

Filipino Migrants Forum

Are you an overseas student seeking permanent residence?

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Overseas students who have completed two years of full time study in Australia are usually interested in obtaining permanent residency in Australia. The graduates have the option of applying for an 18 month temporary visa they are not able to meet the relevant pass mark for permanent residence under the General Skilled Migration scheme, depending on many factors.

A critical issue for their application is their “nominated occupation”. Applicants must nominate an occupation in the Skilled Occupation List (SOL) that is relevant or closely related to the course which they had studied for at least two years in Australia.

In addition, their nominated occupation must attract 50 or 60 points in the SOL. If their course does not qualify them to nominate a 50-point or 60-point occupation then they face a situation where they can neither qualify to apply for permanent residence nor the temporary visa, known as Skilled Graduate visa. In that case, they would need to upgrade the Australian qualification by further studies.

For example, completion of the course on Diploma in Information Technology (IT) may qualify graduates to nominate “Computer Technician”, but as this occupation attracts only 40 points in the SOL and therefore, graduates will not immediately qualify to apply for skilled permanent or temporary visa. They will need to complete a Bachelors degree in IT to be able to obtain a suitable skills assessment for “computer professional”, attracting 60 points.

For this reason, it is essential that student visa applicants with the primary intention of applying for permanent residence after two years of full time studies in Australia are clear on which occupation their studies will qualify them for, before enrolment. In case of doubt, they should seek professional advice, before applying for their student visa.

To view the points allocated for each occupation you may access the Skilled Occupations List (SOL) through the link on our website, www.iargel.com.au . Intending student visa applicants are also invited to access and submit Form 4 on our website for preliminary assessment advice in regard to their course of studies in Australia, and chance for permanent residence after completion of their course.

Please refer to our earlier article on Skilled-Graduate (subclass 485) visa for the 18 month temporary visa for overseas students who have completed at least two years’ study in Australia but who unable to meet the relevant pass mark for permanent residence under General Skilled Migration visa.

This information is of a general nature and should not be taken as authoritative legal advice for specific cases. Australia has a scheme that requires persons who give immigration assistance to be registered as migration agent. The writer, Atty. Imelda Argel is a practising Filipino migration solicitor and a registered migration agent in Sydney, Australia. She is a Solicitor of the Supreme Court of New South Wales, the High Court of Australia and Attorney at law in the Philippines and in the State of New York, USA. Her Registered Migration Agent no. is 9682957. She is also the recipient of the inaugural NSW FAWAA (Filipino-Australian Women's Achievement Award) for her outstanding achievements in corporate practice. More information is available at www.iargel.com.au

Readers of the Philippine Community Herald Newspaper are invited to send their comments to:

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