



LIN 24/089

Migration (Specification of Occupations— Subclass 482 Visa) Instrument 2024

I, Julian Hill, Assistant Minister for Citizenship and Multicultural Affairs, make the following instrument.

Dated 6 December 2024

Julian Hill
Assistant Minister for Citizenship and Multicultural Affairs

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Part 1—Preliminary

1 Name

This instrument is the *Migration (Specification of Occupations—Subclass 482 Visa) Instrument 2024*.

2 Commencement

This instrument commences on 7 December 2024.

3 Authority

This instrument is made under subregulation 2.72(9) of the *Migration Regulations 1994*.

4 Definitions

Note: A number of expressions used in this instrument are defined in the Regulations, including *AUD*.

In this instrument:

ANZSCO is specified to mean, for the purposes of the definition of ANZSCO in regulation 1.03 of the Regulations, the Australian and New Zealand Standard Classification of Occupations published by the Australian Bureau of Statistics on its website, as in force on 23 November 2022.

Applicable Circumstances List: see subsection 7(2).

Core Skills Occupation List: see subsection 6(3).

Core Skills stream nominee means a holder of, or an applicant or proposed applicant for, a Subclass 482 (Skills in Demand) visa in the Core Skills Stream.

international trade obligation means an obligation of Australia under international law that relates to international trade, including such an obligation that arises under any agreement between Australia and another country or other countries.

limited service restaurant includes the following:

- (a) a fast food or takeaway food service;
- (b) a fast casual restaurant;
- (c) a drinking establishment that offers only a limited food service;
- (d) a limited service cafe, including a coffee shop or mall cafe;
- (e) a limited service pizza restaurant.

nec is short for not elsewhere classified.

Regulations means the *Migration Regulations 1994*.

Specialist Skills stream nominee means a holder of, or an applicant or proposed applicant for, a Subclass 482 (Skills in Demand) visa in the Specialist Skills Stream.

university lecturer includes the following:

- (a) a research associate in a university;
- (b) a research fellow in a university.

5 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Part 2—Specification of occupations

6 Core Skills Occupation List

- (1) For the purposes of subparagraph 2.72(8)(b)(i), subregulation 2.72(9) and paragraph 2.72(9)(d) of the Regulations:
- (a) an occupation listed in column 1 of an item of the table under subsection (3) (the **Core Skills Occupation List**) is specified; and
 - (b) the 6-digit code listed in column 2 of that item is the 6-digit ANZSCO code for the occupation; and
 - (c) subject to subsection (2), the occupation applies to a Core Skills stream nominee if the tasks of the occupation that are to be performed by the nominee correspond to the tasks set out in the ANZSCO code specified for the occupation.
- (2) However, if:
- (a) a number is listed in column 3 of an item of the Core Skills Occupation List; and
 - (b) the circumstances set out in column 1 of the Applicable Circumstances List in subsection 7(2) corresponding to the number so listed apply to the position in which the nominee is to work;
- then:
- (c) the occupation listed in column 1 of the item of the Core Skills Occupation List does **not** apply to the nominee.
- (3) The occupations and corresponding ANZSCO codes set out in the following table are the Core Skills Occupation List.

Core Skills Occupation List

Item	Column 1 Occupation Title	Column 2 ANZSCO Code	Column 3 Applicable circumstance (see subsection 7(2))
1	Chief Executive or Managing Director	111111	1,14
2	Corporate General Manager	111211	1,14
3	Aquaculture Farmer	121111	5
4	Apiarist	121311	5
5	Dairy Cattle Farmer	121313	5
6	Goat Farmer	121315	5
7	Pig Farmer	121318	5
8	Poultry Farmer	121321	5
9	Flower Grower	121611	5
10	Sales and Marketing Manager	131112	6,12,14
11	Advertising Manager	131113	14
12	Corporate Services Manager	132111	12,14
13	Finance Manager	132211	14
14	Human Resource Manager	132311	14

Core Skills Occupation List

15	Policy and Planning Manager	132411	
16	Research and Development Manager	132511	
17	Construction Project Manager	133111	
18	Project Builder	133112	
19	Engineering Manager	133211	
20	Production Manager (Forestry)	133511	
21	Production Manager (Manufacturing)	133512	
22	Supply and Distribution Manager	133611	6,12,14
23	Procurement Manager	133612	
24	Medical Administrator \ Medical Superintendent	134211	
25	Nursing Clinical Director	134212	
26	Primary Health Organisation Manager	134213	
27	School Principal	134311	
28	Faculty Head	134411	
29	Education Managers nec	134499	
30	Chief Information Officer	135111	14
31	ICT Project Manager	135112	
32	ICT Managers nec	135199	
33	Arts Administrator or Manager	139911	
34	Environmental Manager	139912	
35	Laboratory Manager	139913	
36	Quality Assurance Manager	139916	
37	Regulatory Affairs Manager	139917	
38	Hotel or Motel Manager	141311	5
39	Licensed Club Manager	141411	
40	Accommodation and Hospitality Managers nec	141999	
41	Retail Manager (General)	142111	
42	Travel Agency Manager	142116	
43	Fleet Manager	149411	
44	Boarding Kennel or Cattery Operator	149911	
45	Cinema or Theatre Manager	149912	
46	Equipment Hire Manager	149915	
47	Hospitality, Retail and Service Managers nec	149999	
48	Music Director	211212	
49	Artistic Director	212111	
50	Program Director (Television or Radio)	212315	
51	Stage Manager	212316	
52	Technical Director	212317	
53	Video Producer	212318	
54	Print Journalist	212413	

