<sup>38</sup>

The overall effect of such a policy has been to undermine the capacity of our migration system to attract the skilled workers needed for our modern economy, while depressing wages and reducing employment opportunities in some industries.

The Government's decision to lift this threshold to \$70,000 and index this figure annually will help secure the integrity of our skilled migration program, while ensuring it is targeted to our skills needs and maintains the confidence of the Australian people in the years ahead.

Sponsored skilled migration ties the migrant worker to a particular job, thereby rendering the migrant heavily dependent on a single employer, not only for their livelihood but to secure another temporary visa or a permanent visa that will allow them to continue their lawful residence in Australia. The power imbalance in such a situation can provide opportunities for worker exploitation. Allowing migrant workers greater flexibility in switching jobs would reduce the likelihood of unfair treatment while also driving welcome productivity benefits to employers and the economy.

Migrant women have poorer labour market outcomes than Australian-born women and migrant men. As noted by the Migration Review, migrant women are often highly skilled and want to participate more in Australia's labour market. More can be done to improve experiences and economic outcomes for migrant women, and provide greater opportunities for their labour force participation, including for secondary applicants, to maximise their economic contribution. This would support productivity growth and gender equality, and ensure Australia's migration settings reflect the Government's commitment to fairness, inclusion and equity.

Fostering a dynamic, resilient and growing economy as the world adapts to new structural changes requires investment in people's skills and education, which in turn provides broad opportunities for employment and well-paid, secure jobs and relevant services. Responsive, effective education and training systems, forward-looking skills-based policy and well-targeted migration will mean Australia is well positioned for these future structural forces.

## CASE STUDY



### Single employer sponsorship is a key driver of migrant worker exploitation

Mr Farzady, an electronic technician on a subclass 457 (Skilled-Regional Sponsored) visa, was found by the Fair Work Commission to have been unfairly dismissed. While the 457 visa has since been replaced by the Temporary Skill Shortage visa, the relevant employer sponsorship settings remain largely the same.

The Commission accepted Mr Farzady's evidence that his employer took advantage of him, including by reassigning him to unskilled tasks; requiring him to work long hours, including weekends without additional pay; having him chauffeur friends and business associates after hours, and work on the employer's farms on many Sundays without pay. In this case, the employer's promise of sponsorship for permanent residence was withdrawn following dismissal.

The Commission found, as a sponsored 457 visa worker, Mr Farzady was in a position where he was vulnerable to exploitation because of his strong desire to remain in Australia—and the need to maintain sponsorship to do so.

The Commission described as disgraceful the apparent actions of the employer to exploit his vulnerability by compelling him to work unpaid overtime, likely failing to pay superannuation entitlements and making substantial deductions from his wages.

To then terminate his employment was 'appalling' and his dismissal 'harsh, unjust and reasonable', as Mr Farzady lost a sponsored opportunity to stay in Australia.

Mr Farzady's story is not a unique one, with countless migrant workers and trade unions expressing the same concern in their submissions to the Migration Review.

Source: Review of the Migration System 2023

## **We need to ensure migration supports stronger Australian communities**

An over-reliance on temporary visa status—sometimes accompanied by high levels of insecurity and stress for migrants and instances of worker exploitation—harms migrants’ sense of civic belonging and runs counter to Australian values. In contrast, the existence of a pathway to permanency and citizenship for skilled migrants will greatly enhance social cohesion, consolidate multiculturalism and strengthen democracy.

Temporary migration has expanded rapidly since 2000, from about 700,000 temporary migrants to around 2.2 million temporary migrants in 2023 (excluding visitors and transit visas).<sup>iii</sup> For many of these people, some of whom have been in Australia for more than 5 years, there is no clarity on a pathway to permanent residence; rather, they experience the limbo of permanent temporariness.

These migrants contribute their labour, skills and wages to our economy, pay their taxes and, within the limits of their present circumstances of job and visa insecurity, contribute to civic and community life. Yet they lack the sense of belonging that attaches to permanent residence and citizenship.

While not all temporary migrants will receive permanent residence under Australia’s capped permanent migration program, complex visa settings that incentivise persistence have led many migrants to stay for years, jumping from visa to visa to prolong their stay, which leads to poor social and economic outcomes for migrants and for the nation.

It is incumbent upon the Government to provide more clarity to migrants who have fewer prospects of becoming permanent residents, to ensure they are not lured into a false sense of hope about their prospects in Australia.

Migration is an Australian Government responsibility, but the efficacy of any migration system or policy has since Federation depended heavily on the cooperation of state (and, more recently, territory) governments. Yet despite migration driving two-thirds of our population growth, we have not historically had a national long-term planning process that integrates migration with the state and territory government policies that are essential in making any migration system effective.

State and territory governments play a central role in the day-to-day activities that can make or break any migration policy: the provision of general infrastructure, public transport, housing and services such as healthcare, education and migrant support. Planning our migration intake with these levers in play helps maintain and strengthen a ‘social license’ for our migration system. Such coordination is critical to the wellbeing of migrants themselves, as well as to the willingness of the Australian people to support the migration program and recognise its benefits.

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<sup>iii</sup> As at October 2023.

In its submission to the Migration Review, the Regional Australia Institute noted the profound impact that migration, in particular skilled migration, has on regional Australia:

‘It significantly affects regional population growth and has been shown to have the potential to revitalise ageing or declining communities, especially in rural and remote Australia ... [and] is also vital for filling jobs.’<sup>39</sup> However, regional migration measures have often been too complex and patchwork, without being integrated with the broader government and social levers that can make regional migration successful.

### **Migration can do more to strengthen our people-to-people relationships in our region**

Australia’s migration intake has increasingly turned to our own region since the 1970s, with many positive effects on our relationships with our nearest neighbours. But the system is no easier for migrants from these places to navigate than it is for anyone else. Even New Zealanders—who are allowed to enter, live, work and study in the country—had until recently been denied fair pathways



My husband and I are both ecstatic to hear the news of the new laws, which we beautifully found out about on ANZAC Day. I am proud to have this opportunity to become an Australian, having worked and contributed to the economy.

Lillian, Queensland healthcare worker, originally from the Cook Islands and New Zealand

to citizenship and experienced a range of problems arising from their permanently temporary status.

For all, the complications of negotiating the large number of sometimes overlapping visa categories undermines the goodwill that Australia’s mainly successful history of regional migration and multiculturalism at home should have built. Australia has a good story to tell about its success as a diverse and welcoming society, but that can be undermined by the frustration that so many experience with our migration system.

### **We need a system that is simpler and focused on integrity**

The migration system is currently regarded by many who have to negotiate its complexities as lacking in efficiency and fairness. It is a common refrain across almost all elements of the system, from occupation lists, to skills assessments, to the visa application process. Untangling the drivers of complexity requires improved policy and process, and greater flexibility and responsiveness.

Building a system that works and retains public confidence also calls for a stronger focus on integrity to ensure those who interact with the migration system follow its rules.

In January 2023, the Minister for Home Affairs appointed Ms Christine Nixon, AO, APM to undertake a Rapid Review into the Exploitation of Australia’s Visa System (the Nixon Review). The findings of this Review showed the system today is beset with gaps and weaknesses that provide opportunities for unscrupulous actors to operate unchecked. Restoring integrity requires structural reform, for example, in the enforcement of visa settings and the protection of migrant workers. This Strategy and the Government’s response to the Nixon Review set out a path to do this.



# OBJECTIVES TO GUIDE THE MIGRATION SYSTEM



Raising living standards for Australians

- Supporting productivity growth
- Addressing the impacts of an ageing population
- Meeting skills needs
- Strengthening our export industries



Ensuring a fair go in the workplace

- Complementing the employment, skills and experience of local workers
- Supporting wage growth for all workers
- Preventing exploitation of migrant workers



Building stronger Australian communities

- Providing clear pathways to permanent residence
- Supporting a well-managed migration intake
- Building a cohesive, multicultural society
- Supporting relationships with family abroad



Strengthening international relationships

- Deepening international links, especially with partners in the Indo-Pacific region
- Contributing to international efforts to support refugees

In support of above



Making the system work

- Delivering services quickly and effectively
- Ensuring integrity and compliance
- Managing our international borders
- Supporting strong fiscal outcomes



# Objectives to guide the migration system

Australia's migration system for the coming decades will be shaped by the above clear objectives. This will deliver on the Government's vision to get migration working for the nation, helping deliver a prosperous and secure Australia. A commitment to these objectives will drive strong delivery, ensure improvement, and build trust and confidence in the system.

In designing a system to achieve this vision and objectives, the Migration Strategy is focused on developing a flexible, measurable and responsive whole-of-government migration system. This will help deliver effective and clear outcomes for migrants while enhancing the benefits of migration for Australia.

This requires both setting the direction for the future and fixing elements of today's system that are inconsistent with that direction. The Government, through this Strategy, defines a purpose for different visas. The actions in the roadmap seek to realise this purpose.

Take three examples:

- The primary purpose of a temporary skilled visa is to meet Australia's skills needs. To deliver this, actions are proposed to unlock access for higher skilled migrants, while only using migration in lower-paid sectors where a genuine labour market need has been established.
- The primary purpose of a permanent skilled visa is to drive Australia's long-term prosperity. To deliver this, actions are proposed in all streams in the permanent program to restore their focus on driving Australia's long-term prosperity, including through our commitment to explore a reformed points test.

- The primary purpose of a student visa is to study. To deliver this, actions are proposed to better regulate the international education sector and education agents, and to ensure student visas are used primarily for study, not work.

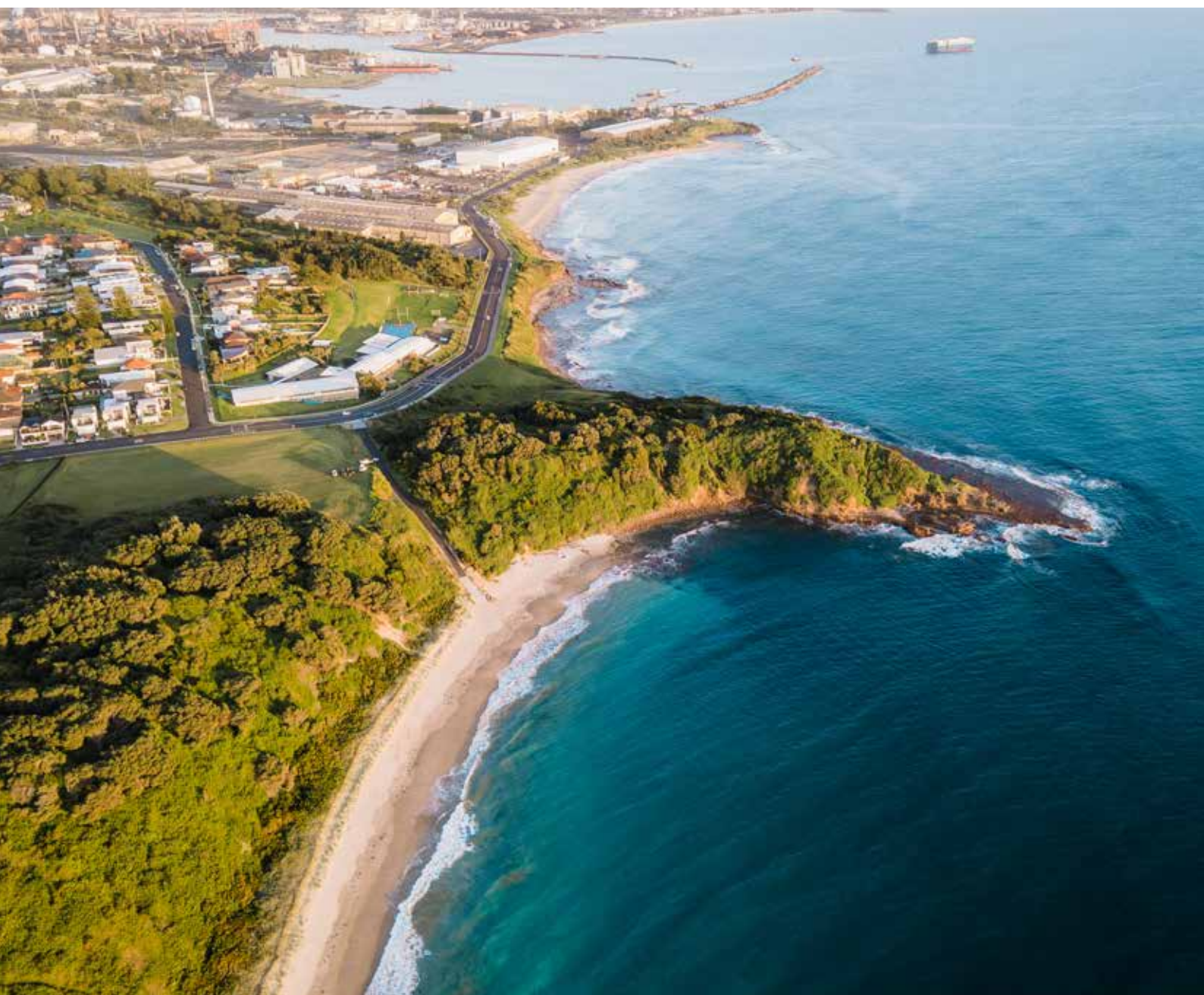
The disruptions of the COVID-19 pandemic reminded Australians of the many ways our modern prosperity has depended on migrants' contributions to our economy and society, including through participation in our world-class international education system. Migration does not offer the solution to all of Australia's economic and social problems. This Migration Strategy is, however, based on evidence and experience that has shown migration must be part of any solution.

A successful migration system will be geared primarily to securing Australia's long-term prosperity. It will also be sufficiently responsive to help meet more immediate labour market needs where they arise, but this aspect will not be the defining feature of the system, nor a major driver of its design. A successful system will eliminate the features of the present arrangements that provide opportunities for worker exploitation and thereby undermine both social justice and public trust.

The system will be simpler to understand and use, will be based on the principles of efficiency and integrity, and will instil high levels of public confidence. It will be subject to regular evaluation of outcomes, in terms of economic needs and migrant experience. It will not be set in stone: the system will be sufficiently flexible to respond to new—including unforeseen—challenges, both domestic and global.

Australia's migration system has always worked best when it balanced national needs with migrant opportunity. A well-functioning system delivers benefits to both nation and migrant. Under this Migration Strategy, Australia benefits not merely from the temporary filling of a gap in the workforce but from the full range of skills, capabilities, hopes and aspirations that migrants bring to bear in building a new life in a place they can call their home.

Finally, a successful migration system will elevate transparency—of aims and performance—and accountability among those responsible for its design, development and administration. It is an enhancement of our democracy as well as our society and economy.





