



Australian Government  
Department of Immigration  
and Citizenship

# Points Based Skilled Migration (subclasses 189, 190 and 489) visa

For further information see [www.immi.gov.au/skilled/](http://www.immi.gov.au/skilled/)

A large, stylized globe graphic composed of a grid of dots, transitioning from light blue to dark blue. The globe is positioned behind a horizontal band that is split into a grey upper half and a dark blue lower half. The number '6' is prominently displayed in white on a dark blue rectangular background in the upper right corner of this band.

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## About this booklet

This booklet is designed so that you can understand the steps for applying for **Points Based Skilled Migration** to Australia, and complete the application form with minimal, if any, help.

This booklet is intended as a guide only. You should visit the Department of Immigration and Citizenship (the department) website [www.immi.gov.au](http://www.immi.gov.au) to obtain up-to-date information.

This booklet is one of a series of booklets about migration to Australia. The booklets are:

- 1 Partner Migration
- 2 Child Migration
- 3 Parent Migration
- 4 Other Family Migration
- 5 Employer Sponsored Migration
- 6 Points Based Skilled Migration (subclasses 189, 190 and 489) visa
- 7 Business Skills Migration
- 8 Special Migration
- 9 Temporary Business (Long Stay) (subclass 457) visa
- 11 SkillSelect

For general information about migration to Australia, read information form 1126i *Migrating to Australia*, or visit the website [www.immi.gov.au](http://www.immi.gov.au)

## Using a migration agent

You do not need to use a migration agent to lodge a visa application. However, if you choose to use an agent, the department recommends that you use a registered migration agent.

Under Australian law, anyone who uses knowledge of migration procedures to offer immigration assistance to a person wishing to obtain a visa to enter or remain in Australia must be registered or exempt from registration (see page 39).

All registered migration agents are bound by the Migration Agents Code of Conduct, which requires agents to act professionally in their clients' lawful best interests. A list of registered migration agents is available from the Office of the Migration Agents Registration Authority (Office of the MARA) website [www.mara.gov.au](http://www.mara.gov.au)

You can contact the Office of the MARA at:

Website: [www.mara.gov.au](http://www.mara.gov.au)

E-mail: [info@mara.gov.au](mailto:info@mara.gov.au)

Mail: PO Box Q1551  
QVB NSW 1230  
AUSTRALIA

In person: Level 10  
111 Elizabeth Street  
SYDNEY NSW  
AUSTRALIA

Office hours are 9am – 5pm Australian Eastern Standard Time (AEST)

Telephone: 1300 226 272 or +61 2 9078 3552

Fax: +61 2 9078 3591

The Office of the MARA investigates complaints against registered migration agents and may take disciplinary action against them. If you have a concern about a registered migration agent, you should contact the Office of the MARA. The Code of Conduct and complaint form are available from the Office of the MARA website.

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## Introduction

This booklet is about the various Points Based Skilled Migration visas and their requirements and is current at the date of publication. For the most detailed and current information on Points Based Skilled Migration it is recommended you visit the department's website [www.skillselect.gov.au](http://www.skillselect.gov.au)

If you are applying for one of the Onshore Points Based GSM visas, such as the 885, 886 or 487 visa, you will need to visit the department's website as this booklet **does not** contain any information on these visa categories.

This booklet will assist you to understand the steps for applying for Points Based Skilled Migration to Australia, assess your eligibility to apply, and to complete the application form with minimal, if any, help.

Please read all of this booklet as it will help you to understand what requirements you need to meet in order to have your application for one of the Points Based Skilled Migration visas granted.

Part 1 contains information on the basic requirements you need to meet in order to have your application accepted. If you are not able to meet these requirements then Points Based Skilled Migration is not the right migration option for you.

If you are able to meet the basic Points Based Skilled Migration requirements you then need to select a visa category. The categories and their visas are described in Part 2.

When you have selected the most appropriate visa for you, Part 3 will help you to assess your eligibility.

## How to apply

You can only apply for these visas if you have received an invitation to apply for the visa. The invitation will only allow you to lodge your application within a specified timeframe.

The invitation will provide instructions on how you are to lodge your application. You can only apply for this visa online. A personalised link to the online application form is provided with the invitation.

### Enquiries

Telephone: 1300 364 613 (if calling from outside Australia dial the international code +61)

Online enquiry form: [www.immi.gov.au/contacts/](http://www.immi.gov.au/contacts/)

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## Definitions and terms you need to know

To understand the requirements for Points Based Skilled Migration to Australia, you need to know these terms.

<b>Applicant</b>	The applicant is the person (or persons) applying to migrate to Australia.
<b>ASPC</b>	Adelaide Skilled Processing Centre
<b>Assessing authority</b>	An assessing authority is a professional body or organisation with the expertise and knowledge to decide what skills are required for working in a particular skilled occupation. Intending migrants need to obtain a skills assessment for their nominated occupation from the relevant assessing authority. To identify the relevant assessing authority for your skilled occupation see the Skilled Occupation Lists (SOL) on the department's website <a href="http://www.immi.gov.au/skilled/sol">www.immi.gov.au/skilled/sol</a>
<b>Australian mission</b>	An Australia Embassy, High Commission or Consulate or Consulate-Mission General or Australian Trade Commission.
<b>Certified copy</b>	<p>Copy of a document authorised, or stamped as being a true copy of the original, by a person or agency recognised by the law of the person's home country. In Australia, this means a copy which is authorised as a true copy by a person before whom a Statutory Declaration may be made. Such authorised persons include the following: magistrate, Justice of the Peace, Commissioner for Declarations, Commissioner for Affidavits, solicitor, registered medical practitioner, bank manager, postal manager, an Australian Public Service Officer with 5 years or more service.</p> <p>The department also accepts documents certified by a registered migration agent.</p>
<b>Child</b>	<p>Child (when used in relation to another person) means:</p> <ul style="list-style-type: none"><li>• a natural (biological) child; or</li><li>• an adopted child within the meaning of the <i>Migration Act 1958</i>; or</li><li>• a child conceived through an artificial conception procedure as provided for in the <i>Family Law Act 1975</i>; or</li><li>• a child born under surrogacy arrangements, where parentage has been transferred by court order under a prescribed state or territory law.</li></ul>
<b>CRICOS</b>	Commonwealth Register of Institutions and Courses for Overseas Students. To determine if a course is CRICOS registered, visit the Department of Education, Employment and Workplace Relations' website <a href="http://cricos.dest.gov.au">http://cricos.dest.gov.au</a>
<b>Date of completion</b>	The date of completion of a tertiary qualification is the first date on which the tertiary institution publicly notifies you that you have met the requirements for the award. This notification can occur by letter, on the internet, by publication in a newspaper, by e-mail, or by bulletin board at the tertiary institution. It is not the date of conferral of your award. The date of conferral is the date that you actually receive your degree.
<b>De facto partner</b>	A person is the de facto partner of another person (whether of the same sex or a different sex) if the person is in a de facto relationship with the other person.

