



LIN 24/099

# **Migration (Language Test Requirements for Subclass 482 Visa) Instrument 2024**

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I, Julian Hill, Assistant Minister for Citizenship and Multicultural Affairs, make the following instrument.

Dated                    6 December 2024

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Julian Hill  
Assistant Minister for Citizenship and Multicultural Affairs



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## 1 Name

This instrument is the *Migration (Language Test Requirements for Subclass 482 Visa) Instrument 2024*.

## 2 Commencement

This instrument commences on 7 December 2024.

## 3 Authority

This instrument is made under subclauses 482.222(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 6(3).

***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
- (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

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scores for an approved English language test that the applicant would have been required to achieve but for this paragraph; or

(e) an applicant 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.

***Regulations*** means the *Migration Regulations 1994*.

***required test scores*** for an approved English language test: see subsection 6(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 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

## 6 Language test requirements

- (1) This section specifies language test requirements for the purposes of subclauses 482.222(1) and 482.232(1) of Schedule 2 to the Regulations.
- (2) The language test requirements for an applicant for a Subclass 482 (Skills in Demand) visa in the Specialist Skills stream or Core Skills stream (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).
- (3) Each of the following is an ***approved English language test***:

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(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**).

(4) The **required test scores** for an approved English language test are to be worked out using the following table.

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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>
1	the IELTS	(a) an overall band score of at least 5.0; and (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.

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## 7 Application of this instrument

This instrument applies in relation to an application for a visa that is made on or after the commencement of this instrument.

## 8 Continued application of IMMI 18/032

Despite the repeal of *Migration (IMMI 18/032: Language Test Requirements—Subclass 482 Visa) Instrument 2018* (IMMI 18/032) by this instrument, IMMI 18/032, as in force immediately before the day this instrument commences, continues to apply in relation to an application for a visa made before the commencement of this instrument.

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## Schedule 1—Repeals

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

#### **1 The whole of the instrument**

Repeal the instrument.

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