



# **Migration (IMMI 18/039: Mandatory Skills Assessment—Subclass 482 Visa) Instrument 2018**

made under paragraph 1240(3)(g) of Schedule 1 to the  
*Migration Regulations 1994*

## **Compilation No. 1**

**Compilation date:** 7 December 2024

**Includes amendments:** *Migration Amendment (Skills in Demand Visa and Related Matters) Instrument 2024 (F2024L01621)*

Prepared by the Department of Home Affairs

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## About this compilation

### This compilation

This is a compilation of the *Migration (IMMI 18/039: Mandatory Skills Assessment—Subclass 482 Visa) Instrument 2018* that shows the text of the law as amended and in force on 7 December 2024 (the *compilation date*).

The notes at the end of this compilation (the *endnotes*) include information about amending laws and the amendment history of provisions of the compiled law.

### Uncommenced amendments

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Register ([www.legislation.gov.au](http://www.legislation.gov.au)). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the Register for the compiled law.

### Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

### Modifications

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the Register for the compiled law.

### Self-repealing provisions

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

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## Part 1—Preliminary

### 1 Name

- (1) This instrument is the *Migration (IMMI 18/039: Mandatory Skills Assessment—Subclass 482 Visa) Instrument 2018*.
- (2) This instrument may be cited as IMMI 18/039.

### 3 Authority

This instrument is made under paragraph 1240(3)(g) of Schedule 1 to the *Migration Regulations 1994*.

### 4 Definitions

Note: A number of expressions used in this instrument are defined in the Regulations, including the following:

- (a) AUD;
- (b) Hong Kong;
- (c) Macau;
- (d) standard business sponsor.

In this instrument:

**ANZSCO** is specified to mean, for the definition of **ANZSCO** in regulation 1.03 of the Regulations, the Australian and New Zealand Standard Classification of Occupations published by the Australian Bureau of Statistics, as in force on 23 November 2022.

**exempt applicant**: see subsections 7(1), (2) and (4).

**nec** is short for not elsewhere classified.

**permitted foreign country**: see subsection 7(3).

**Regulations** means the *Migration Regulations 1994*.

**TRA** means Trades Recognition Australia.

## Part 2—Specification of occupations etc. for Subclass 482 visa

### 5 Specification of occupations etc.

- (1) This section applies in relation to an application by a person seeking to satisfy the primary criteria for the grant of a Subclass 482 (Skills in Demand) visa.
- (2) For the purposes of subparagraphs 1240(3)(g)(ii), (iv) and (v) of Schedule 1 to the Regulations:
  - (a) an occupation mentioned in column 1 of an item of the following table is specified; and
  - (b) an assessing authority mentioned in column 3 of the item is the assessing authority for the occupation; and
  - (c) the type of assessment mentioned in column 4 of the item is specified for the occupation; and
  - (d) the 3 year period ending immediately before the day the application is made is specified.

Note: Column 2 of the following table sets out the ANZSCO code for each specified occupation. This is included for information only.

<b>Occupations etc.</b>				
<b>Item</b>	<b>Column 1 Occupation</b>	<b>Column 2 ANZSCO code</b>	<b>Column 3 Assessing authority</b>	<b>Column 4 Type of assessment</b>
1	automotive electrician	321111	TRA	(a) SID Skills Assessment; or (b) TSS Skills Assessment.
2	baker	351111	TRA	(a) SID Skills Assessment; or (b) TSS Skills Assessment.
3	cabinetmaker	394112	TRA	(a) SID Skills Assessment; or (b) TSS Skills Assessment.
4	carpenter	331212	TRA	(a) SID Skills Assessment; or (b) TSS Skills Assessment.
5	carpenter and joiner	331211	TRA	(a) SID Skills Assessment; or (b) TSS Skills Assessment.
6	chef	351311	TRA	(a) SID Skills Assessment; or

<b>Occupations etc.</b>				
<b>Item</b>	<b>Column 1 Occupation</b>	<b>Column 2 ANZSCO code</b>	<b>Column 3 Assessing authority</b>	<b>Column 4 Type of assessment</b>
				(b) TSS Skills Assessment.
7	cook	351411	TRA	(a) SID Skills Assessment; or (b) TSS Skills Assessment.
8	diesel motor mechanic	321212	TRA	(a) SID Skills Assessment; or (b) TSS Skills Assessment.
9	electrician (general)	341111	TRA	(a) SID Skills Assessment; or (b) TSS Skills Assessment.
10	electrician (special class)	341112	TRA	(a) SID Skills Assessment; or (b) TSS Skills Assessment.
11	fitter (general)	323211	TRA	(a) SID Skills Assessment; or (b) TSS Skills Assessment.
12	fitter and turner	323212	TRA	(a) SID Skills Assessment; or (b) TSS Skills Assessment.
13	fitter-welder	323213	TRA	(a) SID Skills Assessment; or (b) TSS Skills Assessment.
14	joiner	331213	TRA	(a) SID Skills Assessment; or (b) TSS Skills Assessment.
15	metal fabricator	322311	TRA	(a) SID Skills Assessment; or (b) TSS Skills Assessment.
16	metal fitters and machinists (nec)	323299	TRA	(a) SID Skills Assessment; or (b) TSS Skills Assessment.
17	metal machinist (first class)	323214	TRA	(a) SID Skills Assessment; or (b) TSS Skills Assessment.
18	motor mechanic (general)	321211	TRA	(a) SID Skills Assessment; or (b) TSS Skills Assessment.
19	panelbeater	324111	TRA	(a) SID Skills Assessment; or (b) TSS Skills Assessment.

