



# **Migration (IMMI 18/032: Language Test Requirements—Subclass 482 Visa) Instrument 2018**

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I, Alan Tudge, Minister for Citizenship and Multicultural Affairs, make the following instrument.

Dated 15 March 2018

The Hon Alan Tudge MP  
Minister for Citizenship and Multicultural Affairs

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## 1 Name

- (1) This instrument is the *Migration (IMMI 18/032: Language Test Requirements—Subclass 482 Visa) Instrument 2018*.
- (2) This instrument may be cited as IMMI 18/032.

## 2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	18 March 2018.	18 March 2018

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

## 3 Authority

This instrument is made under subclauses 482.223(1) and 482.232(1) of Schedule 2 to the *Migration Regulations 1994*.

## 4 Definitions

Note: A number of expressions used in this instrument are defined in the *Migration Regulations 1994*, including the following:

- (a) AUD;
- (b) standard business sponsor.

In this instrument:

***approved English language test***: see subsection 5(2).

***exempt applicant*** means:

- (a) an applicant who is a citizen of, and who holds a valid passport issued by, one of the following countries:
  - (i) Canada;
  - (ii) New Zealand;
  - (iii) the Republic of Ireland;
  - (iv) the United Kingdom;
  - (v) the United States of America; or

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- (b) an applicant who has completed at least 5 years of full-time study in a secondary education institution or higher education institution where the instruction was delivered in English; or
- (c) an applicant who has been nominated by a standard business sponsor in relation to an occupation that will be performed at:
  - (i) a diplomatic or consular mission of another country; or
  - (ii) an Office of the Authorities of Taiwan located in Australia; or
- (d) an applicant:
  - (i) who has been nominated in relation to an occupation that requires the applicant to hold a licence, registration or membership to perform the occupation; and
  - (ii) who has been granted that license, registration or membership; and
  - (iii) who, for the purposes of the grant of that license, registration or membership, was required to demonstrate a level of English language proficiency that is equivalent to, or better than, the level of English language proficiency that is required to achieve the required test scores for an approved English language test that the applicant would have been required to achieve but for this paragraph; or
- (e) who:
  - (i) is employed by a company operating an established business overseas; and
  - (ii) is nominated by a standard business sponsor who is that company or an associated entity of that company; and
  - (iii) will receive annual earnings of at least AUD96,400.

**full-time study** means:

- (a) in relation to a secondary education institution in a particular country—the standard number of contact hours that a student would undertake in that country; or
- (b) in relation to a higher education institution—the completion of at least 3 subjects in each semester or trimester of study.

**required test scores** for an approved English language test: see subsections 5(3) and (4).

**test component:** each of the following is a test component of an approved English language test:

- (a) listening;
- (b) reading;
- (c) speaking;
- (d) writing.

## 5 Language test requirements

- (1) The language test requirements for an applicant for a Subclass 482 (Temporary Skill Shortage) visa (other than an exempt applicant) are:
  - (a) the applicant took an approved English language test on a particular day (the **test day**); and

- (b) the applicant achieved the required test scores for the approved English language test taken by the applicant on the test day in a single attempt at that test; and
- (c) the test day is not more than 3 years before the day on which the applicant provided evidence of the matter mentioned in paragraph (b).
- (2) Each of the following is an **approved English language test**:
- (a) the International English Language Testing System (the **IELTS**);
- (b) the Occupational English Test (the **OET**);
- (c) the Test of English as a Foreign Language internet-based test (the **TOEFL**);
- (d) the Pearson Test of English Academic (the **PTE**);
- (e) the Cambridge English: Advanced test (the **CAE**).
- (3) If the applicant applied for a Subclass 482 (Temporary Skill Shortage) visa in the Short-term stream, the **required test scores** for an approved English language test is to be worked out using the following table.

<b>Required test scores</b>		
<b>Item</b>	<b>If the approved English language test is ...</b>	<b>the required test scores for that test are ...</b>
1	the IELTS	(a) an overall band score of at least 5.0; and (b) a score of at least 4.5 for each test component of the IELTS.
2	the OET	a score of at least B for each test component of the OET.
3	the TOEFL	(a) an overall band score of at least 35; and (b) for the listening and reading test components of the TOEFL—a score of at least 3; and (c) for the speaking and writing test components of the TOEFL—a score of at least 12.
4	the PTE	(a) an overall band score of at least 36; and (b) a score of at least 30 for each test component of the PTE.
5	the CAE	(a) an overall band score of at least 154; and (b) a score of at least 147 for each test component of the CAE.

- (4) If the applicant applied for a Subclass 482 (Temporary Skill Shortage) visa in the Medium-term stream, the **required test scores** for an approved English language test is to be worked out using the following table.

<b>Required test scores</b>		
<b>Item</b>	<b>If the approved English language test is ...</b>	<b>the required test scores for that test are ...</b>
1	the IELTS	(a) an overall band score of at least 5.0; and

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<b>Required test scores</b>		
<b>Item</b>	<b>If the approved English language test is ...</b>	<b>the required test scores for that test are ...</b>
		(b) a score of at least 5.0 for each test component of the IELTS.
2	the OET	a score of at least B for each test component of the OET.
3	the TOEFL	(a) an overall band score of at least 35; and (b) for the listening and reading test components of the TOEFL—a score of at least 4; and (c) for the speaking and writing test components of the TOEFL—a score of at least 14.
4	the PTE	(a) an overall band score of at least 36; and (b) a score of at least 36 for each test component of the PTE.
5	the CAE	(a) an overall band score of at least 154; and (b) a score of at least 154 for each test component of the CAE.