# REALISING OUR VISION



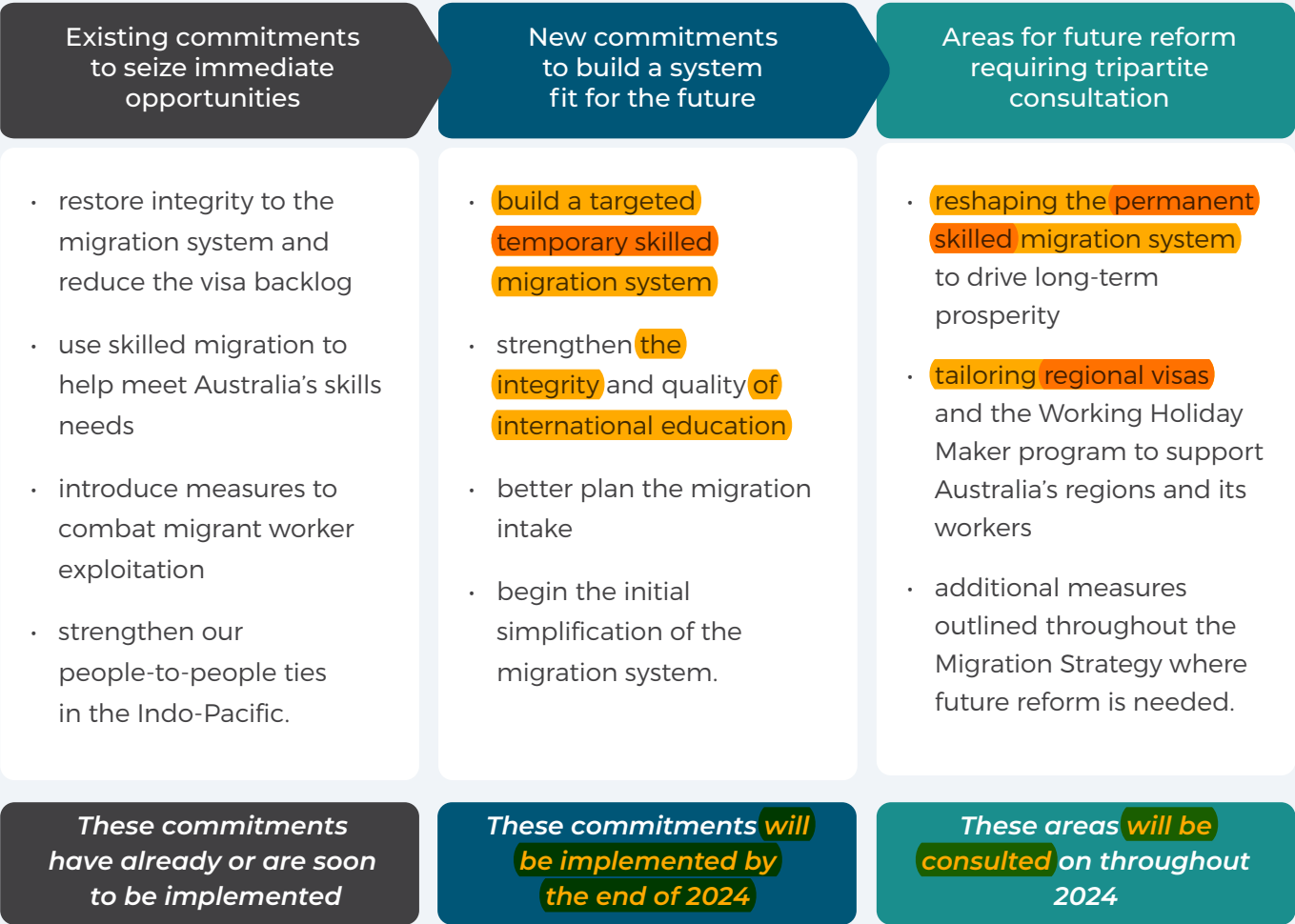
# REALISING OUR VISION

## Policy Roadmap and the Path Forward

### Summary of 8 key actions

To realise the Government's vision and objectives for the migration system, an ambitious policy roadmap has been developed, with **8 key actions**. Given generational reform takes time to deliver, the Government proposes a phased approach across three stages.

As part of this consultation, the Government will publish discussion papers on permanent skilled migration and regional migration, including the evaluation of the Working Holiday Maker program.





# Targeting temporary skilled migration to address skills needs and promote worker mobility

## EXISTING COMMITMENTS INCLUDE:

- Raise the Temporary Skilled Migration Income Threshold (TSMIT) from \$53,900 to \$70,000
- Provide a pathway to permanent residence for temporary skilled visa holders.

## NEW COMMITMENTS INCLUDE:

- Develop a new Skills in Demand visa, with full mobility and clear pathways to permanent residence
- Develop a Specialist Skills Pathway to drive innovation and job creation
- Develop a Core Skills Pathway to meet targeted workforce needs
- Legislate indexation of income thresholds to maintain system integrity
- Take a coordinated, evidence-based, tripartite approach to identifying skills needs
- Streamline Labour Market Testing to reduce complexity
- Establish a best practice service level agreement for processing times and a modernised accreditation pathway to better compete for talent.

## AREAS FOR FUTURE REFORM INCLUDE:

- Consider how best to regulate migration for lower paid workers with essential skills.

# INTRODUCTION

The purpose of Australia's temporary skilled migration system is to address labour shortages and provide a pathway for potential future permanent residents.

Currently, the primary visa used to facilitate temporary skilled migration is the Temporary Skill Shortage visa (subclass 482), previously the subclass 457). This visa has three streams:

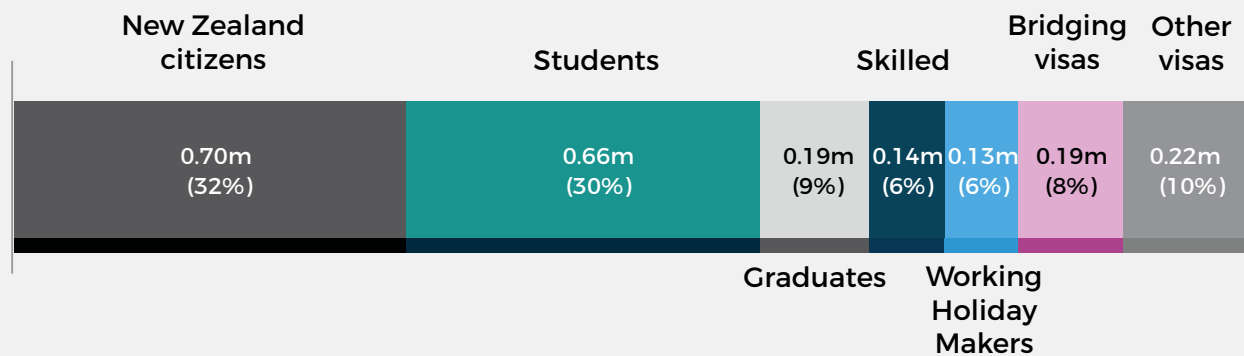
- Short-term stream—primarily a 2-year visa for occupations on the short-term skilled occupations list
- Medium-term stream—primarily a 4-year visa for occupations on the Medium and Long-term Strategic Skills List or the Regional Occupation List
- Labour Agreement stream—for employers and workers who do not meet standard visa rules.

Workers in the short-term and medium-term streams must be paid above the TSMIT. As of 1 July 2023, this amount was \$70,000. Employers who use this visa must be approved and often must conduct labour market testing, while migrants have to be 'sponsored' by a single employer.

The temporary skilled migration system is a small component of Australia's total temporary migration system (9 per cent) and, under the Migration Strategy's vision for a more targeted skilled migration system, will remain modest.

## Most temporary migrants are students, graduates or NZ citizens

Figure 1: Temporary migration purposes: a breakdown of the total number of temporary migrants in Australia



Source: Department of Home Affairs (August 2023)



## Guardrails

We will design a targeted temporary skilled migration system, underpinned by the following guardrails established by the Migration Review:

- **A tripartite approach**, involving perspectives from business, unions and government in determining the role of migration in meeting identified gaps in the labour market and delivering fair and efficient outcomes.
- **Evidence-based approaches** to identifying labour market need, connecting domestic skills, training and migration.
- **Mobility for temporary migrants in the labour market**, to provide migrant workers with greater protections, and the economy with the flexibility it needs to be dynamic.
- **Integrity in the system** and our approach to temporary migration, including a migration system that is transparent and accountable.
- **Universality** means all temporary skilled migrants engaged in the labour market should be governed by the same regulatory framework within the visa system, albeit via a flexible, risk-assessment-based approach.

## WHY ACTION IS NEEDED

There is a clear opportunity for Australia to capture the economic and social benefits of attracting migrants from a rapidly growing pool of young, skilled talent, particularly from emerging markets. However, the current system is designed back-to-front. Despite our productivity and workforce challenges, too many barriers stand in the way of attracting highly skilled workers to come to Australia.

Conversely, despite the need to improve access to fair and inclusive labour markets, the migration system does not include explicit strategic planning for migration in lower-paid sectors of the economy, where worker exploitation is a greater risk. These pathways have emerged, for example, through labour agreements and other temporary migration programs such as the Working Holiday Maker program and the international student program, where workers

are largely temporary and not permanent and sustaining contributors to a workforce.

The significant growth in the number of labour agreements is a clear indication that the current temporary skills program is failing to meet Australia's skilled workforce needs.



To ensure Australia is attracting the most innovative and productive migrants through the skilled migration program, we need a system that encourages rather than prevents workers in emerging occupations to join the Australian labour force.

Technology Council of Australia<sup>40</sup>

Multiple, outdated and inflexible occupation lists lock out many highly skilled workers who bring enormous economic benefit to Australia. When a new occupation emerges, as often occurs in technology-related roles, it can take years for an occupation list to reflect this change. To be globally competitive, this requires Australia to move away from constraining occupation lists for specialised workers, and a more flexible, updated approach to constructing occupation lists for workers with the core skills we need.

The domestic skills and training system can better integrate with the migration system, using an evidence-based approach to help bring in the skills and capabilities that align with Australia's rapidly changing needs. Current labour market testing requirements are also overly complex and do not work.

Fundamental elements of the program exacerbate the power imbalance between employers and migrants, making some migrants vulnerable to exploitation. In particular, the current arrangements are based on a single employer sponsorship model with limited scope for the migrant to change their employer without risking their visa status.



**Australia's temporary migration program is characterised by widespread exploitation of migrant workers and the absence of clear pathways to permanent residency.**

United Workers Union<sup>41</sup>

The Temporary Skills Shortage visa does not always have clear pathways to permanent residence. For many visa holders their intended visit is for a short temporary business purpose. However, the absence of clear pathways to permanent residence, particularly for longer term temporary residents wishing to remain in Australia, creates needless uncertainty and risks Australia losing skills and talents it needs. The reliance on a single employer for a pathway to permanent residence, by placing so much power in the hands of an individual employer, is also a driver of migrant workers' vulnerability to exploitation.

## ACTION

### EXISTING COMMITMENT:

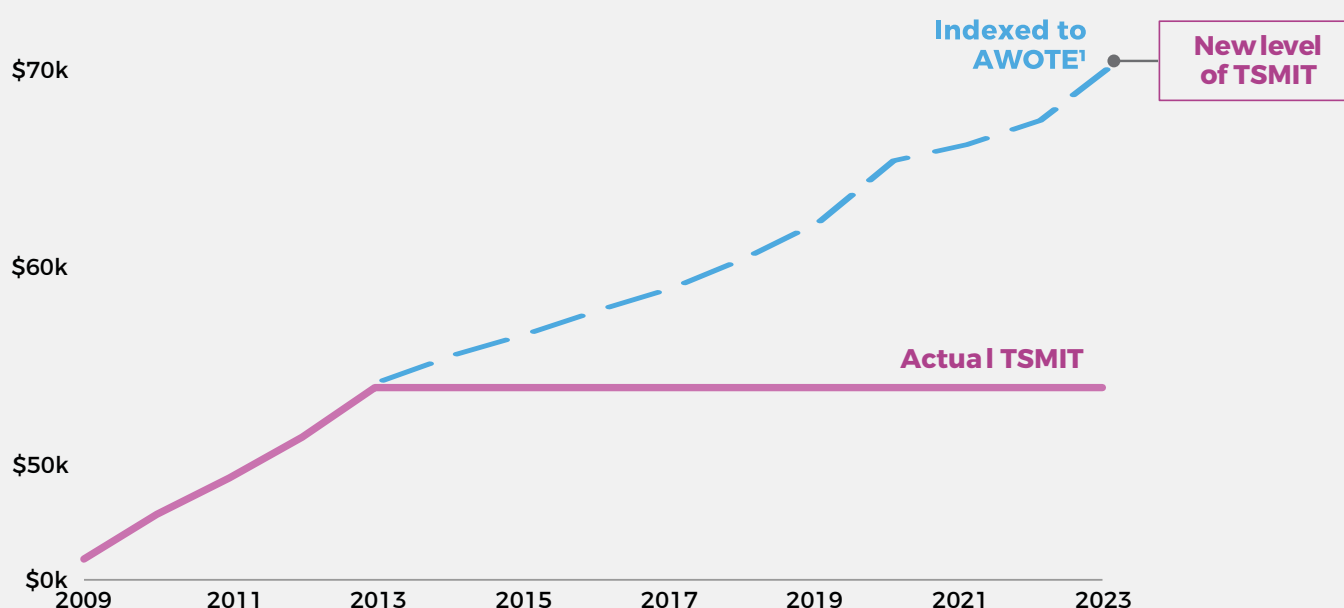
Raise the TSMIT from \$53,900 to \$70,000

The TSMIT had been frozen at \$53,900 since mid-2013. By 2023 around 90 per cent of all full-time jobs in Australia were being paid more than the TSMIT—a threshold which was intended to ensure that the temporary skilled migration program focused on well-paid skilled jobs. Instead, it has increasingly included lower paid workers. This trend has undermined the basis of Australia's skilled migration system and helped erode public confidence in it.

The Government's first action in response to the Migration Review was to set a new \$70,000 income threshold for the TSMIT, which came into effect from 1 July 2023. This change restores the threshold to approximately where it would have been if it had been indexed over the previous 10 years. The TSMIT will become the new Core Skills Threshold to establish eligibility for the new Core Skills Pathway set out below and will be indexed annually.

## The TSMIT has been raised to \$70k, in line with if it had been indexed

Figure 2: Value of the TSMIT today if it had been indexed since 2013



1. AWOTE is an abbreviation for average weekly ordinary time earnings  
Source: Grattan Institute (2022); Department of Home Affairs (2023)

### EXISTING COMMITMENT:

Providing a pathway to permanent residency for all temporary skilled sponsored workers

On 27 April 2023, the Government committed to provide a pathway to permanent residence for temporary skilled visa holders in the short-term stream of the Temporary Skill Shortage visa. This has now occurred following a number of regulatory changes in November 2023. This pathway is in addition to the existing pathway for the medium-term stream and helps maintain Australia as a destination of choice for skilled migrants. The pathway also helps restore permanency at the heart of Australia's skilled migration system as all temporary skilled migrant workers will now have a clear pathway to permanent residency.

This does not mean a pathway for all temporary migrants in the country, nor a guaranteed place for every temporary skilled migrant worker in any given year. It means providing a clear pathway for temporary skilled sponsored visa holders.

### NEW COMMITMENT:

Develop a new Skills in Demand visa, with full mobility and pathways to permanent residence

The Government will introduce a new 4-year temporary skilled worker visa—the Skills in Demand visa. This new visa will give workers more opportunity to move employers and will provide clear pathways to permanent residence for those who want to pursue them. The simpler and better targeted Skills in Demand visa will replace the complex single employer sponsored Temporary Skill Shortage visa, which business and unions agree is not fit for purpose.

A key feature of this visa is an alternative approach to mobility—with new visa settings, streamlined applications and consideration of trailing employer fees that **remove many onerous conditions that tie a migrant to a single employer.** These components will help design out elements that contribute to worker exploitation and reduce barriers to job switching in the labour market, which will lead to a more productive workforce.

This model is similar to ‘temporary skill mobility visa’ proposals advanced by migration experts,<sup>43</sup> which is a preferred approach over other models considered, such as industry sponsorship. This new model allows for worker mobility across industries, which better reflects the nature of how skills are used, and how they will be increasingly used, in the labour market. For example, the most common occupation in the current Temporary Skill Shortage visa is a software engineer, and like most occupations, a software engineer’s skills can be used across industries, such as in manufacturing, transport and logistics or financial services.

“

Higher rates of job switching improve the matching of employees with employers which, in turn, contributes to improved productivity for employers, and higher wages and job satisfaction for workers.