<b>Occupations etc.</b>				
<b>Item</b>	<b>Column 1 Occupation</b>	<b>Column 2 ANZSCO code</b>	<b>Column 3 Assessing authority</b>	<b>Column 4 Type of assessment</b>
20	pastrycook	351112	TRA	(a) SID Skills Assessment; or (b) TSS Skills Assessment.
21	program or project administrator	511112	VETASSESS	Skills Assessment for General Professional Occupations
22	sheetmetal trades worker	322211	TRA	(a) SID Skills Assessment; or (b) TSS Skills Assessment.
24	toolmaker	323412	TRA	(a) SID Skills Assessment; or (b) TSS Skills Assessment.
25	welder (first class)	322313	TRA	(a) SID Skills Assessment; or (b) TSS Skills Assessment.

## 6 Specification of classes of persons

- (1) This section applies in relation to an application by a person seeking to satisfy the primary criteria for the grant of a Subclass 482 (Skills in Demand) visa.
- (2) For the purposes of subparagraph 1240(3)(g)(iii) of Schedule 1 to the Regulations, the class of persons mentioned in column 2 of an item of the following table is specified for the occupation mentioned in column 1 of that item.

<b>Class of persons</b>		
<b>Item</b>	<b>Column 1 Occupation</b>	<b>Column 2 Class of persons</b>
1	automotive electrician	Persons: (a) who hold a passport issued by Fiji, Hong Kong, India, Macau, Philippines, South Africa, Thailand, Vietnam or Zimbabwe; and (b) who are not exempt applicants for the occupation.
2	baker	Persons: (a) who hold a passport issued by China, Fiji, Hong Kong, India, Macau, Papua New Guinea, Philippines, South Africa, Thailand, Vietnam or Zimbabwe; and (b) who are not exempt applicants for the occupation.



<b>Class of persons</b>		
<b>Item</b>	<b>Column 1 Occupation</b>	<b>Column 2 Class of persons</b>
3	cabinetmaker	Persons: (a) who hold a passport issued by Brazil, Fiji, Hong Kong, India, Macau, Philippines, South Africa, Thailand, Vietnam or Zimbabwe; and (b) who are not exempt applicants for the occupation.
4	carpenter	Persons: (a) who hold a passport issued by Brazil, Fiji, Hong Kong, India, Macau, Papua New Guinea, Philippines, South Africa, Thailand, Vietnam or Zimbabwe; and (b) who are not exempt applicants for the occupation.
5	carpenter and joiner	Persons: (a) who hold a passport issued by Brazil, Fiji, Hong Kong, India, Macau, Philippines, South Africa, Thailand, Vietnam or Zimbabwe; and (b) who are not exempt applicants for the occupation.
6	chef	Persons: (a) who hold a passport issued by Bangladesh, Brazil, China, Fiji, Hong Kong, India, Macau, Nepal, Pakistan, Papua New Guinea, Philippines, South Africa, Thailand, Vietnam or Zimbabwe; and (b) who are not exempt applicants for the occupation.
7	cook	Persons: (a) who hold a passport issued by Bangladesh, Brazil, China, Fiji, Hong Kong, India, Macau, Nepal, Pakistan, Papua New Guinea, Philippines, South Africa, Thailand, Vietnam or Zimbabwe; and (b) who are not exempt applicants for the occupation.
8	diesel motor mechanic	Persons: (a) who hold a passport issued by Fiji, Hong Kong, India, Macau, Philippines, South Africa, Thailand, Vietnam or Zimbabwe; and (b) who are not exempt applicants for the occupation.
9	electrician (general)	Persons: (a) who hold a passport issued by Fiji, Hong Kong, India, Macau, Philippines, South Africa or Vietnam; and (b) who are not exempt applicants for the occupation.
10	electrician (special class)	Persons: (a) who hold a passport issued by Fiji, Hong Kong, India, Macau, Philippines, South Africa or Vietnam; and (b) who are not exempt applicants for the occupation.
11	fitter (general)	Persons:

