



**ACT**  
Government

Chief Minister, Treasury and  
Economic Development

## Freedom of Information Publication Coversheet

The following information is provided pursuant to section 28 of the *Freedom of Information Act 2016*.

FOI Reference: CMTEDDFOI 2018-0184

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Documents and schedule	Published
4. Additional information identified	No
5. Fees	Waived
6. Processing time (in working days)	20
7. Decision made by Ombudsman	N/A
8. Additional information identified by Ombudsman	N/A
9. Decision made by ACAT	N/A
10. Additional information identified by ACAT	N/A

**From:** [REDACTED]  
**To:** [CMTEDD.FOI](#)  
**Subject:** Freedom of Information request  
**Date:** Tuesday, 24 July 2018 9:29:51 PM

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Please find online enquiry details below. Please ensure this enquiry is responded to within fourteen working days.

### Your details

**All fields are optional, however an email address OR full postal address must be provided for us to process your request. An email address and telephone contact number will assist us to contact you quickly if we need to discuss your request.**

Title:

First Name:

Last Name:

Business/Organisation:

Address:

Suburb:

Postcode:

State/Territory:

Phone/mobile:

Email address:



### Request for information

**(Please provide as much detail as possible, for example subject matter and relevant dates, and also provide details of documents that you are not interested in.)**

Under the Freedom of Information Act 2016 I want to access the following document/s (\*required field):

On Friday the 29th of June, the ACT Government announced that nominations for subclass 190 permanent visas would no longer be made for those occupations on the 'closed' list. No forewarning was provided by the ACT Government, nor has any information been provided on the reason for the decision or how long this policy will be in effect. In order to ensure transparency in this decision, I would like access to: - minutes of any meeting where this decision was discussed in detail or, if not available, informal notes taken by participants of such meetings; and - emails sent by officers or executives who were involved in this decision making process and are directly relevant to it or, if not available, instant messaging logs discussing the same

I do not want to access the following documents in relation to my request::

Thank you.  
Freedom of Information Coordinator



**ACT**  
Government

Chief Minister, Treasury and  
Economic Development

Our ref: CMTEDDFOI 2018-0184

[REDACTED]  
via email: [REDACTED]

Dear [REDACTED]

### **FREEDOM OF INFORMATION REQUEST**

I refer to your application received by the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) on 24 July 2018, in which you sought access under section 30 of the *Freedom of Information Act 2016* (the Act) to documents relating to the decision announced on 29 June 2018 in relation to the 190 permanent visas.

Specifically, you sought access to:

- *"...minutes of any meeting where this decision was discussed in detail or, if not available, informal notes taken by participants of such meetings; and*
- *emails sent by officers or executives who were involved in this decision making process and are directly relevant to it or, if not available, instant messaging logs discussing the same."*

### **Authority**

I am an Information Officer appointed by the Director-General of CMTEDD under section 18 of the Act to deal with access applications made under Part 5 of the Act.

### **Timeframes**

In accordance with section 40 of the Act, CMTEDD was required to provide a decision on your access application by 22 August 2018.

### **Decision on access**

A search of documents was conducted and resulted in 34 documents being identified that fall with the scope of your request.

I have decided to grant full access to 33 documents and partial access to the remaining document. The information redacted in the documents would, on balance, be contrary to the public interest to release under the test set out in section 17 of the Act.

I have included as Attachment A to this letter the schedule of relevant documents. This provides a description of each document that falls within the scope of your request and the access decision for each of those documents. The documents to be released to you are provided as Attachment B to this letter.

In accordance with section 54(2) of the Act a statement of reasons outlining my decision is below.

### **Statement of Reasons**

In reaching my access decision, I have taken the following into account:

- the Act;
- the content of the documents that fall within the scope of your request;
- the *Human Rights Act 2004*.

### **Exemptions claimed**

My reasons for deciding not to grant access to the components of these documents are as follows:

#### Public Interest Test (Schedule 2 of the Act)

The Act has a presumption in favour of disclosure. As a decision maker I am required to decide where, on balance, public interests lies. As part of this process I must consider factors favouring disclosure and non-disclosure.

In *Hogan v Hinch* (2011) 243 CLR 506, [31] French CJ stated that when ‘used in a statute, the term [public interest] derives its content from “the subject matter and the scope and purpose” of the enactment in which it appears’. Section 17(1) of the Act sets out the test, to be applied to determine whether disclosure of information would be contrary to the public interest. These factors are found in subsection 17(2) and Schedule 2 of the Act.

#### Factors favouring disclosure (Schedule 2 section 2.1)

Taking into consideration the information contained in the documents found to be within the scope of your request, I have identified that the following public interest factors in favour of disclosure are relevant to determine if release of the information contained within these documents is within the ‘public interest’:

- (a) *disclosure of the information could reasonably be expected to do any of the following:*
- (i) *promote open discussion of public affairs and enhance the government’s accountability;*
  - (ii) *contribute to positive and informed debate on important issues or matters of public interest;*
  - (viii) *reveal the reason for a government decision and any background or contextual information that informed the decision;*

Having considered the factors identified as relevant in this matter, I consider that release of the information within the scope of the request may contribute to positive and informed debate on matter of public interest and enhance the government’s accountability. The documents identified contain information relating to the management arrangements of the ACT Skilled Nominated Migration stream which I consider is a matter of public interest. There are a number of email communications and briefing documents

that detail the need to change the management of the program and how the change would occur. I consider the release of the information identified could inform the community the considerations of the Directorate and provide contextual and background information relating to the decision announced on 29 June 2018. As a result, the release of the documents identified could enhance the Directorate's accountability and contribute to positive and informed debate on matters relating to permanent visas. I am satisfied that the public interest in increasing transparency and accountability of the Directorate carries significant weight.

Factors favouring non-disclosure (Schedule 2 section 2.2)

As required in the public interest test set out in section 17 of the Act, I have also identified the following public interest factor in favour of non-disclosure that I believe is relevant to determine if release of the information contained within these documents is within the 'public interest':

- (a) *disclosure of the information could reasonably be expected to do any of the following:*
- (ii) *prejudice the protection of an individual's right to privacy or any other right under the Human Rights Act 2004;*

When considering the documents and factors in favour of non-disclosure, I have considered the personal information contained in the documents, including names, signatures and contact information. I am satisfied that the names and contact information of government employees should be released as these individuals were acting in their official capacity and the personal information being released is done so in relation to these individuals exercising their delegations in a work related capacity. I do not consider the release of this information is unreasonable or could prejudice their right to privacy.

However, I consider it is unreasonable to release the personal information of an individual who submitted a ministerial correspondence. This included the name and contact information of the individual and the personal issue described in the submission. I am of the opinion that release of this information may prejudice the protection of the individual right to privacy or any other right under the *Human Rights Act 2004*. I am satisfied that this factor favouring non-disclosure should be afforded very significant weight as it relates to individual privacy.

Noting the pro-disclosure intent of the Act, I am satisfied that redacting only the information that is not in the public interest to release, while releasing the rest of the documents will ensure the intent of the Act is met and will provide you with access to the majority of information held by CMTEDD within the scope of your request.

**Additional Information**

- Further information about this matter including the review that is currently underway can be found at the below website. Further updates will be available at this website as the review progresses.

<http://www.canberrayourfuture.com.au/portal/migrating/article/skilled-visa-act-190-nomination/>

- The brief on pages 57-60 was signed by the Chief Minister after the decision was announced. This is because the Chief Minister was travelling interstate and was unable to approve the brief via physical signature until he returned to the office on 2 July 2018. The Chief Minister approved the restrictions to the program via email on 27 June 2018 (page 62).

### **Charges**

Pursuant to *Freedom of Information (Fees) Determination 2017 (No 2)* processing charges are applicable for this request because the total number of folio's to be released to you exceeds the charging threshold of 50 pages. However, the charges have been waived in accordance with section 107 (2)(b) of the Act.

### **Online publishing – Disclosure Log**

Under section 28 of the Act, CMTEDD maintains an online record of access applications called a disclosure log. Your original access application, my decision and documents in response to your access application will be published in the CMTEDD disclosure log after 27 August 2018. Your personal contact details will not be published. You may view CMTEDD disclosure log at: <https://www.cmtedd.act.gov.au/functions/foi/disclosure-log>.

### **Ombudsman Review**

My decision on your access request is a reviewable decision as identified in Schedule 3 of the Act. You have the right to seek Ombudsman review of this outcome under section 73 of the Act within 20 working days from the day that my decision is published in the CMTEDD disclosure log, or a longer period allowed by the Ombudsman.

If you wish to request a review of my decision you may write to the Ombudsman at:

The ACT Ombudsman

GPO Box 442

CANBERRA ACT 2601

Via email: [actfoi@ombudsman.gov.au](mailto:actfoi@ombudsman.gov.au)

### **ACT Civil and Administrative Tribunal (ACAT) Review**

Under section 84 of the Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision. Further information may be obtained from the ACAT at:

ACT Civil and Administrative Tribunal

Level 4, 1 Moore St

GPO Box 370

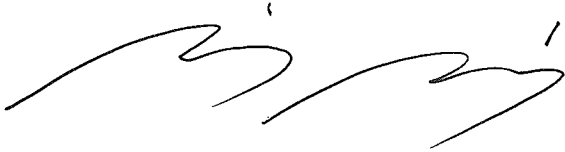
Canberra City ACT 2601

Telephone: (02) 6207 1740

<http://www.acat.act.gov.au/>

Should you have any queries in relation to your request please contact me by telephone on 6207 7754 or email [CMTEDDFOI@act.gov.au](mailto:CMTEDDFOI@act.gov.au)

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Daniel Riley', with a stylized flourish at the end.

Daniel Riley  
Information Officer  
Information Access Team  
Chief Minister, Treasury and Economic Development Directorate

22 August 2018



**ACT**  
Government

Chief Minister, Treasury and  
Economic Development

## FREEDOM OF INFORMATION REQUEST SCHEDULE

NAME	WHAT ARE THE PARAMETERS OF THE REQUEST	Reference NO.
[REDACTED]	<p>The following documents relating to the decision announced on 29 June 2018 in relation to the 190 permanent visas:</p> <ul style="list-style-type: none"> <li>minutes of any meeting where this decision was discussed in detail or, if not available, informal notes taken by participants of such meetings; and</li> <li>emails sent by officers or executives who were involved in this decision making process and are directly relevant to it or, if not available, instant messaging logs discussing the same</li> </ul>	CMTEDDFOI 2018-0184

Ref No	Page number	Description	Date	Status	Reason for Exemption	Online Release Status
1	1-3	Email - RE: Contact my Minister	14/6/2018	Partial	Sch 2 s2.2 (a)(ii)	Yes
2	4-5	Email - RE: urgent - Current draft of revised brief	19/6/2018	Full	n/a	Yes
3	6	Email - RE: skilled migration	20/6/2018	Full	n/a	Yes
4	7-10	Document referred to in the previous email – Brief to Chief Minister	15/6/2018	Full	n/a	Yes
5	11	Email - CMTEDD2018/3095 - Skilled Migration CabSub and Temporary program Restriction	26/6/2018	Full	n/a	Yes
6	12-15	Brief to Chief Minister	26/6/2018	Full	n/a	Yes
7	16-23	Attachment A	undated	Full	n/a	Yes
8	24-38	Attachment B	18/3/2018	Full	n/a	Yes
9	39-45	Attachment C	26/4/2018	Full	n/a	Yes
10	46-48	Attachment D	undated	Full	n/a	Yes
11	49-51	Attachment E	12/4/2018	Full	n/a	Yes



12	52	Attachment F	undated	Full	n/a	Yes
13	53-55	Attachment G	23/8/2017	Full	n/a	Yes
14	56	Attachment H	undated	Full	n/a	Yes
15	57-60	Brief to Chief Minister - signed	2/7/2018	Full	n/a	Yes
16	61-64	Email - RE: ACT Skilled Migration Program	28/6/2018	Full	n/a	Yes
17	65	Email - Communications re Skilled Migration program restrictions	28/6/2018	Full	n/a	Yes
18	66-69	Attachment to previous email – CCYF closure message v2	undated	Full	n/a	Yes
19	70-71	Email - FW: Communications re Skilled Migration program restrictions	28/6/2018	Full	n/a	Yes
20	72-75	Attachment to previous email – CCYF closure message v2	undated	Full	n/a	Yes
21	76	Email - Communications documents for Skilled Migration	29/6/2018	Full	n/a	Yes
22	77-80	Attachment to previous email – CCYF closure message	undated	Full	n/a	Yes
23	81	Email - CCYF closure message V2	29/6/2018	Full	n/a	Yes
24	82-86	Attachment to previous email – CCYF closure message V2	undated	Full	n/a	Yes
25	87	Email - RE: CCYF closure message V2	29/6/2018	Full	n/a	Yes
26	88-89	Email - RE: Communications documents for Skilled Migration	29/6/2018	Full	n/a	Yes
27	90-107	Attachment 1 to previous email – 190 guidelines Jan 18	19/1/2018	Full	n/a	Yes
28	108-111	Attachment 2 to previous email – CCYF closure message	undated	Full	n/a	Yes
29	112	Email - CCYF closure message (003)	29/6/2018	Full	n/a	Yes
30	113-116	Attachment to previous email – CCYF closure message (003)	undated	Full	n/a	Yes