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**De facto relationship**

For the purposes of a Points Based Skilled Migration visa application, a person is in a de facto relationship with another person if:

- they are not in a married relationship (for the purposes of the *Migration Act 1958*) with each other;
- they are not related by family;
- they have a mutual commitment to a shared life to the exclusion of all others;
- the relationship between them is genuine and continuing;
- they live together or do not live separately and apart on a permanent basis; and
- the relationship has continued for the period of 12 months immediately preceding the date of application.

**Note:** The 12-month relationship requirement does not apply if the applicant can establish that there are compelling and compassionate circumstances for the grant of the visa.

**Department**

Department of Immigration and Citizenship.

**Eligible New Zealand Citizen**

For sponsorship purposes, an Eligible New Zealand Citizen is a person who held a Special Category Visa (SCV) on 26 February 2001; or held a SCV for at least one year in the 2 years preceding that date; or has a certificate, issued under the *Social Security Act 1991*, that states that the New Zealand citizen was, for the purposes of that Act, residing in Australia on a particular date. Applications for these certificates closed on 26 February 2004 (for further details please contact Centrelink on 131 673).

In order for an eligible New Zealand citizen to be a sponsor they must meet health and character requirements. The case officer processing the application will advise whether health and/or character checks will need to be undertaken.

**Employed**

Having worked in paid employment for at least 20 hours a week.

**EOI**

Expression of interest

**IELTS**

International English Language Testing System

For more details about IELTS, please visit the IELTS website [www.ielts.org](http://www.ielts.org)

**Invitation**

If, after submitting your EOI under SkillSelect, based on the rating of your skills and attributes and you have an occupation on the SOL, the Minister may issue an invitation to make an application for a skilled visa.

**Married relationship**

Persons are in a married relationship if:

- they are married to each other under a marriage that is valid for the purposes of the *Migration Act 1958*;
- they have a mutual commitment to a shared life as husband and wife to the exclusion of all others;
- the relationship between them is genuine and continuing; and
- they live together or do not live separately and apart on a permanent basis.

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<b>OET</b>	Occupational English Test. In some professions, applicants are required to sit this test as part of the qualifications assessment <a href="http://www.oet.com.au">www.oet.com.au</a>
<b>Partner</b>	A spouse or de facto partner.
<b>Pass mark</b>	This is the total number of points you must score to pass the points test. Check the department's website <a href="http://www.skillselect.gov.au">www.skillselect.gov.au</a> for the current pass mark.
<b>Permanent visa</b>	Permanent visa holders are able to enter, live and work in Australia indefinitely. After a specified period they can apply for Australian Citizenship.
<b>Points test</b>	For Points Based Skilled Migration, you must pass a points test. The pass mark changes from time to time. Before choosing a category to apply under, you should do a self-assessment. More details about the points test and self-assessment are given in Part 3.
<b>Provisional visa</b>	A Points Based Skilled Migration provisional visa allows the holder to enter, live and work in Australia for a specified period. Provisional Points Based Skilled Migration visas provide a pathway to permanent residence in Australia.
<b>Regional Australia/low population growth metropolitan areas</b>	The list of regional Australia/low population growth metropolitan areas for the purposes of awarding points for studying and residence in regional Australia is available from the department's website <a href="http://www.immi.gov.au/skilled/">www.immi.gov.au/skilled/</a>
<b>Skilled Occupation Lists (SOL)</b>	<p>If you are intending to apply under one of the Points Based Skilled Migration categories, you must have a nominated occupation which is on the SOL at the time you apply.</p> <p>More details about the SOL are available from the department's website <a href="http://www.immi.gov.au/skilled/sol">www.immi.gov.au/skilled/sol</a></p>
<b>SkillSelect</b>	SkillSelect is an online system that enables skilled workers interested in migrating to Australia to make an Expression of Interest (EOI).
<b>Sponsor</b>	For some categories you must be sponsored. A sponsor is a relative aged 18 years or over who is an Australian citizen or permanent resident or an Eligible New Zealand Citizen and is prepared to sponsor your application and who undertakes to assist the applicant, to the extent necessary, financially and in relation to accommodation for a period of 2 years.
<b>Spouse</b>	A person is the spouse of another person if they are in a married relationship.
<b>Statutory Declaration</b>	This declaration must be made before a person authorised by the <i>Statutory Declarations Act 1959</i> and Regulations, which include the following: magistrate, Justice of the Peace, Commissioner for Declarations, Commissioner for Affidavits, solicitor, registered medical practitioner, bank manager, postal manager, an Australian Public Service Officer with 5 years or more service.
<b>Substantive visa</b>	<p>A substantive visa means a visa other than:</p> <ul style="list-style-type: none"> <li>• a bridging visa; or</li> <li>• a criminal justice visa; or</li> <li>• an enforcement visa.</li> </ul>

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## Forms associated with a Points Based Skilled Migration application

### Information forms

Form 990i *Charges – April 2012*

Form 1071i *Health requirement for permanent entry to Australia*

Form 1163i *Health requirement for temporary entry to Australia*

More information on penal clearances is available from the department's website [www.immi.gov.au/allforms/](http://www.immi.gov.au/allforms/)

### Application forms

Form 26 *Medical examination for an Australian visa*

Form 80 *Personal particulars for assessment including character assessment*

Form 160 *Radiological report on chest x-ray of an applicant for an Australian visa*

Form 1393 *189, 190 and 489 electronic application form*

**Note:** All forms are available free of charge from the department's website [www.immi.gov.au/allforms/](http://www.immi.gov.au/allforms/)

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# Part 1 – Application requirements

For Points Based Skilled Migration to Australia, you must be able to satisfy the following requirements to make an application.

## Application requirements

### Invitation to apply

You can only apply for this visa if you have been invited to apply for the visa. The invitation will be issued subject to a specified timeframe in which you are to lodge your application.

The invitation will provide instructions on how you are to lodge your application. You can only apply for this visa online. A personalised link to the online application form is provided with the invitation.

### Age

You must be **under 50** years of age when you are invited to apply.

### English language

The threshold English language requirement is Competent English, which is a minimum score of 6 in each of the 4 components of the International English Language Testing System (IELTS) test or other language test as specified by the Minister. For some occupations, the assessing authority may require a higher level of English as part of their skills assessment process.

You also meet the English language threshold if you hold a valid passport from, and are a citizen of, one of the following countries:

- the United Kingdom;
- the United States of America;
- Canada;
- the Republic of Ireland; or
- New Zealand.

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## Nominated occupation

When you register your Expression of Interest (EOI), you must nominate a skilled occupation which fits your skills and qualifications. Your nominated occupation must be on the Skilled Occupation Lists (SOL).