<b>Class of persons</b>		
<b>Item</b>	<b>Column 1 Occupation</b>	<b>Column 2 Class of persons</b>
		(a) who hold a passport issued by Brazil, China, Fiji, Hong Kong, India, Macau, Philippines, South Africa, Thailand, Vietnam or Zimbabwe; and (b) who are not exempt applicants for the occupation.
12	fitter and turner	Persons: (a) who hold a passport issued by Brazil, China, Fiji, Hong Kong, India, Macau, Philippines, South Africa, Thailand, Vietnam or Zimbabwe; and (b) who are not exempt applicants for the occupation.
13	fitter-welder	Persons: (a) who hold a passport issued by Brazil, China, Fiji, Hong Kong, India, Macau, Philippines, South Africa, Thailand, Vietnam or Zimbabwe; and (b) who are not exempt applicants for the occupation.
14	joiner	Persons: (a) who hold a passport issued by Brazil, Fiji, Hong Kong, India, Macau, Philippines, South Africa, Thailand, Vietnam or Zimbabwe; and (b) who are not exempt applicants for the occupation.
15	metal fabricator	Persons: (a) who hold a passport issued by Brazil, China, Fiji, Hong Kong, India, Macau, Philippines, South Africa, Thailand, Vietnam or Zimbabwe; and (b) who are not exempt applicants for the occupation.
16	metal fitters and machinists (nec)	Persons: (a) who hold a passport issued by Brazil, China, Fiji, Hong Kong, India, Macau, Philippines, South Africa, Thailand, Vietnam or Zimbabwe; and (b) who are not exempt applicants for the occupation.
17	metal machinist (first class)	Persons: (a) who hold a passport issued by Brazil, China, Fiji, Hong Kong, India, Macau, Philippines, South Africa, Thailand, Vietnam or Zimbabwe; and (b) who are not exempt applicants for the occupation.
18	motor mechanic (general)	Persons: (a) who hold a passport issued by Fiji, Hong Kong, India, Macau, Philippines, South Africa, Thailand, Vietnam or Zimbabwe; and (b) who are not exempt applicants for the occupation.
19	panelbeater	Persons:

Class of persons		
Item	Column 1 Occupation	Column 2 Class of persons
		(a) who hold a passport issued by China, Fiji, Hong Kong, India, Macau, Philippines, South Africa, Thailand, Vietnam or Zimbabwe; and (b) who are not exempt applicants for the occupation.
20	pastrycook	Persons: (a) who hold a passport issued by Brazil, China, Fiji, Hong Kong, India, Macau, Papua New Guinea, Philippines, South Africa, Thailand, Vietnam or Zimbabwe; and (b) who are not exempt applicants for the occupation.
21	program or project administrator	All persons other than exempt applicants for the occupation.
22	sheetmetal trades worker	Persons: (a) who hold a passport issued by Brazil, China, Fiji, Hong Kong, India, Macau, Philippines, South Africa, Thailand, Vietnam or Zimbabwe; and (b) who are not exempt applicants for the occupation.
24	toolmaker	Persons: (a) who hold a passport issued by Brazil, China, Fiji, Hong Kong, India, Macau, Philippines, South Africa, Thailand, Vietnam or Zimbabwe; and (b) who are not exempt applicants for the occupation.
25	welder (first class)	Persons: (a) who hold a passport issued by Brazil, China, Fiji, Hong Kong, India, Macau, Philippines, South Africa, Thailand, Vietnam or Zimbabwe; and (b) who are not exempt applicants for the occupation.

## 7 Exempt applicant for an occupation

- (1) A person who has applied for a Subclass 482 (Skills in Demand) visa is an **exempt applicant** for an occupation mentioned in column 1 of an item of the table in section 6 if:
- (a) all of the following apply in relation to the person:
- (i) the person holds a Subclass 457 (Temporary Work (Skilled)) visa, Subclass 482 (Temporary Skill Shortage) visa or Subclass 482 (Skills in Demand) visa;
  - (ii) the person satisfied the primary criteria for the grant of that visa;
  - (iii) the person is employed in Australia in the nominated occupation to which the application relates; or