Core Skills Occupation List

55	Radio Journalist	212414	
56	Technical Writer	212415	
57	Television Journalist	212416	
58	Journalists and Other Writers nec	212499	
59	Accountant (General)	221111	2,11,13
60	Management Accountant	221112	2,11,13
61	Taxation Accountant	221113	2,11,13
62	Company Secretary	221211	
63	External Auditor	221213	
64	Internal Auditor	221214	
65	Finance Broker	222112	
66	Insurance Broker	222113	
67	Financial Investment Adviser	222311	
68	Human Resource Adviser	223111	2
69	Recruitment Consultant	223112	11,13
70	Workplace Relations Adviser	223113	5
71	Actuary	224111	
72	Mathematician	224112	
73	Data Analyst	224114	
74	Data Scientist	224115	
75	Statistician	224116	
76	Land Economist	224511	
77	Valuer	224512	
78	Organisation and Methods Analyst	224712	
79	Management Consultant	227713	11, 13
80	Supply Chain Analyst	224714	
81	Patents Examiner	224914	
82	Information and Organisation Professionals nec	224999	
83	Advertising Specialist	225111	
84	Marketing Specialist	225113	6,11
85	Content Creator (Marketing)	225114	
86	ICT Account Manager	225211	
87	ICT Business Development Manager	225212	
88	ICT Sales Representative	225213	
89	Public Relations Professional	225311	
90	Sales Representative (Industrial Products)	225411	
91	Sales Representative (Medical and Pharmaceutical Products)	225412	
92	Technical Sales Representatives nec	225499	6
93	Aeroplane Pilot	231111	
94	Flying Instructor	231113	
95	Helicopter Pilot	231114	
96	Air Transport Professionals nec	231199	

Core Skills Occupation List

97	Ship's Engineer	231212	
98	Architect	232111	
99	Landscape Architect	232112	
100	Surveyor	232212	
101	Cartographer	232213	
102	Other Spatial Scientist	232214	
103	Jewellery Designer	232313	
104	Illustrator	232412	
105	Multimedia Designer	232413	
106	Web Designer	232414	
107	Interior Designer	232511	
108	Urban and Regional Planner	232611	
109	Chemical Engineer	233111	
110	Materials Engineer	233112	
111	Civil Engineer	233211	
112	Geotechnical Engineer	233212	
113	Quantity Surveyor	233213	
114	Structural Engineer	233214	
115	Transport Engineer	233215	
116	Electrical Engineer	233311	
117	Electronics Engineer	233411	
118	Industrial Engineer	233511	
119	Mechanical Engineer	233512	
120	Production or Plant Engineer	233513	
121	Mining Engineer (excluding Petroleum)	233611	
122	Petroleum Engineer	233612	
123	Aeronautical Engineer	233911	
124	Agricultural Engineer	233912	
125	Biomedical Engineer	233913	
126	Engineering Technologist	233914	
127	Environmental Engineer	233915	
128	Naval Architect \ Marine Designer	233916	
129	Engineering Professionals nec	233999	
130	Agricultural Consultant	234111	
131	Agricultural Research Scientist	234114	
132	Agronomist	234115	
133	Aquaculture or Fisheries Scientist	234116	
134	Chemist	234211	
135	Food Technologist	234212	
136	Wine Maker	234213	
137	Environmental Consultant	234312	
138	Environmental Scientists nec	234399	
139	Geologist	234411	
140	Geophysicist	234412	

Core Skills Occupation List

141	Hydrogeologist	234413	
142	Life Scientist (General)	234511	
143	Biochemist	234513	
144	Botanist	234515	
145	Marine Biologist	234516	
146	Entomologist	234521	
147	Zoologist	234522	
148	Life Scientists nec	234599	
149	Respiratory Scientist	234612	
150	Veterinarian	234711	
151	Conservator	234911	
152	Metallurgist	234912	
153	Meteorologist	234913	
154	Physicist	234914	
155	Natural and Physical Science Professionals nec	234999	
156	Early Childhood (Pre-primary School) Teacher	241111	
157	Primary School Teacher	241213	
158	Middle School Teacher \ Intermediate School Teacher	241311	
159	Secondary School Teacher	241411	
160	Special Needs Teacher	241511	
161	Teacher of the Hearing Impaired	241512	
162	Teacher of the Sight Impaired	241513	
163	Special Education Teachers nec	241599	
164	University Lecturer	242111	
165	Vocational Education Teacher \ Polytechnic Teacher	242211	
166	Education Reviewer	249112	
167	Music Teacher (Private Tuition)	249214	
168	Private Tutors and Teachers nec	249299	14
169	Dietitian	251111	
170	Medical Diagnostic Radiographer	251211	
171	Medical Radiation Therapist	251212	
172	Nuclear Medicine Technologist	251213	
173	Sonographer	251214	
174	Occupational Health and Safety Adviser	251312	
175	Optometrist	251411	
176	Orthoptist	251412	
177	Hospital Pharmacist	251511	
178	Industrial Pharmacist	251512	
179	Retail Pharmacist	251513	
180	Orthotist or Prosthetist	251912	

Core Skills Occupation List

181	Health Diagnostic and Promotion Professionals nec	251999	
182	Traditional Chinese Medicine Practitioner	252214	14
183	Complementary Health Therapists nec	252299	
184	Dental Specialist	252311	
185	Dentist	252312	
186	Occupational Therapist	252411	
187	Physiotherapist	252511	
188	Podiatrist	252611	
189	Audiologist	252711	
190	Speech Pathologist \ Speech Language Therapist	252712	
191	General Practitioner	253111	
192	Resident Medical Officer	253112	
193	Anaesthetist	253211	
194	Specialist Physician (General Medicine)	253311	
195	Cardiologist	253312	
196	Clinical Haematologist	253313	
197	Medical Oncologist	253314	
198	Endocrinologist	253315	
199	Gastroenterologist	253316	
200	Intensive Care Specialist	253317	
201	Neurologist	253318	
202	Paediatrician	253321	
203	Renal Medicine Specialist	253322	
204	Rheumatologist	253323	
205	Thoracic Medicine Specialist	253324	
206	Specialist Physicians nec	253399	
207	Psychiatrist	253411	
208	Surgeon (General)	253511	
209	Cardiothoracic Surgeon	253512	
210	Neurosurgeon	253513	
211	Orthopaedic Surgeon	253514	
212	Otorhinolaryngologist	253515	
213	Paediatric Surgeon	253516	
214	Plastic and Reconstructive Surgeon	253517	
215	Urologist	253518	
216	Vascular Surgeon	253521	
217	Dermatologist	253911	
218	Emergency Medicine Specialist	253912	
219	Obstetrician and Gynaecologist	253913	
220	Ophthalmologist	253914	

