



Commonwealth of Australia

Migration Regulations 1994

LANGUAGE TESTS, SCORE AND PASSPORTS 2015
(Regulations 1.15B, 1.15C, 1.15D and 1.15EA)

I, *MICHAELIA CASH*, Assistant Minister for Immigration and Border Protection, acting under regulations 1.15B, 1.15C, 1.15D, 1.15E and 1.15EA to the *Migration Regulations 1994* (the Regulations) and regulation 1.15E as kept in force by item 102 of Schedule 13 to the Regulations:

1. REVOKE IMMI 14/076 (F2014L01538) signed on 12 November 2014 specifying language test scores and passports for regulations 1.15B, 1.15C, 1.15D, 1.15E and 1.15EA; AND
2. SPECIFY, for applications lodged before 1 July 2012 tests, test scores and passports, as follows:
 - A. for subparagraph 1.15C(1)(a), the following language tests:
 - i. an International English Language Test System (IELTS) test; or
 - ii. an Occupational English Test (OET).
 - B. for subparagraph 1.15C(1)(c), the following scores:
 - i. an IELTS test score of at least 6 in each of the four test components of speaking, reading, writing and listening; or
 - ii. a score of at least B in each of the four components of an OET.
 - C. for paragraph 1.15C(2), a valid passport issued by the United Kingdom, the United States of America, Canada, New Zealand or Republic of Ireland, to a citizen of that country.
 - D. for paragraph 1.15D(a), the following language tests:
 - i. an IELTS test; or
 - ii. an OET.
 - E. for paragraph 1.15D(c), the following scores:
 - i. an IELTS test score of at least 7 in each of the four test components of speaking, reading, writing and listening; or
 - ii. a score of at least B in each of the four components of an OET.

- F. for paragraph 1.15E(a), the following language test:
 - i. an IELTS test.
 - G. for paragraph 1.15E(c), the following scores:
 - i. an IELTS test average band score of at least 6 in each of the four test components of speaking, reading, writing and listening.
 - H. for paragraph 1.15EA(a), the following tests:
 - i. an IELTS test; or
 - ii. an OET.
 - I. for paragraph 1.15EA(c), the following scores:
 - i. an IELTS score of at least 8 in each of the four test components of speaking, reading, writing and listening; or
 - ii. a score of at least A in each of the four components of an OET.
3. SPECIFY for applications lodged on or after 1 July 2012, and before 23 November 2014 tests, test scores and passports as follows:
- A. for paragraph 1.15B(1)(a), the following language tests:
 - i. an International English Language Test System (IELTS) test; or
 - ii. an Occupational English Test (OET).
 - B. for paragraph 1.15B(1)(c), the following test scores:
 - i. an IELTS test score of at least 5 in each of the four test components of speaking, reading, writing and listening; or
 - ii. a score of at least B in each of the four components of an OET.
 - F. for subregulation 1.15B(2), a valid passport issued by the United Kingdom, the United States of America, Canada, New Zealand or Republic of Ireland, to a citizen of that country.
 - C. for paragraph 1.15C(1)(a), the following language tests:
 - i. an IELTS test; or
 - ii. an OET.
 - D. for paragraph 1.15C(1)(c), the following scores:
 - i. an IELTS test score of at least 6 in each of the four test components of speaking, reading, writing and listening; or
 - ii. a score of at least B in each of the four components of an OET.
 - E. for subregulation 1.15C(2), a valid passport issued by the United Kingdom, the United States of America, Canada, New Zealand or Republic of Ireland, to a citizen of that country.
 - F. for paragraph 1.15D(a), the following language tests:
 - i. an IELTS test; or
 - ii. an OET.

- G. for paragraph 1.15D(c), the following scores:
 - i. an IELTS test score of at least 7 in each of the four test components of speaking, reading, writing and listening; or
 - ii. a score of at least B in each of the four components of an OET.
 - H. for paragraph 1.15EA(a), the following tests:
 - i. an IELTS test; or
 - ii. an OET.
 - I. for paragraph 1.15EA(c), the following scores:
 - i. an IELTS score of at least 8 in each of the four test components of speaking, reading, writing and listening; or
 - ii. a score of at least A in each of the four components of an OET.
4. SPECIFY, for applications lodged on or after 23 November 2014, tests, test scores and passports as follows:
- A. for paragraph 1.15B(1)(a), the following language tests:
 - i. an International English Language Test System (IELTS) test; or
 - ii. an Occupational English Test (OET); or
 - iii. a Test of English as a Foreign Language internet-based Test (TOEFL iBT); or
 - iv. a Pearson Test of English Academic (PTE Academic).
 - B. for paragraph 1.15B(1)(c), the following test scores:
 - i. an IELTS test score of at least 5 in each of the four test components of speaking, reading, writing and listening; or
 - ii. an OET test score of at least B in each of the four test components of speaking, reading, writing and listening; or
 - iii. a TOEFL iBT test score with at least the following scores in the four test components: 14 for speaking, 4 for reading, 14 for writing and 4 for listening; or
 - iv. a PTE Academic test score of at least 36 in each of the four test components of speaking, reading, writing and listening.
 - C. for subregulation 1.15B(2), a valid passport issued by the United Kingdom, the United States of America, Canada, New Zealand or the Republic of Ireland, to a citizen of that country.
 - D. for paragraph 1.15C(1)(a), the following language tests:
 - i. an International English Language Test System (IELTS) test; or
 - ii. an Occupational English Test (OET); or
 - iii. a Test of English as a Foreign Language internet-based Test (TOEFL iBT); or
 - iv. a Pearson Test of English Academic (PTE Academic).