31	117	Email - RE: CCYF closure message (003)	29/6/2018	Full	n/a	Yes
32	118-122	Attachment 1 to previous email	undated	Full	n/a	Yes
33	123-127	Attachment 2 to previous email	undated	Full	n/a	Yes
34	128	Email - RE: CCYF closure message (003)	29/6/2018	Full	n/a	Yes
<b>Total No of Docs</b>						
34						

**From:** [Cox, Ian](#)  
**To:** [Miller, DavidJ](#)  
**Cc:** [Hilton, Debbie](#)  
**Subject:** RE: Contact my Minister - Correspondence: 110618 - 1209656 - Sch 2 s2.2(a) [DLM=For-Official-Use-Only]  
**Date:** Thursday, 14 June 2018 9:51:57 AM

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Yep / lets regroup on this tomorrow / my day isn't too bad

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**From:** Miller, DavidJ  
**Sent:** Thursday, 14 June 2018 9:51 AM  
**To:** Cox, Ian <[Ian.Cox@act.gov.au](mailto:Ian.Cox@act.gov.au)>  
**Subject:** RE: Contact my Minister - Correspondence: 110618 - 1209656 - Sch 2 s2.2(a)(ii) [DLM=For-Official-Use-Only]

Yes, was talking to chris again about the brief late yesterday, should be with you today, there is genuine confusion I think about what we able to do and not do without min/cab endorsement when it comes to the program, and the absolute need to close it in the very short term to manage demand, while we move forward to a cab process. Hopefully the brief gets the balance right. Happy to discuss more tomorrow if it doesn't.  
dave

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**From:** Cox, Ian  
**Sent:** Thursday, 14 June 2018 9:36 AM  
**To:** Miller, DavidJ <[DavidJ.Miller@act.gov.au](mailto:DavidJ.Miller@act.gov.au)>  
**Subject:** RE: Contact my Minister - Correspondence: 110618 - 1209656 - Sch 2 s2.2(a)(ii) [DLM=For-Official-Use-Only]

I think we might need to sit down with the team next week and be very black and white about the cab sub process / what it means in the interim until a Cabinet decision is made

Assume I will see the brief that Chris has waiving about yesterday soon.

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**From:** Miller, DavidJ  
**Sent:** Wednesday, 13 June 2018 4:56 PM  
**To:** Arthy, Kareena <[Kareena.Arthy@act.gov.au](mailto:Kareena.Arthy@act.gov.au)>; Cox, Ian <[Ian.Cox@act.gov.au](mailto:Ian.Cox@act.gov.au)>  
**Subject:** RE: Contact my Minister - Correspondence: 110618 - 1209656 - Sch 2 s2.2(a)(ii) [DLM=For-Official-Use-Only]

Team is extremely clear on this and all communications since initial feedback on the brief are in line. I assume the corro below will come through to us more formally for draft response, but will send it through to the team for drafting now.

Regs  
dave

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**From:** Arthy, Kareena  
**Sent:** Wednesday, 13 June 2018 4:01 PM  
**To:** Miller, DavidJ <[DavidJ.Miller@act.gov.au](mailto:DavidJ.Miller@act.gov.au)>; Cox, Ian <[Ian.Cox@act.gov.au](mailto:Ian.Cox@act.gov.au)>  
**Subject:** FW: Contact my Minister - Correspondence: 110618 - 1209656 - Sch 2 s2.2(a)(ii) [DLM=For-Official-Use-Only]

Hi – can you please be sure that the team are not out there saying there will be changes from July? Govt has not made a decision. Cheers Kareena

---

**From:** Greenwood, Martin  
**Sent:** Wednesday, 13 June 2018 3:56 PM  
**To:** Arthy, Kareena <[Kareena.Arthy@act.gov.au](mailto:Kareena.Arthy@act.gov.au)>  
**Subject:** Fwd: Contact my Minister - Correspondence: 110618 - 1209656 - Sch 2 s2.2(a)(ii)

FYI re visa discussion.

Martin

Begin forwarded message:

**From:** [minister@act.gov.au](mailto:minister@act.gov.au) [<mailto:minister@act.gov.au>]  
**Sent:** Monday, 11 June 2018 4:30 PM  
**To:** BARR <[BARR@act.gov.au](mailto:BARR@act.gov.au)>  
**Subject:** Contact my Minister - Correspondence: 110618 - 1209656 - Sch 2



## Andrew Barr, MLA

The following correspondence has been submitted via the Contact my Minister website.

The constituent has indicated that they would like a response to their correspondence.

### Changes to Skilled Nominated (Sub class 190) Visas

Sch 2 s2.2(a)(ii)

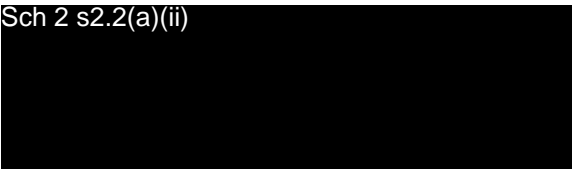


**Correspondence Reference # 110618 - 1209656**

Submission date: 11 Jun 2018 4:30pm

**Contact Information**

Sch 2 s2.2(a)(ii)

A large black rectangular redaction box covers the majority of the contact information, leaving only the text 'Sch 2 s2.2(a)(ii)' visible at the top left of the redacted area.

**From:** [Cox, Ian](#)  
**To:** [OBrien, Julianne](#); [Bayer, Chris](#)  
**Cc:** [Miller, DavidJ](#)  
**Subject:** RE: urgent - Current draft of revised brief [SEC=UNCLASSIFIED]  
**Date:** Tuesday, 19 June 2018 1:41:01 PM  
**Attachments:** [image001.jpg](#)  
[image002.jpg](#)

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Where is the brief up to?

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**From:** OBrien, Julianne  
**Sent:** Tuesday, 19 June 2018 12:11 PM  
**To:** Bayer, Chris <Chris.Bayer@act.gov.au>  
**Cc:** Miller, DavidJ <DavidJ.Miller@act.gov.au>; Cox, Ian <Ian.Cox@act.gov.au>  
**Subject:** FW: urgent - Current draft of revised brief [SEC=UNCLASSIFIED]

Fyi

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**From:** Barnes, Stella (Health)  
**Sent:** Tuesday, 19 June 2018 12:04 PM  
**To:** OBrien, Julianne <[Julianne.OBrien@act.gov.au](mailto:Julianne.OBrien@act.gov.au)>  
**Cc:** Gregson, Heidi (Health) <[Heidi.Gregson@act.gov.au](mailto:Heidi.Gregson@act.gov.au)>  
**Subject:** RE: urgent - Current draft of revised brief [SEC=UNCLASSIFIED]

Hi Juliann

As per your email below.

ACT Health can confirm as of March 2018 that we are no longer offering Permanent Residency Sponsorship and redirecting any interest regarding this to Chief Minister, Treasury and Economic Development Directorate (CMTEDD)

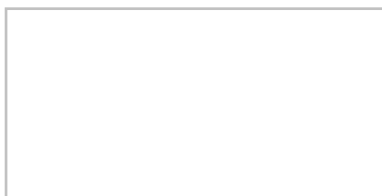
Regards

*Stella Barnes*

Senior Recruitment Officer  
Employee Services | Recruitment Services

People and Culture  
Penrhyn House | Level 3 | 2 - 6 Bowes Street | PHILLIP ACT 2606  
Ph: 02 6205 4929 | email: [stella.barnes@act.gov.au](mailto:stella.barnes@act.gov.au)

**Care ▲ Excellence ▲ Collaboration ▲ Integrity**



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**From:** OBrien, Julianne

**Sent:** Monday, 18 June 2018 3:41 PM

**To:** Barnes, Stella (Health) <[Stella.Barnes@act.gov.au](mailto:Stella.Barnes@act.gov.au)>

**Subject:** FW: urgent - Current draft of revised brief [SEC=UNCLASSIFIED]

Hi Stella

I am preparing a brief for the Chief Minister. Due to the increasing demand for ACT 190 nomination, we are proposing to close the program in 18/19 to all off list occupations. We will still nominate critical occupation on the MLTSOL e.g. nurses, doctors, allied health etc.

I have included the following para in the brief, but my boss wants confirmation that it is correct before we brief the Chief

1. Recent Home Affairs legislation further restricting the eligibility criteria for employer nominated visas has resulted in increased demand for the state/territory nomination pathway, which is often the only permanent visa pathway then available. See CMTEDD2018/1611 at [Attachment E](#).
2. In addition, the high levy costs associated with the Skilling Australians Fund are also expected to reduce the demand for employer nominated permanent visas. For example, ACT Health were facing a \$5000 levy per nomination. Skills Canberra understands that ACT Health intends to cease the employer nomination route and direct potential skilled migrants to apply under the Skilled Nominated stream where the SAF levy is not applied.

Can you confirm please that para 2 is correct and when it was implemented

Regards

*Julianne O'Brien*

Phone: 02 6207 1957 | Email: [julianne.obrien@act.gov.au](mailto:julianne.obrien@act.gov.au)

Skills Canberra | Chief Minister, Treasury and Economic Development Directorate

ACT Government | Nara Centre, 1 Constitution Ave Canberra 2601

GPO Box 158 Canberra ACT 2601 | [act.gov.au](http://act.gov.au)

**Canberra. Create your future** | [Website](#) | [Facebook](#) | [YouTube](#)

**From:** [Bayer, Chris](#)  
**To:** [Cox, Ian](#); [Miller, DavidJ](#)  
**Cc:** [Hilton, Debbie](#)  
**Subject:** RE: skilled migration [SEC=UNCLASSIFIED]  
**Date:** Wednesday, 20 June 2018 12:39:58 PM  
**Attachments:** [image001.jpg](#)

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Ian

I've accepted all your changes and responded to your comments. The document is updated in TRIM. If you are happy with my suggestions for the two comments, then you can accept them and it should be good to go.

BTW, trying to make the changes in TRIM is really tedious. Generally have to save the doc somewhere else and then replace the previous version with the updated one.

Chris

**Chris Bayer | Manager - National Data Collections, Reporting and Skilled Migration**

Phone: 02 6205 9134 | Email: [chris.bayer@act.gov.au](mailto:chris.bayer@act.gov.au)

**Skills Canberra | Chief Minister, Treasury and Economic Development Directorate | ACT Government**

Level 4, Nara House | GPO Box 158 Canberra ACT 2601 | [www.cmtedd.act.gov.au](http://www.cmtedd.act.gov.au)

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**From:** Cox, Ian  
**Sent:** Wednesday, 20 June 2018 11:39 AM  
**To:** Miller, DavidJ <[DavidJ.Miller@act.gov.au](mailto:DavidJ.Miller@act.gov.au)>; Bayer, Chris <[Chris.Bayer@act.gov.au](mailto:Chris.Bayer@act.gov.au)>  
**Cc:** Hilton, Debbie <[Debbie.Hilton@act.gov.au](mailto:Debbie.Hilton@act.gov.au)>  
**Subject:** skilled migration [SEC=UNCLASSIFIED]

I made a few little changes to brief for clarity sake / marked up / have a read / also the comment re Health

I have a general meeting with KA this afternoon and will give her a verbal brief and hopefully that will smooth things on way thru

IC

**Ian Cox | Executive Director, Innovate Canberra**

Phone: (02) 6207 2004 | Fax: (02) 6207 0033

Chief Minister, Treasury and Economic Development Directorate

Nara Centre | GPO Box 158 Canberra ACT 2601

[Website](#) | [Twitter](#) | [Facebook](#) | [Blog](#)

cid:image001.jpg@01D28E0D.5194A1E0







## MINISTERIAL BRIEF

Chief Minister, Treasury and Economic  
Development Directorate

UNCLASSIFIED

<b>To:</b>	Chief Minister	Tracking No.: CMTEDD2018/3095
<b>Date:</b>	15 June 2018	
<b>CC:</b>	Minister for Higher Education, Training and Research	
<b>From:</b>	Director Skills Canberra	
<b>Subject:</b>	Introduction of temporary process to manage the ACT Skilled nominated migration program demand from 1 July 2018 while a Cabinet process is undertaken to decide the future management strategy of the program.	
<b>Critical Date:</b>	26 June 2018	
<b>Critical Reason:</b>	Need agreement from Chief Minister by this date to allow time to have arrangements ready for 1 July 2018.	