Employment White Paper<sup>42</sup>



Table 1: A new approach to worker mobility

<b>CURRENT: Single employer sponsored Temporary Skill Shortage visa</b>	<b>FUTURE: Full worker mobility Skills in Demand visa</b>
<p><b>Restricted pathways to permanent residence</b> Visa holders in the short-term stream do not have a pathway to permanent residence. Only periods of employment with the nominating employer can count towards permanent residence requirements. For many temporary skilled migrants, limited self-nominated options exist to become a permanent resident.</p>	<p><b>Guaranteed pathways to permanent residence</b> Skills in Demand visa holders will have a pathway to permanent residence. Periods of employment with any approved employer will count towards permanent residence requirements. Temporary skilled migrants will also be enabled to apply for permanent residence through self-nominated independent pathways, for example, through a reformed points test.</p>
<p><b>Quick removal if you can't find a new job</b> If the employment relationship with a sponsor ceases, visa holders only have 60 days to find another sponsor or face being removed.</p>	<p><b>More time to find a new job</b> If the employment relationship with a sponsor ceases, visa holders will have 180 days to find another sponsor and can work during this period.</p>
<p><b>Upfront employer fees</b> Employers must pay the Skilling Australia Fund upfront at the time of application, which deters new employers from offering sponsorship.</p>	<p><b>Trailing employer fees</b> The Government will explore a model for employers to pay trailing charges and fees (e.g. monthly or quarterly) to make hiring a new migrant less onerous.</p>
<p><b>Visa application barriers</b> Visa applications can take months to process without any certainty for migrants or their employers.</p>	<p><b>Streamlined visa applications</b> Visa applications will be backed by a service standard for visa processing, enabling employers to fill a vacancy quickly.</p>
<p><b>Lack of clarity about other sponsors</b> If a migrant wishes to change employers, they are not easily able to gain access to a list of approved sponsors to assist with finding a new job.</p>	<p><b>Public register of sponsors to assist mobility</b> A public register of approved sponsors, including the number of migrants sponsored and their occupations, will be developed to assist migrants wishing to find a new sponsor.</p>



## Trailing employer fees

The Government will explore a model for employers to pay trailing charges and fees, rather than upfront fees, to facilitate mobility and improve small business access to the migration system. Under the current model, sponsors are required to pay a range of fees upfront including sponsorship (\$420) and nomination (\$330) fees and the Skilling Australian Fund (SAF) levy (up to \$7200). An upfront nomination fee may be included to dissuade against employer poaching and unscrupulous actors. A new trailing fee model would help facilitate workers' mobility and provide scope for job switching.

The Government will continue consultation on the details of a trailing payment model with stakeholders **before the launch of the new Skills in Demand visa.**

### NEW COMMITMENT:

**Develop a Specialist Skills Pathway to drive innovation and job creation**

The government will create **three targeted pathways within the Skills in Demand visa,** adopting the 'risk-based approach to regulation' recommended in the Migration Review.

**The first pathway is the Specialist Skills Pathway.** This pathway recognises highly skilled migrants are hugely beneficial to Australia's national productivity, including through their support of critical sovereign capabilities and potential to grow the skills and expertise of the Australian workforce.

This pathway will be a new streamlined approach for highly skilled specialists, to ensure Australia can quickly and easily recruit top talent in areas of need. It will, for example, help Australia attract highly skilled Engineering Managers who develop electrolyzers to help with our transition to a net zero economy, Cyber Specialists who assist banks to respond to cyber-attacks and Software Engineers who help Australia embrace the artificial intelligence transformation.

**The Specialist Skills Pathway will be available to applicants who meet the general eligibility criteria (for example, be nominated by an approved employer, meet the health and character requirements) and who are:**

- **in any occupation except** trades workers, machinery operators and drivers, and labourers
- **earning at least \$135,000 (the Specialist Skills Threshold)** and no less than Australian workers in the same occupation.

This Specialist Skills Pathway will recognise that migrants entering through this pathway meet a national need that is broader than filling a narrowly defined gap in the labour market. Highly skilled migrants bring significant economic benefits. They are more likely to bring productivity enhancing knowledge and ideas, create jobs for locals and generate significant fiscal returns through taxation. They help meet labour needs that exist at an individual firm level and assist companies in acquiring specialist knowledge, niche technologies or research expertise unavailable in Australia, and skillsets not picked up in occupational definitions. These migrants are prime candidates to choose other countries if we do not provide competitive visa offerings and better compete in the global race for talent.

The Specialist Pathway threshold of \$135,000 closely corresponds with the 90th percentile earnings for all workers. It is forecast that this pathway could lead to \$3.4 billion in benefit to the underlying cash balance over the next 10 years, not accounting for the broader significant economic benefit to their employers and to the Australian economy.

The Government will commit to a service standard of 7 days median visa processing time for workers in the Specialist Skills Pathway. The achievement of this standard will ensure Australia's migration system is among the most attractive in the world for highly skilled migrants.

This Specialist Skills Pathway will, in its scale, remain a modest part of the temporary skilled program over time. The Government is committed to protecting the integrity of this pathway to ensure that the skills involved are genuinely specialised and in high demand.

- The Specialist Skills Threshold will be indexed annually through legislation to maintain the intent of the pathway over time.
- Jobs and Skills Australia will have dedicated resourcing to monitor labour market impacts of this pathway to ensure it supports job creation and upskilling of local workers. Tripartite mechanisms will be regularly advised and consulted on the use and impacts of this pathway.
- The Department of Home Affairs will establish a monitoring mechanism to ensure that employees are not paid less than their nominated salary. Employers who pay migrants less than this amount may be barred from sponsoring any additional migrants for a period of time, including migrants through the Specialist Skills Pathway, and may be subject to other penalties under the *Migration Act 1958*.

- The salary threshold will be calculated to ensure employers cannot artificially inflate a salary or rely on excessive overtime to meet the threshold.

*Additional protections and oversight mechanisms (for example, a public register of approved sponsors) are described in Action 4: Tackling worker exploitation and the misuse of the visa system.*

#### **NEW COMMITMENT:**

**Develop a Core Skills Pathway to meet targeted workforce needs**

**The second pathway in the new Skills in Demand visa is the Core Skills Pathway.**

Most temporary skilled migrants will come through the Core Skills Pathway, which is designed to bring in the skilled employees Australia needs now and in the future to ensure that we are able to provide ourselves with the goods and services we need to support our way of life. It might include, for example, a Registered Nurse who is helping a regional hospital's emergency department deal with acute workforce shortages or a Secondary School Teacher helping teach science in our public schools.

The Core Skills Pathway would be available to applicants who meet the general eligibility criteria and:

- whose occupation is on a **new Core Skills Occupation List**, which relates to occupations identified by Jobs and Skills Australia as being in shortage or where Australia has committed to providing access to our labour market in relation to that occupation through international trade agreements

- who will be paid a salary at or above the TSMIT (to be retitled the Core Skills Threshold, when the new system is implemented), or the relevant average market salary where it is above the TSMIT.

Unlike the Specialist Skills Pathway, trades workers, machinery operators and drivers, and labourers will be eligible under the Core Skills Pathway subject to being identified on the Core Skills Occupation List based on advice from Jobs and Skills Australia, and being paid above the TSMIT (including for roles paid above the Specialist Skills Threshold).

The Migration Review was critical of the current approach to identifying skills needs and recommended a more forward looking and evidence-based approach led by Jobs and Skills Australia that takes account of domestic training and workforce planning efforts.

*The approach to constructing the Core Skills Occupation List can be found in Action 5: Planning migration to get the right skills in the right places.*

**AREA FOR FUTURE REFORM:**  
Consider how best to regulate migration for lower paid workers with essential skills

The Migration Review noted that ‘labour needs are growing in some lower paying sectors ... and may not be able to be fully met from within the domestic workforce’.<sup>44</sup> A key principle of the Migration Strategy is that where a genuine shortage exists, it is better to meet this through visas with work rights as the primary purpose, integrated with the domestic skills and training system.

However, the Migration Review also noted that ‘any shift to increase lower paid migration presents complex economic and ethical

challenges’ and recommended ‘further whole-of-government consideration be directed to these issues to determine a future role for migration in meeting lower paid needs’.<sup>45</sup>

Currently, when an employer wants to gain access to a temporary skilled migrant outside of the standard visa rules, including for migration below the TSMIT, they do so using labour agreements. There are currently more than 1,800 unique labour agreements in effect. Visa grants under labour agreements now make up approximately 5 per cent of the temporary skilled migration system.

Yet, many of these agreements do not contain the protections that would be expected in lower paid sectors and occupations ‘who are most at risk of exploitation and displacing Australian workers with similar skills’.<sup>46</sup> This is a sign that the migration system is not working as intended.

The Government will further evaluate how to develop an **Essential Skills Pathway**—a more regulated pathway for lower paid workers with essential skills—in consultation with state and territory governments, unions, businesses and migrant workers. In defining essential skills, the Government may give consideration to sectors and occupations **that are vital to supporting the living standards** of Australians and where persistent shortages exist. Improvements in wages and conditions in such occupations, where they have occurred, have not proven sufficient to meet these labour shortages in the short term.

The Government is primarily considering the pathway in the context of the care and support economy, which has become essential to the quality of life of Australians. In doing so, the Government will maintain the primacy of our relationships with the Pacific as a guiding principle.

The Aged Care Industry Labour Agreement and the pathways for aged care workers through the PALM scheme<sup>iv</sup> will provide strong lessons for the Government, unions and employers for any future design of more regulated pathways for lower paid workers with essential skills. More than 20 Aged Care Industry Labour Agreements have been signed since its introduction in May 2023, which provides for up to 9,000 direct care workers over 5 years. We will look to examine lessons of these programs and their settings, through tripartite consultation, to inform the design of any new pathway.

This pathway would be distinct from the Core Skills Pathway and the Specialist Skills Pathway. These arrangements would be sector-specific, capped, embedded with stronger regulation and minimum standards and subject to further advice from Jobs and Skills Australia and its tripartite mechanisms. With this approach and these principles in mind, and acknowledging that there will always be a role in the system for labour agreements, the Government will evaluate existing labour agreements for below-TSMIT migration and will rewrite guidelines for future labour agreements to provide stronger worker protections. The Government will further consider how best to enshrine these guidelines in legislation.

Within sectors, the distinction between the Core Skills Pathway and Essential Skills Pathway could be defined by occupation and pay. For example, in the care and support economy, Aged and Disabled Carers would have access via the Essential Skills Pathway, but most Registered Nurses or Allied Health Professionals would have access via the Core Skills Pathway. Both pathways, however, will be regulated to ensure that Australia is receiving the skilled workers it actually needs and the employees concerned are protected from exploitation.

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<sup>iv</sup> The PALM Scheme is explained in more detail in Action 7: Deepening our people-to-people ties in the Indo-Pacific.

The Government will further consult on how best to regulate migration for lower paid workers with essential skills in early to mid-2024.

#### **NEW COMMITMENT:**

**Legislate indexation of income thresholds to maintain system integrity**

The Government will index the new Core Skills and Specialist Skills Thresholds in line with annual movements in Average Weekly Ordinary Time Earnings. This indexation requirement will be specified in legislation to provide clarity and predictability for migrants and employers, as recommended in the Migration Review.

#### **NEW COMMITMENT:**

**Take a coordinated, evidence-based, tripartite approach to defining skills needs**

The Government has established a formal role for Jobs and Skills Australia in defining skills needs. Its approach will be evidence-based and draw on advice from tripartite mechanisms. Coordination of the education, training and migration systems will all feed into this process to ensure identified labour shortages are dealt with in a holistic manner.

*Further information on Jobs and Skills Australia's role in the migration system is detailed in Action 5: Planning migration to get the right skills in the right places.*



#### **NEW COMMITMENT:**

##### **Streamline labour market testing requirements to reduce complexity**

Both business and unions agree that the current labour market testing requirements are not fit for purpose. The Government will immediately move to streamline labour market testing by removing the requirement to advertise positions through Workforce Australia and will subsequently increase the validity period from 4 to 6 months. As Jobs and Skills Australia's role further matures, the Government will consider moving away from employer conducted labour market testing towards mechanisms for robust and genuine independent verification of labour market need.

#### **NEW COMMITMENT:**

##### **Establish a best practice service level agreement for processing times and a modernised accreditation pathway to better compete for talent**

The Government will do more to help Australia compete in the global race for talent. This includes committing to clear, fast service standards for visa processing for temporary skilled workers. The Government will establish **a median service standard of 21 days for the new Skills in Demand visa and 7 days for the Specialist Skills Pathway.**

The Government will also look for opportunities to modernise the accreditation pathway, which will further help approved sponsors gain streamlined access to the migrant workers they need. These requirements for becoming an accredited sponsor favour large and established businesses, and disadvantage smaller businesses, especially start-ups, acting as a brake on innovation. The Government will open the accredited sponsor program to start-ups that have received venture capital from a registered venture capital fund. This will be balanced by strengthening integrity in the approved sponsor application process.







## Reshaping permanent skilled migration to drive long-term prosperity

### AREAS FOR FUTURE REFORM

- Explore a **reformed points test** to better identify migrants who will drive Australia's long-term prosperity
- Consider developing a **new Talent and Innovation visa** to drive growth in sectors of national importance.

### INTRODUCTION

Permanent skilled migration should aim to maximise Australia's long-term prosperity. This goal is distinct from meeting genuine labour shortages, which is the primary purpose of temporary skilled migration.

The way we select permanent skilled migrants (while providing clear pathways to permanent residence for temporary skilled migrants) should differ from the temporary migration system and focus on the factors that best contribute to lifting Australia's long-term economic productivity and workforce participation. It should respond to the challenges posed by our ageing population. In planning both permanent and temporary skilled migration, however, we must recognise the intrinsic link between the two.



Even small improvements in the selection of permanent skilled migrants can have enduring benefits over an extended period.

Grattan Institute<sup>47</sup>

Given migration accounted for two-thirds of population growth in the 10 years before the pandemic, and permanent migration is the largest feature of the contribution from migration over the long run, these choices will also have lasting impacts on Australia's social fabric.

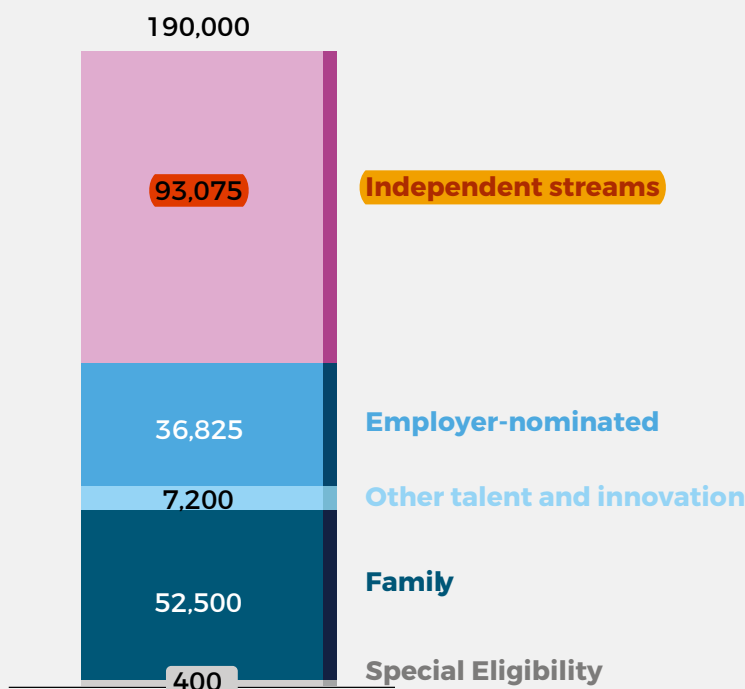
The Government sets an annual planning level on the number of permanent skilled migrants, with allocations distributed across 4 main streams (and various sub-streams).

These streams are:

- Points-tested skilled migration: includes Skilled Independent, Skilled Nominated and most Regional visas, which are selection-based on a points test
- Employer-nominated: requires applicants to be nominated by a sponsoring employer
- Global Talent: intended to target exceptionally skilled migrants in priority sectors
- Business Innovation and Investment: intended to target migrants who invest or drive innovation.

