



Australian Government
Department of Immigration and Citizenship

Tuesday, 23 June 2009

Dear Sir/ Madam,

General Skilled Migration (GSM) Priority Processing Arrangements for 2009-10

As you may be aware, in a media release dated 12 May 2009, the Minister for Immigration and Citizenship, Senator Chris Evans ("the Minister") announced that, in response to the continued economic slowdown, the Australian Government has decided that the permanent skilled migrant intake for the 2009-10 program year will be 108,100 places. .

As a result, the priority arrangements implemented on 1 January 2009 following the Minister's direction in relation to the order of consideration of certain applications for sponsorship, nomination and visas under the Skill Stream of the Migration Program, will remain in place for 2009-10. Consistent with that direction, visa applications under the permanent GSM Program will be processed according to the following order:

1. employer sponsorship
2. State or Territory sponsorship
3. an occupation on the Critical Skills List (CSL)
4. an occupation on the Migration Occupation in Demand List (MODL)
5. all other applications in date of lodgement order

The arrangements put in place will continue to ensure that priority is given to employer-sponsored and government-sponsored visa applications, and that skills shortages in particular fields and regional areas are addressed. Furthermore, the CSL will remain in place for those applicants who have skills in areas of critical need and are seeking to migrate to Australia without a sponsor.

How are you affected?

Your application does not fall into Groups 1-2 and your nominated occupation is not on the CSL (<http://www.immi.gov.au/skilled/general-skilled-migration/pdf/critical-skills-list.pdf>). This means that no further processing can be done on your application until all applications in Groups 1-3 have been finalised.

Based on current application rates for Groups 1-3, it is unlikely at this stage that applications which fall in Groups 1-3 will be exhausted in the 2009-10 Migration Program year and processing of Groups 4 and 5 will be delayed until this has occurred.

This arrangement applies to all applications in Groups 4 and 5, irrespective of whether health and character clearances have been provided; the date your application was submitted; whether the application is in the final stages of processing or your nominated occupation was previously on the CSL.

We will contact you again should there be any changes to the above arrangements.

If your nominated occupation is Accountant, ASCO code 2211-11 or Computing Professional (nec), ASCO Code 2231-79, see Attachment A.

Providing outstanding documents

people our business

If you were requested to undergo health and character checks but have not yet initiated these, you should not proceed until a further request is made by the Department.

If you have already undergone your health and character checks, these should still be forwarded to the Department. However, please note that processing of your application will not be finalised until further notice.

No further documentation should be provided until your new case officer contacts you.

Your visa status

For Onshore GSM applicants (subclass 496, 880, 881, 882, 885, 886), you will hold a Bridging visa A until a decision is made on your GSM application. If you wish to travel overseas during the processing of your GSM application, you should apply for a Bridging visa B (at your nearest DIAC office) before leaving Australia.

If you are granted a Bridging visa B, you have permission to travel overseas and to re-enter Australia (within a set period) while your GSM application is being processed, as it gives you a temporary visa status, should your current substantive visa expire. Further information on Bridging visas can be found at: <http://www.immi.gov.au/allforms/booklets/1024i.pdf>

For Offshore GSM applicants (subclass 134, 136, 137, 138, 139, 175, 176, 475, 496) who are in Australia, bridging visas are not applicable to your application. To remain lawfully in Australia you will need to ensure you hold a substantive visa (eg Tourist, Student, Work).

How can you obtain priority processing?

To be eligible for priority processing you will need to obtain nomination by a State or Territory Government. This option is available for subclasses 134, 136, 175, 176, 885, 886.

States and Territories can nominate applicants who have an occupation on their skills shortage list. They may also sponsor up to 500 visa applicants and their families per year who do not have occupations on their State or Territory list depending on the needs of local labour markets.

Please note that it is entirely at the discretion of the State or Territory whether or not they choose to nominate a migration visa applicant.

If you receive a nomination, your application will be allocated to a case officer within 10 days of approval of this nomination.

Further information on State or Territory nominations can be found at: <http://www.immi.gov.au/skilled/general-skilled-migration/nom-by-state-terr-gov.htm>

Alternatively, you may seek an Australian employer to formally sponsor you.

Further information on Employer sponsorship can be found at: <http://www.immi.gov.au/skilled/skilled-workers/visa-options.htm>

Can I provide a new skills assessment?

If you obtain a new skills assessment for an occupation listed on the CSL, this can generally only be considered with a new application. You must ensure you meet the legislative criteria in place at the time of lodgement. Any new application will require a new visa application charge.

Can I withdraw my application?

If you wish to withdraw your application, you must advise the department in writing. This advice can include any number of applicants but must be signed by each person aged 18 years and over.

Applicants who wish to withdraw their application because of these processing delays will generally not be eligible for a refund of the first Visa Application Charge. This is because the legislation only allows limited circumstances in which refunds can be given.

Where can I get further information?

The Adelaide Skilled Processing Centre updates information on skilled visa processing every Tuesday. To receive an auto response, a blank email should be sent to:
aspc.processing@immi.gov.au.

Further announcements on processing arrangements will also be published on the Department's website at: <http://www.immi.gov.au/skilled/general-skilled-migration/whats-new.htm> as changes are made.

The case officer previously assigned to your application will no longer be able to assist with enquiries about your application.

All processing enquiries must be made via the Department's post-lodgement website enquiry form at: <http://www.immi.gov.au/contacts/forms/gsm/post.htm>

Yours sincerely

P Ashford
General Skilled Migration

ATTACHMENT A

Accountants

Your nominated occupation is Accountant, ASCO code 2211-11, but you are not eligible for Group 3 priority because you have not provided evidence of Proficient English or having completed the Professional Year – Skilled Migration Internship Program Accounting (SMIPA).

Proficient English is equivalent to a score of 7.0 in each component of an International English Language Testing System (IELTS) test.

British, American, Canadian, New Zealand and Republic of Ireland passport holders are considered to have Competent English (IELTS score of 6.0 in each component) without needing to provide an IELTS test. They must, however, provide an IELTS test showing 7.0 in each component to be eligible for priority processing.

If you are now able to provide an IELTS test result with 7.0 in each component, or evidence of having completed The Professional Year – SMIPA in Australia you should email adelaide.gsm.documents@immi.gov.au and attach these documents.

In either of these circumstances, your nominated occupation would be considered to be on the CSL and eligible for priority processing.

Computing Professionals

Your nominated occupation is Computing Professional (nec), ASCO code 2231-79, but you do not have a computing specialisation listed on the Migration Occupation on Demand List (MODL). This means that your nominated occupation is not included in Group 3.

A list of MODL specialisations can be found at: <http://www.immi.gov.au/skilled/general-skilled-migration/skilled-occupations/occupations-in-demand.htm>.