Core Skills Occupation List

221	Pathologist	253915	
222	Diagnostic and Interventional Radiologist	253917	
223	Radiation Oncologist	253918	
224	Medical Practitioners nec	253999	
225	Midwife	254111	
226	Nurse Educator	254211	
227	Nurse Researcher	254212	
228	Nurse Practitioner	254411	
229	Registered Nurse (Aged Care)	254412	
230	Registered Nurse (Child and Family Health)	254413	
231	Registered Nurse (Community Health)	254414	
232	Registered Nurse (Critical Care and Emergency)	254415	
233	Registered Nurse (Developmental Disability)	254416	
234	Registered Nurse (Disability and Rehabilitation)	254417	
235	Registered Nurse (Medical)	254418	
236	Registered Nurse (Medical Practice)	254421	
237	Registered Nurse (Mental Health)	254422	
238	Registered Nurse (Perioperative)	254423	
239	Registered Nurse (Surgical)	254424	
240	Registered Nurse (Paediatrics)	254425	
241	Registered Nurses nec	254499	
242	ICT Business Analyst	261111	
243	Systems Analyst	261112	
244	Multimedia Specialist	261211	
245	Web Developer	261212	
246	Analyst Programmer	261311	
247	Developer Programmer	261312	
248	Software Engineer	261313	
249	Software Tester	261314	
250	Cyber Security Engineer	261315	
251	Devops Engineer	261316	
252	Penetration Tester	261317	
253	Software and Applications Programmers nec	261399	
254	Database Administrator	262111	
255	Systems Administrator	262113	
256	Cyber Governance Risk and Compliance Specialist	262114	
257	Cyber Security Advice and Assessment Specialist	262115	

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258	Cyber Security Analyst	262116	
259	Cyber Security Architect	262117	
260	Cyber Security Operations Coordinator	262118	
261	Computer Network and Systems Engineer	263111	
262	Network Administrator	263112	
263	Network Analyst	263113	
264	ICT Quality Assurance Engineer	263211	
265	ICT Systems Test Engineer	263213	
266	ICT Support and Test Engineers nec	263299	
267	Telecommunications Network Engineer	263312	
268	Barrister	271111	
269	Intellectual Property Lawyer	271214	
270	Judicial and Other Legal Professionals nec	271299	
271	Solicitor	271311	
272	Drug and Alcohol Counsellor	272112	
273	Rehabilitation Counsellor	272114	
274	Student Counsellor	272115	
275	Clinical Psychologist	272311	
276	Educational Psychologist	272312	
277	Organisational Psychologist	272313	
278	Psychotherapist	272314	
279	Psychologists nec	272399	
280	Translator	272413	
281	Social Worker	272511	
282	Recreation Officer \ Recreation Coordinator	272612	
283	Agricultural and Agritech Technician	311112	
284	Animal Husbandry Technician	311113	
285	Aquaculture or Fisheries Technician	311114	
286	Irrigation Designer	311115	
287	Anaesthetic Technician	311211	
288	Cardiac Technician	311212	
289	Pharmacy Technician	311215	
290	Respiratory Technician	311217	
291	Medical Technicians nec	311299	
292	Meat Inspector	311312	
293	Primary Products Quality Assurance Officer	311314	
294	Primary Products Assurance and Inspection Officers nec	311399	
295	Chemistry Technician	311411	

Core Skills Occupation List

296	Earth Science Technician	311412	
297	Science Technicians nec	311499	
298	Architectural Draftsperson	312111	
299	Building Associate	312112	
300	Building Inspector	312113	
301	Construction Estimator	312114	
302	Surveying or Spatial Science Technician	312116	
303	Architectural, Building and Surveying Technicians nec	312199	
304	Civil Engineering Draftsperson	312211	
305	Civil Engineering Technician	312212	
306	Electrical Engineering Draftsperson	312311	
307	Electrical Engineering Technician	312312	
308	Electronic Engineering Technician	312412	
309	Mechanical Engineering Draftsperson	312511	
310	Mechanical Engineering Technician	312512	9
311	Maintenance Planner	312911	
312	Metallurgical or Materials Technician	312912	
313	Mine Deputy	312913	
314	Other Draftsperson	312914	
315	Building and Engineering Technicians nec	312999	
316	Hardware Technician	313111	
317	ICT Customer Support Officer	313112	
318	Web Administrator	313113	
319	ICT Support Technicians nec	313199	
320	Telecommunications Field Engineer	313212	
321	Telecommunications Network Planner	313213	
322	Telecommunications Technical Officer or Technologist	313214	
323	Automotive Electrician	321111	
324	Motor Mechanic (General)	321211	
325	Diesel Motor Mechanic	321212	
326	Motorcycle Mechanic	321213	
327	Small Engine Mechanic	321214	
328	Electroplater	322112	
329	Farrier	322113	
330	Metal Casting Trades Worker	322114	
331	Sheetmetal Worker	322211	
332	Metal Fabricator	322311	
333	Pressure Welder	322312	
334	Welder (First Class)	322313	

Core Skills Occupation List

335	Aircraft Maintenance Engineer (Avionics)	323111	
336	Aircraft Maintenance Engineer (Mechanical)	323112	
337	Aircraft Maintenance Engineer (Structures)	323113	
338	Fitter (General)	323211	
339	Fitter and Turner	323212	
340	Fitter-Welder	323213	
341	Metal Machinist (First Class)	323214	
342	Textile, Clothing and Footwear Mechanic	323215	
343	Metal Fitters and Machinists nec	323299	
344	Locksmith	323313	
345	Precision Instrument Maker and Repairer	323314	
346	Engineering Patternmaker	323411	
347	Toolmaker	323412	
348	Panelbeater	324111	
349	Vehicle Body Builder	324211	
350	Vehicle Trimmer	324212	
351	Vehicle Painter	324311	
352	Bricklayer	331111	
353	Stonemason	331112	
354	Carpenter and Joiner	331211	
355	Carpenter	331212	
356	Joiner	331213	
357	Floor Finisher	332111	
358	Painter	332211	
359	Glazier	333111	
360	Plasterer (Wall and Ceiling)	333211	
361	Renderer (Solid Plaster)	333212	
362	Roof Tiler	333311	
363	Wall and Floor Tiler	333411	
364	Airconditioning and Mechanical Services Plumber	334112	
365	Drainer	334113	
366	Gasfitter	334114	
367	Roof Plumber	334115	
368	Plumber (General)	334116	
369	Fire Protection Plumber	334117	
370	Electrician (General)	341111	
371	Electrician (Special Class)	341112	
372	Airconditioning and Refrigeration Mechanic	342111	

