



Commonwealth of Australia

Migration Regulations 1994

Migration Act 1958

EVIDENCE OF FUNCTIONAL ENGLISH LANGUAGE PROFICIENCY 2015
(Regulation 5.17)

I, *MICHAELIA CASH*, Assistant Minister for Immigration and Border Protection, acting under paragraph 5.17(a) of the *Migration Regulations 1994* (the Regulations):

1. REVOKE Instrument number IMMI 14/055 (F2014L01551) signed on 12 November 2014, specifying evidence of functional English language proficiency for the purposes of paragraph 5(2)(b) of the *Migration Act 1958* (the Act); AND
2. SPECIFY that, for paragraph 5(2)(b) of the Act (providing to the Minister prescribed evidence of a person's English language proficiency) the following is recognised as prescribed evidence of the English language proficiency of a person who has functional English:
 - (a) the applicant provides evidence of having completed all years of primary education and at least 3 years of secondary education at educational institutions in which all instruction was conducted in English; or
 - (b) the applicant provides evidence of having completed at least 5 years of secondary education at institutions in which all instruction was conducted in English; or
 - (c) the applicant provides evidence of having achieved an International English Language Testing System (IELTS) average band score of at least 4.5, based on the four test components of speaking, reading, writing and listening in a test conducted:
 - not more than 12 months before lodging the relevant application to migrate; or
 - at the time of the processing of the relevant application to migrate; or
 - (d) the applicant provides evidence that he or she has successfully completed, in Australia, at least 1 year of full-time study or equivalent part-time study towards a degree, higher degree, diploma, or associate diploma, at an institution or institutions where all the instruction was conducted in English.

- (e) the applicant provides evidence of having achieved a Test of English as a Foreign Language internet-Based Test (TOEFL iBT) total band score of at least 32, based on the four test components of speaking, reading, writing and listening in a test conducted:
 - not more than 12 months before lodging the relevant application to migrate; or
 - at the time of the processing of the relevant application to migrate; or
- (f) the applicant provides evidence of having achieved a Pearson Test of English Academic (PTE Academic) overall band score of at least 30, based on the four test components of speaking, reading, writing and listening in a test conducted:
 - not more than 12 months before lodging the relevant application to migrate; or
 - at the time of the processing of the relevant application to migrate; or
- (g) the applicant provides evidence of having achieved a Cambridge English Advanced (CAE) overall score of at least 147 based on the four test components of speaking, reading, writing and listening in a test conducted:
 - not more than 12 months before lodging the relevant application to migrate; or
 - at the time of the processing of the relevant application to migrate; or
- (h) the applicant provides evidence that he or she is the holder of a valid passport issued by the United Kingdom, the United States of America, Canada, New Zealand or the Republic of Ireland, to a citizen of that country.

This Instrument number IMMI 15/004, commences on 1 January 2015.

Dated 3/12/2014

Michaelia Cash
Assistant Minister for Immigration and Border Protection