- E. for paragraph 1.15C(1)(c), the following test scores:
 - i. an IELTS test score of at least 6 in each of the four test components of speaking, reading, writing and listening; or
 - ii. an OET test score of at least B in each of the four test components of speaking, reading, writing and listening; or
 - iii. a TOEFL iBT test score with at least the following scores in the four test components: 18 for speaking, 13 for reading, 21 for writing and 12 for listening; or
 - iv. a PTE Academic test score of at least 50 in each of the four test components of speaking, reading, writing and listening.
- F. for subregulation 1.15C(2), a valid passport issued by the United Kingdom, the United States of America, Canada, New Zealand or the Republic of Ireland, to a citizen of that country.
- G. for paragraph 1.15D(a), the following language tests:
 - i. an International English Language Test System (IELTS) test; or
 - ii. an Occupational English Test (OET); or
 - iii. a Test of English as a Foreign Language internet-based Test (TOEFL iBT); or
 - iv. a Pearson Test of English Academic (PTE Academic).
- H. for paragraph 1.15D(a), the following test scores:
 - i. an IELTS test score of at least 7 in each of the four test components of speaking, reading, writing and listening; or
 - ii. an OET test score of at least B in each of the four test components of speaking, reading, writing and listening; or
 - iii. a TOEFL iBT test score with at least the following scores in the four test components: 23 for speaking, 24 for reading, 27 for writing and 24 for listening; or
 - iv. a PTE Academic test score of at least 65 in each of the four test components of speaking, reading, writing and listening.
- I. for paragraph 1.15EA(a), the following language tests:
 - i. an International English Language Test System (IELTS) test; or
 - ii. an Occupational English Test (OET); or
 - iii. a Test of English as a Foreign Language internet-based Test (TOEFL iBT); or
 - iv. a Pearson Test of English Academic (PTE Academic).
- J. for paragraph 1.15EA(c), the following test scores:
 - i. an IELTS test score of at least 8 in each of the four test components of speaking, reading, writing and listening; or
 - ii. an OET test score of at least A in each of the four test components of speaking, reading, writing and listening; or
 - iii. a TOEFL iBT test score with at least the following scores in the four test components: 26 for speaking, 29 for reading, 30 for writing and 28 for listening; or

- iv. a PTE Academic test score of at least 79 in each of the four test components of speaking, reading, writing and listening.
5. SPECIFY for applications lodged on or after 1 January 2015 tests, test scores and passports as follows:
- A. for the purposes of paragraph 1.15B(1)(a), the following language tests:
 - i. an International English Language Test System (IELTS) test; or
 - ii. an Occupational English Test (OET); or
 - iii. a Test of English as a Foreign Language internet-based Test (TOEFL iBT); or
 - iv. a Pearson Test of English Academic (PTE Academic); or
 - v. a Cambridge English: Advanced (CAE) test (also known as Certificate in Advanced English).
 - B. for the purposes of paragraph 1.15B(1)(c), the following test scores:
 - i. an IELTS test score of at least 5 in each of the four test components of listening, reading, writing and speaking; or
 - ii. an OET test score of at least B in each of the four test components of listening, reading, writing and speaking; or
 - iii. a TOEFL iBT test score with at least the following scores in the four test components: 4 for listening, 4 for reading, 14 for writing and 14 for speaking; or
 - iv. a PTE Academic test score of at least 36 in each of the four test components of listening, reading, writing and speaking; or
 - v. a Cambridge English: Advanced (CAE) test score of at least 154 in each of the four test components of listening, reading, writing and speaking.
 - C. for the subregulation 1.15B(2), a valid passport issued by the United Kingdom, the United States of America, Canada, New Zealand or the Republic of Ireland, to a citizen of that country.
 - D. for paragraph 1.15C(1)(a), the following language tests:
 - i. an International English Language Test System (IELTS) test; or
 - ii. an Occupational English Test (OET); or
 - iii. a Test of English as a Foreign Language internet-based Test (TOEFL iBT); or
 - iv. a Pearson Test of English Academic (PTE Academic); or
 - v. a Cambridge English: Advanced (CAE) test (also known as Certificate in Advanced English).
 - E. for paragraph 1.15C(1)(c) the following test scores:
 - i. an IELTS test score of at least 6 in each of the four test components of listening, reading, writing and speaking; or
 - ii. an OET test score of at least B in each of the four test components of listening, reading, writing and speaking; or
 - iii. a TOEFL iBT test score with at least the following scores in the four test components: 12 for listening, 13 for reading, 21 for writing and 18 for speaking; or

