



The Points Test – An Explanation

The points test is contained in schedule 6B of the Migration Regulations and is a means by which points are allocated to applicants for various personal attributes. For general migration purposes, the government favours young (under 45), well qualified people with good language skills and points are weighted in favour of applicants who can demonstrate these attributes.

More points are awarded for the skill factor (that is, the applicant's nominated occupation) than any other attribute. In addition, the government publishes a list of occupations which are in high demand. This list is called the Migration Occupation in Demand List ("MODL"), and if an applicant has an occupation which is on this list, further points will be awarded and even more if the applicant has work experience and more again, if there is an offer of a job for the applicant in Australia.

Another list, known as the Critical Skills List, is a list of occupations which are in critical shortage. Persons who have an occupation on this list are eligible for priority processing.

The points test has a pass mark and a pool mark. Neither of these is permanently fixed and can be changed from time to time to adjust to changes in demand for the migration program. It is because the pass mark can change that the pool mark exists as applicants for a subclass 175 or 176 visa who achieve a score less than the pass mark but equal to or greater than the pool mark will automatically have their application put into a reserve list, known as "the pool" for a period of 2 years. If the pass mark is lowered at any time during this period, those applicants in the pool with a mark equal to or greater than the new pass mark will then be taken out of the pool and processing of their visa application will continue.

Applicants who are in the pool are eligible for consideration under skill matching.

The pass and pool marks for the various visa categories are set out below and following that is another table showing the points available under the points test.

Pass and Pool Marks

| Category | Pass mark | Pool mark |
|--|-----------|-----------|
| Skilled – Independent visa subclass 175 | 120 | 100 |
| Skilled – Sponsored visa subclass 176 | 100 | 80 |
| Skilled – Regional Sponsored Visa subclass 475 | 100 | 100 |
| Skilled – Independent Visa subclass 885 | 120 | 120 |
| Skilled – Sponsored Visa subclass 886 | 100 | 100 |
| Skilled – Regional sponsored visa subclass 487 | 100 | 100 |

The general points test – Schedule 6B of Migration Regulations

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| Part 1 | |
| Occupation requiring specific training as gazetted | 60 |
| Occupation requiring a general degree as gazetted | 50 |
| Occupation requiring a diploma as gazetted | 40 |
| Part 2 - Age at time of application | |
| 18-29 | 30 |
| 30-34 | 25 |
| 35-39 | 20 |
| 40-44 | 15 |
| Part 3 – English language | |
| IELTS test band score of 7 on each of the four test components: speaking, reading, writing and listening | 25 |
| IELTS test band score of 6 on each of the four test components: speaking, reading, writing and listening | 15 |
| For trades occupations, IELTS test band score of 5 on each of the four test components: speaking, reading, writing and listening | 15 |
| Part 4 - Employment experience | |
| Employed in the nominated skilled occupation gazetted as getting 60 points for 36 out of 48 months immediately preceding the application | 10 |
| Employed in a skilled occupation for 36 out of 48 months immediately preceding the application | 5 |
| Part 5 – Australian employment | |
| Employed in Australia in the applicant's nominated skilled occupation for a period totalling 12 months in the 48 months immediately before the date of application. | 10 |
| Completed a professional year in Australia in the applicant's nominated skilled occupation for a period totalling at least 12 months in the 48 months immediately before the day of application | 10 |

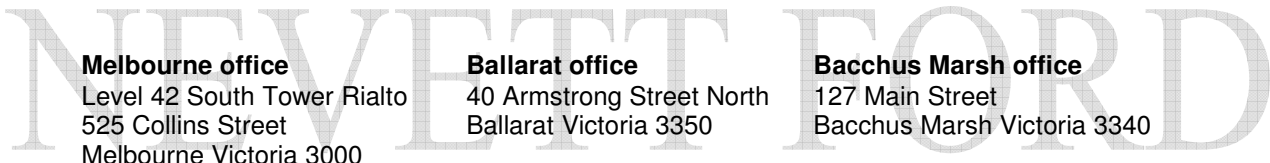
| | |
|---|----|
| Part 6 – Australian qualifications | |
| Has met the requirements for award of an Australian Phd after at least 2 academic years of full time study in Australia, all instruction was conducted in English. | 25 |
| Has met the requirements for award of a masters degree or an honours degree (at Second Class Division 1 Level or above) for a period totalling at least three academic years of full time study in Australia, after having met the requirements for the award of an undergraduate degree in Australia after at least one year of full time study for each degree. All instruction, for both degrees, was in English | 15 |
| Has met the requirements for award of an honours degree (at Second Class Division 1 Level or above) as a result of at least three academic years of full time study in Australia, all instruction, for both degrees, was in English | 15 |
| Has met the requirements for award of one or more Australian degrees, diplomas or trade qualifications after at least 2 years of full time study in Australia, where all instruction was in English | 5 |
| Part 7 – Occupation in demand | |
| If the nominated skilled occupation is a in the migration occupation in demand list, and has been employed in that occupation for a period totalling at least 12 months in the 48 months immediately before the application, and has a job offer in that occupation by an organisation with at least 10 full time employees throughout the 24 month period immediately before the application | 20 |
| If the nominated skilled occupation is a in the migration occupation in demand list, and has been employed in that occupation for a period totalling at least 12 months in the 48 months immediately before the application | 15 |
| Part 8 – Designated language | |
| If holds a qualification equivalent to an Australian degree, tuition for which was conducted in a designated language as gazetted | 5 |
| If is accredited as a professional interpreter or translator (level 3) in a designated language by the Australian National Accreditation Authority for Translators and Interpreters | 5 |
| Part 9 – Study in regional Australia or a low-population growth metropolitan area | |
| If completed an Australian qualification, as described in Part 6 above, in a campus located in regional Australia or low-population growth metropolitan area as gazetted and lived there while studying | 5 |
| Part 10 – Partner skills | |
| Applicant's spouse is under 45, has competent or vocational English, has nominated a skilled occupation, has been assessed as having suitable skills and either <ul style="list-style-type: none"> • has within the last 6 months completed an Australian degree, diploma or trade qualification after at least 2 years of full time study in Australia or has the following work | 5 |

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| experience in a skilled occupation; or | |
| • has at least 12 months work experience out of the last 24 months. | |
| Part 11 – State or Territory nomination | |
| If nominated by a State or Territory government for skilled migration purposes | 10 |
| Part 12 – Designated area sponsorship | |
| If sponsored by an Australian relative who is the applicant's parent, child, brother, sister, aunt or uncle (step relatives and relatives by adoption are included), grandparent or first cousin | 25 |

Please feel free to contact David Stratton, Ryan Curtis-Griffiths or Helen Zheng, Lawyers in our Migration Law Work Group, if you require further information in relation to this issue, or if you require legal advice regarding any other migration law matter.

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