

## Filipino Migrants Forum

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The Joint Standing Committee on Migration in the Federal Parliament recently began a review of Australia's current system of assessing the skills of people wishing to migrate to Australia under the skilled migration program. The first stage of the review called for submissions from interested parties.

We prepared a submission to the Committee, on behalf of the Filipino Communities Council of Australia (FILCCA), the Philippine Community Council of New South Wales and the Filipino Migrants Forum. As it is too long to reproduce in full in this issue, it has been broken into 5 parts. This is the first part and the other four will appear in the next 4 issues.

The following matters were discussed:

1. *Current arrangements for overseas skills recognition and associated issues of licensing and registration for*
  - a) *Skills stream migrants who obtain assessment prior to migrating*
    - i. *Recognition of Qualifications of Skilled Professionals*
    - ii. *Trades Recognition*
  - b) *Families of skilled stream migrants, family stream migrants and humanitarian entrants who seek assessment/registration/upgrading after arrival*
  - c) *Temporary residents who need skills assessment/recognition*
  - d) *Australian Citizens returning after significant time overseas, with overseas qualifications*
2. *Consider how Australia's arrangements compare with those of other major immigration countries*
3. *Identify areas where Australia's procedures can be improved including in terms of*
  - a. *Communication of processes to users.*
  - b. *Alternative approaches to skills assessment and recognition of overseas qualifications*

In this issue, we will reproduce our submission on what we believe is the current situation for overseas skills recognition and associated issues of licensing and registration for Skills stream migrants who obtain assessment prior to migrating, in particular, the "Recognition of Qualifications of Skilled Professionals", with our recommendations.

Occupations under this classification include management consultants, marketing specialists, child care coordinators, accountants, IT professionals, and engineers.

### **Current Situation:**

The skills assessing authority is determined by DIMIA: VETASSESS for most non health general professionals; Institute of Chartered Accountants of Australia and CPA Australia for accountants; Australian Computer Society for IT professionals; Institution of Engineers for engineers; The National Office of Overseas Skills Recognition (NOOSR) for teachers etc.

Skills assessment authorities for accountants, teachers, computer professionals, engineers, social workers, and many other professions, rely on the 1995 edition of 'The Philippines Country Educational Profile' in order to determine the comparable Australian equivalent of an applicant's educational qualification. The National Office of Overseas Skills Recognition (NOOSR), a division of the Commonwealth Department of Employment Education and Workplace Relations, is the body which was commissioned to prepare and update the 'The Philippines Country Education Profile' (CEP). The CEP was published by the Australian Government Publishing Service.

### **Issues:**

1. The reliance on the 1995 edition of 'The Philippines Country Educational Profile' by Skills assessing authorities such as VETASSESS, NOOSR, Australian Computer Society, Australian Association of Social Workers, CPA Australia, Institute of Chartered Accountants of Australia, and the Institution of Engineers has disadvantaged many applications for skills assessment because of *automatic failure of applicants* whose tertiary educational institutions or universities are not listed in the 1995 edition, where these educational institutions were not given the opportunity to be assessed or were not existent in 1995.

Applicants whose educational institutions are not listed in the CEP are often not qualified for skilled migration since they do not get a chance to pass the skills assessment. The highest number of points they can get for their qualifications is 40 (equivalent to a diploma) which often means that they would be unable to meet the pass mark in the points test.

For example, in the entire province of Ilocos Sur, no educational institution is listed. This means that a student of the University of Northern Philippines, a state university, who tops the PRC Board exam for any of the above profession say as accountant or teacher cannot pass the skills assessment because a Bachelors Degree obtained in that University is comparable only to an Australian Diploma (i.e. a two year course).

Engineering graduates from the Technology Institute of the Philippines (TIP) are not recognized by the TRA as their curriculum is more geared towards engineering rather than to a trade occupation. This educational institution in Manila is not listed, but has about 30,000 technical and engineering students.

St Paul College is a private Catholic Institution that has branches all over the Philippines, however some branches are under Sec II, III and IV and *not all branches are listed* in the CEP. Although it is assumed that education standards should be uniform, the skills authority does not give graduates the same results for skills assessment if they graduated from a part of the country where their particular campus was not listed.

2. In November 2003, a resolution was passed by FILCCA to have the CEP updated. We were informed that Ambassador Willy Gaa of the Philippines took the matter up with the Australian Prime Minister, resulting in an agreement that the CEP would be updated in 2005. No information has been made available regarding its progress to date.

### **Recommendations:**

1. To be fair to all applicants, educational institutions not listed in the 1995 edition of 'The Philippines Country Educational Profile' should be evaluated, classified, assessed and listed.
2. The CEP should be updated as planned. Registered Migration Agents who are originally from the Philippines and Filipino community associations should be informed of how and when the CEP is being updated so that major educational institutes do not miss out.
3. Invitations for assessment, including information which sets out the process of listing, should be sent to unlisted educational institutions in the Philippines, in order to be fair to all.
4. In the meantime, an alternative process of skills assessment and recognition other than the sole use of the CEP should be canvassed so that those affected will not be prejudiced whilst the CEP is being updated, which could take an unspecified amount of time, even 1-5 years (see recommendation under **Alternative approaches to skills assessment and recognition of overseas qualifications** below).

*This information is of a general nature and should not be taken as authoritative legal advice for specific cases. The writer, Atty. Imelda Argel is a practising Filipino lawyer 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, Attorney at law in the Philippines and in the State of New York, USA. Her Migration Agent Registration no. is 9682957. More information is available at [www.iargel.com.au](http://www.iargel.com.au)*