



AUSTRALIA: Pending 457 Visa Changes

As of April 1, 2009, the Minister for Immigration & Citizenship put into effect pending changes to the 457 visa program. This announcement came about based on the government's concern that on some occasions, the outcome from the program was resulting in discrimination against the labor force as well as exploitation of overseas employees.

Minimum Salary Level to Increase

Beginning July 1, 2009, the prescribed minimum salary level (MSL) for certain occupations will increase 4.1% for all new and existing 475 visa holders working a 38-hour week. Employers will need to abide by these new base salaries:

- \$45,221.04 plus 9% pension for published occupations (except for IT); and,
- \$61,918.68 plus 9% pension for IT occupations.

Please be advised that Immigration Officers are aware of these standards and have the right to examine individual applications accordingly.

Minimum Salary Based on Market Rates

It is expected that mid-September of 2009, the government will also be implementing a new minimum base salary for specific occupations based on market rates. These rates will either be the same or higher than the above-noted July figures.

Minimum Language Requirements to Increase

This requirement is aimed at 457 visa applicants from high-risk countries in the trade industries, and also will be in effect July 1, 2009. (High-risk countries include China, India, the Philippines, Zimbabwe - to name a few.) A score of 5 must

be achieved on the IELTS examination in the reading, writing, listening and speaking categories versus 4.5, the previous minimum score. Keep in mind if by July 1, the application has not yet been approved and this score is not achieved, it may be necessary to retake the exam which could cause processing delays.

Skills Assessment

Also starting July 1, the government will be working in conjunction with local trade companies and key stakeholders in creating a formal skills assessment for visa applicants from high-risk countries in trade occupations. This most likely will involve a formal analysis of overseas qualifications to ensure experience and training requirements are met regardless of salary.

Note to Employers

If you wish to employ a 457 visa holder, it is imperative to demonstrate your favor towards local labor employment. The government plans to standardize its requirements in this regard; therefore, ongoing training of local workforce and collaborative record-keeping will assist you in your hiring efforts.

Please contact your Pro-link GLOBAL Immigration Consultant if you have any questions or concerns in this very important matter.

IRELAND: De Facto Partners Now Eligible for Employment Permits

Effective March 18, 2009, the Irish Department of Enterprise, Trade and Employment announced a new policy for Non-European Economic Area (EEA) nationals who have become residents based on their de facto relationship with another non-EEA Irish national. In simpler terms, unmarried, heterosexual domestic partners and same-sex domestic partners are now able to live and work in Ireland!

The qualification process is quite simple. The couple must provide an INIS letter that confirms the residency was granted based on the de facto relationship. It is also necessary to demonstrate that a stable, two-year relationship has been maintained. It is at this point, the nationals will receive what is called a "Stamp 4" and an Employment Permit is then issued.

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