More details about the SOL are available from the department's website [www.immi.gov.au/skilled/sol](http://www.immi.gov.au/skilled/sol)

### EOI score and assessed score

Once a prospective applicant has submitted their EOI, it will be ranked on the basis of the claims they made about their skills and attributes. Invitations will be issued to those prospective applicants who achieve the highest rankings, subject to the operation of the occupational ceiling. Further information about SkillSelect is available at [www.skillsselect.gov.au](http://www.skillsselect.gov.au)

If a prospective applicant receives an invitation to apply and makes an application, their application will be assessed against the points test. In order to be granted a visa, they will have to meet the pass mark – currently set at 60 points. The points score assessed must also be equal or greater to the value of the points that were claimed in the EOI.

**To assess yourself and see if you meet the points test, see part 3.**

## Skills assessment

Before you receive an invitation, you **must** have had your skills assessed as suitable for your occupation by an assessing authority for your nominated occupation.

You also need to find out if the occupation you have nominated requires you to be registered, licensed, or be a member of a professional or industry organisation.

Where an Australian qualification is used as the basis for a skills assessment it must have been awarded as a result of undertaking a full-time CRICOS registered course while being the holder of an eligible student visa.

**Note:** These assessing authorities are responsible for undertaking skills assessment for migration purposes, and are **NOT** employment agencies. The assessing authorities will not reply to requests for job placement, nor can they give advice on the allocation of points.

In addition to your skills assessment, you may need to obtain licensing or registration in your occupation before you can work in the state or territory where you settle. You may also require additional training or membership of a particular industry association. Information on licensing, registration, industry associations and a number of other skills recognition topics is available from the department's website [www.immi.gov.au/asri/](http://www.immi.gov.au/asri/)

Evidence of this suitable skills assessment must be available at the time you are invited to apply.

**Note: If you are not able to satisfy these requirements, you will NOT be eligible for Points Based Skilled Migration**

## Points Based Skilled Migration visa categories

### Permanent visas

Permanent visas are points tested visas, you will need to have sufficient skill points to reach the pass mark. (See Part 3 – ‘Points Test and self assessment’).

### Skilled – Independent (subclass 189)

To be eligible for this visa you must:

- satisfy the application requirements (see page 9); and
- be able to pass the points test.

### Skilled – Nominated (subclass 190)

To be eligible for this visa you must:

- satisfy the application requirements (see page 9);
- be able to pass the points test; and
- be nominated by a state or territory government.

### State/Territory nomination

If you are considering nomination by a state or territory government you must be willing to settle in that state or territory. Participating states and territories select who is eligible for nomination on the basis of the skills in demand in that jurisdiction. (Please check the department’s website [www.immi.gov.au/skilled/](http://www.immi.gov.au/skilled/) for the latest state migration plan.)

If you accept a nomination there are a number of obligations states and territories will require you to meet. These include that you:

- remain in the nominating state or territory for at least 2 years; and
- will keep the state or territory informed of changes in your address details before and after arrival; and
- will be prepared to complete surveys and provide information as required; and
- will meet any other requirements of the nominating state or territory.

State and territory government agencies will have access to SkillSelect. If you are interested in making yourself available for state or territory nomination for this visa, you can indicate this in your EOI. If you are interested in a particular state you will have an option to indicate this state, or you may choose to be available to all states and territories if you do not have a preference.

For further information on state/territory government nomination, links to the websites of the participating governments can be accessed from the department’s website [www.immi.gov.au/skilled/](http://www.immi.gov.au/skilled/)

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## Provisional visas

Provisional visas provide a pathway to permanent residence for visa holders.

### Skilled – Regional Sponsored (subclass 489)

To be eligible for this visa, you must:

- satisfy the application requirements (see page 9);
- be able to pass the points test; and
- be sponsored by an eligible Australian relative living in a 'Designated Area', or nominated by a participating state or territory government.

The visa is valid for 4 years and as a holder of this visa you must abide by the condition that you live, work and/or study in a 'Designated Area' (see page 13) or a 'Regional Australia or low population growth metropolitan (RALPGM) area' (see page 14).

### Sponsorship by a relative

If you have a relative living in a 'Designated Area' who is willing to sponsor you, he or she will need to be an Australian citizen, permanent resident or 'eligible New Zealand citizen' (see page 5). You or your partner must be related to your sponsor as:

- a non-dependent child or non-dependent step-child;
- a parent or step-parent;
- a brother or sister, step-brother or step-sister;
- a niece or nephew, step-niece or step-nephew;
- an aunt or uncle, step-aunt or step-uncle;
- a first cousin; or
- a grandchild or step-grandchild.

If you are relying on sponsorship by a person related to your partner, your partner must also be included in your application.

To ensure the processing of your application is not delayed, please include **a diagram of your family tree** with your application. You will also need to include all relevant documents as evidence of your relationship to your sponsor and their residential address.

If you are seeking an invitation for this visa on the basis of family sponsorship, when you submit your EOI you will need to provide details of your sponsor. Your sponsor must be an eligible relative living in a designated area.

You can change the details of your sponsor in the EOI SkillSelect register at any time, however if you provide details of a new sponsor, they will still need to meet the eligible relative and designated area requirements.

## Designated Areas

If you are applying for a Skilled – Regional Sponsored (Provisional) visa, and you are being sponsored by an eligible relative, your sponsor must be a resident in one of the following designated areas:

State or Territory	Designated Area
Australian Capital Territory	Entire territory
New South Wales	Postcodes 2311 to 2312 (except Sydney, Newcastle and Wollongong) 2328 to 2333 2336 to 2490 2535 to 2551 2575 to 2739 2787 to 2898
Northern Territory	Entire territory
Queensland	Postcodes 4019 to 4028 (except Brisbane metropolitan area) 4037 to 4050 4079 to 4100 4114, 4118 4124 to 4150 4158 to 4168 4180 to 4899
South Australia	Entire State
Tasmania	Entire State
Victoria	Entire State
Western Australia	Entire State

## Regional Australia or low population growth metropolitan (RALPGM) areas

If you are being nominated by a state or territory government you must reside on your Skilled – Regional Sponsored (Provisional) visa, in one of the following RALPGM areas:

Regional Australia and low population growth metropolitan areas	Postcodes inclusive
<b>New South Wales</b> (except Sydney, Newcastle, the Central Coast and Wollongong)	2311 to 2312 2328 to 2411 2420 to 2490 2536 to 2551 2575 to 2594 2618 to 2739 2787 to 2898
<b>Northern Territory</b>	All postcodes within the Northern Territory
<b>Queensland</b> (except the greater Brisbane area and the Gold Coast)	4124 to 4125 4133, 4211 4270 to 4272 4275, 4280, 4285, 4287 4307 to 4499 4515 4517 to 4519, 4522 to 4899
<b>South Australia</b>	All postcodes within South Australia
<b>Tasmania</b>	All postcodes within Tasmania
<b>Victoria</b> (except Melbourne metropolitan area)	3211 to 3334 3340 to 3424 3430 to 3649 3658 to 3749, 3753, 3756, 3758, 3762, 3764 3778 to 3781 3783, 3797, 3799 3810 to 3909 3921 to 3925 3945 to 3974 3979 3981 to 3996
Western Australia (except Perth and surroundings areas)	6041 to 6044 6083 to 6084 6121 to 6126 6200 to 6799