- DDG .../.../...

**Purpose**

To seek your agreement for interim program management arrangements regarding the ACT Skilled Nominated Migration stream from 30 June 2108, while a Cabinet process is undertaken to inform the ongoing strategic management of the program. The ACT Skilled Nomination (Subclass 190) stream of the program will be open to Canberra residents with occupations in demand and will remain closed to overseas applicants.

**Recommendations**

That you:

1. Agree that the ACT Skilled Nominated (Subclass 190) stream will remain open to Canberra temporary residents with occupations in demand on the ACT Occupation List, and remain closed to overseas applicants from 1 July 2018. This will allow ongoing nomination of critical occupations while revised arrangements are considered.

**Agreed / Noted / Please Discuss**

2. Note that a Cabinet process to decide the future strategic management of the ACT Skilled Nominated program will be undertaken and expedited as soon as possible.

**Noted / Please Discuss**

Andrew Barr MLA..... /...../.....

Minister's Office Feedback
----------------------------

UNCLASSIFIED

Tracking No.: CMTEDD2018/3095

UNCLASSIFIED

### Background

1. The Territory Migration Agreement with the Australian Government ([Attachment A](#)) provides the ACT Skilled Migration Program, managed by Skills Canberra, with an avenue to address skilled labour needs through the **Skilled Nominated** (Subclass 190) visa stream.
2. Under an agreement with the Australian Government, ACT is allocated ~~800~~ 750 places each financial year to nominate intending migrants with occupations in demand in Canberra. ACT nomination does not guarantee a migration outcome, but triggers a formal visa invitation by the Department of Home Affairs (Home Affairs).
3. To identify current and emerging occupations in demand, Skills Canberra has developed a Forecasting of Industry Needs and Entitlement (FINE) model which assesses the demand and supply of labour across different occupations according to economic, social and training variables to identify skills gaps that are not being met by the local workforce in the ACT. The FINE data informs the ACT Occupation List identifying occupations in demand for migration purposes. ([Attachment B](#)).
4. The ACT Skilled Migration Program is a significant contributor to the territory population growth and the economy. In the last three years, 2,079 Skilled Nominated and 1,489 Employer Nominated migrants, plus their dependents, settled permanently in Canberra. This outcome is reflected in the Net Overseas Migration increase of 1,100 people (or 45%) since September 2016 ([Attachment C](#)).
5. As well as bringing essential skills in demand into the Territory, there is a potential economic benefit of \$249 million in nominated settlement assets being transferred into the ACT (as declared by the ACT nominated applicants within the last three years). The 2016/17 Skilled Migration Program outcomes are at [Attachment D](#).
6. Recent Home Affairs legislation further restricting the eligibility criteria for employer nominated visas has resulted in increased demand for the state/territory nomination pathway. See CMTEDD2018/1611 at [Attachment E](#).
7. In addition, the high levy costs associated with the Skilling Australians Fund are also expected to reduce the demand for employer nominated permanent visas. For example, ACT Health were facing a \$5000 levy per nomination. ACT Health have confirmed that since March 2018 it has ceased sponsoring employees through the employer nomination route and are directing potential skilled migrants to apply under the Skilled Nominated stream where the SAF levy is not applied.
8. Since 1 July 2017 to date, around 1250 applications for ACT nomination have been lodged. Despite Home Affairs temporarily increasing the ACT allocation by 100 in early May, there still remain over 350 applications in the system which will need to be considered in 2018/19 when the Home Affairs annual program allocation of 750 is reset.
9. The pressure on the Skilled Nominated stream is expected to grow in 2018/19. There are over 17,000 international students and temporary residents living in Canberra. Anecdotal advice from agents indicates a significant number of interstate international

**Commented [CI1]:** There been some conflicting advice re what the number is – is it 750 or 800? And we ve had temporary access to an additional 100?

**Commented [BC2R1]:** I think the 800 is permanent, but Julianne thinks it is temporary. As she is the SME, let s go with her number. The difference is not critical here (safer to go with a lower number anyway) and it s really hard to track someone down in Home Affairs to get a clarification. The 100 we got late in the year was definitely temporary.

**Commented [CI3]:** This is a bit of interesting information isn t it ... Health avoiding levy costs, reduces VET funding pool. Health has moved from aligning jobs to individuals with particular skills, and taking their chances on the general skilled migration pool. Wonder how that advice will be received.

**Commented [BC4R3]:** Their aim is still to employ the same people in the same jobs, they are just trying to avoid the excessive cost of doing it through the revised RSMs pathway. An application through the 190 (SN) pathway costs \$300 compared to the \$5000 through the 187 (RSMs) pathway.

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students have moved to Canberra since July 2017 to position to access the ACT nominated pathway. This advice is supported by an eight-fold increase in private business college enrolments in Canberra from January to March 2018 at [Attachment F](#). Commencements have jumped from around 50 annually to 380 year to date.

10. The increasing demand for ACT nomination creates serious challenges for Skills Canberra in delivering a stable program. A lack of control over the number and timing of applications lodged and significant peaks in demand (e.g. at graduation, opening the overseas program, etc.) results in a backlog of applications and lengthy processing times. The program is operated with approximately 3 FTEs.
11. Currently the only way to manage the influx of applications is to close the ACT nomination program without notice, when the numbers of applications received in a condensed time period puts obvious pressure on the annual allocation. For example, in August 2017 400 applications were received in four weeks and the decision was made to close the Subclass 190 stream of the program to overseas applicants. The lack of notice and resulting backlog and lengthy processing time led to several complaints.
12. The Subclass 190 nominated program currently remains closed to all overseas applicants unless they have close family ties to Canberra. See CMTEDD2017/3483 at [Attachment G](#).
13. In response to the issues identified above, Skills Canberra has investigated different options to manage to ACT nominated program and has reviewed the management approaches of other jurisdictions. As a result, Skills Canberra has identified a range of options to manage demand for the program in future years.

**Issues**

14. Skills Canberra is currently preparing a Cabinet Submission to present options and seek agreement on changes to the ongoing strategic management of the ACT Skilled Nominated migration stream. We anticipate this Submission will be considered in September 2018.
15. In the meantime, three options to manage demand for the program from 1 July 2018 have been identified:
16. **Option 1:** the ACT nominated program is closed to all new applications. This will allow the processing of grandfathered applications (currently 350, but expected to increase further by the end of June) but preserve the remaining 2018/19 allocation until Cabinet determines forward strategic management treatments. For example, if all the 350 applicants were approved (which is unlikely), that would leave 400 nominations for the remainder of the 2018/19 year.
17. **Option 2:** the ACT nominated program remains open to Canberra temporary residents with occupations in demand on the ACT Occupation List e.g., medical staff, allied health professionals and engineers, etc., but closes to all other occupations and remains closed to overseas applicants. This will ensure the ongoing nomination of critical occupations during the Cabinet process. *This is Economic Development's preferred option.*
18. **Option 3:** the Program remains open to all Canberra residents on 1 July 2018. It is expected that the remaining nomination places (750 minus those approved from the 350 grandfathered applications) will be used by end of July 2018 as new applications are

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received from 1 July 2018. Once the 2018/19 allocation is met, the program will have to close, regardless of demand, until the start of 2019/20. There will be no capacity to nominate essential occupations e.g., ACT Health staff, academics, trades etc., for the remaining 11 months of the 2018/19 financial year.

**Financial Implications**

19. Not applicable.

**Consultation**Internal

20. Not applicable.

Cross Directorate

21. Not applicable.

External

22. A consultation forum was planned to occur with migration agents on 14 June 2018, but it was decided it was too early in the process for this to occur. The consultation was subsequently cancelled and agents were notified that consultation would occur at a later time ([Attachment H](#)). Future consultation will inform the Cabinet Submission.

Benefits/Sensitivities

23. Option 2 will enable the program to be managed and administered in a sustainable way until a Cabinet process is finalized, and is consistent with the advice provided to migration agents on 13 June 2018.

24. Whatever option is chosen, there is potential for complaints by those unable to apply for ACT nomination until the program reopens. However the potential for complaints is greater if the 2018/19 program is closed completely once the allocation is met, and highly skilled, long term residents (e.g., registered nurses) are unable to apply for ACT nomination until 2019/20 if the Home Affairs allocation is met by end July 2018.

Media Implications

25. There is potential for negative media if the ACT nomination process closes on 30 June 2018 as noted above.

Signatory Name:	Kareena Arthy	Phone:	75564
Action Officer:	David Miller	Phone:	74791

**Attachments**

Attachment	Title
Attachment A	Territory Migration Agreement with the Australian Government
Attachment B	ACT Occupation List
Attachment C	Net Overseas Migration gain into ACT
Attachment D	2016/17 Skilled Migration Program outcomes
Attachment E	CMTEDD2018/1611
Attachment F	Increase in ACT private business college growth
Attachment G	CMTEDD2017/3483
Attachment H	Notification of future consultation

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Tracking No.:  
CMTEDD2018/3095

**From:** [Campbell, Morgan](#)  
**To:** [CMTEDD MLO](#)  
**Cc:** [Bayer, Chris](#); [OBrien, Julianne](#); [EnterpriseCBR DLO](#)  
**Subject:** CMTEDD2018/3095 - Skilled Migration CabSub and Temporary program Restriction [SEC=UNCLASSIFIED]  
**Date:** Tuesday, 26 June 2018 6:12:03 PM

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Hello

Kareena has signed off on this one. Could it please be included in the morning run? Is very urgent - critical date is tomorrow.

Steph - happy to discuss management of giving to CMO on critical date...

Cheers  
Morgan

**Chief Minister, Treasury and Economic  
Development Directorate**

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**To:** Chief Minister Tracking No.: CMTEDD2018/3095

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**Date:** 26 June 2018

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**CC:** Minister for Higher Education, Training and Research

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**From:** Director Skills Canberra

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**Subject:** Introduction of temporary process to manage the ACT Skilled nominated migration program demand from 1 July 2018 while a Cabinet process is undertaken to decide the future management strategy of the program.

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**Critical Date:** 27 June 2018

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**Critical Reason:** Need agreement from Chief Minister by this date to allow time to have arrangements ready for 1 July 2018.

- DDG .../.../...

**Purpose**

To seek your agreement for interim program management arrangements regarding the ACT Skilled Nominated Migration stream from 30 June 2018, while a Cabinet process is undertaken to inform the ongoing strategic management of the program. The ACT Skilled Nomination (Subclass 190) stream of the program will be open to Canberra residents with occupations in demand and will remain closed to overseas applicants.

**Recommendations**

That you:

1. Agree that the ACT Skilled Nominated (Subclass 190) stream will remain open to Canberra temporary residents with occupations in demand on the ACT Occupation List, and remain closed to overseas applicants from 1 July 2018. This will allow ongoing nomination of critical occupations while revised arrangements are considered.

**Agreed / Noted / Please Discuss**

2. Note that a Cabinet process to decide the future strategic management of the ACT Skilled Nominated program will be undertaken and expedited.

**Noted / Please Discuss**

Andrew Barr MLA..... /...../.....