Core Skills Occupation List

373	Electrical Linesworker \ Electrical Line Mechanic	342211	
374	Technical Cable Jointer	342212	
375	Business Machine Mechanic	342311	
376	Electronic Equipment Trades Worker	342313	
377	Electronic Instrument Trades Worker (General)	342314	
378	Electronic Instrument Trades Worker (Special Class)	342315	
379	Cabler (Data and Telecommunications)	342411	
380	Telecommunications Cable Jointer	342412	
381	Telecommunications Linesworker \ Telecommunications Line mechanic	342413	
382	Telecommunications Technician	342414	
383	Baker	351111	10
384	Pastrycook	351112	10
385	Butcher or Smallgoods Maker	351211	
386	Chef	351311	3,4,14
387	Cook	351411	3,4
388	Dog Handler or Trainer	361111	
389	Horse Trainer	361112	
390	Veterinary Nurse	361311	
391	Nurseryperson	362411	
392	Arborist	362511	
393	Tree Worker	362512	
394	Landscape Gardener	362711	
395	Irrigation Technician	362712	
396	Hairdresser	391111	
397	Print Finisher	392111	
398	Screen Printer	392112	
399	Graphic Pre-press Trades Worker	392211	
400	Printing Machinist	392311	
401	Shoemaker	393114	
402	Upholsterer	393311	
403	Cabinet Maker	394112	
404	Furniture Maker	394113	
405	Furniture Finisher	394211	
406	Picture Framer	394212	
407	Wood Machinist	394213	
408	Wood Machinists and Other Wood Trades Workers nec	394299	
409	Boat Builder and Repairer	399111	
410	Shipwright	399112	
411	Chemical Plant Operator	399211	

Core Skills Occupation List

412	Gas or Petroleum Operator	399212	15
413	Power Generation Plant Operator	399213	
414	Light Technician	399513	
415	Sound Technician	399516	
416	Performing Arts Technicians nec	399599	
417	Signwriter	399611	
418	Diver	399911	
419	Optical Dispenser \ Dispensing Optician	399913	
420	Optical Mechanic	399914	
421	Plastics Technician	399916	
422	Fire Protection Equipment Technician	399918	
423	Technicians and Trades Workers nec	399999	
424	Ambulance Officer	411111	
425	Intensive Care Ambulance Paramedic	411112	
426	Dental Hygienist	411211	
427	Dental Prosthetist	411212	
428	Dental Technician	411213	
429	Dental Therapist	411214	
430	Diversional Therapist	411311	
431	Enrolled Nurse	411411	
432	Massage Therapist	411611	7
433	Community Worker	411711	
434	Family Support Worker	411713	
435	Residential Care Officer	411715	
436	Youth Worker	411716	
437	Child Care Worker	421111	
438	Out of School Hours Care Worker	421114	
439	Hotel Service Manager	431411	
440	Beauty Therapist	451111	
441	Tour Guide	451412	
442	Travel Consultant	451612	
443	Flight Attendant	451711	
444	Diving Instructor (Open Water)	452311	
445	Other Sports Coach or Instructor (Wushu Martial Arts Coach or Yoga Instructor Only)	452317	14
446	Sports Development Officer	452321	
447	Contract Administrator	511111	
448	Program or Project Administrator	511112	
449	Office Manager	512111	
450	Legal Secretary	521212	
451	Conveyancer	599111	
452	Clerk of Court	599211	

Core Skills Occupation List

453	Insurance Loss Adjuster	599612	
454	Clinical Coder	599915	
455	Insurance Agent	611211	
456	Retail Buyer	639211	6

7 Applicable circumstances

- (1) For the purposes of paragraph 2.72(9)(d) of the Regulations, the Applicable Circumstances List in the table under subsection (2) sets out the circumstances for determining whether an occupation listed in column 1 of an item of the Core Skills Occupation List applies to a Core Skills stream nominee.
- (2) The following table is the Applicable Circumstances List.

Applicable Circumstances List

Item	Column 1 Circumstance
1	(a) the position has nominated annual earnings of less than AUD180,001; and (b) if the nominee is to be transferred to fill the position—the transfer is not an intra-corporate transfer to which an international trade obligation applies.
2	The position is a clerical, bookkeeper or accounting clerk position.
3	The position is involved in mass production in a factory setting.
4	The position is in a limited service restaurant.
5	The position predominantly involves responsibility for low-skilled tasks. Example 1: Fruit picking or packing or feeding of livestock or animals. Example 2: Truck driving.
6	The position: (a) is based in a front-line retail setting; or (b) predominantly involves direct client transactional interaction on a regular basis; or (c) predominantly involves selling educational courses to individual students; or (d) is based in a call centre and does not require a significant technical knowledge of products.
7	The position: (a) is not a full-time position; or (b) is not based in a therapeutic setting; or (c) involves the provision of non-medical relaxation massage; or (d) is in a retail setting.
8	The position: (a) is not located in a commercial building or shopping centre environment; or

Applicable Circumstances List

Item	Column 1 Circumstance
	(b) predominantly involves managing the provision of only one particular service to a facility or managing one particular relationship. Example: Managing the cleaning contract for a facility but not other contracts relevant to the facility.
9	The position relates to retail mobile phone repairs or other small consumer mobile devices including tablets, smart watches, handheld gaming devices, portable media players etc.
10	The position relates to mass or standardised production (as opposed to specialist production), including the following: (a) a position based in a franchise or factory; (b) a position that: (i) involves full or partial production of food product for distribution to another location; or (ii) predominantly involves the use of pre-prepared food product from another location.
11	The position is in a business that has an annual turnover of less than AUD1,000,000.
12	(a) the position is in a business that has an annual turnover of less than AUD1,000,000; and (b) if the nominee is to be transferred to fill the position—the transfer is not an intra-corporate transfer to which an international trade obligation applies. (c) the position is in a business that has fewer than 5 employees; and (i) if the nominee is to be transferred to fill the position—the transfer is not an intra-corporate transfer to which an international trade obligation applies.
13	The position is in a business that has fewer than 5 employees.
14	The position is not provided for under an International Trade Obligation
15	The position has nominated annual earnings of less than AUD120,000.

