



LIN 21/012

**Immigration (Education) (Standards for Vocational English) Instrument  
(LIN 21/012) 2021**

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I, Alex Hawke, Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs, make this instrument under subsection 3(2) of the *Immigration (Education) Act 1971* (the *Act*).

Dated 19 April 2021

Alex Hawke

Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs

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**1 Name**

This instrument is the *Immigration (Education) (Standards for Vocational English) Instrument (LIN 21/012) 2021*.

**2 Commencement**

This instrument commences on the later of:

- (a) the day after registration; and
- (b) immediately after the commencement of Schedule 1 of the *Immigration (Education) Amendment (Expanding Access to English Tuition) Act 2020*.

**3 Repeal**

*Immigration (Education) (Functional English) Specification 2017 (F2017L00720)* is repealed.

**4 Procedures or standards for determining that a person has vocational English**

- (1) For the definition of *vocational English* in subsection 3(1) of the Act, a person has vocational English if a provider of an approved English course determines that the person meets or exceeds one of the following standards:
  - (a) at least Level 3 proficiency in each of the four core skills of learning, reading, writing and oral communication under the Australian Core Skills Framework; or
  - (b) an average score of at least 5.5 in an International English Language Testing System test, based on the four test components of speaking, reading, writing and listening; or
  - (c) a total band score of at least 46 in a Test of English as a Foreign Language internet-based Test, based on the four test components of speaking, reading, writing and listening; or
  - (d) a total band score of at least 162 in a Cambridge C1 Advanced Test, based on the four test components of speaking, reading, writing and listening; or
  - (e) a total band score of at least 42 in a Pearson Test of English Academic, based on the four test components of speaking, reading, writing and listening; or
  - (f) at least B for each of the four test components of speaking, reading, writing and listening in an Occupational English Test.
- (2) A reference to a test in subsection (1) is a reference to the test as in force or existing from time to time.

*Note* Despite subsection 14(2) of the *Legislation Act 2003*, a reference to a test in force or existing from time to time is permitted under subsection 3(3) of the Act.