## In 2023–24, we plan to grant 190k permanent visas

Figure 3 : 2023–24 planned permanent program allocations



1. Skilled Independent, Regional, S&T-nominated 2. Global Talent, BIIP, Distinguished Talent 3. Partner, Parent, Child, Other  
Source: Department of Home Affairs (2023)

## WHY ACTION IS NEEDED

The Migration Review found that Australia's permanent skilled worker programs have historically delivered clear economic benefits, but that there is evidence that the economic impact of the skilled migration stream has weakened in recent years. The Migration Review considered that there is scope for Australia to sharpen its efforts to boost prosperity and remain competitive.



The permanent program has been skewed too much to visas that perform more poorly in economic terms over the long run.

Review of the Migration System<sup>48</sup>

Furthermore, as described in the reforms to the temporary skilled migration system, the permanent program has drifted away from providing clear and fair pathways to permanent residence for temporary skilled migrant workers. This not only poses ethical challenges in terms of lack of fairness, but restricts Australia's access to migrants with proven experience in the Australian labour market.

## Points-tested skilled migration

There is a need to simplify and recalibrate the basis for selecting independent skilled migrants, not least to get the balance right between selecting the best temporary visa holders seeking to stay permanently while also drawing highly skilled permanent migrants.

The current points test used to select independent skilled migrants is complex and does not effectively attract migrants best able to contribute to Australia's long-term prosperity. It includes factors which are likely to be poor predictors of success in the labour market, such as regional study or community language skills. Australia's current points test also does not effectively capture age and skill trade-offs, despite both being strong predictors of migrant success and fiscal impact.



More consideration should be given to the skills of secondary applicants ... Points offered via the test for different migrant characteristics should be re-calibrated to reflect the contribution those characteristics make to migrants' contribution to the welfare of the Australian community.

Grattan Institute<sup>49</sup>

Furthermore, features of the current independent skilled visa might discourage temporary skilled migrants from being able to apply through independent, points-tested migration pathways. This could limit their options to employer-nominated pathways, which creates a power imbalance between a migrant and their employer. Addressing this imbalance is part of the Government's renewed emphasis on permanent migration.

### Employer Nomination Scheme

The Employer Nomination Scheme visa produces the strongest lifetime fiscal outcome for the nation in the permanent skilled migration program. The strong skill and job matching ensures the migrant is using their qualifications and experience, allowing the program to deliver long-term benefits.

Previously, the Employer Nomination Scheme visa did not provide a direct pathway to permanent residence for many Temporary Skill Shortage visa holders, effectively rendering these temporary skilled migrants 'permanently temporary'. Migrants could only be nominated for permanent residence after three years with their sponsoring employer. This situation, where the employer holds the pathway to permanent residence, creates a power imbalance between a migrant and their employer, which can be a driver of worker exploitation.

The Government has already acted on this issue by expanding the eligibility requirements for the Temporary Residence Transition stream of the Employer Nomination Scheme visa to enable employers to sponsor holders of all streams of the Temporary Skill Shortage visa. In addition, the period of time a Temporary Skill Shortage visa holder must be employed with a sponsoring employer in order to be eligible for the Temporary Residence Transition stream has been reduced from three years to two years.

### Global Talent Program

The current Global Talent Program had its origins in initiatives that commenced in 2018 and is intended to attract migrants with a record of outstanding achievement, entrepreneurial ideas and cutting edge skills who can make a major contribution to Australia. Several submissions to the Migration Review pointed to a lack of transparency in the visa application process and long processing timeframes. In addition, some Global Talent visa applications are made in lieu of an attractive visa product for highly skilled workers in the temporary program.

### Business Innovation and Investment Program

The Migration Review concluded that the Business Innovation and Investment Program (BIIP) is delivering poor economic outcomes for Australia. This has been further supported by previous reviews, including work undertaken by the Productivity Commission and the Grattan Institute. Skilled migrants are estimated to contribute \$300,000 more in fiscal benefits over their lifetime compared to a BIIP visa holder.<sup>50</sup> Furthermore, just over 80 per cent of company directors within the Business Innovation Stream are in retail or hospitality, which are sectors not typically associated with major advancements in productivity and innovation. The Migration Review flagged the opportunity to draw on the relative strength of the Significant Investor stream to design a visa product more sharply targeted to select migrants who can drive innovative investments in sectors of national importance or play a valuable role in the venture capital industry.

## ACTION

### AREA FOR FUTURE REFORM:

Explore a reformed points test to better identify migrants who drive Australia's long-term prosperity

There are challenges in clearly identifying and calibrating factors for a new points test. These include making evidence-based judgements on the relative weighting of work experience in Australia and offshore, dealing effectively with age requirements and constructively recognising the potential contributions which could be made by accompanying spouses.

The Government will consider the development of a new analysis-based points test to identify more effectively the independent migrants who will make the greatest contribution to the country. In the design of a new and simpler points test, the Government will ensure there are clear and fair pathways for temporary skilled sponsored migrant workers to apply for self-nominated pathways to permanent residence.

The reformed points test will also seek to better reward skill level over perseverance, which will mean for example, faster pathways for international student graduates who are working in skilled jobs in the labour market, but fewer pathways for graduates not working in skilled jobs.

The Government has already commenced this challenge with the commissioning of work through the Australian National University to study the factors that drive success in Australia. This research found that certain characteristics such as education, English language skills, occupation and age all play an important role in determining the economic outcomes of permanent skilled migrants. The analysis also found that certain factors are more important in predicting migrant outcomes in the short term relative to the long term (and vice versa).<sup>51</sup>

The fiscal and economic benefits of getting this right are significant. The Treasury estimates that a skilled migrant arriving at the age of 45 would need a starting salary of \$160,000 to match the lifetime fiscal impact of a skilled migrant arriving at age 30 with a starting salary of \$100,000. Balancing this out, some older migrants may have achieved high level skills which can deliver major economic benefits to the nation over their remaining working career.

*The Government will publish a discussion paper later in 2023 outlining the proposed approach to the redesign of the points test and will further consult on proposed changes. This will also consider impacts to State/Territory nominated and Regional visas, given these are points-tested visa programs.*



#### AREA FOR FUTURE REFORM:

Consider developing a new Talent and Innovation visa to drive growth in sectors of national importance

The Government's broader reforms, such as the new Specialist Skills Pathway, will open up new and streamlined pathways for highly skilled migrants with the skills we need.

This allows the Government to more sharply target the existing Global Talent program to a relatively small number of migrants who can make outsized contributions to Australia.

Development of this new Talent and Innovation visa will also consider how best to drive innovative investments and entrepreneurship in sectors of national importance.

These are some objectives of the current BIIP visa, yet are poorly realised under existing settings.

A new Talent and Innovation visa could create a single, streamlined pathway to attract relatively small numbers of highly talented migrants to Australia, such as high performing entrepreneurs, major investors and global researchers.

Permanent residency is an important drawcard to attract these migrants as we compete with other nations in the global race for talent.

As the Government considers the design of the new, single Talent and Innovation visa, the Government will not provide any new allocations for the BIIP visa.





## Strengthening the integrity and quality of international education

### EXISTING COMMITMENTS INCLUDE:

- Introduced a first set of measures to improve integrity in international education and support genuine students.

### NEW COMMITMENTS INCLUDE:

- Increase English language requirements to improve the quality of students' educational experience in Australia and reduce potential workplace exploitation
- Apply greater and more targeted scrutiny to student visa applications from high risk providers
- Bolster the student visa integrity unit in the Department of Home Affairs to reduce misuse of Australia's student visa system
- Strengthen requirements for international education providers
- Restrict onshore visa hopping that undermines system integrity and drives 'permanent temporariness'
- Strengthen and simplify Temporary Graduate visas.

### AREAS FOR FUTURE REFORM INCLUDE:

- Support international students and graduates to realise their potential.

## INTRODUCTION

Australia is the destination of choice for hundreds of thousands of international students seeking high quality education every year. International students are a valuable part of our social and economic fabric, and they help take Australian education and our way of life to the world. They are generally full-fee paying students and, like domestic students, should be able to count on an excellent education experience and protection from both unscrupulous employers and education providers.

International students contribute \$30 billion to the Australian economy per annum and are Australia's fourth largest export. Australia's international education sector contributes to a peaceful, prosperous and resilient region and advances our global interests. International students and graduates are also a source of talent for our economy that can help lift Australia's economic productivity, meet critical skills needs and drive exports. As was evident during the COVID-19 pandemic, student and temporary graduate visa holders also make a significant contribution to our labour market, particularly in retail and hospitality.

In addition to their importance to the education sector and the Australian economy, international students are critically important to our migration system. After New Zealand citizens, they are the largest component of our temporary migration system and the single biggest feeder into our permanent program. Carefully managing the relationship between the international education system and the migration system is critical to the prosperity of both of these systems and the benefits they create for the country.

## WHY ACTION IS NEEDED

**We need to ensure sustainable sector growth, with a focus on integrity and quality**

Since 2010, Australia has experienced sustained growth in the number of student and graduate visa holders. The increase in demand has been driven by growing international demand for an Australian education, changes in visa policy settings and an expansion in the number and capacity of education providers.

Post-COVID, recent growth in international education has been partly driven by non-genuine students and unscrupulous education providers subverting aspects of the current regulatory and compliance framework, and pandemic-era visa concessions, such as unrestricted working hours for international students.

Throughout the reform and consultation process, stakeholders have shared concerns that international student recruitment is partly being driven by some education providers helping non-genuine students to gain access to Australia's labour market using a student visa. Some private providers in the Vocational Education and Training (VET) sector with lower fees and shorter durations are of particular concern because these institutions create financial incentives for non-genuine study. Student visa refusal rates also support this assessment, with consistently higher refusal rates for those applying to study VET courses compared with those seeking higher education.<sup>52</sup>

The Government's first focus has been rebuilding the capacity and strengthening high quality TAFE and VET provision through the recent National Skills Agreement and Fee Free TAFE. The Government began improving integrity in the sector by implementing reforms, some of which were unimplemented recommendations in a series of inquiries over the past decade.

Concerns about the behaviour of some education providers were also identified in the Nixon Review, which made recommendations relating to the exploitation of Australia's student visa program. The Nixon Review acknowledged that while the VET sector has a role in responding to Australia's skill needs, exploitation of the student visa program 'appears more prevalent' among VET courses.

More recently, an interim report by the Joint Standing Committee on Foreign Affairs, Defence and Trade under the Inquiry into Australia's Tourism and International Education Sector made several recommendations related to some VET providers, acknowledging 'deep-seated integrity issues' in parts of the sector. Evidence was provided to the Inquiry about non-genuine education providers, or so called 'ghost schools', where non-genuine students allegedly maintain enrolment without attending classes. The interim report concluded that 'it cannot be denied that some providers in the private VET sector have systematically exploited Australia's education system and broken migration law'.<sup>53</sup>

Where growth is driven by non-genuine students and unscrupulous providers, it threatens the integrity and reputation of Australia's international education sector. It also erodes public confidence in both international education and the migration system. Retaining the 'social license' for Australia's international education system is critical if the sector is to prosper in the decades ahead.

However, the importance of strengthening integrity extends beyond risk management. It also helps to promote the competitive advantage of Australia's international education industry, which is underpinned by quality. Supporting genuine providers and improving the quality of students' educational experience will strengthen the sector's international reputation, especially as international education is the face Australia often presents to the region. Having students return home—or apply their new skills here—with a positive experience helps Australia's image in the region and the vitality of our international relationships. This is supported by the Government's renewed focus on taking Australia's strong international tertiary education brand to the world, including through more offshore campuses and training facility partnerships.

### More can be done to support international students and graduates in the labour market

But the focus in this Migration Strategy is broader than strengthening international education integrity. The opportunity that comes from our thriving international education system is equally as important—especially as international graduates with the skills Australia needs have the potential to make a strong contribution to our economy. However, there is a mismatch between the qualifications of international graduates and the work they are doing. More than 50 per cent of graduate visa holders with a bachelor's degree or higher are working significantly below their skill level. This is particularly true for Engineering and IT graduates, despite them studying in areas tied to skills shortages. We can do more to help these students find a job that uses their skills and meets Australia's skills needs.

For those that have fewer prospects of becoming permanent residents, it is incumbent upon the Government to provide these migrants with clarity about their future. International students and graduates make up the largest share of ‘permanently temporary’ migrants, with 108,000 having lived in Australia for 5 or more years. Many former students are able to prolong their stay and become even more ‘permanently temporary’ by shifting on to another student visa while onshore or by shifting back to another student visa from a graduate visa. However, rarely are these further student visas driving professional advancement and are instead often used by former students to stay in Australia in lieu of meeting permanent resident or other skilled visa requirements.

Furthermore, the Migration Review found that temporary migrants, including students, face a greater risk of workplace exploitation in the labour market. A 2020 study found ‘underpayment of international students was systemic and widespread ... half (49 per cent) were paid below the basic statutory minimum wage [and] over three quarters (77 per cent) were paid below the minimum casual hourly wage’.<sup>54</sup>

This undermines the integrity of Australia’s international education system, hurts international students and harms labour market outcomes.

## ACTION

### EXISTING COMMITMENT:

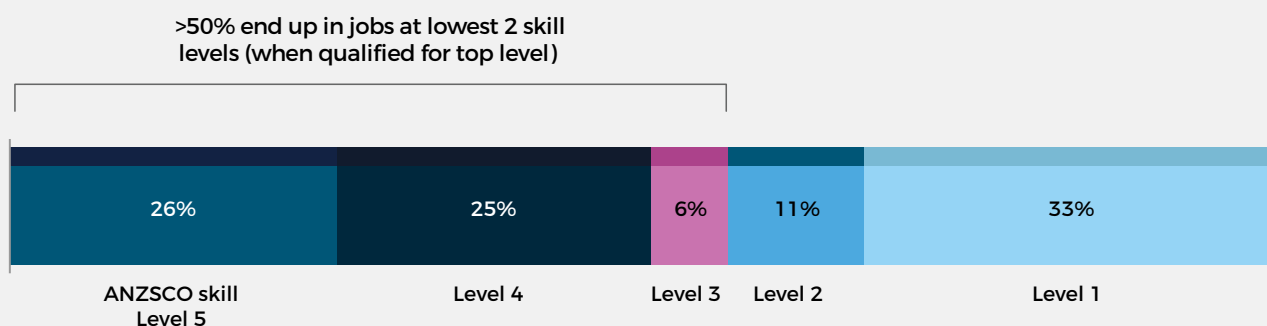
Introduced a first set of measures to improve integrity in international education

The Government is delivering a first package of measures to support integrity in the international education system and to support genuine international students to study in Australia. To do this, the Government has:

- closed a loophole that allowed international students to switch to lower-quality education providers to facilitate work in Australia ahead of study
- increased the amount of savings international students will need to be eligible for a student visa. This requirement had not been indexed since 2019 and should reflect higher living expenses. Applicants now need to show evidence of \$24,505 in savings, which is a 17 per cent increase on previous levels

## Many international graduates work below their skill level

Figure 5: Occupational skill level of primary temporary graduate visa holders with at least a bachelor’s degree



Note: Proportion of undergraduate domestic students working in managerial or professional roles 3 years after graduation, noting the typical Temporary Graduate visa duration for a bachelor’s degree is 2 years.  
Source: ABS (2016) Australian Census and Temporary Entrants Integrated Dataset (ACTEID) 2016; QILT (2022) Graduate Outcomes Survey - Longitudinal (2022)



- invested \$37.8m to bolster the capacity of the national VET regulator, ASQA, including through the establishment of an Integrity Unit to proactively identify and respond to integrity risks in the international VET sector. Boosting ASQA's capacity will enable a compliance blitz of unlawful behaviour, targeting non genuine providers who may be exploiting international students
- strengthened the fit and proper person requirements that apply to VET providers and signalled intent to change this test in the *Education Services for Overseas Students Act 2000* (ESOS Act). This will strengthen the standards required to gain and hold Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) registration and deter collusive behaviours associated with international student exploitation
- committed to making education providers more accountable for their agents, through increasing provider reporting requirements and acting to prohibit agent commissions for onshore transfers between providers
- committed to developing new risk indicators for international education, to build a whole-of-system risk framework to inform compliance action by education providers.