8 When an occupation does not apply to Specialist Skills stream nominee

- (1) For the purposes of subregulation 2.72(9) and paragraph 2.72(9)(d) of the Regulations, this section specifies circumstances in which an occupation does not apply to a Specialist Skills stream nominee.
- (2) If a circumstance in an item of the Applicable Circumstances List under subsection 7(2) applies to the position in which a Specialist Skills stream nominee is to work, then an occupation referred to in subparagraph 2.72(8)(a)(i) of the Regulations does not apply to the nominee.

Part 3—Application and savings provisions

9 Application of this instrument

This instrument applies in relation to a nomination of a proposed occupation that is made on or after the commencement of this instrument.

10 Continued application of LIN 19/048

Despite the repeal of *Migration (LIN 19/048: Specification of Occupations—Subclass 482 Visa) Instrument 2019 (LIN 19/048)* by this instrument, LIN 19/048, as in force immediately before the day this instrument commences, continues to apply in relation to a nomination of a proposed occupation made before the commencement of this instrument.

Schedule 1—Repeals

Migration (LIN 19/048: Specification of Occupations—Subclass 482 Visa) Instrument 2019

1 The whole of the instrument

Repeal the instrument.

EXPLANATORY STATEMENT

Issued by the Assistant Minister for Citizenship and Multicultural Affairs

Migration Regulations 1994

Migration (Specification of Occupations—Subclass 482 Visa) Instrument 2024

Subregulation 2.72(9) of the *Migration Regulations 1994* (the Migration Regulations), as amended by the *Migration Amendment (2024 Measures No. 1) Regulations 2024* on 7 December 2024, provides that the Minister may, by legislative instrument, specify occupations for the purposes of the Subclass 482 (Skills in Demand) visa in the Core Skills stream.

The Government is introducing a new skilled visa, the Subclass 482 (Skills in Demand) visa, as part of its reform of Australia's skilled visa programs. This reform includes the creation of a new Core Skills Occupation List (the CSOL). The *Migration (Specification of Occupations—Subclass 482 Visa) Instrument 2024* (departmental reference LIN 24/089) specifies the CSOL for the purposes of the Core Skills stream of the Subclass 482 (Skills in Demand) visa, under the Migration Regulations as amended on 7 December 2024 by the *Migration Amendment (2024 Measures No. 1) Regulations 2024 (Amendment Regulations)*.

This instrument also repeals *Migration (LIN 19/048: Specification of Occupations—Subclass 482 Visa) Instrument 2019* (LIN 19/048), made under subregulation 2.72(9) of the Regulations. The repeal of LIN 19/048 is done in accordance with subsection 33(3) of the Acts Interpretation Act 1901 (Acts Interpretation Act). Subsection 33(3) of that Act provides that where an Act confers a power to make, grant or issue any instrument of a legislative or administrative character, the power shall be construed as including a power exercisable in the like manner and subject to the like conditions (if any) to repeal, rescind, revoke, amend, or vary any such instrument.

A Statement of Compatibility with Human Rights has been completed in accordance with the *Human Rights (Parliamentary Scrutiny) Act 2011*. The overall assessment is that the instrument is compatible with human rights. A copy of the Statement is at [Attachment A](#).

The Office of Impact Analysis (OIA) has been consulted in relation to the Amendment Regulations generally, advising that no Impact Analysis is required. The OIA consultation reference number is OIA24-08631.

The Department of Home Affairs has consulted on the Migration Strategy with business, unions and other stakeholders throughout the Migration Review. Whole of Government consultation occurred, along with consultation involving peak body, state and territory, and industry representatives via the Ministerial Advisory Council on Skilled Migration (MACSM) and Senior Migration Officers Group (SMOG) groups.

LIN 24/089 commences on 7 December 2024.

Further details of the instrument are set out in [Attachment B](#).

LIN 24/089 is a legislative instrument for the purposes of the *Legislation Act 2003*.

Statement of Compatibility with Human Rights

Prepared in accordance with Part 3 of the Human Rights (Parliamentary Scrutiny) Act 2011

Migration (Specification of Occupations—Subclass 482 Visa) Instrument 2024

This Disallowable Legislative Instrument is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

Overview of the Disallowable Legislative Instrument

The *Migration Regulations 1994* (‘Migration Regulations’) are being amended to set out requirements for the grant of a Skills in Demand (subclass 482) visa (SID visa), which will replace the Temporary Skill Shortage (subclass 482) visa (TSS visa) on 7 December 2024.

The SID visa will have three streams comprising:

- **Specialist Skills stream:**
 - the occupation and its corresponding 6-digit code correspond to an occupation and its corresponding 6-digit code specified in Major Group 1, 2, 4, 5 or 6 in Australian and New Zealand Standard Classification of Occupations (ANZSCO); and
 - the occupation can be, but is not limited to occupations appearing on the Core Skills Occupation Lists (CSOL); and
 - where the occupation appears on the CSOL, it will be subject to applicable circumstances (caveats) that are detailed in this instrument as identified against the occupation appearing on the CSOL and its corresponding applicable circumstance; and
 - the occupation is paid at least the amount known as the **specialist skills income threshold** or higher (from 7 December 2024 to 30 June 2025 this means \$135,000). This income threshold will be indexed annually on 1 July 2025 and each year thereafter, under regulation 5.42A.
- **Core Skills stream:**
 - the occupation, and its ANZSCO code, is specified in the CSOL; and
 - the occupation will be subject to applicable circumstances (caveats) that are detailed in this instrument as identified against occupations appearing on the CSOL and their corresponding applicable circumstance; and
 - The occupation is paid at least the amount known as the **core skills income threshold** or higher (from 7 December 2024 to 30 June 2025 this means \$73,150).

