

SUBMISSION TO THE DEPARTMENT OF HOME AFFAIRS: AUSTRALIA'S 2019-20 MIGRATION PROGRAM

31 January 2019

As the peak body representing Australia's 39 comprehensive universities, Universities Australia welcomes the opportunity to provide feedback on Australia's 2019-20 Migration Program to the Department of Home Affairs. Australia's universities employ highly skilled staff from around the world and are the educators of our future workforce. Universities Australia is invested in our migration program to enable our universities to produce work-ready graduates and world-leading research.

Australia's migration program needs to support the maintenance of a strong and dynamic university system, recognising the central role universities play in producing the graduates needed for Australia to succeed in the knowledge economy.

We support a continued emphasis on skilled migration within Australia's migration planning, and accessible pathways to permanency for temporary migrants who demonstrate commitment in contributing to Australia's long-term economic and social development.

ENSURING AUSTRALIA'S VISA SYSTEM ATTRACTS THE BEST AND THE BRIGHTEST

Universities seek to attract global talent to Australia in a highly competitive environment. Key national strategies can only be achieved by a visa system which enables the world's best and brightest to work and study in Australian universities. Institutional success in research is becoming increasingly dependent on international collaboration underpinned by the ability of students and staff to move between institutions in different countries at different stages of their careers. Many countries with high-ranking and highly competitive university sectors have introduced streamlined visa classes aimed specifically at facilitating the entry of knowledge workers for short- and long-term stays. These countries – including the UK, Canada, The Netherlands, Germany and France – offer an identifiable pathway to permanent residency for these specialised visas. The international standards for attracting global talent are shifting and Australia must keep pace with such visa policies in countries with leading university sectors in order to remain competitive.

CLEAR AND ACCESSIBLE PATHWAYS TO PERMANENT RESIDENCY

Attracting and retaining highly-qualified individuals is reliant upon immigration and citizenship pathways that can be easily navigated. Clear and accessible pathways to permanent residency are important for senior academics and university administrators.

The prospect of a transition to permanent status is one of the deciding factors in attracting highly-sought after researchers and academics that give Australia a competitive edge over other countries.

Without being able to offer sponsored employees a path to permanent residency, the university sector faces a significant hurdle in attracting skilled employees. In the first instance, it is of vital importance that university occupations are preserved on the Medium to Long Term Skills Shortage List to ensure there are pathways to permanent residency.

Current exemptions to the Australian Citizenship Act, which are designed to facilitate academic employment, do not extend far enough to assist Australian universities in attracting and retaining internationally recognised, world-class academics and university leaders who will be critical to the success of our sector and consequently, Australia's prosperity.

Currently, academics at levels B to E are afforded skill and age exemptions under the Direct Entry stream of the Employer Nomination Scheme visa (subclass 186) for Permanent Residency. In practical terms, this means these academics are exempt from age, skill and earning requirements and are immediately eligible to apply for permanent residency, without first having worked in Australia on a temporary work visa.

In contrast, senior academics who are entering Australia to take up senior leadership roles, including as Vice-Chancellors and Deputy Vice-Chancellors, are not afforded the age exemption. While all pass the income threshold test, often these individuals are over the age of 45 years. As such, the Direct Entry Permanent Residency stream is not available. Given that many individuals recruited into leadership roles in Australian universities would be leaving senior positions in international universities, they are often reluctant to give up these roles without the security that permanent residency affords them. The only immediate permanent residency pathway currently available to such candidates is the Distinguished Talent visa which is very limited in number, extremely specialised and competitive, and does not guarantee a permanent visa.

Many international candidates for senior roles within universities are unwilling to accept offers of employment in Australia unless they know they can obtain permanent residency before leaving their current role. In fact, the desire to obtain permanent residency when taking a role in an Australian university only reinforces the commitment of the candidate in contributing to Australia's knowledge economy. Exceptions for mandatory temporary residence for individuals in a university-specific administration role would strengthen Australia's international competitiveness in this sector.

Australia is the third largest provider of international education behind the US and the UK (and is predicted to overtake the UK this year). Our role in fostering the potential of the best and brightest minds from around the region and beyond cannot be underestimated. While temporary visa holders, such as international students, should not have the automatic right to permanent residency, they should have the right to that ambition. Genuine students with an ambition to eventually become permanent residents should be welcomed.

MAINTAIN POST-STUDY WORK RIGHTS

Australia's Temporary Graduate Visa (subclass 485) is a key component of the nation's overall migration program and provides Australian employers with a pipeline of global talent in possession of world-class Australian higher education qualifications.

Our post-study work rights enable international students to implement and practice the skills developed during their studies. These rights enable students to return to their country of origin as employable and work-ready graduates that have experience and networks within Australian business environments. This is a significant competitive advantage in the Australian system.

A smooth pathway for those potential migrants who have demonstrated their intent, commitment and investment by obtaining a significant Australian qualification is in the national interest.

Applicants who have obtained a qualification from an Australian university should have this recognised in any subsequent application for migration.

Universities Australia strongly supports the continuation of this visa and encourages clear and accessible pathways to permanent residency for international students, academics and university administrators.

COMMUNICATION, CLARITY AND CERTAINTY

Careful communication about changes to the migration program assists in the mitigation of risk in the higher education sector. Consistency of migration processes have a direct impact on Australian universities' ability to recruit international students and staff. Changes in the system – whether large or small – create uncertainty. It is essential that all changes are well communicated to stakeholders and the public in a timely manner.

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