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- (b) both of the following apply in relation to the person:
- (i) the person is employed by a company operating an established business overseas in the same occupation as, or a similar occupation to, the nominated occupation to which the application relates;
  - (ii) the person is nominated by a standard business sponsor who is that company or an associated entity of that company.
- (2) A person who has applied for a Subclass 482 (Skills in Demand) visa is an exempt applicant for an occupation mentioned in column 1 of an item of the table (other than item 21) in section 6 if:
- (a) both of the following apply in relation to the person:
    - (i) the person holds a relevant qualification for the nominated occupation to which the application relates that is commensurate with the qualification specified for the occupation in ANZSCO;
    - (ii) the qualification was obtained as a result of the successful completion of a course of study or training in Australia or a permitted country for the occupation; or
  - (b) both of the following apply in relation to the person:
    - (i) the nominated occupation to which the application relates requires the person to hold a licence, registration or membership to perform the occupation;
    - (ii) the person has been granted that license, registration or membership; or
  - (c) the person has met the standards set by TRA under the Offshore Skills Assessment Program for the nominated occupation to which the application relates.
- (3) A **permitted foreign country** for an occupation mentioned in column 1 of an item of the table in section 6 is a foreign country, or a Special Administrative Region of a foreign country, that is not mentioned in column 2 of that item.
- (4) A person who has applied for a Subclass 482 (Skills in Demand) visa is an **exempt applicant** for an occupation mentioned in item 21 of column 1 of the table in section 6 if:
- (a) the person holds a relevant qualification for the nominated occupation to which the application relates that is commensurate with the qualification specified for the occupation in ANZSCO; and
  - (b) the person will receive annual earnings of at least AUD180,000; and
  - (c) the person is nominated by a standard business sponsor who has been given accredited status by the Department.

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## 8 Application of amendments made by LIN 24/094

The amendments of this instrument made by Schedule 1 to the *Migration Amendment (Skills in Demand Visa and Related Matters) Instrument 2024* (the **amending instrument**) apply in relation to an application for a visa that is made on or after the commencement of the amending instrument.

## Endnotes

Endnote 1—About the endnotes

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## Endnotes

### Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes

Endnote 2—Abbreviation key

Endnote 3—Legislation history

Endnote 4—Amendment history

### Abbreviation key—Endnote 2

The abbreviation key sets out abbreviations that may be used in the endnotes.

### Legislation history and amendment history—Endnotes 3 and 4

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

### Misdescribed amendments

A misdescribed amendment is an amendment that does not accurately describe how an amendment is to be made. If, despite the misdescription, the amendment can be given effect as intended, then the misdescribed amendment can be incorporated through an editorial change made under section 15V of the *Legislation Act 2003*.

If a misdescribed amendment cannot be given effect as intended, the amendment is not incorporated and “(md not incorp)” is added to the amendment history.

**Endnote 2—Abbreviation key**

ad = added or inserted	orig = original
am = amended	par = paragraph(s)/subparagraph(s) /sub-subparagraph(s)
amdt = amendment	pres = present
c = clause(s)	prev = previous
C[x] = Compilation No. x	(prev...) = previously
Ch = Chapter(s)	Pt = Part(s)
def = definition(s)	r = regulation(s)/rule(s)
Dict = Dictionary	reloc = relocated
disallowed = disallowed by Parliament	renum = renumbered
Div = Division(s)	rep = repealed
exp = expires/expired or ceases/ceased to have effect	rs = repealed and substituted
F = Federal Register of Legislation	s = section(s)/subsection(s)
gaz = gazette	Sch = Schedule(s)
LA = <i>Legislation Act 2003</i>	Sdiv = Subdivision(s)
LIA = <i>Legislative Instruments Act 2003</i>	SLI = Select Legislative Instrument
(md not incorp) = misdescribed amendment cannot be given effect	SR = Statutory Rules
mod = modified/modification	Sub-Ch = Sub-Chapter(s)
No. = Number(s)	SubPt = Subpart(s)
o = order(s)	<u>underlining</u> = whole or part not commenced or to be commenced
Ord = Ordinance	

## Endnotes

### Endnote 3—Legislation history

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### Endnote 3—Legislation history

<b>Name</b>	<b>Registration</b>	<b>Commencement</b>	<b>Application, saving and transitional provisions</b>
<i>Migration (IMMI 18/039: Mandatory Skills Assessment—Subclass 482 Visa) Instrument 2018 (IMMI 18/039)</i>	16 March 2018 (F2018L00294)	18 March 2018	—
<i>Migration Amendment (Skills in Demand Visa and Related Matters) Instrument 2024 (LIN 24/094)</i>	6 December 2024 (F2024L01621)	Sch 1: 7 Dec 2024 (s 2)	—



## Endnote 4—Amendment history

**Endnote 4—Amendment history**

<b>Provision affected</b>	<b>How affected</b>
s 2	rep LA s 48D
s 4 (par (a) of note)	rep F2024L01621
s 4 def	am F2024L01621
s 5(1)	am F2024L01621
s 5(2) (table)	am F2024L01621
s 5(2) (table item 3)	am F2024L01621
s 5(2) (table item 23)	rep F2024L01621
s 6(1)	am F2024L01621
s 6(2) (table item 23)	rep F2024L01621
s 7	am F2024L01621
s 8	ad F2024L01621