This income threshold will be indexed annually on 1 July 2025 and each year thereafter, under regulation 5.42A.

- **Labour Agreement stream:**
 - the occupation will be for a SID visa; and
 - the occupation may or may not be on the CSOL;
 - the occupation may be an emerging occupation that does not have a corresponding ANZSCO; and
 - the occupation will be subject to applicable circumstances (caveats) that are detailed in this instrument as identified against occupations appearing on the CSOL and their corresponding applicable circumstance, **unless** negotiated otherwise under the labour agreement.

In the assessment of nominations under the Migration Regulations, a requirement of the SID visa, (under both the Specialist Skills and Core Skills streams) is that the applicant be nominated by their employer, in an occupation that appears on the ANZSCO code as relevant to the criteria for the stream applied for.

The ANZSCO code is used by the Department of Home Affairs to ensure that Specialist Skills and Core Skills stream SID visa applicants who wish to come to Australia as temporary skilled entrants are nominated in a skilled occupation for that purpose.

The CSOL is designed to be dynamic and respond to changing Australian labour market and economic conditions. Jobs and Skills Australia (JSA) was established following recommendations made in the Review of the Migration System in March 2023, chaired by Dr Martin Parkinson AC PSM. JSA is responsible for undertaking labour market analysis and conducting stakeholder engagement to provide advice on eligible occupations for skilled migration, including occupations for the subclass 482 visa.

The *Migration Amendment (2024 Measures No. 1) Regulations 2024* amended subregulation 2.72(9) of the Migration Regulations to provide that the Minister may, by legislative instrument, specify occupations for the purposes of the SID visa in the Core Skills stream, and repealed paragraph 2.72(9)(a) of the Migration Regulations. **This removed the references to specifying whether an occupation is** a short-term skilled occupation (STSO) on the STSO list (STSOL); or a medium and long-term strategic skills (MLTSS) occupation on the MLTSS list (MLTSSL); or a regional occupation (RO) on the RO list (ROL).

The *Migration (Specification of Occupations—Subclass 482 Visa) (LIN 24/089) Instrument 2024* (LIN 24/089) repeals the *Migration (LIN 19/048: Specification of Occupations—Subclass 482 Visa) Instrument 2019* (LIN 19/048) and **specifies the CSOL, which provides eligible occupations and ANZSCO codes, for the SID visa Core Skills stream. The single list replaces the previous three occupations lists that applied under the TSS visa.** This now delivers greater mobility by not limiting certain occupations to regional areas only, as listed on the ROL for example. It also provides for a pathway to permanent residence for all occupations, replacing the previous framework which only provided for a pathway for occupations on two out of three relevant occupation lists. This instrument will not apply in

relation to a nomination of a proposed occupation for a TSS visa made before its commencement.

Summary of key features of the CSOL and the instrument

The CSOL comprises 456 occupations open to applicants under the Core Skills stream. While this is a net decrease of available occupations from a total of 509 occupations under the previous TSS visa, it is an increase of 189 occupations which now provide a direct pathway to permanent residence, and which are available regardless of the workplace location.

The 456 occupations on the CSOL with direct pathways to permanent residence has increased by 189 from a total of 267 occupations available under both the MLTSSL and ROL under the TSS visa. Prior to this update there were 242 occupations in the short term stream on the STSOL with no direct pathway to permanent skilled migration.

The CSOL provides access to 16 new or amended ANZSCO occupations resulting in a better match of skills and skill levels to current workplace occupations than previously available under the TSS visa occupation lists, which relied on an outdated ANZSCO list of occupations from 2013.

There are 234 occupations, which based on labour market analysis and comprehensive stakeholder engagement, JSA recommended should not be included on the CSOL. Of these, 125 were previously included on the TSS occupation lists. The removed occupations have a combination of poor migrant outcomes, salaries below the Core Skills income threshold, and poor future demand prospects.

The instrument also includes 14 inapplicability conditions ('caveats'), which is almost half the number of caveats previously applied (26) under the TSS visa for certain occupations. A range of caveats are specified in this instrument to provide clarification for applications and ensure the integrity of the SID visa program. These include, but are not limited to, caveats that limit the breadth of the occupations to certain industries, skills or tasks, or specify a minimum salary. Caveats are specified for the purposes of the application satisfying the criteria for the nomination and therefore ensuring that applicants are nominated for genuinely skilled positions.

The instrument makes the following amendments to caveat specifications:

- a new caveat has been introduced (caveat 14) which applies to occupations that are provided for only under an International Trade Obligation;
- a number of caveats that applied under LIN 19/048 have been removed, including where the raising of and indexation of income thresholds has overtaken their function and caveat 10 which restricted certain occupations to regional Australia – to enable free movement of visa holders. A total of 12 caveats have been removed or combined with similar caveats.

The caveats continue to apply to all streams under the SID visa as they applied to all streams of the TSS visa, and are not just limited to the Core Skills stream where they are specified.

Human rights implications

This Disallowable Legislative Instrument engages the following rights:

- the right to work under Article 6 of the *International Covenant on Economic, Social and Cultural Rights* (ICESCR), including as read with Article 2(2) of the ICESCR;
- the rights of equality and non-discrimination under Article 26 of the *International Covenant on Civil and Political Rights* (ICCPR) and Article 2(2) ICESCR; and
- the right to liberty of movement and freedom to choose residence under Article 12(1) of the ICCPR.

Non-discrimination and the right to work

Article 6(1) of the ICESCR provides:

The States Parties to the present Covenant recognize the right to work, which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts, and will take appropriate steps to safeguard this right.

Article 26 of the ICCPR provides:

All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee, to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Article 2(2) of the ICESCR states:

The States Parties to the present Covenant undertake to guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

The main effect of this Disallowable Legislative Instrument is:

- it provides for 456 occupations to be eligible for the Core Skills stream of the SID visa, all with a pathway to permanent residence, which is 189 more than were eligible under the TSS visa, and which are available regardless of the workplace location;
- an increase of 16 occupations for new or changed ANZSCO occupations;
- a reductions of 125 occupations that were previously included on the TSS occupation lists;
- the introduction of caveat 14;
- the removal/combination of 12 caveats;

- the application of caveats to all streams under the SID visa.