## Permanent residence for Skilled – Regional Sponsored (Provisional) visa holders

Once you have held your provisional visa for at least 2 years you can apply for a permanent Skilled Migration visa if you have lived for 2 years and worked full-time for at least one year in a 'Designated Area' or a 'RALPGM area'. To be granted a permanent Skilled Migration visa you must have complied with the conditions of your provisional visa. Information on the Skilled – Regional (subclass 887) visa is available from the department's website [www.immi.gov.au/skilled/general-skilled-migration/visa-options](http://www.immi.gov.au/skilled/general-skilled-migration/visa-options)



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## Lodging an application

It is important that you lodge your Points Based Skilled Migration application with all the documents necessary to assess your application. Lodging a complete application assists case officers in making a fair and complete assessment of your claims and results in faster processing times. Applications that are not complete may be refused. You will find the checklist of the documents you must provide in support of your application on the department's website [www.skillselect.gov.au](http://www.skillselect.gov.au)

## Costs and charges

All costs and charges are in Australian dollars (AUD). Payment must be made in Australian dollars.

Fees may be subject to adjustment at any time. Visa Application Charges may be subject to adjustment on 1 July each year. This may increase the cost of a visa.

To check the Visa Application Charge, see form 990i *Charges* available from the department's website [www.immi.gov.au/allforms/990i.htm](http://www.immi.gov.au/allforms/990i.htm) or check with the nearest office of the department.

## Application charge or first instalment

Payment must accompany your application and is generally not refunded if the application is unsuccessful.

## Method of payment

### In and outside Australia

Acceptable payment method for online applications is by credit card.

**Note:** The currency converter does not apply to internet applications paid for by credit card. The amount paid will be the Australian dollar (AUD) amount. If your credit card is in a currency other than AUD, the amount charged will be at the daily credit card rate plus any bank charges.

## Skills assessment

Before you lodge an application for Points Based Skilled Migration, there will be a charge for the assessment of your skills for your nominated occupation imposed by the relevant assessing authority. For information about the assessing authorities see the department's website [www.immi.gov.au/asri/](http://www.immi.gov.au/asri/)

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## Second instalment Visa Application Charge (English language tuition)

Members of your family unit aged 18 years or over included in your application who have been assessed as not having functional English language skills will be required to pay a second instalment charge (see form 990i *Charges*) which entitles them to English language tuition in Australia to achieve functional English. The full amount of this charge must be paid before a visa can be granted to you. Members of your family unit who are able to demonstrate functional English ability (eg. obtain an overall band score of 4.5 on the International English Language Testing System (IELTS)) do not have to pay this charge. Applicants who pay this charge will receive information about the Adult Migrant English Program and where they can receive their tuition when the visa is granted.

## English proficiency testing

To be awarded points for your English language skills you will need to submit the results of a specified English language test. Specified test includes:

- IELTS test results.
- OET test results. Health professionals require an Occupational English Test (OET) as part of their skills assessment process. Check the department's website [www.immi.gov.au/skilled/](http://www.immi.gov.au/skilled/) for information on the OET score that is accepted as being equivalent to 'superior' English.

Both IELTS and the OET impose charges for conducting these tests. Further information on IELTS and the OET is available on their websites [www.ielts.org](http://www.ielts.org) (IELTS) or [www.oet.com.au](http://www.oet.com.au) (OET).

For further information on English language ability see page 20.

## Medical costs

You and members of your family may be required to undergo a medical and x-ray examination. The cost of the examination is a matter between you and the doctor undertaking the examination.

## Other costs

You should also be prepared to pay other costs associated with your application, such as those required to obtain a character clearance (see page 31) from authorities in your country, and the cost of certified translations of some documents.

## About the points test

If you apply under the:

- Skilled – Independent;
- Skilled – Nominated; or
- Skilled – Regional Sponsored (Provisional);

categories, you will be assessed against a points test.

## Points are awarded for:

- age;
- English language ability;
- overseas employment;
- Australian employment;
- Professional Year;
- educational qualifications;
- Australian study;
- Credentialed community language;
- studying and living in regional Australia;
- partner skills;
- State/Territory government nomination; and
- Designated Area sponsorship.

## Pass mark

**You must score sufficient points to reach the pass mark.** The pass mark changes from time to time. Check the department's website [www.immi.gov.au/skilled/](http://www.immi.gov.au/skilled/) for the current pass mark.

## Self-assessment

Complete the Self-assessment form as you go through the rest of this section. This will help you determine what your indicative points score might be.

If you have a **partner**, it may be worthwhile to also obtain a skills and English language assessment for your partner to see whose EOI may have the best chance of success.

If your partner's skills are to be used to obtain partner skills points, a skills assessment for your partner should be completed before you claim partner points in the EOI.

## Self-assessment form

### Complete this form as you go through the rest of this section

**Note:** A self-assessment should not be seen as a guarantee of success. Should you be invited to make an application, this will be rigorously assessed on the information and evidence you provide, using the pass mark which applies at the time of lodgement.

	Points
Age (see page 19)	
English language ability (see page 20)	
Overseas employment (see page 21)	
Australian employment (see page 22)	
Professional Year (see page 23)	
Educational qualifications (see page 24)	
Australian study (see page 25)	
Credentialled community language (see page 26)	
Studying and living in regional Australia (see page 27)	
Partner skills (see page 28)	
State/Territory government nomination (see page 29)	
Designated Area sponsorship (see page 29)	
<b>Total Skill points</b>	

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## points for **Age**

At time of invitation	Points
18–24 years	<b>25</b>
25–32 years	<b>30</b>
33–39 years	<b>25</b>
40–44 years	<b>15</b>

**Note:** If your age is 45 and above, but under 50 years, you are not prevented from making a valid application for a Points Based Skilled Migration visa but you will not be eligible to be awarded any points for age.

### **Evidence to support your application**

Proof of age such as your birth certificate or passport should be included with your application.

## points for **English language ability**

English language ability	Standard	Points
<p><b>Superior English</b></p> <p>You have fully operational command of English and handle complex detailed argumentation well.</p>	<p>IELTS score of at least 8 on <b>each</b> of the 4 components of the test— speaking, reading, writing and listening, or equivalent standard in a specified test</p>	<b>20</b>
<p><b>Proficient English</b></p> <p>You have an operational command of English with the ability to use and understand complex language well and comprehend detailed reasoning.</p>	<p>IELTS score of at least 7 on <b>each</b> of the 4 components of the test— speaking, reading, writing and listening, or equivalent standard in a specified test.</p>	<b>10</b>

**Note:** For all Skilled Migration Points Based visas the threshold English language requirement will be Competent English, which is a minimum score of 6 in each of the 4 components of the International English Language Testing System (IELTS) test or other language test as specified by the minister. No points will be awarded for Competent English.

