

NEWSLETTER - 149

JULY 2023

NEW VISA APPLICATION CHARGES FROM 1 JULY 2023

There will be new visa application fees effective July 1, 2023.

All visa applications received by the Department on or after July 1, 2023, are subject to the additional fees.

For each specific visa category, the website will be updated to reflect these changes. In the interim, you can use the Visa Pricing Estimator to calculate the new visa application charge (VAC).

You will pay the new VAC if you submit an online application on or after July 1, 2023, at 12:00 am (AEST). Regardless of when you opened the application, this is the case. When we get your application and the VAC, we'll consider it submitted.

Your application and visa application charge will typically be received on the same day if you submit an online application and pay with a credit card, debit card, PayPal, or UnionPay.

Make sure your application includes all necessary documentation before submitting it. You might have to reapply and pay the applicable VAC if you submit an incomplete application.



Exploitative employers on notice: New legislation introduced by Albanese Government

The Albanese Labour Government is taking tough measures against unscrupulous businesses that exploit employees on temporary visas and will support such employees in speaking out without worrying about punishment.

All Australians suffer as a result of the underpayment and exploitation of foreign workers, which lowers everyone's earnings and living standards.

With this Bill:

- Make it a crime to force someone to violate a requirement of their visa;
- Introduce prohibition notices to prevent employers who have exploited migrants from continuing to hire persons on temporary visas;
- To prevent exploitation, strengthen sanctions and introduce additional compliance tools; and
- Section 235 of the Migration Act should be repealed since it actively discourages persons from reporting exploitative activities.

These regulations will increase the consequences for unethical companies who mistreat and take advantage of temporary visa holders who are vulnerable.

Australia - UK Free Trade Agreement

In the most recent revision of the Migration (International Trade Obligations Relating to Labour Market Testing) Determination 2021, the A-UKFTA has been added to the list of nations for which LMT requirements may not be required.

All migration and legal queries

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EXPANDED PATHWAYS TO PR FOR SUBCLASS 482 TSS VISA HOLDERS

- The Temporary Skilled Migration Income Threshold in Australia was raised to \$70,000. This will take effect on July 1st, 2023.
- The rise in TSMIT will not apply to nominations submitted before July 1, 2023, or to current visa holders.
- All TSS visa holders will have access to the Temporary Residents Transition track of the subclass 186 visa till the end of 2023.
- No matter the job type, TSS visa holders are only eligible for TRT after two years of employment with the same employer.
- For TSS visa holders, the list of occupations is not restricted to those on the Medium and Long-term Strategic Skills List.

WORK RESTRICTIONS FOR STUDENT VISA HOLDERS

Holders of student visas will only be permitted to work 48 hours per two weeks starting on July 1, 2023. When their term of study or training is not in session, those with student visas are not restricted from working.

This makes sure that people with student visas may concentrate on getting a good education and credential in Australia while still being able to work and contribute to Australia's labor market demands.

Work limitations on student visas were eased throughout the pandemic and finally eliminated in January 2022.

As of 9 May 2023, holders of student visas who are already employed in the aged care industry can continue to do so without restriction until 31 December 2023, according to a statement from the Australian government.

'VEXATIOUS LITIGANT' TAKES BOUTIQUE FIRM TO COURT OVER DEFAMATION DISPUTE

The law firm that told a litigious man he was unlikely to prevail in his attempt to sue a Sydney newspaper for defamation over an alleged "war criminal" portrayal has come under fire.

The Sydney Morning Herald published an article in June 2017 referring to Vito Zepinic as "once the security chief for convicted Bosnian war criminal Radovan Karadzic" after he was called a "'vexatious litigant' in every sense of the word" by the NSW Supreme Court Justice Michael Pembroke for his 17 separate proceedings against one company.

Mr. Zepinic and his company, SLF Lawyers, discussed a potential defamation claim, but a lawyer and a lawyer they hired both said there was "no substantial merit" in bringing any action.

The construction company's conduct of Mr. Zepinic left him feeling "aggrieved at the perceived injustice," the court said, and "everything else was interpreted through that prism."

The plaintiff's motion was denied, and the defendant was declared the winner of the case.

LAWYER AND ACCOUNTANT IN \$105M PLUTUS PAYROLL SCAM FRONTS COURT

A lawyer and accountant who were involved in Australia's largest fraud scheme, which stole more than \$100 million from the tax office, were brought before the court.

Dev Menon allegedly participated in the Plutus Payroll scam for two years, diverting money intended for superannuation, taxes, and wages to side businesses run by "vulnerable" persons.

It was claimed that the business leveraged its fee-free service to draw in real customers and earned almost \$141 million. The main conspirators stole more than \$105 million that was intended for the Australian Taxation Office.

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