Specification of lists of occupations (and relevant caveats) for which foreign workers may be nominated for entry and stay in Australia in this Disallowable Legislative Instrument engage the above rights to non-discrimination, including, for those persons who are already in Australia, as they relate to the right to work.

In its General Comment 18, the UN Human Rights Committee (UNHRC) stated that:

The Committee observes that not every differentiation of treatment will constitute discrimination, if the criteria for such differentiation are reasonable and objective and if the aim is to achieve a purpose which is legitimate under the [ICCPR].

Similarly, in its General Comment on Article 2 of the ICESCR, the UN Committee on Economic, Social and Cultural Rights (UNCESCR) has stated (at 13) that:

Differential treatment based on prohibited grounds will be viewed as discriminatory unless the justification for differentiation is reasonable and objective. This will include an assessment as to whether the aim and effects of the measures or omissions are legitimate, compatible with the nature of the Covenant rights and solely for the purpose of promoting the general welfare in a democratic society. In addition, there must be a clear and reasonable relationship of proportionality between the aim sought to be realized and the measures or omissions and their effects.

Neither the ICCPR nor the ICESCR give a right for non-citizens to enter Australia for the purposes of seeking residence or employment. The UNHRC, in its General Comment 15 on the position of aliens under the ICCPR, stated that:

The [ICCPR] does not recognize the right of aliens to enter or reside in the territory of a State party. It is in principle a matter for the State to decide who it will admit to its territory. However, in certain circumstances an alien may enjoy the protection of the [ICCPR] even in relation to entry or residence, for example, when considerations of non-discrimination, prohibition of inhuman treatment and respect for family life arise.

Consent for entry may be given subject to conditions relating, for example, to movement, residence and employment. A State may also impose general conditions upon an alien who is in transit. However, once aliens are allowed to enter the territory of a State party they are entitled to the rights set out in the [ICCPR].

As such, Australia is able to set requirements for the entry of non-citizens into Australia and conditions for their stay, and does so on the basis of reasonable and objective criteria. It is open to the Government to change visa settings for new applicants to meet its policy priorities for a well-managed migration program, consistently with its international obligations, that are intended to benefit the Australian community as a whole.

The aim of the SID program is to maximise the benefits of skilled entrants to the Australian economy. This includes channelling skilled migrants into the occupations that have been identified to be in the long-term strategic interest of the Australian economy, and restricting skilled migrants to occupations that are currently in shortage but for which there may not be a

long-term requirement. Australia sets the requirements for the entry and conditions of stay for skilled migrants on the basis of reasonable and objective criteria, formulated by JSA through labour market analysis and public consultation.

Further, Article 4 of ICESCR provides that the State may subject the rights enunciated in the ICESCR:

...only to such limitations as are determined by law only insofar as this may be compatible with the nature of these rights and solely for the purpose of promoting the general welfare in democratic society.

The authority of the Australian Government to grant visas of a particular duration, and the authority to place conditions and limitations on non-citizens in respect of those visas, including their work rights, is lawful as a matter of domestic law and has as its objectives ensuring the continued access of Australian citizens and permanent residents to paid employment and the continued integrity of Australia's migration program.

The CSOL is informed by JSA who undertake data analysis and stakeholder consultation. The CSOL in this Disallowable Legislative Instrument is intended to ensure that persons who are already in Australia permanently are given the opportunity to seek work before those seeking to enter Australia to work and live in Australia. Providing Australians citizens and permanent residents with the first priority for jobs ensures that Australians are provided the opportunity to improve their standard of living and promotes their right to work. Broadly speaking, access to such opportunities promotes social stability. As such, they are for the "purpose of promoting the general welfare in a democratic society" and are justified in accordance with Article 4 of ICESCR.

Removing 125 occupations that were previously available under the TSS visa does not prevent any current TSS visa holder from accessing work or impede their right to work for the duration of that visa because they will retain the current permission to work provided by the existing visa. A TSS visa holder who wishes to continue working in Australia in one of the 125 occupations upon the expiry of their visa may instead apply for any other visa with work rights for which they meet the requirements under the Migration Regulations. In addition, current visa applicants will not be impacted as the new CSOL will apply only to new nomination applications received after this instrument comes into effect.

It is reasonable and necessary that the Minister may amend the list of skilled occupations for the purposes of nominations and visa applications because it allows the Minister the flexibility and precision required to carefully tailor it to reflect Australia's labour market needs. The ability to tailor occupations lists to Australia's labour market needs helps to meet the legitimate objective of strengthening Australia's economy through ensuring the integrity of Australia's migration programme.

This Disallowable Legislative Instrument also provides an increase of 189 occupations that provide a direct pathway to permanent residence and which are available regardless of the workplace location. The amendments expand access to permanent residence for a cohort of temporary skilled workers already working in Australia, who otherwise would not have a pathway to permanent residence. The grant of a permanent visa will enable these individuals

to continue living and working in Australia and access the broader benefits of permanent residence. These measures promote the right to work under Article 6(1) of the ICESCR.

The Disallowable Legislative Instrument also specifies position caveats for certain occupations for applicants who apply for the SID visa. The application of caveats across all streams continues arrangements under the TSS visa and ensures applicants fill genuine positions. The introduction of caveat 14 ensures Australia meets its commitments under free trade agreements by ensuring applicants for that occupation are passport holders of countries where Australia has agreed to provide access through that bilateral agreement. By restricting this occupation to certain passport holders, and removing and combining other caveats, Australia is acting within its right to set requirements for the entry of non-citizens into Australia and conditions for their stay, and does so on the basis of reasonable and objective criteria.

Liberty of movement and freedom to choose residence

This measure engages Article 12 (1) of the ICCPR, which states:

Everyone lawfully within the territory of a State shall, within that territory, have the right to liberty of movement and freedom to choose his residence.

The creation of a single CSOL to replace the previous three occupation lists under the TSS visa, which included the ROL, and the removal of caveat 10, removes any restriction on the basis of location of work for foreign workers in Australia. The creation of the single CSOL and removal of caveat 10 promotes liberty of movement and freedom to choose residence for foreign workers in Australia.