### **Evidence to support your application**

You need to ensure you are able to provide evidence of the level of your English language ability attained at time of invitation. IELTS has an academic test and a general training test. Unless you are required to do otherwise by your assessing authority you only need to take the **general training test**.

You will need to provide your IELTS test result as evidence of your English language ability. You only need to provide the Test Report Form (TRF) Number that is on your IELTS certificate.

Test results must be no more than 3 years old at the time you apply.

## points for **Overseas employment**

	Points
In the 10 years immediately prior to receiving an invitation, you have been employed outside Australia in your nominated skilled occupation or a closely related skilled occupation, for a period totalling at least 36 months (3 years).	<b>5</b>
In the 10 years immediately prior to receiving an invitation, you have been employed outside Australia in your nominated skilled occupation or a closely related skilled occupation, for a period totalling at least 60 months (5 years).	<b>10</b>
In the 10 years immediately prior to receiving an invitation, you have been employed outside Australia in your nominated skilled occupation or a closely related skilled occupation, for a period totalling at least 96 months (8 years).	<b>15</b>

### **Evidence to support your application**

1. Obtain evidence such as **employment references** and detailed duty statements covering the required period. Employment references must:
  - be written on the official letterhead of the company or government department providing the reference;
  - the letterhead should indicate clearly the full address of the company and any telephone, fax numbers, e-mail and website addresses;
  - the name and position of the person authorised to sign the employment reference should be typed or stamped below that person's signature;
  - the contact telephone number of the person writing the reference should be included in the letter;
  - the letter should indicate the exact period of employment (including whether permanent or temporary, full or part-time), position(s) held, main duties undertaken and the salary earned – positions should not be described by generic titles (eg. research officer, public servant) but according to the nature of the duties undertaken (eg. research chemist, accounts clerk); and
  - a payslip from your current employment should also be included – this is especially important from applicants working in government departments.
2. For you to receive these points, documentary evidence should be **included with your application**.
3. Your relevant Assessing Authority may also be able to provide an opinion on your employment claims.

## points for **Australian employment**

	Points
In the 10 years immediately prior to receiving an invitation, you have been employed in Australia in your nominated skilled occupation or a closely related skilled occupation, for a period totalling at least 12 months (1 year).	<b>5</b>
In the 10 years immediately prior to receiving an invitation, you have been employed in Australia in your nominated skilled occupation or a closely related skilled occupation, for a period totalling at least 36 months (3 years).	<b>10</b>
In the 10 years immediately prior to receiving an invitation, you have been employed in Australia in your nominated skilled occupation or a closely related skilled occupation, for a period totalling at least 60 months (5 years).	<b>15</b>
In the 10 years immediately prior to receiving an invitation, you have been employed in Australia in your nominated skilled occupation or a closely related skilled occupation, for a period totalling at least 96 months (8 years).	<b>20</b>

Applicants can be awarded points for overseas and Australian work experience. However, the maximum number of points that can be awarded for a combination of overseas and Australian work experience is **20 points**.

### Evidence to support your application

1. Obtain evidence such as **employment references** and detailed duty statements covering the required period. Employment references must:
  - be written on the official letterhead of the company or government department providing the reference;
  - the letterhead should indicate clearly the full address of the company and any telephone, fax numbers, e-mail and website addresses;
  - the name and position of the person authorised to sign the employment reference should be typed or stamped below that person's signature;
  - the contact telephone number of the person writing the reference should be included in the letter;
  - the letter should indicate the exact period of employment (including whether permanent or temporary, full or part-time), position(s) held, the duties undertaken and the salary earned – positions should not be described by generic titles (eg. research officer, public servant) but according to the nature of the duties undertaken (eg. research chemist, accounts clerk); and
  - a payslip from your current employment should also be included – this is especially important from applicants working in government departments.
2. For you to receive these points, documentary evidence should be **included with your application**.
3. Your relevant Assessing Authority may also be able to provide an opinion on your employment claims.



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## points for **Professional Year**

	Points
You have completed a Professional Year in Australia in your nominated skilled occupation, or a closely related skilled occupation, for a period totalling at least 12 months (1 year) in the 48 months (4 years) immediately before the day on which you are invited to apply.	5

**Note:**

Points for completing a Professional Year will only be awarded for courses specified by the Minister. Please see the department's website for the current list of professional courses.

## points for **Educational qualifications**

### At the time of invitation to apply for a visa

	Points
You have met the requirements for award of a doctorate by an Australian educational institution, or a doctorate awarded by an overseas educational institution of a recognised standard.	<b>20</b>
You have met the requirements for award of at least a: <ul style="list-style-type: none"><li>• bachelor degree, by an Australian educational institution; or</li><li>• bachelor qualification, awarded by an overseas educational institution of a recognised standard.</li></ul>	<b>15</b>
You have met the requirements for the award of a diploma by an Australian educational institution.	<b>10</b>
You have completed a trade qualification for award by an Australian educational institution.	<b>10</b>
You have attained a qualification or award recognised by the relevant assessing authority in determining your skills for your nominated occupation.	<b>10</b>

### **Evidence to support your application**

For you to receive these points, a **certified copy of your qualifications** and/or a certified copy of notification of your results and a transcript of your academic record (degree, diploma, certificate, etc.) should be **included with your application**.

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## points for **Australian study**

### At the time of invitation to apply for a visa

	Points
<p>You have completed one or more degrees, diplomas or trade qualifications for award by an Australian educational institution as a result of a course or courses:</p> <ul style="list-style-type: none"><li>• that are registered courses;</li><li>• that were completed in a total of at least 16 calendar months;</li><li>• that were completed as a result of a total of at least 2 academic years study;</li><li>• for which all instruction was conducted in English; and</li><li>• that you undertook while in Australia as the holder of a visa authorising you to study.</li></ul>	<b>5</b>

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## points for **Credentialed community language**

**At the time of invitation to apply for a visa**

	Points
You have been accredited at the paraprofessional level or above for interpreting or translating by the National Accreditation Authority for Translators and Interpreters (NAATI).	<b>5</b>

**Note:** Information on NAATI accreditation is available on the NAATI website [www.naati.com.au](http://www.naati.com.au)

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## points for **Studying and living in Regional Australia**

If you are claiming points for an Australian qualification you can also claim points if at time of invitation you lived and studied in a regional or low population growth metropolitan area of Australia for at least 2 academic years.