Minister's Office Feedback

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## Background

1. The Territory Migration Agreement with the Australian Government ([Attachment A](#)) provides the ACT Skilled Migration Program, managed by Skills Canberra, with an avenue to address skilled labour needs through the **Skilled Nominated** (Subclass 190) visa stream.
2. Under an agreement with the Australian Government, the ACT is allocated 750 places each financial year to nominate intending migrants with occupations in demand in Canberra. ACT nomination does not guarantee a migration outcome, but triggers a formal visa invitation by the Department of Home Affairs (Home Affairs).
3. To identify current and emerging occupations in demand, Skills Canberra has developed a Forecasting of Industry Needs and Entitlement (FINE) model which assesses the demand and supply of labour across different occupations according to economic, social and training variables to identify skills gaps that are not being met by the local workforce in the ACT. FINE data informs the ACT Occupation List identifying occupations in demand for migration purposes. ([Attachment B](#)).
4. The ACT Skilled Migration Program is a significant contributor to the territory population growth and the economy. In the last three years, 2,079 Skilled Nominated and 1,489 Employer Nominated migrants, plus their dependents, settled permanently in Canberra. This outcome is reflected in the Net Overseas Migration increase of 1,100 people (or 45%) since September 2016 ([Attachment C](#)).
5. As well as bringing essential skills in demand into the Territory, there is a potential economic benefit of \$249 million in nominated settlement assets being transferred into the ACT (as declared by the ACT nominated applicants within the last three years). The 2016/17 Skilled Migration Program outcomes are at [Attachment D](#).
6. Recent Home Affairs legislation further restricting the eligibility criteria for employer nominated visas has resulted in increased demand for the state/territory nomination pathway. See CMTEDD2018/1611 at [Attachment E](#).
7. In addition, the high levy costs associated with the Skilling Australians Fund are also expected to reduce the demand for employer nominated permanent visas. For example, ACT Health were facing a \$5000 levy per nomination. ACT Health has confirmed that since March 2018 it has ceased sponsoring employees through the employer nomination route and is directing potential skilled migrants to apply under the Skilled Nominated stream where the SAF levy is not applied.
8. Since 1 July 2017 to date, around 1250 applications for ACT nomination have been lodged. Despite Home Affairs temporarily increasing the ACT allocation by 100 in early May, there still remain over 350 applications in the system which will need to be considered in 2018/19 when the Home Affairs annual program allocation of 750 is reset.
9. The pressure on the Skilled Nominated stream is expected to grow in 2018/19. There are over 17,000 international students and temporary residents living in Canberra. Anecdotal advice from agents indicates a significant number of interstate international students have moved to Canberra since July 2017 to position to access the ACT

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nominated pathway. This advice is supported by an eight-fold increase in private business college enrolments in Canberra from January to March 2018 at [Attachment F](#). Commencements have jumped from around 50 annually to 380 year to date.

10. Currently the only way to manage the influx of applications is to close the ACT nomination program without notice, when the numbers of applications received in a condensed time period puts obvious pressure on the annual allocation. For example, in August 2017, 400 applications were received in four weeks and the decision was made to close the Subclass 190 stream of the program to overseas applicants. The lack of notice and resulting backlog and lengthy processing time led to several complaints.
11. The Subclass 190 nominated program currently remains closed to all overseas applicants unless they have close family ties to Canberra. See CMTEDD2017/3483 at [Attachment G](#).
12. In response to the issues identified above, Skills Canberra has investigated different options to manage to ACT nominated program and has reviewed the management approaches of other jurisdictions. As a result, Skills Canberra has identified a range of options to manage demand for the program in future years.

### Issues

13. Skills Canberra is currently preparing a Cabinet Submission to present options and seek agreement on changes to the ongoing strategic management of the ACT Skilled Nominated migration stream. We anticipate this Submission will be considered in September 2018.
14. In the meantime, three options to manage demand for the program from 1 July 2018 have been identified:
  - a. Option 1: the ACT nominated program is closed to all new applications. This will allow the processing of grandfathered applications (currently 350, but expected to increase further by the end of June) but preserve the remaining 2018/19 allocation until Cabinet determines forward strategic management treatments. For example, if all the 350 applicants were approved (which is unlikely), that would leave 400 nominations for the remainder of the 2018/19 year.
  - b. Option 2: the ACT nominated program remains open to Canberra temporary residents with occupations in demand on the ACT Occupation List e.g., medical staff, allied health professionals and engineers, etc., but closes to all other occupations and remains closed to overseas applicants. This will allow the processing of grandfathered applications (currently 350, but expected to increase further by the end of June) and ensure the ongoing nomination of critical occupations for Canberra temporary residents during the Cabinet process. The Program would then re-open once Cabinet determines the forward strategic management treatments. *This is Economic Development's preferred option.*
  - c. Option 3: the Program remains open to all Canberra residents on 1 July 2018. It is expected that the remaining nomination places (750 minus those approved from the 350 grandfathered applications) will be used by end of July 2018 as new applications are received from 1 July 2018. Once the 2018/19 allocation is met, the program will have to close, regardless of demand, until the start of 2019/20. There

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will be no capacity to nominate essential occupations e.g., ACT Health staff, academics, trades etc., for the remaining 11 months of the 2018/19 financial year.

### Financial Implications

15. Not applicable.

### Consultation

#### Internal

16. Not applicable.

#### Cross Directorate

17. Not applicable.

#### External

18. A consultation forum was planned to occur with migration agents on 14 June 2018, but it was decided it was too early in the process for this to occur. The consultation was subsequently cancelled and agents were notified that consultation would occur at a later time (Attachment H). Future consultation will inform the Cabinet Submission.

#### Benefits/Sensitivities

19. Option 2 will enable the program to be managed and administered in a sustainable way until a Cabinet process is finalized, and is consistent with the advice provided to migration agents on 13 June 2018.

20. Whatever option is chosen, there is potential for complaints by those unable to apply for ACT nomination until the program reopens. However the potential for complaints is greater if the 2018/19 program is closed completely once the allocation is met, and highly skilled, long term residents (e.g., registered nurses) are unable to apply for ACT nomination until 2019/20 if the Home Affairs allocation is met by end July 2018.

#### Media Implications

21. There is potential for negative media if the ACT nomination process closes on 30 June 2018 as noted above.

Signatory Name: Kareena Arthy Phone: 75564

Action Officer: David Miller Phone: 74791

### Attachments

Attachment	Title
Attachment A	Territory Migration Agreement with the Australian Government
Attachment B	ACT Occupation List
Attachment C	Net Overseas Migration gain into ACT
Attachment D	2016/17 Skilled Migration Program outcomes
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Attachment G	CMTEDD2017/3483
Attachment H	Notification of future consultation

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**STATE AND TERRITORY SKILLED AND BUSINESS MIGRATION AGREEMENT**

This Agreement is made between

The Department of Immigration and Border Protection (DIBP) represented by:

The First Assistant Secretary,  
Migration and Citizenship Policy Division

ABN 333 8005 4835

Of  
PO Box 25  
Belconnen ACT 2616  
Email: [smog@immi.gov.au](mailto:smog@immi.gov.au)

**And**

The ACT Chief Minister, Treasury and Economic Development Directorate  
(ACT Government) represented by:

The Deputy Director-General  
Arts, Business, Events, Sport and Tourism

ABN: 72 397 293 490

Of  
220 Northbourne Avenue  
BRADDON ACT 2601  
Email: [migrationservices@act.gov.au](mailto:migrationservices@act.gov.au)

**STATE AND TERRITORY SKILLED AND BUSINESS MIGRATION AGREEMENT**

This Agreement is made between

The Department of Immigration and Border Protection (DIBP) represented by:

The First Assistant Secretary,  
Migration and Citizenship Policy Division

ABN 333 8005 4835

Of

PO Box 25  
Belconnen ACT 2616

Email: [smog@immi.gov.au](mailto:smog@immi.gov.au)

**And**

The ACT Chief Minister, Treasury and Economic Development Directorate  
(ACT Government) represented by:

The Deputy Director-General  
Arts, Business, Events, Sport and Tourism

ABN: 72 397 293 490

Of

220 Northbourne Avenue  
BRADDON ACT 2601

Email: [migrationservices@act.gov.au](mailto:migrationservices@act.gov.au)

This is an Agreement between DIBP and Australian Capital Territory (ACT) Chief Minister, Treasury and Economic Development Directorate (CMTEDD).

This Agreement provides a framework for the relationship between DIBP and CMTEDD. It outlines how DIBP and CMTEDD will work together based on ongoing communication, shared aspirations and mutual respect. It sets out how CMTEDD's mission aligns with DIBP's goals of maximising the economic benefits for Australia through the skilled and business migration programmes.

This Agreement highlights the Commonwealth and ACT Government's commitment to skilled and business migration programmes that are supportive of labour market conditions. It provides the ACT Government with a customised migration programme as it is tailored to the requirements of the Australian Capital Territory.

Through this Agreement CMTEDD has the flexibility to:

- address specific skills shortages and local labour market needs through the State/Territory Nominated (STN) category of Australia's Migration Programme, which is designed to enhance the size and skill level of the Australian labour force, and
- customise its share of Business Skills migration through the Business Innovation and Investment Programme (BIIP), a state/territory nominated programme designed to increase investment, entrepreneurial talent and diversify business expertise.

This Agreement recognises the unique economic and labour market conditions facing ACT, and the role of the ACT Government in managing these conditions through skilled and business migration.

This Agreement affirms that DIBP and CMTEDD have a shared and mutual commitment to address skill shortages and attract business migrants who have the experience, international connections, entrepreneurial skills and capital to establish new businesses, strengthen the economic vitality and diversity of the ACT and Australia and develop strong links with international markets.

### **Shared Aspirations**

DIBP and CMTEDD will:

- work together respectfully, based on mutual understanding
- communicate openly with each other, and
- focus on achieving the outcomes identified in this Agreement.

This will be achieved through:

- coordinated policy and programmes
- common understandings of programme objectives and the provision of transparent policy advice
- reduced red tape and streamlined reporting
- sharing relevant information and data to help plan, evaluate and consolidate efforts, and
- acknowledging and promoting the value and contribution of State/Territory Nominated migration.

## **MISSION STATEMENTS**

### **DIBP**

DIBP's Mission Statement sets out its values and aspirations, what it does and how it can best address skill shortages, increase entrepreneurial talent and improve business expertise in states and territories through the state and territory skilled and business migration programmes.

DIBP's overall mission is to maximise the economic and social benefits for Australia from all forms of temporary and permanent migration. This is intended to support improved productivity and participation in the labour market and the government's commitment to a skilled migration programme that is supportive of labour market conditions.

Specifically in relation to state and territory skilled and business migration, DIBP aspires to a well-managed programme which delivers the needed migrants within the overall settings of the Migration Programme.

Demand in the state and territory skilled and business migration programmes is driven by state and territory requirements. DIBP recognises that each state and territory is best placed to determine these requirements.

DIBP will ensure that our engagement with each state and territory is conducted in a respectful and sustainable manner, that there is clarity around roles and responsibilities and that we are focussed on mutually beneficial outcomes tailored to each stakeholder.

DIBP also recognises that it has an overarching role in co-ordinating state and territory migration in the best interests of Australia as a whole.

DIBP will guide the state and territory skilled and business migration programmes through managing allocations and maintaining a skilled and business focus to the programmes across all states and territories.

DIBP will support, where appropriate and feasible, the states and territories to achieve their goals through training, consultation, troubleshooting and outreach services.

### **ACT Chief Minister, Treasury and Economic Development Directorate (CMTEDD)**

CMTEDD leads the ACT Public Service (ACTPS) and provides strategic advice and support to the Chief Minister, Treasurer, Minister for Economic Development and the Cabinet on policy, financial and economic matters, service delivery and whole of government issues.

The Economic Development focus is on land release, facilitating business development, investment, sport and recreation, tourism and events, arts, and other government activity, often in coordination with the private sector, to increase the economic performance of the ACT. The ACT Skilled Migration Programme is delivered within the CMTEDD portfolio of ACT Government.

#### Programme Mission

To attract and retain appropriate and sustainable levels of skilled and business migrants to positively impact Canberra economically and socially, and to support future strategic industry growth in the region.

#### Programme Objectives

- Provide a targeted approach to the Government's skills attraction priorities.

- Using an evidence based framework to identify current and emerging skills in demand in the ACT where skilled migration has a role to play.
- As an approved Regional Certifying Body, provide advice to the Department of Immigration and Border Protection (DIBP) about employer sponsored nominations validating specific migration requirements, including genuine need for the applicant's skills and employment conditions.
- Develop a support network for the business community to facilitate employer sponsored skilled migration.
- Define key target markets and attract skilled workers to meet forecast demand
- Proactively engage private and government employers as key users of skill migration, and other external stakeholders, and
- Represent ACT Government views and interests at Commonwealth, State/Territory skilled migration policy forums.

Two key measures which help quantify the programme's ability to meet its mission are the ability of skilled migrants to gain employment in their occupation, and their retention in the ACT for two or more years.

### **Skilled Migration Officials Group (SMOG)**

This Agreement operates within the SMOG Terms of Reference (Schedule 2).

Within the constraints of the migration programme and Ministerial direction, issues impacting on state and territory nominated migration from new policy proposals and initiatives will be discussed and considered by the SMOG. Where contention exists with proposed changes to the schedules to this Agreement, the SMOG will be the forum for consultation.

### **Contact Officers**

DIBP and CMTEDD will appoint appropriate contact officers at the departmental level.

### **How to vary this Agreement**

Schedule 1 may be updated annually in line with the Australian Migration Programme and ACT requirements.

Schedule 1 may be updated within a programme year based on revised targets.

The Schedules may be varied at any time, based on mutual agreement between the appropriate departmental contact officers.

Within the scope of this Agreement, variations to Schedules will not require renegotiation of a new Agreement.

### **Duration of this Agreement**

This Agreement commences on 1 July 2014 and will remain in force until one party advises otherwise, within the constraints of subsequent Migration Programmes.