The Government is also considering using its powers under Section 97 of the ESOS Act to issue suspension certificates to high-risk education providers and is currently further consulting with the international education sector on the use of these powers and will announce changes in coming months.

Furthermore, the Government will also explore regulation of education agents through an expansion of the Office of the Migration Agents Registration Authority. Together, this powerful first package of measures will help restore integrity to international education, and support the competitive advantage and prosperity of an Australian international education sector that is underpinned by its quality. It will also help place downward pressure on migration levels as fewer non-genuine students arrive and fewer non-genuine providers recruit students.

#### NEW COMMITMENT:

Increase English language requirements to improve the quality of students' educational experience in Australia and reduce potential workplace exploitation

Australia is a proud multicultural, multilingual country. However, the Migration Review found that 'student English language requirements may not set up students to succeed'.<sup>55</sup> English proficiency has a clear and direct relationship with strong education and labour market outcomes.<sup>56</sup> The Review also found that lower English proficiency may make migrants more vulnerable to exploitation. Currently, our English language requirements for these visas are below those of some comparable countries, such as Canada.

The Migration Review recommended aligning 'the English language requirements of the Student and/or Graduate visas with skilled visa English language requirements'.

In early 2024, the Government will increase English language requirements for the Student and Temporary Graduate visas:

- the test score required for a Temporary Graduate visa will increase from an International English Language Testing System (IELTS) score (or equivalent) of 6.0 to 6.5
- the test score required for a Student visa will increase from IELTS (or equivalent) 5.5 to 6.0
  - the test score required for students undertaking an English Language Intensive Course for Overseas Students (ELICOS) before their main course of study will increase from IELTS (or equivalent) 4.5 to 5.0
- the test score required for students undertaking university foundation or pathway programs that deliver reputable English language training will be IELTS (or equivalent) 5.5.

This will deliver a range of benefits to the international education sector, the migration system, the labour market and students themselves, including:

- improving the quality of their educational experience
- increasing the outcomes of international students in the labour market
- strengthening the integrity and reputation of the international education sector
- reducing the workplace exploitation of international students.

The Government will also strengthen education provider requirements to report students' English language proficiency at enrolment.

#### NEW COMMITMENT:

Apply greater and more targeted scrutiny to student visa applications from high risk providers

The Government will introduce a new Genuine Student test for all international students.

The Genuine Student test will clearly incentivise applications from genuine students and discourage non-genuine students, whose primary intention is to work rather than study, from accessing Australia's international education system. This test will replace the existing Genuine Temporary Entrant requirement to acknowledge that post-study temporary migration (and beyond) pathways are available for those who may be eligible. At the same time, the new Genuine Student test will be clear that the vast majority of international students in Australia will return home.

Two new Ministerial Directions will be introduced to support the integrity of processing in the student visa caseload.

The first Ministerial Direction will outline key areas of consideration to support decision-makers, including the circumstances of the applicant, such as their academic or career progression and the usefulness of the intended study to their future career prospects. The Direction will be clear in setting the expectations of students who come to complete study in Australia. Those who do not meet those requirements will not be granted a student visa.

The second Ministerial Direction will focus on the prioritisation of processing the visa caseload. A processing priority Ministerial Direction will prioritise student visa applications based on risk-level of providers and will come into effect by the end of 2023, in time to support processing for the 2023-24 student visa peak season. Higher risk providers will experience slower processing times as visa decision makers consider the integrity of a provider, as well as the individual student applicants.

### **NEW COMMITMENT:**

#### **Bolster the student visa integrity unit in the Department of Home Affairs to reduce misuse of Australia's student visa system**

To complement the introduction of the new Genuine Student test, the Government will invest \$19 million to significantly bolster the student visa integrity unit in Home Affairs. This will reduce the misuse of student visas by those using it to seek work in Australia instead of study and those seeking to exploit international students.<sup>v</sup> This investment will allow for greater scrutiny at the point-of-application to better identify non-genuine students and help build new analytical capabilities to identify students, facilitators and agents who misuse student visas post-arrival. This strengthened student visa integrity unit will also help support ASQA's new integrity unit through cross-agency compliance activities.

### **NEW COMMITMENT:**

#### **Strengthen requirements for international education providers**

Australia's international education sector is vital to the economy and the nation's prosperity. To maintain the highest quality system, it's important to ensure the appropriate integrity measures are in place to remove unscrupulous providers.<sup>57</sup>

The Government will pursue measures to further strengthen integrity, quality, entry requirements and student support across the international education sector to target non-genuine providers. This work will build upon the Government's response to the Nixon Review. It will take into consideration recommendations made by the Joint Standing Committee on Foreign Affairs, Defence and Trade Inquiry into Australia's tourism and international education sectors in their *'Quality and Integrity – the Quest for Sustainable Growth': Interim Report into International Education*.

The Government will act to assist regulators as they address unscrupulous provider behaviour through further legislative change. The Government will engage further with the sector in the development of its response and any implementation of these or similar measures.

This work will be complemented by the development of an International Education Strategic Framework. Working with the sector and the Council for International Education, the Government will ensure Australia's valuable international education sector continues to prosper in delivering high quality education to genuine students.

### **NEW COMMITMENT:**

#### **Restrict onshore visa hopping that undermines system integrity and drives 'permanent temporariness'**

Australia's student visa program has a proud history of attracting talented students from around the world. More recently, it has been used by some international students and other temporary visa holders to 'visa hop' from visa to visa to extend their stay in Australia when they have little prospect of becoming permanent residents. This has contributed to a growing cohort of 'permanently temporary' former international students living in Australia.

#### **The Government will apply additional scrutiny to international students applying for another student visa**

Gaining new qualifications is a great way to help international students to gain deeper specialisation in their field. New qualifications can also support career development by complementing academic and practical skills.

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<sup>v</sup>Funding over 4 years, with an ongoing uplift in the Department of Home Affairs

However, the prevalence of international students moving from course to course, particularly to courses that are below their current level of study, to prolong their stay in Australia has been growing. The numbers of international students staying in Australia on a second, or subsequent student visa has grown by over 30 per cent to more than 150,000 in 2022–23. The biggest growth in visa hopping has been in the VET sector, where there is a lower likelihood of a credible course progression. However, in 2022–23 almost 69,000 students granted a subsequent student visa in Australia have stayed in, or shifted into, studying in VET, compared to 42,000 students pre-pandemic in 2018–19.

Using the new Genuine Student test, the Government will require any eligible students applying inside Australia to provide evidence in their application to demonstrate that any subsequent course is furthering their career or academic aspirations, such as undertaking a practical VET course to complement their degree, or undertaking research to gain a Masters qualification in their field of expertise. Prospective international students who cannot demonstrate this sensible course progression from their initial course of study will not meet the Genuine Student test.

### **The Government will restrict Temporary Graduate visa holders from transferring back to student visas while onshore**

In their recent *Graduates in Limbo* report, the Grattan Institute found that 32 per cent of Temporary Graduate visa holders are returning to study when their visa expires in order to prolong their stay in Australia. This has increased in recent years as fewer graduates have become permanent residents. As the report notes, 'Of those who return to study, most go on to study a VET course despite mostly already holding a higher degree,

especially if they initially studied a Masters-by-coursework degree. This suggests that many international graduates are returning to study when their Temporary Graduate visa expires in order to prolong their time in Australia.'<sup>58</sup>

This change, combined with future proposed changes to the points test and other skilled visa settings, helps the graduates working in skilled jobs stay permanently, while reducing the number of graduates that are left in limbo and that stay despite having fewer prospects of permanent residence.

*The Government is also considering other changes to restrict onshore visa hopping where it circumvents offshore processes and will make further announcements early in 2024.*

### **NEW COMMITMENT:** **Strengthen and simplify Temporary Graduate visas**

Graduate visas are available to former student visa holders. The visa provides full work rights and allows international students to gain work experience in Australia's labour market after finishing their studies.

The Migration Review found that former students are among the largest cohort of 'permanently temporary' migrants.<sup>59</sup> The Review also showed that over 50 per cent of Temporary Graduate visa holders are working in low skilled jobs, and are not gaining the skilled work experience necessary to become eligible for a skilled permanent visa.<sup>60</sup> Because of this, around 19,000 students and graduates have been onshore for 9 or more years. These migrants cannot fully establish a life in Australia and face barriers in the labour market based on their temporary status.

The Government is adopting the proposed reform directions suggested in the Migration Review by strengthening graduate visas to ensure more graduates are working at their skill level, addressing skills needs and not becoming ‘permanently temporary’. The Review found that extra time on a graduate visa does not improve graduates’ career outcomes, so the Government is adjusting the length and eligibility of post study work rights accordingly. These changes will give graduates sufficient time to demonstrate their ability to succeed in the skilled labour market and establish their careers, while setting boundaries for others with low prospects of becoming permanent residents.

Where a graduate is working in a skilled job in the labour market, the graduate will be able to apply for the new Skills in Demand visa or a permanent skilled visa, rather than requiring a two-year extension based on

their qualification. This brings Australia’s graduates visa settings into line with most comparable countries. The Government will ensure these changes are consistent with Australia’s obligations under international trade agreements.

The Government is simplifying graduate visas to improve the applicant experience, and taking action to speed up the transition between student and graduate visas. The Government is also strengthening the pathway from graduate visas to temporary skilled visas to give employers more certainty about a graduate’s ongoing work rights and pathways to permanent residence.

Together, the key changes to graduate visas in the below table will help put downward pressure on migration levels, as graduates that have fewer prospects of permanent residence depart the country.

Table 2: Key changes to graduate visas

The current problem	Government approach
<p><b>Long post-study work rights</b></p> <p>Generous post-study work rights mean that former students can spend up to 8 years on a Subclass 485 Temporary Graduate visa (TGV), increasing the risk they become ‘permanently temporary’.</p> <p><b>TGV length under existing settings:</b></p> <p><b>Initial TGV</b></p> <ul style="list-style-type: none"> <li>• 2 years for Bachelor Degree</li> <li>• 3 years for Masters by coursework</li> <li>• 3 years Masters by research</li> <li>• 4 years for PhD</li> </ul> <p><b>Eligibility for a second TGV</b></p> <ul style="list-style-type: none"> <li>• + 1–2 years for study in a regional area (dependent on location)</li> </ul> <p><b>Extension of Post-Study Work Rights</b></p> <ul style="list-style-type: none"> <li>• + 2 years for an eligible course of study in an area of skills need</li> </ul>	<p><b>Shorter post-study work rights</b></p> <p>The duration of an initial TGV will be shorter. The extension of post-study work rights will no longer be available. Only applicants who studied in a regional area will be eligible for an extension.</p> <p><b>TGV length under new settings:</b></p> <p><b>Initial TGV</b></p> <ul style="list-style-type: none"> <li>• 2 years for Bachelor Degree</li> <li>• 2 years Masters by coursework</li> <li>• 3 years for Masters by research</li> <li>• 3 years for PhD</li> </ul> <p><b>Eligibility for a second TGV</b></p> <ul style="list-style-type: none"> <li>• + 1–2 years for study in a regional area (dependent on location)</li> </ul>



The current problem	Government approach
<p><b><i>Eligible age not aligned with permanent residence options</i></b></p> <p>The maximum eligible age for a TGV is 50, however the cut off for permanent residency is 45 so many older graduates are left 'permanently temporary'.</p>	<p><b><i>Eligible age encourages early career professionals</i></b></p> <p>The maximum eligible age for a TGV will be reduced to 35, repositioning the visa as a product for early career professionals who can contribute to the Australian economy over a longer period.</p>
<p><b><i>Multiple and confusing graduate visa products</i></b></p> <p>The names and eligibility criteria of the 'Post-Study Work' and the 'Graduate Work' streams of the TGV are confusing for applicants, with many applying for the wrong stream. The 'Replacement Stream' of the TGV and the subclass 476 Skilled Recognised Graduate visa no longer align with policy priorities.</p>	<p><b><i>Limited graduate visa products with clearly defined purposes</i></b></p> <p>TGV streams will be re-named as 'Post-higher Education Work' and 'Post-Vocational Education Work' streams to be more descriptive for the relevant applicants. The 'Replacement Stream' of the TGV and the subclass 476 visa will be abolished.</p>
<p><b><i>Unclear visa processing times</i></b></p> <p>Slow TGV processing times have delayed transitions from student to graduate visas, forcing many graduates to shift to Bridging visas before becoming graduates, which worsens their skilled employment outcomes.</p>	<p><b><i>Clearer visa processing times</i></b></p> <p>TGV processing times for the 'Post-Higher Education Work Stream' will be backed by a 21-day service standard, which will give employers confidence in a student's post-study options.</p>
<p><b><i>Uncertainty about pathways to permanent residency</i></b></p> <p>A lack of clarity about pathways to permanent residency creates uncertainty for employers when considering hiring graduate visa holders.</p>	<p><b><i>Clearer post graduate visa pathways</i></b></p> <p>The work experience requirement for a Temporary Skills Shortage visa (and future Skills in Demand visa) will be changed to give TGV holders more opportunity to move on to a skilled visa. Proposed reforms to the points test will also give graduates working in skilled jobs faster pathways to permanent residency.</p>

**AREA FOR FUTURE REFORM:**  
**Support international students and graduates to realise their potential**

The Migration Review found employment outcomes for all graduates are better in sectors with strong entry level programs, work integrated learning, internships and work experience.<sup>61</sup> Yet many international graduates are working below their education and skill level. If we are choosing international students for permanent residence based on their potential to succeed in the Australian labour market, then they need better support to use their qualifications to get the right job after graduation. Local work experience and access to professional networks are key. The Government will partner with education providers, unions, industry and governments to incorporate more work integrated learning (such as professional workplace placements or industry-partnered projects) into tertiary courses to ensure students are better prepared for Australia's skilled workforce.

Similarly, international students who want a trade qualification in Australia currently have few opportunities to undertake an apprenticeship on a student visa. We will examine the full extent of these barriers, and consider other mechanisms to support high-skilled in-demand graduates who can support our future economic needs, for example through reforms to the vocational stream of the temporary graduate visa program.

The Government has commissioned a study through Jobs and Skills Australia to better analyse international student outcomes and pathways into the labour market, with deep tripartite consultation of unions, employers, and training and education providers.







## Tackling worker exploitation and the misuse of the visa system

### EXISTING COMMITMENTS INCLUDE:

- Introduced legislation, new powers and large penalties to punish unscrupulous employers
- Supported migrant workers by introducing protections against visa cancellation and giving migrants opportunities where they have experienced exploitation
- Better regulated migration agents to crack down on unscrupulous activity
- Helping migrants understand their workplace rights to reduce worker exploitation
- Established real-time priority processing of Protection visa applications
- Created a united intelligence, investigations and compliance capability in the Department of Home Affairs.

### NEW COMMITMENTS INCLUDE:

- Develop a public register of approved sponsors to enable monitoring and oversight.

### AREAS FOR FUTURE REFORM INCLUDE:

- Strengthen integrity in the approved sponsor application process
- Improve post-arrival monitoring and compliance including through coordination with the tax system.

*These measures complement other strong measures outlined in the Migration Strategy to design migrant worker exploitation out of the migration system.*

## INTRODUCTION

The Government's vision for migration will be realised only by ensuring that the system is underpinned by integrity and strong protections for workers. Integrity measures help to protect the migration system from the unscrupulous, who seek to circumvent or misuse migration rules for their own gain. Without addressing this issue, our migration programs will be unable to achieve their core objective of serving the national interest, and migrants themselves may be exploited. Strong integrity is critical to ensuring the system works, migrant workers are protected and the public has confidence in the integrity and fairness of the migration system.