Any TSS visa holder who was granted a TSS visa to work in an occupation that is being removed by the commencement of this instrument, or is having a different caveat applied, is entitled to continue working in their present location for the duration of their TSS visa. Their freedom to remain in their current location, and their right to work, for the duration of that visa is not impacted. Changes to the occupation list will only affect the person if they choose to apply for a subsequent SID visa, or if the person wishes to change their occupation or employer. In addition, current visa applicants will not be impacted as the new list will apply only to new nomination applications received after it comes into effect on 7 December 2024.

Conclusion

The Legislative Instrument is compatible with human rights because it promotes human rights and to the extent it may limit human rights, those limitations are reasonable, necessary and proportionate.

The Hon Julian Hill MP

Assistant Minister for Citizenship and Multicultural Affairs

Details of the Migration (Specification of Occupations—Subclass 482 Visa) (LIN 24/089) Instrument 2024

Part 1 – Preliminary

Section 1 – Name of Instrument

This section provides that the name of the instrument is *Migration (Specification of Occupations—Subclass 482 Visa) (LIN 24/089) Instrument 2024* (LIN 24/089).

Section 2 – Commencement

This section provides that the instrument commences on 7 December 2024.

Section 3 – Authority

This section provides that the instrument is made under subsection 2.72(9) of the *Migration Regulations 1994* (the Migration Regulations).

Section 4 – Definitions

This section provides definitions for certain expressions used in the instrument.

Of note, section 4 provides that, for the purposes of the definition of **ANZSCO** in regulation 1.03 of the Regulations, the term is specified to mean the Australian and New Zealand Standard Classification of Occupations published by the Australian Bureau of Statistics (ABS), as **in force on 23 November 2022.**

Regulation 1.03 of the Regulations provides that **ANZSCO** has the meaning specified by the Minister in an instrument in writing for this definition. In this instrument, the 2022 version of the ANZSCO is specified, where 23 November was the first full day on which this version was in force. The ABS released this version of the ANZSCO on 22 November 2022.

The ANZSCO is available for download, free of charge, from the ABS website at:

<https://www.abs.gov.au/statistics/classifications/anzsco-australian-and-new-zealand-standard-classification-occupations>

Section 5 – Schedules

Section 5 provides that each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Part 2 – Specification of occupations

Section 6 – Core Skills Occupation List

Section 6 specifies the Core Skills Occupation List (CSOL) for the purposes of subparagraph 2.72(8)(b)(i), subregulation 2.72(9) and paragraph 2.72(9)(d) of the Migration Regulations. Section 6 applies in relation to the Subclass 482 (Skills in Demand) visa in the Core Skills stream (not the Specialist Skills stream).

On 7 December 2024, the *Migration Amendment (2024 Measures No. 1) Regulations 2024* (the Amendment Regulations) amended subregulation 2.72(9) of the Migration Regulations to provide that the Minister may, by legislative instrument, specify occupations for the purposes of the Subclass 482 (Skills in Demand) visa in the Core Skills stream. The Amendment Regulations also repealed paragraph 2.72(9)(a) of the Migration Regulations, which removed the references to specifying whether an occupation is a short term skilled occupation or a medium and long term strategic skills occupation.

Subsection 6(1) specifies for subregulation 2.72(9) of the Migration Regulations that:

- an occupation listed in column 1 of an item of the Core Skills Occupation List (ie. the table under subsection 6(3)) is specified as an occupation; and
- the 6-digit ANZSCO code for the occupation is specified; and
- the occupation applies to a nominee if the tasks to be performed by the nominee correspond to the tasks set out in the ANZSCO code for that occupation.

Subsection 6(2) provides for the ‘applicable circumstances’ (caveats), which limit the circumstances in which an occupation applies to a nominee. In summary, if a circumstance referenced by number for an occupation in column 3 of the Core Skills Occupation List applies to a nominee, the occupation does not apply to the nominee.

Subsection 6(3) provides that the occupations and corresponding ANZSCO codes set out in the table under the subsection are the Core Skills Occupation List.

Section 7 – Applicable circumstances

Section 7 specifies matters for the purpose of determining whether an occupation applies to a nominee for paragraph 2.72(9)(d) of the Migration Regulations.

Subsection 7(1) provides that the table under subsection 7(2) sets out the applicable circumstances for the Core Skills Occupation List in section 6. Where a circumstance referenced by a number in an item of the table under subsection 7(2) corresponds to a number of an item in column 3 of the Core Skills Occupation List, the occupation does not apply to the nominee.

Section 8 – When an occupation does not apply to Specialist Skills stream nominee

Section 8 provides for circumstances in which an occupation does not apply in relation to a Specialist Skills stream nominee. Specifically, if a circumstance in an item in the Applicable

Circumstances List (the table under subsection 7(2)) applies to the position in which a nominee in the Specialist Skills stream is intended to work, then an occupation covered by subparagraph 2.72(8)(a)(i) of the Regulations does not apply to the nominee. That subparagraph of the Regulations covers occupations (and their corresponding 6-digit codes) that correspond to an occupation and its 6-digit code that is specified in Major Group 1, 2, 4, 5 or 6 in the ANZSCO.

Part 3 – Application and savings provisions

Section 9 – Application of this instrument

Section 9 provides that this instrument applies in relation to a nomination of a proposed occupation where the nomination is made on or after the day the instrument commences.

Section 10 – Continued application of LIN 19/048

Section 10 provides that despite the repeal of *Migration (LIN 19/048: Specification of Occupations—Subclass 482 Visa) Instrument 2019 (LIN 19/048)* by this instrument, LIN 19/048, as in force immediately before the day this instrument commences, continues to apply in relation to a nomination of a proposed occupation made before that day.

In particular, LIN 19/048 continues to apply in relation to a nomination of a proposed occupation for a Subclass 482 (Temporary Skills Shortage) visa made before the commencement of this instrument.

Schedule 1 – Repeals

Item [1] – The whole of the instrument

This item repeals *Migration (LIN 19/048: Specification of Occupations—Subclass 482 Visa) Instrument 2019*. Section 10 of the instrument provides for the continuing application of the instrument, despite its repeal, in certain circumstances.