



LIN 25/014

Migration (Evidence of Functional English Language Proficiency) Instrument 2025

I, Matt Thistlethwaite, Assistant Minister for Immigration, make the following instrument.

Dated 5 August 2025

Matt Thistlethwaite
Assistant Minister for Immigration

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Part 1—Preliminary

1 Name

This instrument is the *Migration (Evidence of Functional English Language Proficiency) Instrument 2025*.

2 Commencement

This instrument commences on 7 August 2025.

3 Authority

This instrument is made under paragraph 5.17(a) of the *Migration Regulations 1994*.

4 Definitions

In this instrument:

Act means the *Migration Act 1958*.

average band score means a test score calculated from the makeup of the scores received for each of the English test components.

CELPiP General means the Canadian English Language Proficiency Index Program General.

English test components means all of the following:

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

IELTS Academic means the International English Language Test System Academic.

IELTS General Training means the International English Language Test System General Training.

LANGUAGECERt Academic means the LANGUAGECERt Academic Test.

Language tests means the language tests mentioned in column 1 of the table in Schedule 1 to this instrument.

MET means the Michigan English Test.

OET means the Occupational English Test.

Overall band score means a test score calculated from the makeup of the scores received for each of the English test components.

PTE Academic means Pearson Test of English Academic.

relevant application means an application, including (but not limited to):

- (a) an application for a visa; or
- (b) an application under section 140GB of the Act to approve a nomination under subsection 140GB(2) of the Act;

where a person is required, for the purposes of that application, to satisfy a criterion or meet a requirement under the Act or the Regulations to have functional English.

Note: For the meaning of **functional English**, see subsection 5(2) of the Act.

Example 1: Subregulation 2.72A(14) of the Regulations provides that one of the criteria for the Minister to approve a nomination under subsection 140GB(2) of the Act is that the Minister is satisfied that the nominee has functional English.

Example 2: Under clause 407.212 of Schedule 2 to the Regulations, the applicant for a Subclass 407 (Training) visa must satisfy the Minister that the applicant has functional English.

Regulations means the *Migration Regulations 1994*.

Minimum test scores means: see paragraph 6(3)(a) of this instrument.

TOEFL iBT means Test of English as a Foreign Language internet-Based Test.

Total band score means a test score calculated from the makeup of the scores received for each of the English test components.

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.

Part 2—Specified evidence of English language proficiency

6 Specified evidence of English language proficiency

For the purposes of paragraph 5(2)(b) of the Act, the following requirements are specified and recognised as prescribed evidence of the English language proficiency of a person who has functional English:

- (a) the person provides evidence of having completed one of the following at an educational institution or institutions in which all instruction was conducted in English:
 - (i) all years of primary education and at least 3 years of secondary education; or
 - (ii) at least 5 years of secondary education; or
- (b) the person provides evidence of having successfully completed, in Australia, at least 1 year of full-time study or equivalent part-time study towards one or more of the following at an institution or institutions, where all the instruction was conducted in English:
 - (i) a degree; or
 - (ii) a higher degree; or
 - (iii) a diploma; or
 - (iv) an associate diploma; or
- (c) the person provides evidence of having achieved one of the minimum test scores mentioned in column 2, 3 or 4 of the table in Schedule 1 in a test mentioned in column 1 of the same item of the table, and where:
 - (i) that test was based on the English test components; and
 - (ii) that test was undertaken:
 - (A) in the period of 12 months immediately before the day on which the relevant application is made; or
 - (B) on or after the day on which the relevant application is made; or
- (d) the person provides evidence that they are a citizen of, and hold a valid passport issued by, one of the following countries:
 - (i) Canada; or
 - (ii) New Zealand; or
 - (iii) the Republic of Ireland; or
 - (iv) the United Kingdom of Great Britain and Northern Ireland; or
 - (v) the United States of America.

7 Specified evidence of English language proficiency—tests undertaken before commencement of this instrument

- (1) For the purposes of paragraph 5(2)(b) of the Act, the requirements in subsections (2), (3), (4) and (5) are specified under subregulation 5.17(a) of the Regulations as prescribed evidence of the English language proficiency of a person, for the purposes of a relevant application:

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- (a) that is made on or after the day this instrument commences; and
 - (b) where the person has undertaken a test that is mentioned in any one of subsections (2), (3), (4) or (5), and where the test was undertaken:
 - (i) in the period of 12 months immediately before the day on which the relevant application is made; and
 - (ii) before the day on which this instrument commences.
- (2) The person provides evidence of having achieved an International English Language Testing System (IELTS) average band score of at least 4.5, based on the four test components of speaking, reading, writing and listening in that test.
 - (3) The person provides evidence of having achieved a Test of English as a Foreign Language internet-Based Test (TOEFL iBT) total band score of at least 32, based on the four test components of speaking, reading, writing and listening in that test.
 - (4) The person provides evidence of having achieved a Pearson Test of English Academic (PTE Academic) overall band score of at least 30, based on the four test components of speaking, reading, writing and listening in that test.
 - (5) The person provides evidence of having achieved a Cambridge English Advanced (CAE) overall score of at least 147 based on the four test components of speaking, reading, writing and listening in that test.

Part 3—Application

8 Application of this instrument

This instrument applies:

- (a) in relation to a relevant application made on or after the day on which the instrument commences; and
- (b) for other purposes under the Act and the Regulations in relation to functional English requirements on or after the day the instrument commences.

Schedule 1—Language tests and minimum test scores for specified evidence of English language proficiency

	Column 1	Column 2	Column 3	Column 4
Item	Language Tests	Average band score	Overall band score	Total band score
1	CELPPIP General		at least 5	
2	IELTS Academic	at least 4.5		
3	IELTS General Training	at least 4.5		
4	LANGUAGECERT Academic		at least 38	
5	MET		at least 38	
6	OET		at least 1020	
7	PTE Academic		at least 24	
8	TOEFL iBT			at least 26

Schedule 2—Repeals

Migration Regulations 1994 - Specification of Evidence of Functional English Language Proficiency 2015 – IMMI 15/004

1 The whole of the instrument

Repeal the instrument.