



Commonwealth of Australia

Migration Regulations 1994

**TESTS, SCORES, PERIOD, LEVEL OF SALARY AND EXEMPTIONS TO MEET
THE ENGLISH LANGUAGE REQUIREMENT FOR SUBCLASS 457 (TEMPORARY
WORK (SKILLED)) VISAS AMENDMENT INSTRUMENT 2016/026**

(subclause 457.223(11))

I, *PETER DUTTON*, Minister for Immigration and Border Protection, acting under subclause 457.223(11) of Schedule 2 to the Regulations make the following instrument.

Dated: 15 April 2016

Peter Dutton

THE HON PETER DUTTON MP
Minister for Immigration and Border Protection

Part 1 – Preliminary

1. Name of Legislative Instrument

This instrument is *Tests, Scores, Period, Level of Salary and Exemptions to Meet the English Language Requirement for Subclass 457 (Temporary Work (Skilled)) Visas Amendment Instrument 2016/026*

2. Commencement

This instrument commences on the 19 April 2016

3. Authority

This instrument is made under subclause 457.223(11) of Schedule 2 to the *Migration Regulations 1958*

4. Schedules

Each instrument that is specified in a Schedule to this instrument is amended as set out in the applicable items in the Schedule concerned and any other item in the Schedule to this instrument has effect according to its terms.

Schedule 1 – Amendments

IMMI 15/028 - Tests, Scores, Period, Level of Salary and Exemptions to the English Language Requirements for Subclass 457 (Temporary Work (Skilled)) Visas 2015

1. Paragraph 7(b)

Repeal the paragraph 7(b) and substitute:

- (b) an applicant who:
 - (i) has completed a minimum of five years of full-time study in a secondary and/or higher education institution where the instruction was delivered in English.

2. After Paragraph 7(c)

Insert:

- (ca) An applicant who:
 - (i) is nominated in an occupation that requires:
 - (A) registration, licensing or membership; and
 - (B) the applicant to demonstrate a level of English language competency for grant of the registration, licence or membership and that level of English language competency is:
 - (I) equivalent to, or better than, the level of English language proficiency that is required to achieve a score specified in paragraph 3 of this instrument in one of the tests specified in paragraph 2 of this instrument; and
 - (ii) has been granted the registration, licence or membership specified in paragraph (ca)(i) of this instrument.