### **Schedules**

Schedule 1 to this Agreement provides for the number of nomination places allocated to ACT for both the STN and BIIP categories of the migration programme.

Schedule 2 to this Agreement provides for the SMOG Terms of Reference.

**Signed for and on behalf of**

**The Commonwealth Department of Immigration and Border Protection as represented by**

Name: Garry Fleming

Position: First Assistant Secretary, Migration and Citizenship Policy Division

Signature: .....

In the presence of: ..... (Witness's signature)

..... (Printed Name of Witness)

Date: .....

**Signed for and on behalf of**

**The ACT Chief Minister, Treasury and Economic Development Directorate as represented by**

Name: Gary Rake

Position: Deputy Director-General, Arts, Business, Events, Sport and Tourism Division

Signature: .....

In the presence of: ..... (Witness's signature)

..... (Printed Name of Witness)

Date: .....

## **SCHEDULE 1 – NOMINATION PLACES AND OCCUPATIONS**

Under this Agreement, within the Australian Migration Programme for 2014-15, ACT is allocated:

- between 350 and 850 nomination places for primary applicants in the State/Territory Nominated (STN) skilled migration programme, and
- between 5 and 10 nomination places for primary applicants in the Business Innovation and Investment Programme (BIIP). Of these, DIBP will allow 10 nominations at the discretion of the ACT to receive Special Endorsement within Part 7A.10 of Schedule 7A of the Business Innovation and Investment Programme points test.

The parties note that these allocations may be adjusted by agreement between the appropriate departmental contact officers, subject to the results of scheduled reviews of usage of the programmes.

ACT Chief Minister, Treasury and Economic Development Directorate (CMTEDD) will evaluate the labour market needs to inform skilled migration nominations through research methodologies which will then be shared with DIBP. In addition CMTEDD will provide available survey data from recently arrived ACT nominated migrants.



## SCHEDULE 2 – SKILLED MIGRATION OFFICIALS GROUP

### - TERMS OF REFERENCE -

#### **Purpose**

The Skilled Migration Officials Group (SMOG) provides a forum for the Commonwealth and State/Territory governments to discuss proposals and new initiatives, share information, consider issues and further develop strategies arising in implementation of policies in relation to skilled migration.

#### **Objectives**

The SMOG is a forum including the Commonwealth and State/Territory governments which:

- exchanges information between Commonwealth and States/Territories
- focuses on skilled and business migration meeting skill shortages and economic needs
- considers issues in relation to regional dispersal, as part of a balanced migration programme
- considers ways to meet any particular needs of individual States/Territories, and
- would, on an as needs basis, be tasked to provide advice to the Ministerial Advisory Council on Skilled Migration (MACSM) on the practical implementation of policy initiatives being considered.

The SMOG will enable:

- the Commonwealth and States/Territories to discuss proposed changes and issues related to implementation in the skilled and business migration programmes
- the States/Territories to raise issues that impact on their respective jurisdictions and develop options to overcome difficulties
- the Commonwealth and States/Territories to report on skilled and business migration programmes in the various jurisdictions
- the Commonwealth and States/Territories to develop an understanding of each other's priorities and exchange ideas, and
- members to identify a workplan for SMOG's activities over given programme years.

#### **Structure**

##### Administration

- The SMOG will be chaired by a senior official nominated by the Department of Immigration and Border Protection.
- Secretariat support for the SMOG will be provided by departmental staff.
- SMOG agenda items may be considered out of session and coordinated by the Secretariat,
- The SMOG may establish smaller working groups to deal with particular issues identified from time to time.

##### Government Representatives

- Each State/Territory will nominate senior representatives to the SMOG.

#### **Activities Funding Expenditure**

Funding for participation in the SMOG is the responsibility of each Commonwealth and States/Territory representative.

#### **Duration and Timing**

The Department's Secretariat will arrange meetings of the SMOG. Meetings will be held bi-annually, or more frequently if required.

# AUSTRALIAN CAPITAL TERRITORY (ACT) OCCUPATION LIST

## 18 March 2018

The Australian Capital Territory (ACT) Government is committed to a targeted skilled migration program and can provide advice on ACT nomination criteria, but not on wider immigration issues.

Before lodging an application for nomination, it is recommended that you obtain specific migration advice relevant to your circumstances from the Department of Immigration and Border Protection or a Registered Migration Agent.

The ACT Skilled Migration Program is managed by Skills Canberra, Chief Minister, Treasury and Economic Development, a Directorate of the ACT Government.

### About the ACT Occupation List

The ACT Occupation List identifies the skills that are currently in demand in Canberra (for migration purposes). The ACT Occupation List is used to determine the eligibility for ACT support of the following programs:

- Skilled Visas: ACT nomination of a Skilled Nominated (subclass 190) visa.
- Employer Nomination: Regional Certifying Body support of an Employer Nomination under the Regional Sponsored Migration Scheme.

### Skilled Visa Applicants

The ACT Occupation List determines if the occupation is available for ACT nomination of a Skilled Nominated (subclass 190) visa. To determine your eligibility for ACT nomination you must read the 'Guidelines for applying for ACT nomination' and make sure that you meet the nomination criteria. See: <http://www.canberrayourfuture.com.au/portal/migrating/article/skilled-visa-act-nomination/>

As changes can be made to the eligibility of occupations without notice, you are advised to check the relevant Home Affairs legislation for the current '**List of eligible skilled occupations**': <https://www.legislation.gov.au/Details/F2018L00299>

## Open Occupations

You are eligible to apply for ACT nomination of a Skilled Nominated (subclass190) visa if your occupation is in demand (listed as open on the current ACT Occupation List) and you meet the nomination criteria.

### Closed Occupations:

**Canberra residents:** If you are living in Canberra you are eligible to apply for ACT nomination of a closed occupation if you are working in a skilled occupation and you meet the nomination criteria at <http://www.canberrayourfuture.com.au/portal/migrating/article/skilled-visa-act-nomination/>

**Overseas residents:** You may be eligible to apply for ACT nomination if you have close ties (job offer or close family) in Canberra and you meet the nomination criteria at <http://www.canberrayourfuture.com.au/portal/migrating/article/skilled-visa-act-nomination/>

## Employability

The ACT Occupation List is not linked to specific job vacancies and it is not a guarantee of a job in a nominated occupation. You must be satisfied that there are sufficient employment opportunities in your nominated occupation before you apply for ACT nomination. You will compete for employment vacancies with all people in the labour market as part of a normal selection process. Your success will depend on employer requirements, your relevant skills, your experience and your level of English language ability.

New residents generally do not meet the criteria of employers who require citizenship or security clearance.

## Employer Sponsored Nomination

Employers seeking to nominate highly skilled workers under the Direct Entry pathway of the Regional Sponsored Migration Scheme (RSMS) must seek the support of the Regional Certifying Body (RCB) before the RSMS nomination can be assessed by the Department of Immigration and Border Protection.

Before you apply for RCB support, you must read the 'Guidelines for applying for Regional Certifying Body support of an employer nomination' at:

<http://www.canberrayourfuture.com.au/portal/migrating/article/nominate-a-skilled-employee-rsms/>

### Applying for Regional Certifying Body (RCB) support

As part of the application for RCB support, employers must demonstrate that the position cannot be filled from the local labour market.

- If the nominated occupation has a status of open on the ACT Occupation List, the application for RCB support is deemed to meet this criterion.
- If the nominated occupation has a status of 'closed', or is not listed on the ACT Occupation List, the application for RCB support does not meet this criterion. You should refer to the RCB guidelines for other pathways to demonstrate that the position cannot be filled from the local labour market.

## ACT Occupation List updates

While a major analysis of the demand for occupations will be undertaken twice a year (in February and August) the demand for each occupation will be reviewed on an ongoing basis. Once it is determined that the demand for an occupation has been met, the occupation will be closed without further notice.

# ACT OCCUPATION LIST:

## 18 March 2018

ANZSCO	Occupation	Status
132111	Corporate Services Manager	Open
134212	Nursing Clinical Director	Open
134213	Primary Health Organisation Manager	Open
134214	Welfare Centre Manager	Open
212411	Copywriter	Open
212412	Newspaper or Periodical Editor	Open
212413	Print Journalist	Open
212415	Technical Writer	Open
212416	Television Journalist	Open
212499	Journalist & other writers (nec)	Open
225311	Public Relations Professional	Open
232111	Architect	Open
232112	Landscape Architect	Open
232411	Graphic Designer	Open
232412	Illustrator	Open
232414	Web Designer	Open
233211	Civil Engineer	Open
233212	Geotechnical Engineer	Open
233213	Quantity Surveyor	Open
233214	Structural Engineer	Open
233215	Transport Engineer	Open
233311	Electrical Engineer	Open
233411	Electronics Engineer	Open
233511	Industrial Engineer	Open
233512	Mechanical Engineer	Open
241111	Early Childhood (Pre-Primary School)	Open
251211	Medical Diagnostic Radiographer	Open
251212	Medical Radiation Therapist	Open
251213	Nuclear Medicine Technologist	Open

251214	Sonographer	Open
251411	Optometrist	Open
251412	Orthopist	Open
251513	Retail Pharmacist	Open
252411	Occupational Therapist	Open
252511	Physiotherapist	Open
252711	Audiologist	Open
252712	Speech Pathologist	Open
253111	General Practitioner	Open
253112	Resident Medical Officer	Open
254311	Nurse Manager	Open
254411	Nurse Practitioner	Open
254412	Registered Nurse (Aged Care)	Open
254413	Registered Nurse (Child & Family Health)	Open
254414	Registered Nurse (Community Health)	Open
254415	Registered Nurse (Critical Care &	Open
254416	Registered Nurse (Developmental	Open
254417	Registered Nurse (Disability &	Open
254418	Registered Nurse (Medical)	Open
254421	Registered Nurse (Medical Practice)	Open
254422	Registered Nurse (Mental Health)	Open
254423	Registered Nurse (Perioperative)	Open
254424	Registered Nurse (Surgical)	Open
254425	Registered Nurse (Paediatrics)	Open
254499	Registered Nurses ( <i>nec</i> )	Open
271311	Solicitor	Open
272111	Careers Counsellor	Open
272112	Drug & Alcohol Counsellor	Open
272113	Family & Marriage Counsellor	Open
272114	Rehabilitation Counsellor	Open
272115	Student Counsellor	Open
272199	Counsellors ( <i>nec</i> )	Open
272311	Clinical Psychologist	Open
272312	Educational Psychologist	Open
272313	Organisational Psychologist	Open

272399	Psychologists ( <i>nec</i> )	Open
272499	Social Professionals ( <i>nec</i> )	Open
272511	Social Worker	Open
272612	Recreation Officer	Open
272613	Welfare Worker	Open
321211	Motor Mechanic (General)	Open
321212	Diesel Motor Mechanic	Open
321213	Motorcycle Mechanic	Open
321214	Small Engine Mechanic	Open
351311	Chef	Open
391111	Hairdresser	Open

<b>CLOSED OCCUPATIONS</b>		
<b>ANZSCO</b>	<b>Occupation</b>	<b>Status</b>
131112	Sales & Marketing Manager	Closed
131113	Advertising Manager	Closed
132211	Finance Manager	Closed
132311	Human Resource Manager	Closed
132511	Research and development manager	Closed
133111	Construction Project Manager	Closed
133211	Engineering Manager	Closed
133411	Manufacturer	Closed
133512	Production Manager (Manufacturing)	Closed
133513	Production Manager (Mining)	Closed
133611	Supply and Distribution Manager	Closed
134111	Child Care Centre Manager	Closed
134299	Health & Welfare Services Managers ( <i>nec</i> )	Closed
134311	School Principal	Closed
134499	Education Managers ( <i>nec</i> )	Closed
135112	ICT Project Manager	Closed
135199	ICT Managers ( <i>nec</i> )	Closed
139911	Arts Administrator or Manager	Closed
139913	Laboratory Manager	Closed
139914	Quality Assurance Manager	Closed
139999	Ambassador	Closed
141111	Cafe or Restaurant Manager	Closed
141311	Hotel or Motel Manager	Closed
141999	Accom. & Hospitality Managers ( <i>nec</i> )	Closed
142114	Hair or Beauty Salon Manager	Closed
149212	Customer Service Manager	Closed
149311	Conference & Event Organiser	Closed
149413	Transport Company Manager	Closed
149913	Facilities Manager	Closed
211112	Dancer or Choreographer	Closed
211212	Music Director	Closed
211299	Music Professionals ( <i>nec</i> )	Closed