The Government has made tackling migrant worker exploitation a centrepiece of its migration reform and workplace relations agenda. This includes implementing the recommendations of the 2019 Migrant Workers' Taskforce (MWT) and bringing forward a dedicated package of measures in 2023. The Government will also continue to engage with stakeholders on reforms that are needed looking beyond the MWT recommendations.

## WHY ACTION IS NEEDED

Designing out migrant worker exploitation from visa settings is critical to the Migration Strategy, and is reflected across the Government's reform agenda. Specific measures are needed to deter and, where it occurs, to detect and penalise, migrant worker exploitation.

The MWT found 'migrant workers can be particularly vulnerable to exploitation due to language barriers, lack of awareness of



That fact that visa holders and migrants are overrepresented in the [Fair Work Ombudsman's] work, even though the problem is likely underreported, underscores the systematic nature of migrant worker exploitation and why this cohort is prioritised by the FWO.

Fair Work Ombudsman<sup>62</sup>

Australian workplace laws, expectations informed by their experiences in other countries and, in some cases, visa conditions or migrant workers' migration intentions. In turn, certain employers—a minority, but still significant—exploit opportunities to gain at the expense of workers.<sup>63</sup> As highlighted by the MWT, this can take the form of a range of misconduct such as wage underpayment and failure to provide other forms of workplace entitlements, pressure to work beyond visa conditions, unsafe working conditions, unfair deductions, threats and sub-standard accommodation. Recent migrants are 40 per cent more likely to be underpaid than long-term residents with the same skills and experience and who work in the same job.<sup>64</sup>



## Risks of migrant exploitation

The MWT's findings have been echoed by a range of other reports prepared by Parliamentary committees, unions, academics and civil society, including the recent Nixon Review.

This evidence highlights the need to address a number of problems that contribute to migrant worker exploitation, or impede action to combat it. These include:

- addressing fears from migrant workers that they are effectively compelled to remain in exploitative circumstances, or are unable to report exploitation or take legal action in response to exploitation, because of potentially adverse impacts on their migration status
- ensuring that our regulatory frameworks empower regulators across migration and workplace relations functions to detect and sanction exploitative conduct
- ensuring migrant workers are able to pursue workplace justice, both with the assistance of law enforcement and regulators and independently (through trade unions, community legal centres or other forms of representation)
- ensuring there are appropriate safeguards and protections available to migrant workers so that unscrupulous employers are unable to use a person's visa conditions or criteria for a future visa application to exploit migrant workers
- ensuring migrant workers and their employers understand their rights and obligations, and avenues available to seek support, while overcoming distrust of government that can be a barrier to migrant workers raising concerns with relevant authorities.

## ACTION

### EXISTING COMMITMENT:

Introduced legislation, new powers and large penalties to punish unscrupulous employers

The increasing reliance of Australian business on temporary workers in recent years has coincided with repeated public revelations of migrant worker exploitation, mistreatment and wage theft.

The Government has already introduced to the Parliament of Australia, the Migration Amendment (Strengthening Employer Compliance) Bill 2023. This Bill will address the misuse of migration rules to exploit temporary migrant workers, strengthening employer compliance with obligations under the *Migration Act 1958* and the protection of workplace rights under the *Fair Work Act 2009*.

The Bill introduces three new criminal offences and associated civil penalty provisions for persons who coerce or exert undue influence or pressure on a non-citizen to accept or agree to an arrangement in relation to work. The Bill also introduces a measure to prohibit certain employers from employing additional migrant workers for a period. It is the Minister's intent that the prohibition will be imposed on those employers who have engaged in serious, deliberate or repeated non-compliance. The Bill contains increased civil and criminal penalties, and it introduces new compliance tools to ensure that employers meet their obligations.

Importantly, the Bill includes measures to encourage temporary migrant workers to make a complaint and seek support just like Australian workers. These include:

- repealing section 235 of the *Migration Act 1958*, which makes it a criminal offence to breach a work-related visa condition
- inserting an avoidance of doubt provision for remaining work offences, to remove the ability for employers to abrogate their obligations to provide safe and fair working conditions.

#### **EXISTING COMMITMENT:**

Supported migrant workers by introducing protections against visa cancellation and giving migrants opportunities where a migrant worker has faced exploitation

The Government is currently consulting with business, unions and civil society on protections for temporary visa holders. This includes designing appropriate mechanisms to enable migrant workers to report exploitation, and enhanced protections against visa cancellation (discretionary and non-discretionary) in circumstances where a migrant worker has been subject to workplace exploitation. The Government will also consider the creation of a substantive visa to allow temporary migrant workers who have been exploited or underpaid to remain in Australia where necessary to pursue workplace entitlements.

The Government is also considering introducing restrictions on information sharing arrangements between labour and migration regulators to give effect to the underlying principles of a firewall—to encourage increased reporting and support appropriate collaboration to address the issue of exploitation holistically.

#### **EXISTING COMMITMENT:**

Better regulated migration agents to crack down on unscrupulous activity

The Nixon Review examined allegations of sexual exploitation, human trafficking and other organised crime, some facilitated by professionals including education agents, registered migration agents and unlawful providers of immigration assistance.

The Government strengthened the regulation of registered migration agents and combat providers of unscrupulous immigration assistance, including increasing financial penalties and an increase of staff of up to 50 full time equivalent for the regulator, the Office of the Migration Agents Registration Authority.

The Government will also consult on the feasibility of **limiting the involvement of unregistered overseas providers in the migration system**, and severely curtail and monitor **the provision of unqualified advice from influencing the visa lodgement process.**

#### **EXISTING COMMITMENT:**

Helping migrants understand their workplace rights to reduce worker exploitation

The Government will develop options to communicate more effectively key information about rights and responsibilities for workers and employers alike. This will ensure, among other things, that temporary visa holders are aware of reporting mechanisms and the safeguards and protections available to them. It will seek to overcome a lack of trust in government that can be a barrier to reporting. Such initiatives will include briefings provided by migrant worker communities, unions, industry and civil society.

**EXISTING COMMITMENT:**

Established real-time priority processing of Protection visa applications

On 5 October 2023, the Government announced a \$160 million package of reforms to restore integrity to Australia's refugee protection system, providing a fair go to genuine asylum seekers and to combat exploitation of the system.

The Nixon Review found extended delays in processing and reviewing onshore Protection visa applications were 'motivating bad actors to take advantage by lodging increasing numbers of non-genuine applications for protection'.<sup>65</sup> This has come at a cost to people in genuine need of protection and to the broader Australian community.

This package included an investment of \$54 million that will be used to establish real-time priority processing of Protection visa applications to help break the business model of those who abuse the system and ensure a faster, fairer and more efficient protection system for those genuinely in need of Australia's protection.

**EXISTING COMMITMENT:**

Created a united intelligence, investigations and compliance capability in the Department of Home Affairs

In the Government's response to the Nixon Review, the Government committed to creating a new immigration compliance capability within the Department of Home Affairs that will bring together a range of existing functions into a more coherent and effective capability.

This new capability will provide dedicated resources to traditional immigration compliance functions, in particular targeting the organised misuse of immigration programs. This capability will not duplicate existing Australian Border Force management of the border but will rather focus on bringing together intelligence, investigations and field compliance activities.

This new function supports the Government's \$50 million investment to resource immigration enforcement and compliance activities. Operation Inglenook, which was established alongside the commissioning of the Nixon Review to investigate the systemic abuse of Australia's visa system for the purpose of exploitation, will also continue to provide a focus on the exploitation of migrant workers, including temporary skilled workers, international students and other temporary visa holders.

**NEW COMMITMENT:**

Develop a public register of approved sponsors to enable monitoring and oversight

The Government will develop a public register of employers who are approved to sponsor temporary migrant workers, to encourage public transparency, monitoring and oversight, and promote productivity-enhancing worker mobility. This will help migrant workers find new sponsors and give migrant workers a resource to check that a sponsoring employer is legitimate. The register will include details such as:

- the name of approved sponsors
- how many temporary skilled workers they are employing
- what occupations and / or pathway those workers are employed in.

Agreement to the entry of these details on the public register will be part of the process for approval of sponsors of temporary migrants. This will complement the public register of sanctioned sponsors, published by the Australian Border Force.

In future, the Government will consider if this register can extend to businesses that employ other temporary migrants where workers are particularly susceptible to exploitation.

#### **AREA FOR FUTURE REFORM:** **Strengthen integrity in the approved sponsor application process**

The Employer Sponsor framework provides a valuable mechanism to support employers to meet labour and skills shortages within the labour market. It provides a dedicated regulatory framework in which to both assess the suitability of the sponsor and regulate their behaviour in accordance with set obligations. This framework has also been a key focus for reforms within the Migration Strategy and dedicated reforms to address migrant worker exploitation. It is a priority for compliance: in 2022–23, 146 approved sponsors were listed on the public register of sanctioned sponsors for failing to meet their obligations. However, more can be done to combat unscrupulous employers gaining access to the migration system before they become an approved sponsor.

The Government will look to strengthen the criteria to become an approved sponsor to prevent unscrupulous actors from being able to gain access to the temporary skilled migration system.

These criteria will be developed through further consultation and will consider, for example, taking account of sponsors' employment practices and records based on all available evidence, including requiring sponsors to declare any adverse findings by relevant workplace regulators and previous bankruptcies.

#### **AREA FOR FUTURE REFORM:** **Improve post-arrival monitoring and compliance including coordination with the tax system**

The Government will examine further measures to improve post-arrival monitoring and enforcement of wages and conditions to detect and prevent exploitation of both migrant workers and Australia's labour market and migration system. This includes the potential to strengthen compliance with pay and conditions for temporary migrants via monitoring payments through the Australian tax system, including through the use of Tax File Numbers and Single Touch Payroll.



## Planning migration to get the right skills in the right places

### NEW COMMITMENTS INCLUDE:

- Plan migration over a longer-term horizon to better manage the migration intake, with greater state and territory collaboration
- Work with states and territories to ensure population planning is based on the best available population data and forecasts
- Establish a formal role for Jobs and Skills Australia in defining Australia's skills needs using evidence, including advice from tripartite mechanisms
- Improve the approach to skills recognition and assessment to better unlock the potential of migrants
- Launch an enhanced outreach program to improve access to the migration system
- Bring an evidence-based, tripartite approach to evaluation and monitoring.

### INTRODUCTION

A well-managed migration system requires strategic planning to ensure Australia gets the right skills in the right places. While the permanent migration system is managed at the federal level, successful planning requires not only alignment with Commonwealth regional and urban policy initiatives but the cooperation of state and territory governments. This is because the levers that make migration successful in communities—the provision of general infrastructure, public transport, housing and services such as healthcare,

education and migrant support—are principally controlled at the state, regional and local level. Ensuring that migration complements the domestic skills and training system also requires a strategic and coordinated approach to workforce planning. This requires evidence-based coordination of the education, training and migration systems, and input from tripartite mechanisms, so that migration can be best targeted to areas where it is most needed.



## WHY ACTION IS NEEDED

### Our annual planning process constrains strategic planning

The existing short-term planning approach for the permanent Migration Program does not effectively target migrants with the skills we need to meet current and emerging national challenges.

The planning levels for this program, including its size and composition, are set on an annual basis. A 12-month planning horizon limits our ability to identify or respond with agility to emerging trends and challenges, and especially to the changing skills needs of the economy. It also limits the way that the permanent program links to and supports other Commonwealth or state and territory strategic priorities or reform efforts, while making it difficult to plan effectively for demographic changes, such as the ageing of Australia's population.

The Government is working with states and territories to ensure population planning is based on the best available data and forecasts. Targeted and well-planned migration will support population planning and help deliver better outcomes for Australia in infrastructure, housing, service delivery and the environment.<sup>66</sup> Together with the complementary efforts the Government has initiated, these efforts can support rising living standards for Australians over time.

Extending the planning horizon of our programs beyond the current 12-month view would allow us to plan more effectively in the national interest. It would also help state and territory governments to better plan and deliver their programs.

This is especially important for regional Australia, where the challenges that Australia faces as a nation are often experienced more acutely.

### We had limited coordination between the education, training and migration systems

Prior to Jobs and Skills Australia's creation, the migration system had limited coordination with the education and training systems. There was no whole-of-government and tripartite mechanism for assessing Australia's skills needs—what, where and especially why and how these shortages can be resolved most effectively. This led to some occupations remaining short of workers for decades without a coordinated approach to addressing the problem.

The Migration Review was also critical of the current approach for identifying skills needs and recommended a more forward looking and evidence-based approach led by Jobs and Skills Australia that also takes account of domestic training and workforce planning efforts.

With urgent needs to skill up across the economy, especially in the technology sector and in the care and support economy, a more coordinated approach will be critical to meeting skills needs into the future.

### We have not had a rigorous approach to evaluation and monitoring

Well-targeted migration policy is a critical, but 'often underappreciated',<sup>68</sup> part of Australia's economic policy toolkit.



**Shortages should be identified using a robust, evidence-based process ... This process should seek to determine the various levers—including but not exclusively temporary migration—to attract more applicants to sectors in shortage ...**

Australian Manufacturing Workers Union<sup>67</sup>

Policy reform therefore needs to be better informed by strong public evaluation and monitoring of migration outcomes.

The Migration Review said ‘a lack of data inhibits effective assessment of the system’ and limited stakeholder visibility over migration data further inhibits program design and reform.<sup>69</sup>

## **ACTION**

### **NEW COMMITMENT:**

**Plan migration over a longer-term horizon to better manage the migration intake, with greater state and territory collaboration**

The Government will develop a principles-based, multi-year planning model for permanent migration, to improve collaboration with states and territories on migration settings. This will deliver on the Government’s commitment to National Cabinet, to enable greater contribution by states and territories to ensure migration meets the local needs of communities across the country.

The multi-year planning model will extend the planning horizon of the permanent Migration Program beyond its current 12 months and enable a better planning effort to meet the strategic, structural and long-term challenges that we face as nation and in our cities and regions.

The extended outlook will also help to align investments by Commonwealth, state and territory governments in infrastructure, service delivery and housing to support strong settlement outcomes. The multi-year model will be guided by a set of principles for agreement between the Commonwealth and states and territories. This will give states and territories a greater role in determining their migration needs, especially in the regions, and demonstrate the commitment of governments at all levels to planning in the national interest and to supporting cohesive policy efforts.

A multi-year planning model for the permanent Migration Program will be supported by an annual Ministerial Migration Roundtable led by the Minister for Home Affairs and the Minister for Immigration, Citizenship and Multicultural Affairs and attended by relevant state and territory level counterparts. This forum will serve as a touchpoint to inform Government decision-making on the ongoing suitability of planning levels against the prevailing strategic and economic climate. The Government will also reinvigorate existing officials’ level forums, such as the Skilled Migration Officials Group, to improve collaboration and data sharing.

#### **NEW COMMITMENT:**

Work with states and territories to ensure population planning is based on the best available population data and forecasts

The Commonwealth is working with the states and territories and local government to strengthen population forecasting methodologies and evidence, including for overseas migration, so that all governments can better plan for population change.

#### **NEW COMMITMENT:**

Establish a formal role for Jobs and Skills Australia in defining Australia's skills needs using evidence, including advice from tripartite mechanisms

The Government will enhance coordination of the education, training and migration systems, with Jobs and Skills Australia acting as the key advisory body. This will formalise an evidence-based approach to identifying labour market need, including through advice from tripartite mechanisms.

As the key body for advising on Australia's skills needs, Jobs and Skills Australia will help ensure local workers' skills and job opportunities are prioritised, and the migration system is guided to areas of best use. Jobs and Skills Australia's role in the migration system will mature over time and will look to take into account not just the 'what' and 'where', but also the 'why' and 'how' with respect to occupations in shortage. This will help ensure migration complements the domestic skills and training system.