- iv. a PTE Academic test score of at least 50 in each of the four test components of listening, reading, writing and speaking; or
 - v. a Cambridge English: Advanced (CAE) test score of at least 169 in each of the four test components of listening, reading writing and speaking.
- F. for subregulation 1.15C(2), a valid passport issued by the United Kingdom, the United States of America, Canada, New Zealand or the Republic of Ireland, to a citizen of that country.
- G. for paragraph 1.15D(a), the following language tests:
- i. an International English Language Test System (IELTS) test; or
 - ii. an Occupational English Test (OET); or
 - iii. a Test of English as a Foreign Language internet-based Test (TOEFL iBT); or
 - iv. a Pearson Test of English Academic (PTE Academic); or
 - v. a Cambridge English: Advanced (CAE) test(also known as Certificate in Advanced English).
- H. for paragraph 1.15D(c), the following test scores:
- i. an IELTS test score of **at least 7 in each of the four test components** of listening, reading, writing and speaking; or
 - ii. an OET test score of at least B in each of the four test components of listening, reading, writing and speaking; or
 - iii. a TOEFL iBT test score with at least the following scores in the four test components: 24 for listening, 24 for reading, 27 for writing and 23 for speaking; or
 - iv. a PTE Academic test score of at least 65 in each of the four test components of listening, reading, writing and speaking; or
 - v. a Cambridge English: Advanced (CAE) test score of at least 185 in each of the four test components of listening, reading, writing and speaking.
- I. for paragraph 1.15EA(a), the following language tests:
- i. an International English Language Test System (IELTS) test; or
 - ii. an Occupational English Test (OET); or
 - iii. a Test of English as a Foreign Language internet-based Test (TOEFL iBT); or
 - iv. a Pearson Test of English Academic (PTE Academic); or
 - v. a Cambridge English: Advanced (CAE) test (also known as Certificate in Advanced English).
- J. for paragraph 1.15EA(c), the following test scores:
- i. an IELTS test score of **at least 8 in each of the four test components** of listening, reading, writing and speaking; or
 - ii. an OET test score of at least A in each of the four test components of listening, reading, writing and speaking; or
 - iii. a TOEFL iBT test score with at least the following scores in the four test components: 28 for listening, 29 for reading, 30 for writing and 26 for speaking; or

- iv. a PTE Academic test score of at least 79 in each of the four test components of listening, reading, writing and speaking; or
- v. a Cambridge English: Advanced (CAE) test score of at least 200 in each of the four test components of listening, reading, writing and speaking.

This Instrument IMMI 15/005 commences **the day after registration.**

Dated 3/12/2014

MICHAELIA CASH

Assistant Minister for Immigration and Border Protection

EXPLANATORY STATEMENT

Migration Regulations 1994

LANGUAGE TESTS, SCORE AND PASSPORTS 2015

(Regulations 1.15B, 1.15C, 1.15D and 1.15EA)

1. This Instrument is made under regulations 1.15B, 1.15C, 1.15D, 1.15E and 1.15EA of the *Migration Regulations 1994* (the Regulations). Regulation 1.15E is kept in force by item 102 of Schedule 13 to the Regulations.
2. The Instrument revokes IMMI 14/076 (F2014L01538) signed on 12 November 2014.
3. The purpose of the Instrument is to specify the English language tests, required scores and passports of a specified type which can be used as **proof of English language proficiency**.
4. The Instrument operates to define English language proficiency and related test scores which are used to establish this proficiency. It also specifies valid passports of citizens to listed countries that may be used as proof of English language proficiency. It has also been amended to clarify test scores and **include the Cambridge English:Advanced (CAE) test to apply from 1 January 2015**.
5. Consultation before the Instrument was made targeted groups, industries and Government agencies that use, contribute to, or facilitate the English Language Tests. The scope of consultation included the expansion of alternative English language tests across diverse visa programmes. Consultation was conducted with both internal and external stakeholders. Areas of consultation included skilled the Skilled Migration Officials Group, providers of the English Language Tests, the international education sector and Commonwealth agencies.

6. Under subsection 33(3) of the Acts Interpretation Act 1901, 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 revoke any such instrument.
7. Under section 44 of the *Legislative Instruments Act 2003* the Instrument is exempt from disallowance and therefore a Statement of Compatibility with Human Rights is not required.
8. The Office of Best Practice Regulation has advised that a Regulatory Impact Statement is not required (OBPR Reference 16643).
9. The Instrument commences **the day after registration**.