211311	Photographer	Closed
211499	Visual Arts & Crafts Professionals ( <i>nec</i> )	Closed
212111	Artistic Director	Closed
212212	Book or Script Editor	Closed
212312	Director (Film, Television, Radio or Stage)	Closed
212314	Film & Video Editor	Closed
212315	Program Director (Television or Radio)	Closed
212316	Stage Manager	Closed
212317	Technical Director	Closed
212318	Video Producer	Closed
221111	Accountant (General)	Closed
221112	Management Accountant	Closed
221113	Taxation Accountant	Closed
221211	Company Secretary	Closed
221213	External Auditor	Closed
221214	Internal Auditor	Closed
222111	Commodities Trader	Closed
222112	Finance Broker	Closed
222113	Insurance Broker	Closed
222199	Financial Brokers ( <i>nec</i> )	Closed
222211	Financial Market Dealer	Closed
222213	Stockbroking Dealer	Closed
222299	Financial Dealers ( <i>nec</i> )	Closed
222311	Financial Investment Adviser	Closed
222312	Financial Investment Manager	Closed
223112	Recruitment Consultant	Closed
223211	ICT Trainer	Closed
224111	Actuary	Closed
224112	Mathematician	Closed
224212	Gallery or Museum Curator	Closed
224213	Health Information Manager	Closed
224214	Records Manager	Closed
224511	Land Economist	Closed
224512	Valuer	Closed
224611	Librarian	Closed



224711	Management Consultant	Closed
224712	Organisation & Methods Analyst	Closed
224914	Patents Examiner	Closed
224999	Information and Org. Professionals ( <i>nec</i> )	Closed
225111	Advertising Specialist	Closed
225113	Marketing Specialist	Closed
225211	ICT Account Manager	Closed
225212	ICT Business Development Manager	Closed
225213	ICT Sales Representative	Closed
225499	Technical Sales Representatives ( <i>nec</i> )	Closed
232212	Surveyor	Closed
232213	Cartographer	Closed
232214	Other Spatial Scientist	Closed
232311	Fashion Designer	Closed
232312	Industrial Designer	Closed
232313	Jewellery Designer	Closed
232511	Interior Designer	Closed
232611	Urban & Regional Planner	Closed
233111	Chemical Engineer	Closed
233112	Materials Engineer	Closed
233513	Production or plant engineer	Closed
233911	Aeronautical Engineer	Closed
233912	Agricultural Engineer	Closed
233913	Biomedical Engineer	Closed
233914	Engineering Technologist	Closed
233915	Environmental Engineer	Closed
233916	Naval Architect	Closed
234111	Agricultural Consultant	Closed
234112	Agricultural Scientist	Closed
234113	Forester	Closed
234411	Geologist	Closed
234611	Medical Laboratory Scientist	Closed
234711	Veterinarian	Closed
234914	Physicist (medical physicist only)	Closed
241213	Primary School Teacher	Closed

241311	Middle School Teacher	Closed
241411	Secondary School Teacher	Closed
241511	Special Needs Teacher	Closed
241512	Teacher of the Hearing Impaired	Closed
241513	Teacher of the Sight Impaired	Closed
241599	Special Education Teachers ( <i>nec</i> )	Closed
249111	Education Adviser	Closed
249211	Art Teacher (Private Tuition)	Closed
249212	Dance Teacher (Private Tuition)	Closed
249214	Music Teacher (Private Tuition)	Closed
249299	Private Tutors & Teachers ( <i>nec</i> )	Closed
249311	Teacher of English SOL	Closed
251111	Dietitian	Closed
251112	Nutritionist	Closed
251312	Occupational Health and Safety Adviser	Closed
251511	Hospital Pharmacist	Closed
251512	Industrial Pharmacist	Closed
251911	Health Promotion Officer	Closed
251912	Orthotist or Prosthetist	Closed
251999	Health Diagnostic & Promotion Prof.	Closed
252111	Chiropractor	Closed
252112	Osteopath	Closed
252211	Acupuncturist	Closed
252213	Naturopath	Closed
252214	Traditional Chinese Medicine Practitioner	Closed
252299	Complementary Health Therapists ( <i>nec</i> )	Closed
252311	Dental Specialist	Closed
252312	Dentist	Closed
252611	Podiatrist	Closed
253211	Anaesthetist	Closed
253311	Specialist Physician (General Medicine)	Closed
253312	Cardiologist	Closed
253313	Clinical Haematologist	Closed
253314	Medical Oncologist	Closed
253315	Endocrinologist	Closed

253316	Gastroenterologist	Closed
253317	Intensive Care Specialist	Closed
253318	Neurologist	Closed
253321	Paediatrician	Closed
253322	Renal Medicine Specialist	Closed
253323	Rheumatologist	Closed
253324	Thoracic Medicine Specialist	Closed
253399	Specialist Physicians ( <i>nec</i> )	Closed
253411	Psychiatrist	Closed
253511	Surgeon (General)	Closed
253512	Cardiothoracic Surgeon	Closed
253513	Neurosurgeon	Closed
253514	Orthopaedic Surgeon	Closed
253515	Otorhinolaryngologist	Closed
253516	Paediatric Surgeon	Closed
253517	Plastic & Reconstructive Surgeon	Closed
253518	Urologist	Closed
253521	Vascular Surgeon	Closed
253911	Dermatologist	Closed
253912	Emergency Medicine Specialist	Closed
253913	Obstetrician & Gynaecologist	Closed
253914	Ophthalmologist	Closed
253915	Pathologist	Closed
253917	Diagnostic & Interventional Radiologist	Closed
253918	Radiation Oncologist	Closed
253999	Medical Practitioners ( <i>nec</i> )	Closed
254111	Midwife	Closed
254211	Nurse Educator	Closed
254212	Nurse Researcher	Closed
261111	ICT Business Analyst	Closed
261112	Systems Analyst	Closed
261212	Web Developer	Closed
261311	Analyst Programmer	Closed
261312	Developer Programmer	Closed
261313	Software Engineer	Closed

261314	Software Tester	Closed
262111	Database Administrator	Closed
262112	ICT Security Specialist	Closed
262113	Systems Administrator	Closed
263111	Computer Network & Systems Engineer	Closed
263112	Network Administrator	Closed
263113	Network Analyst	Closed
263211	ICT Quality Assurance Engineer	Closed
263212	ICT Support Engineer	Closed
263213	ICT Systems Test Engineer	Closed
263299	ICT Support and Test Engineers ( <i>nec</i> )	Closed
263311	Telecommunications Engineer	Closed
263312	Telecommunications Network Engineer	Closed
271111	Barrister	Closed
271299	Judicial & Other Legal Professionals ( <i>nec</i> )	Closed
272412	Interpreter	Closed
311211	Anaesthetic Technician	Closed
311212	Cardiac Technician	Closed
311213	Medical Laboratory Technician	Closed
311215	Pharmacy Technician	Closed
311299	Medical Technicians ( <i>nec</i> )	Closed
311312	Meat Inspector	Closed
311411	Chemistry Technician	Closed
311412	Earth Science Technician	Closed
311413	Life Science Technician	Closed
311499	Science Technicians ( <i>nec</i> )	Closed
312111	Architectural Draftsperson	Closed
312112	Building Associate	Closed
312113	Building Inspector	Closed
312199	Arch, Building & Surveying Technicians ( <i>nec</i> )	Closed
312211	Civil Engineering Draftsperson	Closed
312212	Civil Engineering Technician	Closed
312311	Electrical Engineering Draftsperson	Closed
312312	Electrical Engineering Technician	Closed
312512	Mechanical Engineering Technician	Closed

312912	Metallurgical or Materials Technician	Closed
312913	Mine Deputy	Closed
313111	Hardware Technician	Closed
313112	ICT Customer Support Officer	Closed
313113	Web Administrator	Closed
313199	ICT Support Technicians (nec)	Closed
313211	Radio Communications Technician	Closed
313212	Telecommunications Field Engineer	Closed
313214	Tele. Technical Officer or Technologist	Closed
321111	Automotive Electrician	Closed
322113	Farrier	Closed
322211	Sheet metal Trades Worker	Closed
322311	Metal Fabricator	Closed
322313	Welder (First Class)	Closed
323111	Aircraft Maintenance Engineer (Avionics)	Closed
323112	Aircraft Maintenance Engineer (Mechanical)	Closed
323113	Aircraft Maintenance Engineer (Structures)	Closed
323211	Fitter (General)	Closed
323212	Fitter & Turner	Closed
323213	Fitter-Welder	Closed
323214	Metal Machinist (First Class)	Closed
323215	Textile, Clothing & Footwear Mechanic	Closed
323299	Metal Fitters & Machinists (nec)	Closed
323313	Locksmith	Closed
323314	Precision Instrument Maker & Repairer	Closed
323316	Watch & Clock Maker & Repairer	Closed
323412	Toolmaker	Closed
324111	Panel beater	Closed
324211	Vehicle Body Builder	Closed
324212	Vehicle Trimmer	Closed
331111	Bricklayer	Closed
331112	Stonemason	Closed
331211	Carpenter & Joiner	Closed
331212	Carpenter	Closed
331213	Joiner	Closed

332211	Painting Trades Workers	Closed
333111	Glazier	Closed
333211	Fibrous Plasterer	Closed
333212	Solid Plasterer	Closed
333311	Roof Tiler	Closed
333411	Wall & Floor Tiler	Closed
334111	Plumber (General)	Closed
334112	Aircon. & Mechanical Services Plumber	Closed
334113	Drainer	Closed
334114	Gasfitter	Closed
334115	Roof Plumber	Closed
341111	Electrician (General)	Closed
341112	Electrician (Special Class)	Closed
341113	Lift Mechanic	Closed
342111	Airconditioning & Refrigeration Mechanic	Closed
342212	Technical Cable Joiner	Closed
342311	Business Machine Mechanic	Closed
342313	Electronic Equipment Trades Worker	Closed
342314	Electronic Instrument Tr. Worker (General)	Closed
342315	Elect. Instr. Trades Worker (Special Class)	Closed
342411	Cabler (Data & Telecommunications)	Closed
342413	Telecommunications Linesworker	Closed
351111	Baker	Closed
351112	Pastrycook	Closed
351211	Butcher or Smallgoods Maker	Closed
351411	Cook	Closed
361111	Dog Handler or Trainer	Closed
361199	Animal Attendants & Trainers ( <i>nec</i> )	Closed
361311	Veterinary Nurse	Closed
362111	Florist	Closed
362211	Gardener (General)	Closed
362212	Arborist	Closed
362213	Landscape Gardener	Closed
362311	Greenkeeper	Closed
392111	Print Finisher	Closed

392311	Printing Machinist	Closed
393213	Dressmaker or Tailor	Closed
393311	Upholsterer	Closed
394111	Cabinetmaker	Closed
394211	Furniture Finisher	Closed
394213	Wood Machinist	Closed
394299	Wood Machinists & Other Wood Trades ( <i>nec</i> )	Closed
399111	Boat Builder & Repairer	Closed
399112	Shipwright	Closed
399211	Chemical Plant Operator	Closed
399213	Power Generation Plant Operator	Closed
399312	Library Technician	Closed
399411	Jeweller	Closed
399512	Camera Operator (Film, Television or Video)	Closed
399514	Make Up Artist	Closed
399516	Sound Technician	Closed
399599	Performing Arts Technicians ( <i>nec</i> )	Closed
399611	Sign writer	Closed
411111	Ambulance Officer	Closed
411112	Intensive Care Ambulance Paramedic	Closed
411213	Dental Technician	Closed
411311	Diversional Therapist	Closed
411411	Enrolled Nurse	Closed
411611	Massage Therapist	Closed
411711	Community Worker	Closed
411712	Disabilities Services Officer	Closed
411713	Family Support Worker	Closed
411715	Residential Care Officer	Closed
411716	Youth Worker	Closed
452311	Diving Instructor (Open Water)	Closed
452312	Gymnastics Coach or Instructor	Closed
452313	Horse Riding Coach or Instructor	Closed
452314	Snow sport Instructor	Closed
452315	Swimming Coach or Instructor	Closed
452316	Tennis Coach	Closed

452317	Other Sports Coach or Instructor	Closed
452321	Sports Development Officer	Closed
452411	Footballer	Closed
452499	Sportspersons ( <i>nec</i> )	Closed
511111	Contract Administrator	Closed
511112	Program or Project Administrator	Closed
599612	Insurance Loss Adjuster	Closed
611211	Insurance Agent	Closed
639211	Retail Buyer	Closed

## Contact Us

For more information about the ACT Migration Program, contact:

Client Manager, Skills Canberra,

ACT Chief Minister, Treasury and Economic Development Directorate

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# Australian Bureau of Statistics