Jobs and Skills Australia's role in the migration system will be multi-faceted. Various analytical studies will support different migration programs, such as the evaluation of Working Holiday Maker visas. However, Jobs and Skills Australia's primary role in the migration system

will be to advise on labour shortages as inputs into the design and delivery of a targeted temporary skilled migration system, through:

- labour market analysis relevant to the Specialist Skills Pathway
- defining a new Core Skills Occupation List for the Core Skills Pathway
- advice on appropriate sectors and occupations in the Essential Skills Pathway.

Transparency will be a guiding principle of Jobs and Skills Australia's role in the migration system. Jobs and Skills Australia will submit its findings to government and publish its analysis and recommendations. The Minister for Immigration would retain decision-making power on the final list and could provide reasons for any variations to Jobs and Skills Australia's advice. This mirrors the approach taken in the United Kingdom by its well-regarded independent Migration Advisory Committee.

#### **Jobs and Skills Australia's role in defining the new Core Skills Occupation List**

The Core Skills Occupation List (CSOL) will be a single consolidated list, developed by Jobs and Skills Australia, who will:

- start with the Jobs and Skills Australia Skills Priority List, constructed through a comprehensive evidence-based process that takes account of a range of factors and includes extensive tripartite engagement and input from across Commonwealth and state and territory governments
- analyse whether migration is an appropriate path to address the identified shortages, considering how well migrants do in the labour market upon arrival, reliance on sponsored skilled visa holders relative to employment size and vacancy data, the likelihood of domestic supply for those occupations and the market salary for occupations

- support this analysis through proactive stakeholder engagement, including with business and unions, and a structured qualitative research component. This will involve semi-structured interviews with a range of labour market participants, targeting both those experiencing shortages and those that aren't, to gain a broad range of views on the appropriateness of migration pathways for a range of occupations
- supply a list of occupations that the Government considers are required to be on the list to fulfil Australia's obligations under international trade agreements.

In the near-term, the Core Skills Occupation List will incorporate new occupations that have been added to ANZSCO in recent years. New ANZSCO occupations will also be factored into the list as they are added by the Australian Bureau of Statistics.

#### **NEW COMMITMENT:**

**Improve the approach to skills recognition and assessment to better unlock the potential of migrants**

Skills assessments for migration ensure prospective migrants have the necessary technical skills, qualifications and experience to meet the occupational standards needed for employment in Australia.

There are currently 39 skilled migration assessing authorities approved by the Minister for Skills and Training to undertake skills assessments for 650 occupations.

The Government will improve skills assessment processes for migrants through enhanced assurance, standards and reporting. Reforms to lift the skills assessment sector, reduce complexity in the skills assessment process and invest in migrants' employment outcomes will facilitate greater workforce participation and drive stronger economic outcomes for all Australians. Specifically, the Government will:

- develop and deliver an enhanced assurance framework to improve accountability, transparency and integrity in the skills assessment sector
- implement new standards for skilled migration assessing authorities to optimise outcomes for Australian employers and migrants
- develop an enhanced IT reporting system to ensure collection and analysis of current, accurate, reliable skills assessment data to inform evidence-backed assurance and policy.

#### **NEW COMMITMENT:**

**Launch an enhanced outreach program to improve access to the migration system**

Migration reform will be supported by a reformed outreach program which will establish and maintain strong links to business, especially small business, and unions, built on the tripartite approach outlined in the Migration Strategy. An energised local outreach network will provide a single point of contact for key stakeholder groups, including business, small business, regional bodies and unions, which will be especially important as changes in the Migration Strategy are implemented.

**NEW COMMITMENT:**

Bring an evidence-based, tripartite approach to evaluation and monitoring

The unique complexities of migration and the gaps in our understanding of the effects of our migration system—on migrants and Australia—highlight the critical need for better data, more program evaluation and research to inform continuous improvement in migration policy design. This includes assessment of economic, social and fiscal measures to better understand our level of success and identify areas for improvement.

The Government will establish fit-for-purpose evaluation arrangements to help ensure policies designed and implemented to deliver on this Migration Strategy have the intended outcomes and effects. We will underpin these arrangements with robust data and an evidence base collected throughout policy implementation, to ensure we can accurately measure and assess their success.

Furthermore, tripartite evaluation of data and feedback on the reform process is critical to ensuring this new system works for all who use it. A reformed Ministerial Advisory Council on Skilled Migration will play this role, providing regular feedback on the delivery of reforms outlined in the Migration Strategy, in close coordination with Jobs and Skills Australia and its tripartite mechanisms.





# Tailoring regional visas and the Working Holiday Maker program to support regional Australia and its workers

## EXISTING COMMITMENTS INCLUDE:

- Increased skilled migration to help meet labour shortages **in regional** Australia.

## NEW COMMITMENTS INCLUDE:

- Designate visa processing **to regional** Australia as the highest processing priority.

## AREAS FOR FUTURE REFORM INCLUDE:

- Evaluate regional migration settings and the Working Holiday Maker program to ensure migration supports development objectives **in regional** Australia and does not contribute to the exploitation of migrant workers.

## INTRODUCTION

A well-managed migration system will deliver skills where they are most needed. Migration can play a powerful role in revitalising regional communities and meeting critical workforce needs in regional Australia.

As noted by the Migration Review, regional migration works for migrants and for long-term regional development when supported by the policy levers that make migration successful, such as government planning, infrastructure investment and economic opportunities.

For example, a coordinated approach to workforce needs in the regions, integrated with the domestic education and training system and the migration system, and informed by advice from Jobs and Skills Australia, will best meet long-term workforce needs in regional Australia.

Getting the settings right for migration to regional Australia will be especially important in coming decades. Regional Australia's population is forecast to grow by 0.8 per cent per annum between now and 2031–32, compared to 1.2 per cent for the capital cities.<sup>70</sup>

However, many of Australia's developing economic and social opportunities are emerging in regional Australia. For example, most of the new jobs and the critical infrastructure required to make the transition to a net zero economy will be in regional Australia.

A range of place-based migration measures have been introduced since 1994 to enable states and territories to deal with unique needs that are not addressed by national migration programs and to encourage a more balanced distribution of migrants arriving in Australia. These include state and territory nominated visas, regional visas, Designated Area Migration Agreements (DAMAs), tailored skilled occupation lists and regional incentives for Working Holiday Makers and regional graduates. Such measures aim to provide increased flexibility to states, territories and regional Australia to meet their own needs while also supporting Australia's national migration objectives.

Furthermore, Australia's Working Holiday Maker program<sup>vi</sup> has been intended to foster closer ties and cultural exchange between young people from Australia and around the world for almost five decades. Arrangements under the Working Holiday Maker program, including some eligibility requirements, are established on a bilateral basis between Australia and the relevant partner country or jurisdiction. For example, in connection with the entry into force of the Australia-United Kingdom Free Trade Agreement, the Government recently delivered enhanced pathways for young Australians and UK passport holders to live and work in each country.<sup>71</sup>

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<sup>vi</sup>Comprising the Working Holiday (subclass 417) visa and the Work and Holiday (subclass 462) visa

Since 2005, the Working Holiday Maker program has been used to meet workforce needs in regional Australia. The program allows young adults from over 40 partner countries to have a 12 month holiday in Australia, during which they can undertake short-term work and study. If these young adults want to stay in Australia for a second year, they must in most cases complete 88 days (3 months) of 'specified work' in regional Australia. If they want to stay in Australia for a third year, they must complete 179 days (6 months) of 'specified work'. This is one of several measures attached to the program, designed to address labour shortages in regional areas, specifically the horticulture industry, but also in the visitor economy.

## WHY ACTION IS NEEDED

### Previous approaches to regional migration have been patchwork and complex without clear objectives

A number of programs currently exist to provide migrant pathways into regional Australia, yet stakeholders consistently noted that these are often **too complex and slow, such as with DAMAs**, or not well designed to support long-term regional development in Australia.

DAMAs are in place to support the unique needs of individual regions yet often have very low uptake, which is partly driven by the difficult processes for employers to navigate. Stakeholders criticised **the complicated and frequently changing definition of regional Australia** used for migration purposes and the isolated use of provisional visa settings that can sometimes limit the appeal of regional visas. State and territory governments can help make regional migration successful yet have a limited role in the coordination of regional migration programs.



These visas encompass inconsistent criteria, multiple occupation lists and bespoke arrangements, adding to the complexity of the migration system without serving a clearly articulated purpose.

Review of the Migration System<sup>72</sup>

These patchwork approaches have often been needed because migration policy has been exercised in isolation from wider necessary reforms. Despite the range of existing place-based migration measures, 2016 census

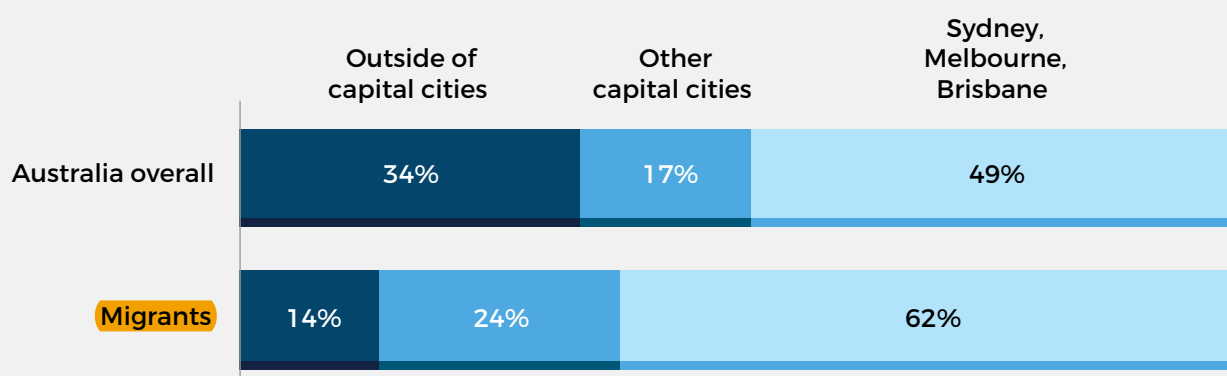
data indicated that **only about 14 per cent of migrants live outside capital cities** (compared to 34 per cent of the general population).<sup>73</sup>

Place-based migration measures should also have regard to potential impacts on migrant worker vulnerability associated with remote work locations, where limited alternative employment may exist.

However, when integrated approaches have been adopted, more success has been found. Regional migrants are more likely to settle in regions with strong employment where jobs can be found, as the previous case study highlights with the story of Karen refugees in Nhill. These stories are likely to become more regular as growing economic opportunities emerge in regional Australia, such as in the green economy.

## Only 14% of migrants live outside of capital cities

Figure 5: Location of general population vs. migrant population (2016)



Source: Department of Home Affairs (2023); ABS (2016)

## Our Working Holiday Maker program needs to provide a positive cultural exchange

The Government recognises the role of the Working Holiday Maker program as a cultural exchange program, including its contribution to our international relationships. It also makes valuable contributions to Australian businesses and communities. However, as the Migration Review outlined, successive reviews and inquiries have shown the 88-day, 179-day and specified work requirement is a key driver of exploitation. Visa holders have been subject to an increased dependency on employers, underpayment and non-payment of wages, sexual harassment and workplace health and safety problems.<sup>74</sup> Worker exploitation hurts backpackers, as well as Australians, and it damages Australia's international reputation.

The Fair Work Ombudsman's 2016 survey of more than 4,000 backpackers found 30 per cent did not receive payment for work undertaken. Many—from across all cultural and language backgrounds—were not aware of or supported to gain an understanding of what conditions to expect when working in Australia.

In considering any changes to the Working Holiday Maker program, the Government will analyse the importance of the program in meeting labour shortages in regional Australia, especially in horticulture. The horticulture industry produces 93 per cent of food eaten in Australia and is central to the agriculture industry, which contributes \$48.7 billion to Australia's gross domestic product.<sup>75</sup>

As Parliament's Inquiry into the Working Holiday Maker program found:



WHMs play a critical role in filling skills shortages across Australia, particularly in our horticultural and agricultural industries, which continue to face the challenge of attracting Australians to fill these jobs.

Joint Standing Committee on Migration<sup>76</sup>

However, a historical reliance on Working Holiday Makers has not always supported positive workforce outcomes for the agriculture sector. Working Holiday Makers are typically less productive than other workers in this sector and the transient nature of this workforce means there are often few incentives for employers to invest in skills and training.<sup>77</sup>

## ACTION

### EXISTING COMMITMENT:

Increased skilled migration to help meet labour shortages in regional Australia

With many parts of regional Australia experiencing acute labour shortages and skills gaps, the Government is committed to supporting industries and employers in regional Australia to promote ongoing economic development and employment opportunity.

This can be seen in the effort the Government has made to increase the number of migrants moving to the regions, as outlined in the Snapshot on page 89.

### NEW COMMITMENT:

Designate visa processing to regional Australia as the highest processing priority

The Government will immediately alter Ministerial Direction 100 to make visa processing for migrants sponsored by employers in regional Australia its top visa processing priority. This will help further streamline visa processing for businesses located in regional Australia who are sponsoring skilled workers.

### AREA FOR FUTURE REFORM:

Evaluate regional migration settings and the Working Holiday Maker program to ensure migration supports development objectives in regional Australia and does not contribute to the exploitation of workers

The Government will conduct an evaluation of regional migration settings, including regional visas, regional definitions, regional occupation lists and DAMAs. The objective of this work will be to evaluate how migration settings can better support community and workforce needs in regional Australia while not contributing to migrant worker exploitation.

This review of regional migration settings will also be informed by the further consideration of a potential Essential Skills Pathway in the temporary skilled migration system.

This evaluation will occur in alignment with other work the Government is doing to support regional Australia, including reform to the Infrastructure Investment Program, the Regional Investment Framework, the refresh of the Northern Australia White Paper and the National Urban Policy.

The Government will also undertake a detailed consultation and research process into the 88-day, 179-day and specified work requirement. This project will help inform the future design of the program, to combat worker exploitation and improve young visitors' experience of Australia, while ensuring temporary migration to Australia continues to support the need for essential skills in regional Australia. This work will be supported by Jobs and Skills Australia's Food Supply Chain Capacity Study.

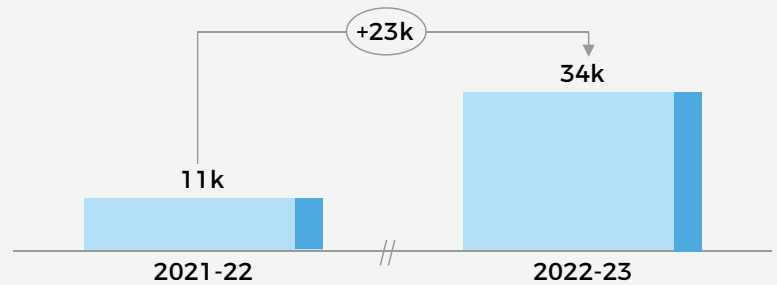
*The Government will publish a discussion paper early in 2024 on the evaluation of regional migration settings and the Working Holiday Maker program and will further consult on these proposals.*



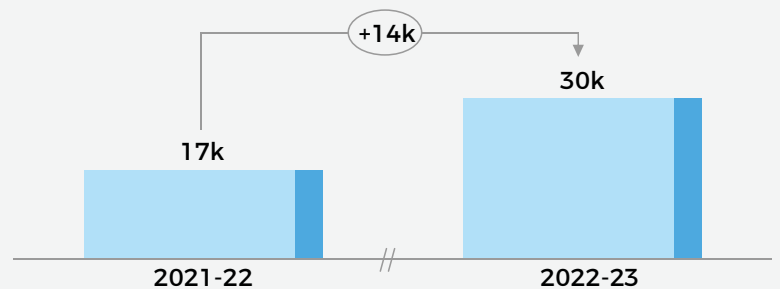
## The Government's support of migration in regional Australia

Figure 6: More migrants addressing regional skills shortages

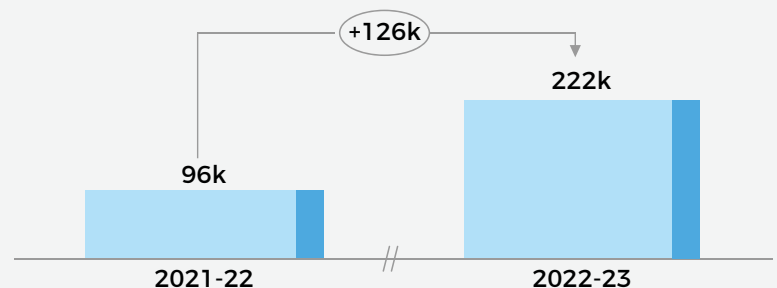
### Skilled regional visa allocation



### Pacific Australia Labour Mobility visa grants



### Working Holiday Maker visa grants



Note: PALM figures include PLS and SWP figures  
Source: Department of Home Affairs (2023)



# Deepening our people-to-people ties in the Indo-Pacific

## EXISTING COMMITMENTS

- Established a **direct pathway to Australian citizenship for eligible New Zealanders** to reflect the strong ties between our two countries
- Reformed the Pacific Australia Labour Mobility scheme, and delivering a new Pacific Engagement Visa to encourage more mobility from our region
- Providing a special visa arrangement for Tuvalu citizens under our bilateral treaty, the Australia Tuvalu Falepili Union
- Making it easier for Southeast Asian businesses and eminent people to travel to Australia.