	Points
<p>You need to:</p> <ul style="list-style-type: none"><li>• meet the Australian study requirement (this does <b>not</b> include any study undertaken as distance education); and</li><li>• throughout that period have lived in a part of Australia <b>and</b> undertaken your study at a campus or campuses where the postcode is listed as being in a regional or low population metropolitan growth area.</li></ul>	<b>5</b>

### **Regional Australia/low population growth metropolitan areas**

For the list of postcodes located in regional Australia/low population growth metropolitan areas see page 14 or visit the department's website [www.immi.gov.au/skilled/general-skilled-migration/regional-growth.htm](http://www.immi.gov.au/skilled/general-skilled-migration/regional-growth.htm)

### **Evidence to support your application**

Obtain evidence that you have lived and studied in regional Australia/low population growth metropolitan areas:

- you will need evidence of residency which spans the 2 year period – this will usually include documents such as rental agreements and gas, power and telephone bills; and
- you may need to provide supplementary evidence of studying at a campus in regional Australia or a low population growth metropolitan area if your academic transcript does not identify the campus.

## points for **Partner skills**

	Points
<p>If your partner is included in your application you may be awarded points if at time of invitation, he or she:</p> <ul style="list-style-type: none"><li>• is able to satisfy ‘basic requirements’ including age, English language ability and nominated occupation; and</li><li>• has obtained a suitable skills assessment from the relevant assessing authority for their nominated occupation.</li></ul> <p>Points are only available if your partner is included in your application as an applicant. Points are <b>not</b> available if your partner is an Australian citizen or permanent resident.</p>	<b>5</b>

### **Evidence to support your application**

1. Obtain evidence that your partner satisfies the basic requirements:
  - a suitable skills assessment from the relevant assessing authority for your partner’s nominated occupation (see ‘Self-assessment’ on page 18);
  - evidence of age (see ‘points for Age’ on page 19); and
  - evidence of English language ability (see page 20).
2. Your partner should provide a suitable skills assessment from the relevant assessing authority **at the time of invitation.**

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## points for **State/Territory government nomination subclass 190**

	Points
You will be awarded points if: <ul style="list-style-type: none"><li>• you have applied for a subclass 190 (Skilled – Nominated) visa; and</li><li>• you have been nominated by a state or territory government for the purposes of the visa application; and</li><li>• the Minister has accepted the nomination.</li></ul>	5

## points for **State/Territory government nomination subclass 489**

	Points
You will be awarded points if: <ul style="list-style-type: none"><li>• you have applied for a subclass 489 (Skilled – Regional Sponsored) (Provisional) visa; and</li><li>• you have been nominated by a state or territory government for the purposes of the visa application; and</li><li>• the Minister has accepted the nomination.</li></ul>	10

## points for **Designated Area sponsorship subclass 489**

	Points
You will be awarded points if you have: <ul style="list-style-type: none"><li>• applied for a subclass 489 (Skilled – Regional Sponsored) (Provisional) visa; and</li><li>• been sponsored by an eligible relative living in a Designated Area.</li></ul>	10

**Note:** Subclass 489 applicants can only claim points for either ‘State/Territory sponsorship’ or ‘Designated area sponsorship’.

## Health

Australia enjoys some of the best health standards in the world. In order to help maintain these standards, you must satisfy the health requirements specified in the Migration Regulations before you can be granted a visa.

### Why is there a health requirement for entry to Australia?

Australia's health requirement is designed to:

- minimise public health and safety risks to the Australian community;
- contain public expenditure on health and community services, including Australian social security benefits, allowances and pensions; and
- maintain the access of Australian residents to health and community services.

In some circumstances to meet the health requirement you may be asked to sign a Health Undertaking by a Medical Officer of the Commonwealth (MOC).

### Permanent and Provisional visa applicants

Applicants for permanent and provisional visas including the main applicant, spouse and any dependants must be assessed against the health requirement. If your spouse and dependants are not included in the visa application they must still be assessed against the health requirement.

Applicants will be asked to undergo a medical examination, a chest x-ray (if 11 years of age or older) and an HIV test (if 15 years of age or older), as well as any additional tests required by the Medical Officer of the Commonwealth (MOC).

More detailed information on the health requirement, including information about when you should undergo your health examinations, is available on the department's website at [www.immi.gov.au/allforms/health-requirements/](http://www.immi.gov.au/allforms/health-requirements/)

**Note:** Permanent and provisional visa applicants may have already undertaken a health assessment for their visa. However, the Department of Immigration and Citizenship reserves the right to request additional health examinations as part of this visa application process.



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## Character

To enter Australia, applicants must be of good character.

In order for the Australian Government to determine whether you are of good character, you may be asked to provide police certificates for each country you have resided in for 12 months or more over the last 10 years, including Australia. More information on penal clearances is available from the department's website [www.immi.gov.au/allforms/](http://www.immi.gov.au/allforms/)

**Note:** Some penal checks from some countries may take up to 12 months to obtain. The department is unable to accelerate this process.

In some instances, applicants may also be required to provide personal details to enable additional character checks to be undertaken. Please complete and include with your application, a form 80 *Personal particulars for assessment including character assessment* for each applicant aged 16 years or over included in your application. Form 80 is available from the department's website [www.immi.gov.au/allforms/](http://www.immi.gov.au/allforms/)

Applicants who reside **offshore** and who have lived in Australia for 12 months in the last 10 years are not required to lodge Australian Federal Police (AFP) clearances with their application, **however**, they are encouraged to do so. Applicants who lodge complete applications receive faster processing.

## Integrity of application

Following amendments to the migration legislation, a visa application may now be refused where an applicant provides bogus documents or information that is false or misleading. Further information is available from the department's website [www.immi.gov.au](http://www.immi.gov.au)

# Part 5 – General information

## Dependants

Your application may cover a family unit; a primary applicant and, if applicable a partner and dependants.

### Partner

Your spouse or de facto partner (including same-sex de facto partners).

### Dependent children

A dependent child may be yours, or your partner's child or step child. 'Step-child' means a child of your current partner or your former partner when the child is under 18 years and you have a legal responsibility to care for that child (for example, where your former partner is deceased and you have legal custody of your former partner's child). You will need to provide a certified copy of the overseas or Australian court order which you have in relation to the child.

A child of any age is not considered dependent if he or she is married or in a de facto relationship or is engaged to be married.

A child aged 18 years or over will not be considered dependent unless you can show that they are wholly or substantially reliant on you for financial support for their basic needs of food, shelter and clothing. You must also show that you have provided that support for a substantial period and that the child is more reliant on you than on any other person or source. Unless you can provide evidence of this, they should apply separately. You should also be aware that a child aged 25 years or over will generally not be considered dependent.

Children of any age who have a total or partial loss of bodily or mental functions which stops them earning a living are regarded as dependent and part of the family unit (whether or not they migrate with you). Give details of such children and whether they are in your care or in an institution.

**In all cases you should attach evidence of your child's dependency on you.**

### Other dependants

You may include other relatives in your application if they are wholly or substantially reliant on you for financial support for their basic needs of food, shelter and clothing and they have been reliant on you for that support for a substantial period. They must also be more reliant on you for support than on any other person or source.

A relative may also be considered dependent on you if they are reliant on you for financial support because they have a mental or physical disability which stops them from earning a living to support themselves.