## **3101.0 - Australian Demographic Statistics, Sep 2017** Quality Declaration

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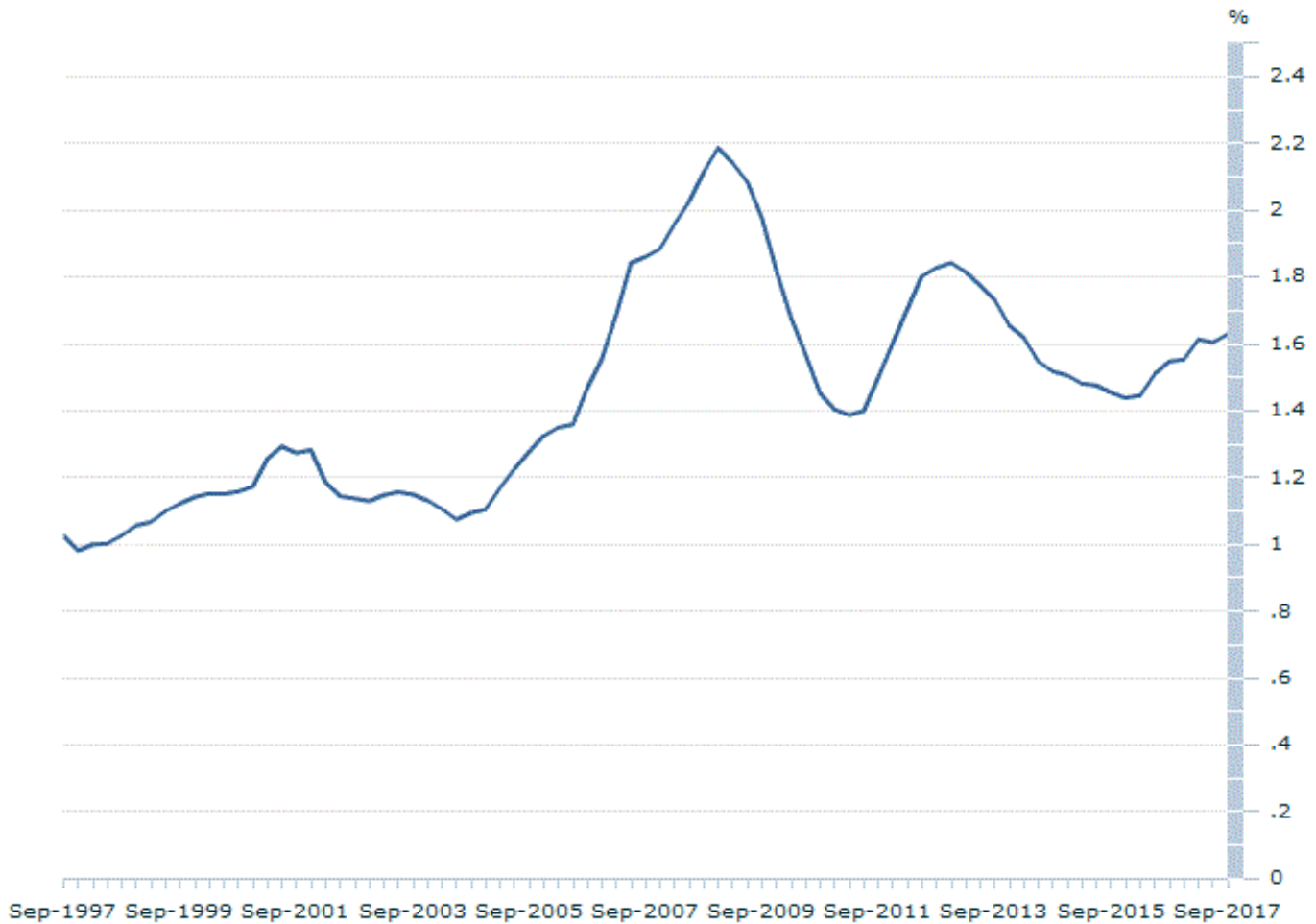
### **MAIN FEATURES COMMENTARY**

#### **ANNUAL POPULATION CHANGE - YEAR ENDING 30 SEPTEMBER 2017**

##### **AUSTRALIA: POPULATION AND GROWTH**

The preliminary estimated resident population (ERP) of Australia at 30 September 2017 was 24,702,900 people. This is an increase of 395,600 people since 30 September 2016 and 103,900 people since 30 June 2017.

The annual population growth rate for the year ended 30 September 2017 was 1.6%.

**Annual population growth rate, Australia (a)(b)**
[Save Chart Image](#)

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**Footnote(s):** (a) Annual growth rate calculated at the end of each quarter. (b) All data to 30 June 2011 is final. Estimates for September 2011 to June 2016 have a status of preliminary rebased. Estimates thereafter are preliminary.

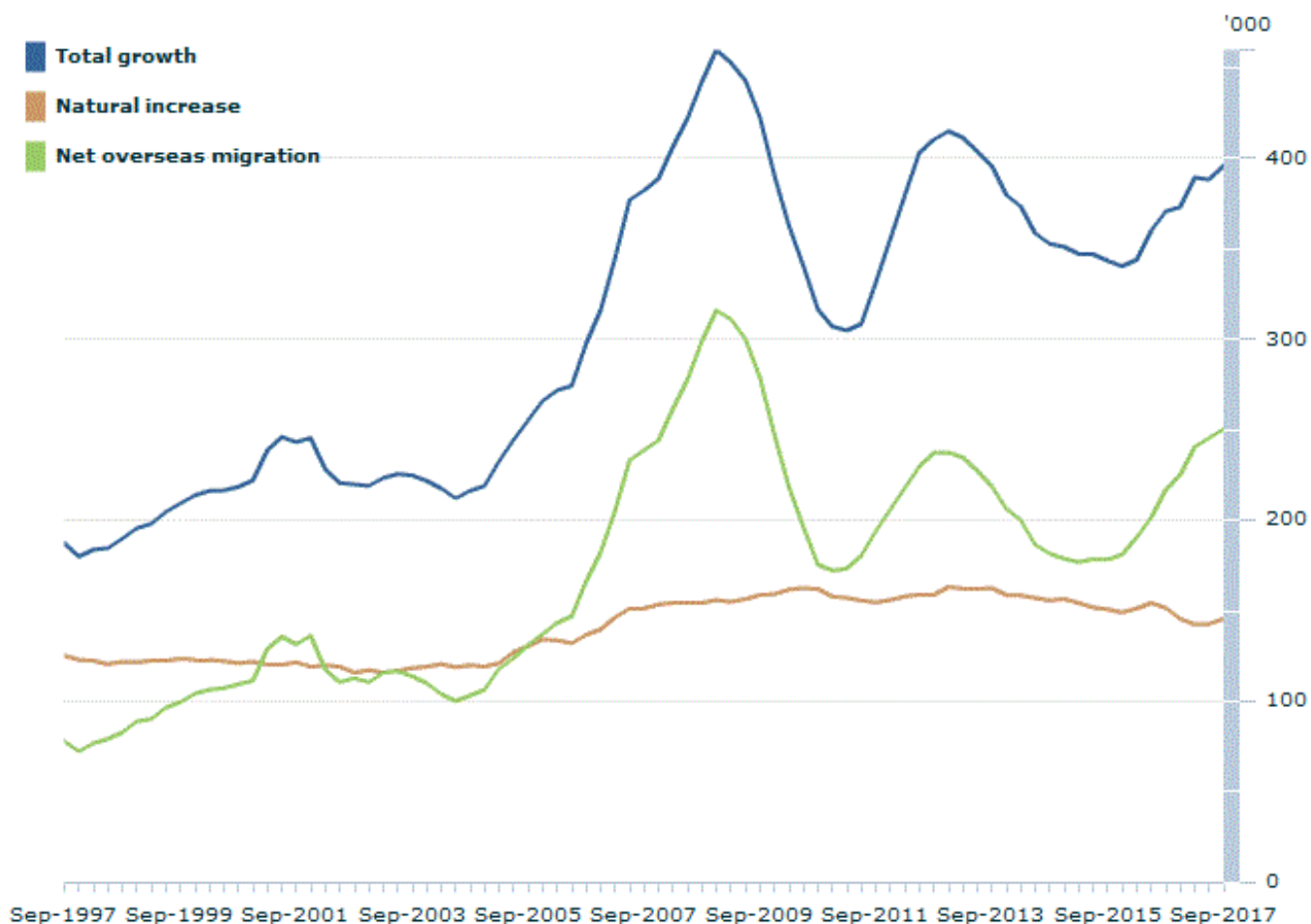
**Source(s):** Australian Demographic Statistics, September quarter 2017

## COMPONENTS OF POPULATION CHANGE

The growth of Australia's population is comprised of natural increase (the number of births minus the number of deaths) and net overseas migration (NOM).

The contribution to population growth for the year ended 30 September 2017 was higher from NOM (63.2%) than from natural increase (36.8%).

Components of annual population growth (a)(b), Australia



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**Footnote(s):** (a) Annual components calculated at the end of each quarter. (b) For further information on each component of population change, see the Explanatory Notes.

**Source(s):** Australian Demographic Statistics, September quarter 2017

**Natural Increase**

The preliminary estimate of natural increase for the year ended 30 September 2017 was 145,500 people, a decrease of 4.0%, or 6,000 people, compared with natural increase for the year ended 30 September 2016 (151,500 people).

**Births**

The preliminary estimate of births for the year ended 30 September 2017 (306,500 births) decreased by 2,100 births from the year ended 30 September 2016 (308,600 births).

**Deaths**

The preliminary estimate of deaths for the year ended 30 September 2017 (161,000 deaths) increased by 3,900 deaths from the year ended 30 September 2016 (157,100 deaths).

## Net Overseas Migration

For the year ended 30 September 2017, Australia's preliminary net overseas migration (NOM) estimate was 250,100 people. This was 15.4% (33,400 people) higher than the net overseas migration estimated for the year ended 30 September 2016 (216,800 people).

NOM arrivals increased by 7.1% (36,700 people) between the years ended 30 September 2016 (514,300 people) and 30 September 2017 (551,000 people).

NOM departures increased by 1.1% (3,300 people) between the years ended 30 September 2016 (297,500 people) and 30 September 2017 (300,800 people).

The preliminary NOM estimate for the September quarter 2017 (69,200 people) was 7.3% (4,700 people) higher than the September quarter 2016 (64,500 people).

## STATES AND TERRITORIES: POPULATION AND GROWTH

The preliminary ERP for each state and territory at 30 September 2017 was as follows:

- New South Wales 7,895,800;
- Victoria 6,358,900;
- Queensland 4,948,700;
- South Australia 1,726,900;
- Western Australia 2,587,100;
- Tasmania 522,000;
- Northern Territory 246,100; and
- Australian Capital Territory 412,600.

Positive population growth occurred in all states and territories in the year ended 30 September 2017. Victoria recorded the fastest growth rate of all states and territories at 2.4%. The Northern Territory recorded the slowest growth rate at less than 1.0%.

