

Filipino Migrants Forum

Which Level of English Threshold is Required for Your Visa Application?

By Atty. Imelda Argel, Bachelor of Laws (UP), Master of Laws (University of Sydney)

Evidence of meeting the English language threshold must now be submitted by the principal visa applicant with the visa application, for all *General Skilled Migration (GSM)* visas lodged from 1 September 2007.

The two generally acceptable English tests for this purpose are the:

- 1. Occupational English Test (OET); and**
- 2. International English Language Testing System (IELTS).**

The IELTS consists of two modules, namely 'Academic' and 'General', both consisting of four components: reading, writing, speaking and listening. The test must be taken not more than 2 years before the lodging of the visa application.

Generally, the English language threshold for *GSM* visas is ***competent English***. This requires a general effective command of the English language and the ability to use and understand fairly complex language, particularly in familiar situations. An applicant with *competent English* is entitled to 15 points for English language skills in the points test.

To attain *competent English*, the visa applicant must have a minimum score of 6.0 in the IELTS General module for each of the four test components (speaking, reading, writing and listening), or a minimum grade of 'B' for each of the four components of the OET test.

If the visa applicant is a **tradesperson**, that is, someone who has nominated a skilled occupation in ASCO (Australian Standard Classification of Occupations) Major Group IV, the English threshold is at the lower level of ***vocational English***. This means having a reasonable command of the English language, the ability to cope with overall meaning in most situations and the ability to communicate effectively in the applicant's nominated field of employment. An applicant with *vocational English* must have a minimum score of 5.0 in the IELTS General module for each of the four test components.

However, for both ***vocational*** and ***competent*** English thresholds, new IELTS test results need *not* be required where the applicant provides evidence that they:

1. undertook an IELTS test more than 12 months ago but less than 2 years before applying for their visa;
2. attained the required minimum level of English in the IELTS test; *and*
3. have been working full-time in an English speaking country.

An exemption may also operate where the applicant holds NAATI accreditation as an interpreter, conference interpreter or Senior conference interpreter.

The English threshold for ***Skilled – Regional Sponsored*** visas is ***concessional competent English***. An applicant for a ***Skilled – Regional Sponsored*** visa must be sponsored by an Australian state, territory or relative living in a designated area in Australia. The concession is that the applicant must only achieve a minimum IELTS *average* band score (*not* for each component) of 5.5, instead of 6.0 for each of the four test components. However, this only applies if the sponsoring state, territory or relative's area of residence is participating in this scheme. The visa applicant will also need to make acceptable arrangements with their sponsoring state, territory or relative to upgrade their language skills to the *competent English* level, after being granted the visa.

At the time of writing, Queensland and Western Australia are not participating in the *concessional competent English* program. **Therefore, visa applicants who are sponsored by Queensland and Western Australia must have passed the *competent English* threshold (outlined above) at the time of lodging their visa application.**

While evidence of ***competent English*** is required at the time of visa *application*, evidence of ***proficient English*** at the time of *decision* will entitle the applicant to 25 points instead of 15 points. *Proficient English* means having an operational command of the language with the ability to use and comprehend complex language well and understand detailed reasoning. A visa applicant demonstrates *proficient English* if he/she has a minimum score of 7.0 in the IELTS test for each of the four components, or a minimum grade of 'B' for each of the four components of the OET test.

Dependents aged 18 years and above who are included in the *GSM* visa application and provide evidence of ***functional English*** will be entitled to a waiver of the extra visa charge to DIAC (currently at \$2860). A person with *functional English* is able to cope with everyday situations and some work situations. A dependent will demonstrate *functional English* if he/she has a minimum IELTS *average* band score of 4.5, or a degree, diploma or trade qualification obtained by at least 2 years full-time study where all courses were conducted in English.

However, if a dependent has a degree or diploma obtained by at least one year full-time study in Australia, or has at least 3 years secondary education where all subjects were conducted in English, or has worked in an English speaking country for 2 years or more, IELTS testing is *not* necessary to prove *functional English*.

GSM visa applicants who nominate other professions such as **teachers or health professional occupations** (eg. medical practitioners, registered nurses and physiotherapists) would have been required by their relevant skills assessing authority to demonstrate that they meet a higher English threshold. Most are currently required to achieve a minimum score of 7.0 in the IELTS Academic module for each of the four components and, in the case of dentists, a minimum OET score of 'B'. In these cases, the applicant will not be required to take another English test for the purpose of making the

visa application, provided that the English test used in their skills assessment was taken within 24 months before the date of lodging of the visa application.

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, an 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 and entrepreneurship.. More information is available at www.iargel.com.au

Readers of the Philippine Community Herald Newspaper are invited to send their comments to "The President, Filipino Migrants Forum" c/o Imelda Argel & Associates, Solicitors & Attorneys, by email at info@iargel.com.au or by fax at (+612) 9699 3210 or by post to Suite 41, Ground Floor, 61-89 Buckingham St. SURRY HILLS NSW 2010.