Other relatives dependent on you or your partner may include, for example, an aged, unmarried relative.

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## Custody requirement

The department will seek to ensure that allowing a child to migrate is not in contravention of Australia's international obligations in relation to the prevention of child abduction. If your application includes a child under 18 and the child's other parent is not migrating with you or there is any other person who has the legal right to determine where the child can live, you will need to provide a Statutory Declaration from each of them giving permission for the child to migrate. Alternatively, you can provide a certified copy of a valid court order showing that you/your partner has the legal right to remove the child from the country.

# Part 6 – Processing visa applications

Part 6 explains how to make visa applications and how they are processed.

**Once you have lodged an application for a Points Based Skilled Migration visa, enquiries about the progress of your application should be directed to the Adelaide Skilled Processing Centre – see contact information on page 35.**

## It is important that you read this information

**Please read this information – it may affect whether you are granted a visa or whether a visa you are granted may subsequently be cancelled.**

You should read all information and instructions about the category of visa you want to apply for and make sure you provide the right information and documents when applying. This will avoid delays in processing your application. If you do not think you qualify for a visa, you may wish to reconsider whether to apply because visa charges paid are not usually refunded if you are unsuccessful.

While you may be asked to complete a number of steps during the processing of your application, it does not mean your application will be successful. Do not anticipate a successful outcome and sell your house or other property until you have been advised **in writing** that you have been granted a visa.

## You must have a visa to travel to and stay in Australia

The Australian Government decides who should be granted a visa. Your application will be decided on the basis of the information you give and generally, the law at the time you apply.

**Note: The government may change the criteria for awarding points and the pass mark at any time and this may affect your application.** Check the department's website [www.immi.gov.au/skilled/](http://www.immi.gov.au/skilled/) for the latest information.

## Where to get information

General information about visas, charges and forms is available from the department's website [www.immi.gov.au](http://www.immi.gov.au) or if you are in Australia please telephone **131 881**.

## How to apply for a visa

You can only apply for these visas if you have received an invitation to apply for the visa. The invitation will only allow you to lodge your application online within a specified timeframe.

The invitation will provide instructions on how you are to lodge your application. You can only apply for this visa online. A personalised link to the online application form is provided with the invitation.

## Contact information

Adelaide Skilled Processing Centre  
Department of Immigration and Citizenship  
4th Floor, 55 Currie Street  
ADELAIDE SA 5000  
AUSTRALIA

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## Enquiries

Telephone: 1300 364 613 (if calling from outside Australia dial the international code +61)

Online enquiry form: [www.immi.gov.au/contacts/](http://www.immi.gov.au/contacts/)

## Complete applications

It is important that you lodge your migration application with all the documents necessary to assess your application. Lodging a complete application assists case officers in making a fair and complete assessment of your claims and results in faster processing times. Applications that are not complete may be refused.

## Original documents

Do not supply original documents with your application, unless you have been asked to do so.

## Certified copies

Do not supply original documents with your application. The department may request original documents if necessary.

You **must** provide 'certified copies' of original documents. **Photocopies of certified copies are not acceptable.** 'Certified copies' means copies authorised, or stamped as being true copies of originals, by a person or agency recognised by the law of the person's home country. In Australia, this means a copy which is authorised as a true copy by a person before whom a Statutory Declaration may be made. Such authorised persons include the following: magistrate, Justice of the Peace, Commissioner for Declarations, Commissioner for Affidavits, solicitor, registered medical practitioner, bank manager, postal manager, an Australian Public Service Officer with 5 years or more service.

The department also accepts documents certified by a registered migration agent.

## English translations

Documents in languages other than English should be accompanied by an English translation. If the applicant is onshore, the translation should be undertaken by a translator accredited by the National Accreditation Authority for Translators and Interpreters (NAATI). Failure to do so may significantly affect the processing of your application. Translations provided by non-accredited translators overseas should be endorsed by the translator with their full name, address, telephone number, and details of their qualifications and experience in the language being translated.

**Note: You must include both a certified copy of the original language document and a certified copy of the translated document with your application.**

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## Passport details

During the processing of your application you and all family members included in the application will need to satisfy identity requirements. The standard method for this is by using a current passport. The passport should be the passport you will use to travel to Australia if a visa is granted and should be valid for an adequate period (it is recommended this be at least 2 years). You should use this passport to evidence identity in connection with any aspect of this application. In particular, you will need to present your passport and those for all family members included in your application to the doctor when you have your medical examination.

You will need to provide the department with a copy of the personal particulars page of the passport(s) and of any stamps or authorisations that amend these details (such as passport validity extensions). If you or any family member, do not currently hold a passport, or need to extend or renew a passport, please do so now and provide copies of the relevant pages.

## Family members

For most Points Based Skilled Migration visas, family members (partners, dependent children or dependent relatives) who apply at the same time can apply on the same form and pay one charge. A child who is born after an application is made (but before it is decided) will be included in the parent's application. This will be done automatically once the department is notified **in writing** of the details of the newborn child together with a certified copy of the child's full birth certificate. In some circumstances, a partner or dependent child can be added to an application. Members of your family unit included in your application must also meet certain visa requirements.

## More than one application

If you apply for more than one visa, the visa granted last will generally be the visa in effect, and the visa granted first will no longer be valid. You can get advice about your situation from any office of the department in Australia or overseas. If you are in Australia you can call **131 881**.

## Communicating with the department

Communication with the department about your application should generally be **in writing**. Send the communication to the Adelaide Skilled Processing Centre (ASPC).

You must correctly identify yourself.

If you communicate with the ASPC about your application, you must:

- include your full name (as in your application);
- include your date of birth;
- include the client ID if it has been given to you or, if you do not have a client ID, the file number, or the application receipt number; and
- if your application is later transferred to an office outside Australia, you must communicate with that office.

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## Withdrawal of applications

You can withdraw your application by advising the Adelaide Skilled Processing Centre **in writing** at any time before a decision is made. Charges that you paid at the time of application are not usually refunded.

## Let the department know if you change your address

If you change your residential address for more than 14 days while your application is being processed, you must advise the Adelaide Skilled Processing Centre (ASPC) of your new address and how long you will be there. The ASPC will send communication about your application to the latest address you have provided and it will be taken that you have received it:

- 7 working days after the date of the letter (if sent in Australia); or
- 21 days after the date of the letter (if sent outside Australia).

Communication about your application can be sent to another person that you have authorised, but it will be taken that you have received the communication that the department sends to that person. You **must** inform the department **in writing** of any change of address for either you or your authorised person.

If you have provided a fax number or e-mail address the department may use these to communicate with you. If you change your fax number or e-mail address you must inform the department.

## Extra information about your application

Additional information can be provided **in writing** at any time until a decision is made on your application. All relevant information is taken into account.

If you are invited to give additional information or comment on information, you will be given a date by which to do so. After that date the department can continue processing your application whether you provide the information or not. You cannot delay a decision by saying that you might give more information later.

