

Migration Solutions,

A lot of controversy arose around the Federal Government announcement with the replacement of the 457 Visa with the Temporary Skill Shortage (TSS) Visa.

To best assist you in understanding how these changes will affect you and other prospective applicants see below brief summaries of:

- What is changing - including change timelines.
- Who is affected.

Who is affected

- These changes affect all pending 457 nomination and visa applications lodged prior to 19 April 2017, and any applications lodged after this date.
- Applications for occupations which have been removed from the occupation list will be given the opportunity to withdraw their applications and a refund provided.
- Eligibility for permanent residency may be affected for some applicants.

Effective from 19th April 2017

- The Consolidated Sponsored Occupation List (CSOL) has been renamed to the Short term Skilled Occupation List (STSOL).
- The Skilled Occupation List (SOL) has been renamed to Medium and Long Term Strategic Skills List (MLTSSL).
- The 457 occupation list (CSOL) is reduced from 651 to 435 occupations. Click [here](#) for a list of removed occupations.
- Access to 59 occupations are restricted for use under the 457 program.
- A maximum duration of two years will be granted for occupations from the STSOL and four years for occupations from the MLTSSL.

1st July 2017 changes

- Further adjustments to the STSOL and MLTSSL occupation lists.
- English language salary exemption threshold, which exempts applicants whose salary is over \$96,400 from the English language requirement, will be removed.
- Minor changes to training benchmark.
- Provision of police clearance certificates will become mandatory.

31st December 2017 changes

- Commencement of data matching with ATO to ensure compliance with nominated salaries.
- The publication of sponsor details where sponsors are in breach of Migration Regulation 1994

March 2018 changes

- Finalisation of the replacement of the 457 visa with the Temporary Skill Shortage (TSS) Visa
- TSS is announced to be a two stream system:
- Short-term stream:
 - Renewal only once.
 - STSOL apply; additional occupations available in regional areas
 - English language requirement: IELTS 5.0 OBS with no band < 4.5 or equivalent.
 - GTE requirement.
- Medium-term stream:
 - Renewal options with a pathway to PR after 3 years.
 - MLTSSL apply; additional occupations available in regional areas
 - English language requirement: IELTS 5.0 OBS with no band < 4.5 or equivalent.
 - Eligibility criteria for both streams will include:
 - Work experience - at least two years relevant work experience.
 - Labour market testing (LMT) - LMT will be mandatory, unless an international obligation applies.
 - Minimum market salary rate - Employers must pay the Australian market salary rate and meet the Temporary Skilled Migration Income Threshold requirements.
 - Character - Mandatory police clearance certificates to be provided.
 - Workforce - A non-discriminatory workforce test to ensure employers are not actively discriminating against Australian workers.
 - Training requirement - a strengthened training requirement for employers to contribute towards training Australian workers.

For more information please visit the pages via the links below:

- The media release regarding the changes is available at [Minister for Immigration and Border Protection](#) website.
- Fact sheets that provide more detail about the reforms are available at:
 - Fact sheet one: [Reforms to Australia's temporary employer sponsored skilled migration programme - abolition and replacement of the 457 visa \(447KB PDF\)](#)
 - Fact sheet two: [Reforms to Australia's permanent employer sponsored skilled migration programme \(494KB PDF\)](#)
- Detailed information on changes to occupations is available. See: [List of eligible skilled occupations](#)

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