Information Sheet - 457 Visa
International Students’ Network 2017

Abstract

The Australian government announced on 18 April 2017 that the 457 visa will be abolished, and a new visa will be introduced starting March 2018.

This information sheet is aimed at informing all international medical students on the recent visa changes, and should not be considered advice. AMSA encourages international students to discuss these changes with their migration agent or lawyer.

Important changes

1. The new Temporary Skills Shortage (TSS) Visa replaces the 457 visa.
2. Changes include:
   a. A mandatory 2 years of work experience
   b. A modified skilled occupations list, although all medicine-related careers remain unchanged from the 457 to the TSS Visa.
   c. A 2-year or 4-year visa - The latter provides a pathway into permanent residency only after 3 years
   d. Minimum IELTS score requirements regardless of occupation

Other information

1. The 485 visa remains unchanged and is available to all international medical students following graduation.
2. Graduates can work under the 485 visa, and convert to the TSS Visa once all requirements are met.
Background

On 18 April 2017, Prime Minister Malcolm Turnbull announced that the 457 visa will be abolished. In place, two new temporary visas will be introduced under the Temporary Skills Shortage (TSS) visa, from March 2018.

1. Two (2) year visas - On the Short Term Skilled Occupation List (STSOL)
2. Four (4) year visa targeting “higher skills” - Medium and Long-term Strategic Skills List (MLTSSL)

The change aims to increase the quality and economic contribution of skilled migrants and address public concerns about the displacement of Australian workers.

The “Old” visa - 457

The 457 visa subclass was a government-issued visa for up to four (4) years for a worker and their family to work and reside Australia. This visa was designed to support Australia in obtaining skilled workers in occupations that lacked Australian employees.

The previous requirements for the 457 visa were:

• Your employment is sponsored by an approved employer
• You have the required skills to fill a position nominated by an approved employer/business

The original visa was approved for up to four years.

The “New” visa - Temporary Skills Shortage Visa

The Temporary Skills Shortage Visa “TSS” replaces the old 457 visa. The implementation of the TSS begins immediately and will be completed by March 2018.

The TSS will have two occupation lists:

1. Short-term Skilled Occupations List (STSOL)
   a. This replaces the Consolidated Sponsored Occupation List (CSOL)
2. Medium and Long-term Strategic Skills List (MLTSSL)
   a. This replaces the Skilled Occupations List (SOL)

As of 18 April 2017, although the number of skilled occupations has decreased, and there are NO CHANGES to the occupations list under the Medical Board of Australia. All 457 Visa occupations under the Medical Board of Australia have been re-listed in the MLTSSL.
Validity period
1. The maximum duration for visas issued for occupations that are on the STSOL will be 2 years.
2. The maximum duration for visas issued for occupations that are on the MLTSSL will be 4 years.

Eligibility criteria for both streams
- **Work experience**
  - At least 2 years’ relevant work experience
- **Labour market testing (LMT)**
  - Mandatory, unless an international obligation applies
- **Minimum market salary rate**
  - The Australian market salary rate must be paid. Set at $53,900 as at 12 April 2016.
- **Character**
  - Mandatory penal clearance certificates to be provided. Australian Federal Police Check after the age of 16
- **Workforce**
  - Non-discriminatory workforce test to show that employers do not discriminate against Australian workers
- **Training Requirement**
  - Employers must contribute towards training Australian workers

**Short-term stream Medium-term stream criteria**
Visas issued under the STSOL and MLTSSL will include the following criteria

<table>
<thead>
<tr>
<th></th>
<th>STSOL</th>
<th>MLTSSL</th>
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</thead>
<tbody>
<tr>
<td><strong>Renewal</strong></td>
<td>Visa renewal onshore</td>
<td>Visa renewal onshore</td>
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<tr>
<td></td>
<td>Renewal once only for an additional 2 years.</td>
<td>Permanent residency (PR)</td>
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<tr>
<td></td>
<td>NO PR pathway</td>
<td>pathway after <strong>3 years</strong></td>
</tr>
<tr>
<td><strong>Occupation lists</strong></td>
<td>STSOL/MLTSSL will apply, with additional occupations available to support regional employers in regional Australia</td>
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<tr>
<td><strong>English language</strong></td>
<td>Minimum of IELTS score of 5</td>
<td>Minimum of IELTS 5 in EACH test component</td>
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<tr>
<td></td>
<td>Minimum of 4.5 in each test component</td>
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</tbody>
</table>
485 Visa

As mentioned previously, the TSS requires a minimum of 2 years’ work experience in order to apply for the new TSS visa to obtain permanent residency. As such, ISN expects that all graduating students in 2018 who are seeking an internship will apply for a 485 visa as a first step.

Graduates who are considering permanent residency will then have to convert their 485 visa to the TSS (MLTSSL) visa after their 2 years has elapsed, at which point they would have fulfilled the 2-year work experienced required by the TSS (MLTSSL) visa.

485 validity periods

- **2 years** for students who complete a Bachelor degree (including honours) or Masters by Coursework degree or Masters (extended) degree
- **3 years** for students who complete a Masters by Research degree
- **4 years** for students who complete a Doctoral degree

485 visa eligibility requirements:

- International students who have recently graduated with skills and qualifications that relate to an occupation in demand in the Australian labour market, as defined by the MLTSSL
- This is only available to international students who applied for and were granted their first Australian student visa on or after 5 November 2011.
- Students obtaining their first student visa prior to 5 November 2011 need to apply for the modified 457 visa prior to the March 2018 cut off date as they are ineligible for the 485 visa.

Questions

1. **Will it affect the current state prioritisation for 2017?**

This is unlikely to occur as the visas are independent of the employment prioritisation set out by individual states.

2. **How about 2018 and beyond?**

Internship prioritisation schemes are reviewed annually and are subject to changes based on workforce need and federal law changes, so we cannot say for sure.

3. **Does this affect registration by AHPRA?**
AHPRA has not announced any changes considering the 457 visa changes. As such, you can expect to obtain general registration should you fulfil all other requirements.

Contact

The International Students’ Network can be reached at isn@amsa.org.au.

Sources


Disclaimer

1. General advice warning
   1. The information contained is general in nature and does not take into account your personal situation.
   2. You should consider whether the information is appropriate to your needs, and where appropriate, seek professional advice.
2. All information is correct as of 18 April 2017.
3. Although every effort has been made to verify the accuracy of the information contained, ISN disclaims all liability (except for any liability which by law cannot be excluded), for any error, inaccuracy in, or omission from the information contained on this website or any loss or damage suffered by any person directly or indirectly through relying on this information.