## Interviews

If you are invited to attend an interview, you must attend on the date and time agreed with the department. If you do not, the department can process your application and make a decision on the basis of the information it already has.

## Invitation to comment

If another person gives the department information that could result in you being refused a visa, the department may give you an opportunity to comment on the information. You will need to comment by a set date.

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## Advise the department if your circumstances change

If any of your circumstances change, such that any answer in your application or information given to the department is no longer correct, you must inform the department **in writing** as soon as practicable.

You must continue to do this until a decision is made on your application (or, in the case of a visa granted outside Australia, until you travel to Australia and are cleared by immigration). Your visa may be cancelled if you give incorrect information or fail to advise the department that some information is no longer correct. However, if you advise the department of the correct information before your visa is granted (or, in the case of a visa granted outside Australia, before you are immigration cleared), your visa cannot later be cancelled on the basis of that incorrect information.

## Options for receiving written communications

You may authorise another person to receive all communications, both written and electronic, about your application with the department. You will be taken to have received any documents sent to that person as if they had been sent to you.

To do this you will need to complete the section of the application form with the heading Options for receiving written communications and form 956 *Appointment of a migration agent or exempt agent or other authorised recipient*. For an explanation of what a migration agent or exempt agent or authorised recipient can do please read the sections below.

To change or end the appointment of your migration agent or exempt agent or authorised recipient you must promptly advise the department in writing. You can do this by using form 956 *Appointment of a migration agent or exempt agent or other authorised recipient*.

It is important to note that if you choose to authorise another person to receive all communications in relation to your application (ie. a family member, migration agent), you will not be able to communicate directly with the department about your application, nor will the department be able to directly communicate with you.

## Authorised recipient information

An authorised recipient is someone you appoint to receive written communications about your application with the department.

All written communication about your application will be sent to your authorised recipient, unless you indicate that you wish to have health and/or character information sent directly to you.

The department will communicate with the most recently appointed authorised recipient as you may only appoint one authorised recipient at any time for a particular application.

## Migration agent information

A migration agent is someone who can:

- advise you on the visa that may best suit you;
- tell you the documents you need to submit with your application;
- help you fill in the application and submit it; and
- communicate with the department on your behalf.



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If you appoint a migration agent, the department will assume that your migration agent will be your authorised recipient, unless you indicate otherwise.

Your migration agent will be the person with whom the department will discuss your application and from whom it will seek further information when required.

You are not required to use a migration agent. However, if you use a migration agent, the department encourages you to use a registered migration agent. Registered agents are bound by the Migration Agents Code of Conduct, which requires them to act professionally in their clients' lawful best interests.

## Immigration assistance

A person gives immigration assistance to you if he or she uses, or claims to use, his or her knowledge or experience in migration procedure to assist you with your visa application, request for ministerial intervention, cancellation review application, sponsorship or nomination.

In Australia a person may only lawfully give immigration assistance if he or she is a registered migration agent or is exempt from being registered. Only registered migration agents may receive a fee or reward for providing immigration assistance.

If an unregistered person in Australia, who is not exempt from registration, gives you immigration assistance they are committing a criminal offence and may be prosecuted.

## Migration agents in Australia

Migration agents in Australia must be registered with the Migration Agents Registration Authority (MARA) unless they are exempt from registration.

## Migration agents outside Australia

Migration agents who operate outside Australia do not have to be registered. The department may give some overseas agents an ID number. This number does not mean that they are registered.

**Note:** Some Australian registered migration agents operate overseas.

## Exempt agents

The following people do not have to be a registered migration agent in order to provide immigration assistance, but they must not charge a fee for their service:

- a close family member (spouse, de facto partner, child, parent, brother or sister);
- a sponsor or nominator for this visa application;
- a member of parliament or their staff;
- an official whose duties include providing immigration assistance (eg. a Legal Aid provider); and
- a member of a diplomatic mission, consular post or international organisation.

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## Further information on migration agents

Information on migration agents, including a list of registered migration agents, is available on the Office of the Migration Agents Registration Authority (Office of the MARA) website [www.mara.gov.au](http://www.mara.gov.au)

You can also access information about migration agents on the department's website [www.immi.gov.au](http://www.immi.gov.au)

## Consent to communicate electronically

The department may use a range of means to communicate with you. However, electronic means such as fax or e-mail will only be used if you indicate your agreement to receiving communication in this way.

Electronic communications, unless adequately encrypted, are not secure and may be viewed by others or interfered with. If you agree to the department communicating with you by electronic means, the details you provide will only be used for the purpose for which you have provided them. They will not be added to any mailing list and will not be disclosed without your consent.

## Visa decisions

You will be notified by the department when a decision has been made on your application.

If you are refused a visa, you will be notified why you were refused and, if applicable, where you can apply for merits review of the decision. You will be notified of your time to seek review or your time to depart Australia.

When the department advises you, or a person you have authorised to act and receive communication on your behalf, of the decision on your visa application, you will be taken to have received the letter:

- 7 working days after the date of the letter (if sent in Australia); or
- 21 days after the date of the letter (if sent outside Australia).

If the letter is handed to you, you will be taken to have been notified at that moment.

If the letter is faxed or e-mailed to you, you will be taken to have been notified at the end of that day.

## You must abide by all conditions on your visa

If you are in Australia while your visa application is being processed you must continue to comply with the conditions on your current visa.

If your visa is granted subject to conditions (for example, restrictions on work or study) you must abide by those conditions or your visa may be cancelled. If you wish to change those conditions or stay longer than your visa allows, contact the department for information about how to do this.

## Travel during visa processing

You should inform the department if you travel (either to Australia or from Australia) during processing of your application. Failure to do so may result in your visa processing being delayed.

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## State and Territory Government websites

### **Australian Capital Territory**

Business Migration Section  
Business and Tourism  
Chief Minister's Department  
[www.business.act.gov.au](http://www.business.act.gov.au)

### **New South Wales**

Department of State and Regional Development  
[www.business.nsw.gov.au](http://www.business.nsw.gov.au)

### **Northern Territory**

Department of Business, Industry and Resource Development  
[www.migration.nt.gov.au](http://www.migration.nt.gov.au)

### **Queensland**

Department of Tourism, Regional Development and Industry  
[www.dtrdi.qld.gov.au](http://www.dtrdi.qld.gov.au)

### **South Australia**

Immigration South Australia  
Department of Trade and Economic Development  
[www.migration.sa.gov.au](http://www.migration.sa.gov.au)

### **Tasmania**

Tasmanian Government  
[www.development.tas.gov.au](http://www.development.tas.gov.au)

### **Victoria**

State Government of Victoria  
[www.liveinvictoria.vic.gov.au](http://www.liveinvictoria.vic.gov.au)

### **Western Australia**

Small Business Development Corporation  
[www.sbdc.com.au](http://www.sbdc.com.au)