## INTRODUCTION

Australia sees itself as being both in and of the Indo-Pacific. We share a region and we share a future. We have deep connections to the Indo-Pacific, including family, business, education and tourism. As a nation, we also depend on our region remaining peaceful, stable and prosperous.

As Australia's International Development Policy states, 'there is also great opportunity in the Indo-Pacific region and each country within it, and much to be optimistic about. Indo-Pacific countries have made extraordinary development progress in recent decades. Hundreds of millions of people are living longer, healthier, and more productive lives. Helping to sustain equitable economic growth that can lift the living standards of people in our region makes Australians more secure.'<sup>78</sup>

The Government is listening to our partners in the Pacific and Southeast Asia, and working with them on our shared interests, including on climate, infrastructure, security, economic development and resilience. Encouraging greater people-to-people links with our partners in the Indo-Pacific is critical to further strengthening ties and our shared interests.

The Government is taking further steps to strengthen these connections, including increasing two-way movement, particularly of business people, other visitors and students. This complements existing efforts to enhance temporary and **permanent migration offerings for the Pacific and Timor-Leste and work on visa settings for the Pacific and Southeast Asia to encourage movement to Australia.**

## WHY ACTION WAS NEEDED

Migration reform can help Australia deepen connections in the Indo-Pacific by deepening our shared values and aspirations, building stronger links with diaspora communities and further integrating our social and economic relationships.

Australia and New Zealand have long shared a special bond. Many New Zealand citizens choose to work, raise families and build their lives in Australia.

Many New Zealand citizens in Australia have been living here for decades, yet have had limited opportunity to become Australian citizens and enjoy the rights and exercise the obligations that come from citizenship. This has made New Zealand citizens the largest cohort of 'permanently temporary' people in Australia.

Australia's migration programs also reflect our special relationship with the countries of the Pacific. Through permanent and temporary migration, such as the Pacific Australia Labour Mobility (PALM) scheme and the Pacific Engagement Visa, Australia is supporting the economic aspirations of Pacific countries and Timor-Leste and strengthening people-to-people links. These programs diversify livelihoods and boost remittance flows to support sustainable development, increase the Pacific and Timor-Leste diaspora in Australia and support a more integrated education and labour market. Supporting Pacific migration to Australia is an essential part of the Government's plan to deepen connections with the Pacific and contribute to a peaceful and prosperous region.

The Moore Report indicated the critical link between people-to-people links and business relationships. It highlighted Southeast Asian leaders and businesses have often suggested that Australia's visa system was an obstacle to commerce and travel. The Government is exploring options to ease travel to Australia for Southeast Asian business people, frequent travellers and eminent people.

## ACTION

### EXISTING COMMITMENT:

Established a direct pathway to Australian citizenship for eligible New Zealanders to reflect the strong ties between our two countries

The Government has provided more than 300,000 New Zealand citizens living in Australia with a direct pathway to Australian citizenship.

From 1 July 2023, New Zealand citizens living in Australia have a direct pathway to Australian citizenship, as long as they have been a resident for 4 years and meet other eligibility requirements. This deepens the friendship Australia shares with New Zealand.

### EXISTING COMMITMENT:

Reformed the PALM scheme, and delivering a new Pacific Engagement Visa to encourage more mobility from our region

The reformed PALM scheme consolidated the former Seasonal Worker Program and Pacific Labour Scheme into a single streamlined visa. It simplified administration and provided more flexible program settings to better meet the needs of employers and Pacific and Timor-Leste workers.

The scheme has grown rapidly in recent years—from just 8,000 workers at the end of February 2020 to more than 38,000 at the end of October 2023.

The reforms introduced from July 2023 are the result of extensive consultation with stakeholders and include important safeguards for workers.

They include requirements for minimum hours of work, minimum rates of pay, improved welfare and wellbeing support, and managing grievances. Combined with effective, appropriately resourced oversight, these requirements limit the opportunity for unscrupulous operators to do the wrong thing. They also allow PALM workers to realise benefits of participating in the PALM scheme and exercise their rights as provided in Australian law.

The number of Approved Employers participating in the PALM scheme since July 2023 has increased since the implementation of the new Deed and Guidelines compared to the number of employers participating under the previous deed.

The Government has strengthened oversight of the PALM scheme, expanded culturally appropriate worker support services, and is ensuring that relevant agencies will have the resources they need to hold unscrupulous

operators to account and enhance the integrity of the scheme as it grows.

The PALM scheme's footprint within regional Australia will expand to better support employers across the nation, including small growers, to participate in the scheme. PALM scheme workers' home countries will receive additional resources to support the mobility of their citizens who are suitable, willing and ready to undertake the journey to work for a time in Australia.

The Pacific will be considered in the context of changes to other parts of the migration system – including enhancements to protections for all temporary migrant workers. In particular, maintaining the primacy of **our relationships with the Pacific and Timor-Leste will be a guiding principle in filling labour shortages in the design of the Essential Skills Pathway.** This will ensure that international mobility pathways **which support our regional relationships** such as the PALM scheme, will continue to deliver wins for workers, communities, Pacific countries and Australian businesses.

The Government has also been consulting extensively with Pacific partners on the design of the Pacific Engagement Visa (PEV) and is listening to ensure it meets shared needs and priorities.





The PEV will enable up to 3,000 nationals of participating Pacific countries and Timor-Leste to migrate to Australia as permanent residents each year. In response to feedback, we have adjusted the design of the program to reduce barriers to participation by applicants and minimise disruption to the domestic labour markets of participating countries. The Government is also establishing an offshore support service to help connect Pacific Engagement Visa applicants with employers in Australia. A range of government benefits and supports will be extended to newly arrived visa holders to support their settlement in Australia and enable them to upskill, better equipping them to participate in the Australian job market.

Recognising that efficient visa arrangements help underpin people-to-people links between Australia and the countries in our region, the Australian Government is responding to requests from Pacific countries for enhanced visa arrangements to facilitate business and personal travel. New Pacific Service Centre arrangements have been established to priority process visitor visas for Pacific island nationals.

The Government is actively looking for opportunities to streamline visa applications for Pacific cohorts, for instance through the inclusion of Fiji as a pilot country to trial the use of mobile technologies in the online visa application process.

#### **EXISTING COMMITMENT:**

Providing a special visa arrangement for Tuvalu citizens under the Australia-Tuvalu Falepili Union

Falepili is a Tuvaluan word for the traditional values of good neighbourliness, care and mutual respect. These are the values that underpin the Australia-Tuvalu Falepili Union (the Union).

Under the Union, Australia has committed to establishing a special visa arrangement to enable Tuvaluans to live, study and work in Australia, with access to services that will enable mobility with dignity.

The special visa arrangement will enable Tuvaluans to send remittances, diversify livelihoods and acquire new skills which can be used to strengthen community resilience in Tuvalu.

Under the special visa arrangement citizens of Tuvalu will be permitted to migrate to Australia, with an initial allocation of 280 visas each program year. Both the Government of Australia and Tuvalu are working together to develop the special visa arrangement to ensure that it serves our shared interests and is in the interests of the people of both countries. The special visa arrangement is part of a package of cooperation under the Union, which also includes support from Australia for Tuvalu's efforts to enable its people to continue to live and thrive in their territory and retain Tuvalu's deep ancestral connections to land and sea.

#### **EXISTING COMMITMENT:**

Making it easier for Southeast Asian businesses and eminent people to travel to Australia

At the Australia-Indonesia Annual Leaders' Meeting in Sydney in July 2023, Prime Minister Albanese announced several changes to visa settings to drive deeper people-to-people links and economic cooperation. These included an extension of visa validity for Indonesian business visitors from three to five years, and the expansion of Australian SmartGates access to Indonesian e-passport holders. Australia also committed to commencing arrangements to give Indonesia access to the Frequent Traveller Stream, with a 10-year validity. In line with the recommendations of the Moore Report, these changes help to remove obstacles to commerce and travel between Indonesia and Australia.

The Government will explore further options to facilitate travel to Australia more broadly for Southeast Asian business people, frequent travellers and eminent people.





# Simplifying the migration system to improve the experience for migrants and employers

## EXISTING COMMITMENTS INCLUDE:

- Invested to reduce the visa backlog and modernise the visa system experience for migrants and employers.

## NEW COMMITMENTS INCLUDE:

- Abolish unnecessary and duplicative visas to simplify the visa system
- Embed simplification as a key objective of all actions in the Migration Strategy.

## INTRODUCTION

The Government's fifth objective of the migration system is a 'fast, efficient, and fair' system that supports the other objectives. Principally, simplicity is about creating a system that is best able to seize opportunities in the national interest. Without simplicity, small businesses might not be able to fill a critical role quickly, migrants might be deterred from migrating to Australia and in

the case of the Government, 'complexity can prevent reform being implemented quickly or—sometimes—at all'.<sup>80</sup>

The migration system is inherently complex and some complexity is unavoidable. The question is therefore: how can government make the migration system as simple as possible for those who use it?



Why is simplicity desirable? When people call for 'simplicity' they are asking for their experience, when they use a system, to be clear, easy and fast. Government systems that are simple (and transparent) are perceived as more trustworthy.

Review of the Migration System<sup>79</sup>

## WHY ACTION IS NEEDED

Stakeholders' submissions and consultation during the Migration Review and the development of the Migration Strategy were consistent in advocating for a simpler migration system. This feedback was unanimous across migrants, employers, education providers and governments—local, state and federal. Sixty-five per cent of business visa applications use migration assistance, which is a sign that the system is not working as desired.

This Strategy presents an opportunity to reform many of the drivers of complexity, where possible. This is about genuine simplification—not just through fewer visas but through simpler policy settings, streamlined administration and technology, and better collaboration with stakeholders.

## ACTION

### EXISTING COMMITMENT:

Invested to reduce the visa backlog and modernise the visa system experience for migrants and employers

The Government is already reforming the visa system to improve the experience of potential migrants and businesses. We have **invested more than \$84 million on visa processing staff** to reduce the visa backlog and improve processing times.

For example, the Temporary Skill Shortage visas are now processed in an average of 11 days compared to 50 days, helping regional businesses especially get access to the skilled workers they need.

We have also **invested \$27.8m to enhance the visa ICT systems.** This investment commences the delivery of a more flexible and responsive visa system that is simpler to use and reduces the time taken to process an application. This work will also improve the Department's ability to manage current and emerging risks in a rapidly changing and dynamic digital environment, thereby improving the quality of visa decision-making.



In a timely migration system, people know how long their application will take to be processed because maximum timeframes are established, processing is efficient, bridging visas are not overused when timing blows out, and citizenship is achievable.

Federation of Ethnic Communities Council of Australia<sup>81</sup>

### **NEW COMMITMENT:**

#### **Abolish unnecessary and duplicative visas to simplify the visa system**

Genuine simplification is more than a reduction in the number of visas, but the proliferation of visas has been a driver of complexity in the migration system. With around 100 visa products, it is difficult for migrants and employers to navigate, and hard for the Department of Home Affairs to administer.

The Migration Review noted Australia is relatively weak in attracting younger and more highly educated migrants.<sup>82</sup> Competitor countries are simplifying eligibility criteria and providing a seamless application journey and we risk falling behind. As other countries make simpler, more appealing offers to migrants, we risk losing our edge in the global race for talent because of our complex migration system.

To start reducing the administrative burden, the Government will initially **reduce the number of visa subclasses by 20**, for example by merging offshore and onshore visa classes such as the subclass 101 Child visa (offshore) and the subclass 802 Child visa (onshore) into a single Child visa. We will close some temporary visas that are no longer receiving new applications and merge others that essentially perform the same purpose.

Our complex visa system not only risks losing out on the skills we need, but creates a market for third parties to exploit confused and vulnerable visa applicants who can't navigate the system. This proposal simplifies family migration visas by cutting the number of options in half. The Family visa program is a vital part of our attractiveness and supports Australian citizens and permanent residents,

many of whom are skilled migrants.

This measure will not affect existing visa holders or existing visa applications, but will help reduce the administrative complexity in the system and help migrants and employers navigate fewer visa classes.

### **NEW COMMITMENT:**

#### **Embed simplification as a key objective of all actions in the Migration Strategy**

Building a simpler migration system is broader than one key action in a roadmap. It is a core objective of the Migration Strategy that has been embedded across all actions and commitments.

The next page provides a summary of the drivers of complexity expressed by stakeholders and a clear articulation of how the Government proposes to build a simpler migration system. The majority of these changes have been explored under other actions in the Migration Strategy.

Table 3: How we will tackle complexity to build a simpler migration system

Theme	Complexity expressed by stakeholders	Government approach (recap)
Policy settings	'Outdated', 'inflexible', 'multiple' occupation lists	No occupation lists used for the Specialist Skills Pathway and a single new list for core skills, developed by Jobs and Skills Australia
	Unclear pathways to permanent residence	Clear pathways to permanent residence for temporary skilled migrants and a pathway to citizenship for New Zealanders
	High upfront employer costs	Exploring a model for employers to pay trailing fees, rather than upfront fees
	Unnecessary labour market testing requirements	Streamlined approach to labour market testing requirements
	Complexity in the skills assessment process	Improved approach to skills recognition and assessment to unlock migrants' potential
	Duplicative visa classes	Reduction in number of duplicative visa classes
	Overreliance on 1800 labour agreements to meet industry or company specific needs	Clearer guidelines for labour agreements and simpler approaches to skilled migration
	Complex process to establish DAMAs	Commitment to evaluating the role of DAMAs, including how to improve the process
Administration and technology	No clear service standards for visa processing times	Clear service standards for visa processing of temporary skilled migrant workers and graduate visa holders
	Lengthy visa processing times and a long visa backlog	Investment of \$84m to reduce the visa backlog and visa processing times
	Poor ICT user experience for migrants and employers	Investment of almost \$27.8m to improve the visa ICT system
	Complex naming conventions in the system, not focused on objectives	Clear descriptions of visas and pathways to signal the desired objectives – for example, the description of the new Specialist, Core and Essential Skills Pathways, and the Graduate visa changes
Collaboration with stakeholders	Unclear stakeholder points of contact with the Department of Home Affairs	Enhanced outreach officer program to establish direct points of contact into the migration system for key national organisations
	Limited, short-term role for state and territory governments to select migrants to meet their needs	New multi-year migration planning model for greater foresight and responsiveness to state and territory government needs

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