## COMPONENTS OF POPULATION CHANGE

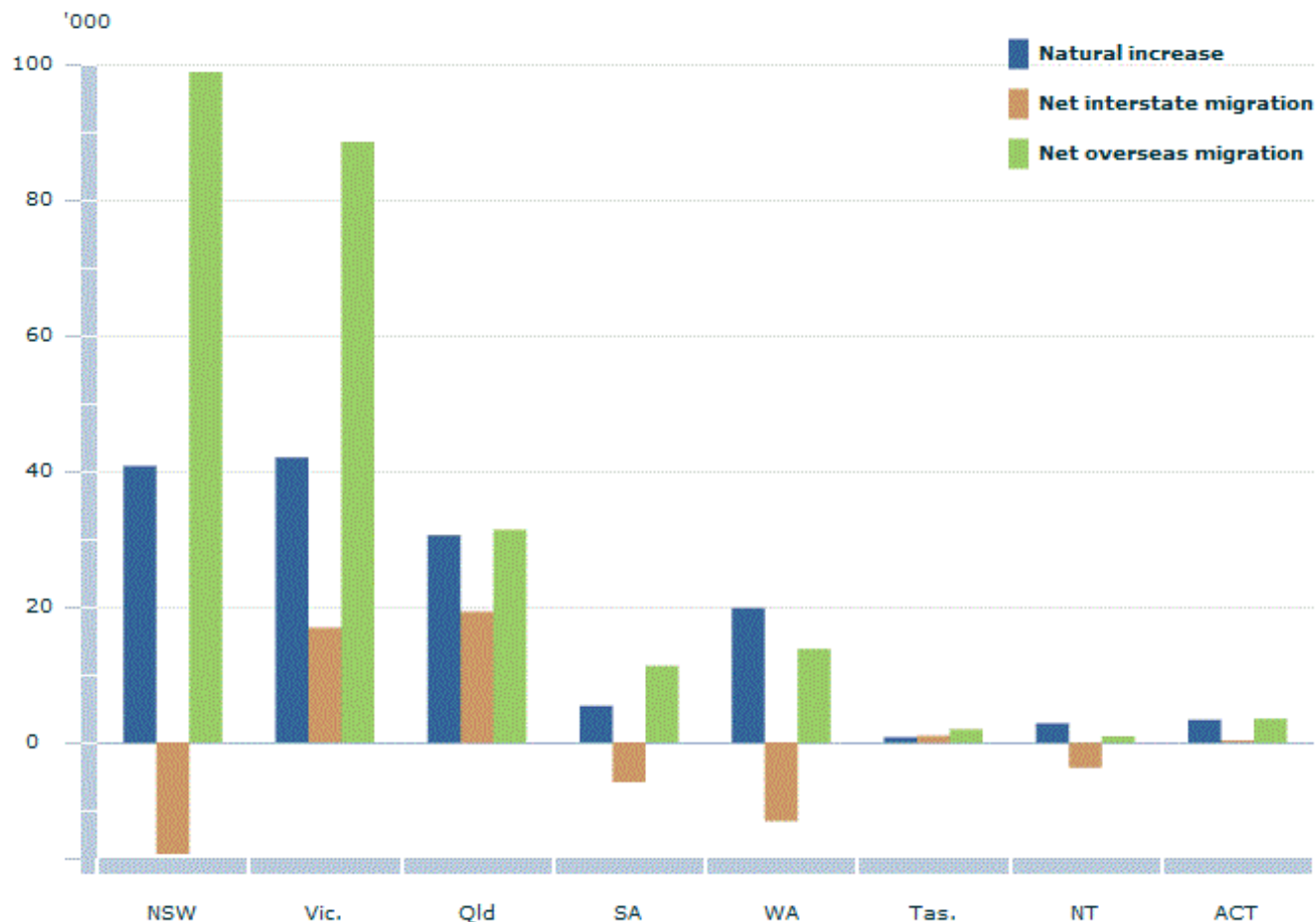
At the state and territory level, population growth has three main components: natural increase, net overseas migration (NOM) and net interstate migration.

Although all states and territories experienced positive population growth in the year ended 30 September 2017, the proportion that each of these components contributed to population growth varied between the states and territories.

For the year ended 30 September 2017, natural increase was the major contributor to population change in Western Australia. NOM was the major contributor to population change in New South Wales, Victoria, Queensland, South Australia, Tasmania and the Australian Capital Territory. A net interstate migration loss was the largest component of population change in the Northern Territory.

Net interstate migration gains occurred in Victoria, Queensland, Tasmania and the Australian Capital Territory. All other states and territories recorded net interstate migration losses.

Components of population change, States & territories



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Source(s): Australian Demographic Statistics, September 2017

**Natural Increase**

**Births**

Compared with the previous year, the total number of births registered for the year ended 30 September 2017 decreased in all states and territories except Victoria (up 6.5%) and the Northern Territory (up 0.2%).

The largest percentage decrease was recorded in the Australian Capital Territory, decreasing by 6.2% (400 births). This was followed by Tasmania (6.0%), Western Australia (4.0%), South Australia (3.6%), New South Wales (3.4%) and Queensland (1.4%). For more information, see table 10.

**Deaths**

The total number of deaths registered for the year ended 30 September 2017 increased in all states and territories.

The Australian Capital Territory recorded the largest percentage increase at 6.8% (100 deaths). This

was followed by South Australia (5.1%), the Northern Territory (4.5%), Tasmania (3.2%), Victoria and Queensland (both 2.9%), New South Wales (1.5%) and Western Australia (0.5%). For more information, see table 11

Preliminary estimates of births and deaths are subject to fluctuations caused by lags or accumulations in the reporting of birth and death registrations (for more information see Explanatory Notes 10-11).

## **Net Overseas Migration**

All states and territories recorded positive NOM for the year ending 30 September 2017. Compared with the previous year, NOM increased in all states and territories. The largest percentage increase in NOM was recorded in Tasmania at 45.8% (600 people). This was followed by the Australian Capital Territory which increased by 45.0% (1,100 people), New South Wales by 17.3% (14,600 people) and Victoria which increased by 15.3% (11,700 people). For more information, see table 12.

### ***NOM arrivals***

The number of NOM arrivals for the year ended 30 September 2017 increased in all states and territories except Western Australia (down 5.1%) and the Northern Territory (down 1.7%). The largest percentage increase in NOM arrivals was recorded in Tasmania at 18.1% (700 people). This was followed by the Australian Capital Territory (up 11.4%), Victoria (up 10.0%), New South Wales (up 9.9%), Queensland (up 5.2%) and South Australia (up 1.2%). For more information, see table 12.

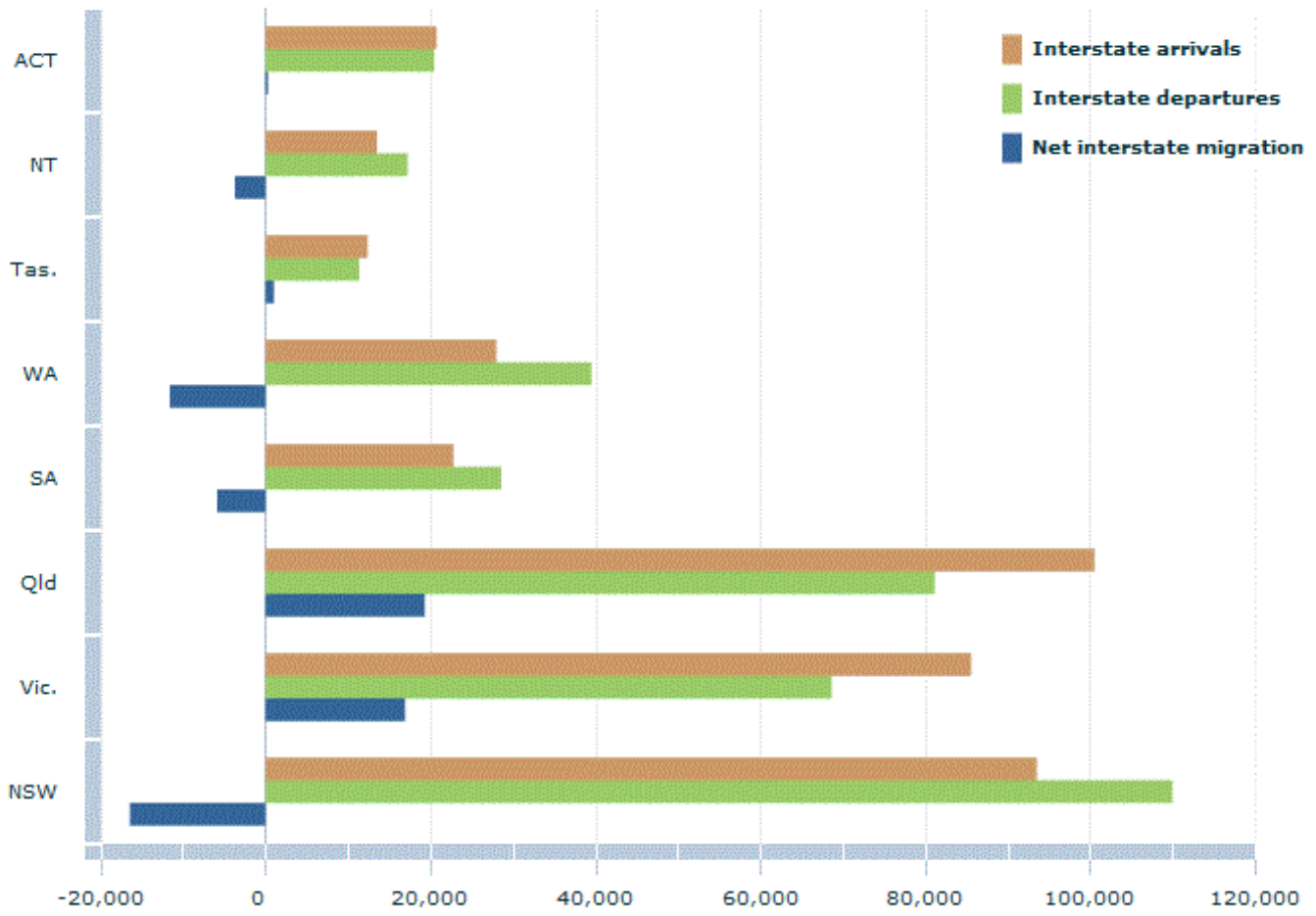
### ***NOM departures***

Compared with the previous year, the number of NOM departures for the year ended 30 September 2017 increased in Victoria (up 4.4%), Tasmania (up 4.0%), New South Wales (up 3.6%) and Queensland (up 1.1%). The largest percentage decrease was recorded in Western Australia at 9.0%. This was followed by the Northern Territory (down 3.5%), the Australian Capital Territory (down 1.2%) and South Australia (down 1.0%). For more information, see table 12.

## **Net Interstate Migration**

In the year ended 30 September 2017, Victoria, Queensland, Tasmania and the Australian Capital Territory recorded net interstate migration gains. Queensland had the highest net gain with 19,300 people, up from 13,000 people in the year ended 30 September 2016. This was followed by Victoria (16,900 people), Tasmania (1,000 people) and the Australian Capital Territory (300 people). Net losses from interstate migration were recorded in New South Wales (16,400 people), Western Australia (11,600), South Australia (5,800 people) and the Northern Territory (3,700 people). For more information, see table 13.

Interstate migration, Arrivals, departures & net



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Source(s): Australian Demographic Statistics, September quarter 2017

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## **ACT Skilled Migration Program Outcomes 2016 – 2017**

### **Summary**

1. The ACT Skilled Migration Program operates within the policy framework set by the Australian Government. The Territory Migration Agreement with the Australian Government provides the ACT with the flexibility to address skills shortages and labour market needs through the State/Territory nominated stream of the Australian Migration Program.
2. Under the terms of the Territory Migration Agreement, the 2016/17 ACT target for skilled independent nominations was set at 750 and cannot be exceeded.
3. The Program has a targeted approach to attracting and nominating skilled migrants to the Territory in response to evidence-based forecasting of occupations in demand.
4. Over the last three years, the Program has re-focused its skill attraction activities to give priority to eligible (foreign nationality) Canberra residents and graduates working in skilled occupations; or their immediate family living overseas who are able to demonstrate good employment prospects.
5. An important driver of population growth in the ACT over the past decade has been international migration. The demographic features of skilled migrants are also important to the economy; skilled migrants are generally 'established career age', highly skilled and bring significant funds to support settlement (an important contributor to housing demand).

### **Key points and statistics**

6. The ACT nominated 746 skilled migrants, with occupations in demand, to migrate to Australia and live in Canberra through the skilled nominated stream.
7. Priority is given to Canberra residents with temporary residency. 60 % of skilled independent applications were received from temporary residents or international students living in Canberra.
8. The ACT Skilled Migration program was closed to overseas applicants in September 2016 due to high demand, as the quota for overseas applicants had been met. The program remained open to Canberra residents.
9. 355 Canberra residents were granted an ACT nominated visa to continue living in Canberra. A further 135 overseas migrants arrived permanently in Canberra (noting their visa may have been granted at any time within the last five years).
10. A further 347 skilled workers were nominated for permanent residence by their ACT employer through the employer nomination stream.

### **Background information**

11. A further 347 skilled workers were nominated for permanent residence by their ACT employer through the employer nomination stream.
12. The ACT Skilled Migration Programme has a targeted approach to attracting and nominating skilled migrants to the Territory in response to evidence-based forecasting



of occupations in demand. The ACT Occupation List identifies occupations in demand for migration purposes. Migrants with occupations on the list are eligible to apply for ACT nomination of a skilled visa to migrate to Australia and live and work in Canberra.

13. In order to identify current and emerging occupations in demand, Skills Canberra has developed a Forecasting of Industry Needs and Entitlement (FINE) model. The model assesses the demand and supply of labour across different occupations according to economic, social and training variables to identify the skills gap that is not being met by the local workforce the ACT. While critical skills shortages in the ACT have eased, parts of the overall ACT labour market still experience pockets of skills shortages in areas such as community service/allied health (e.g. childcare and counselling), nursing/medical, engineering, surveying and the automotive industry.
14. The Department of Home Affairs granted 621 visas to ACT nominated skilled independent migrants. Of these, 355 visas were granted to Canberra residents. Overseas migrants have up to 5 years to make the permanent move to Canberra.
15. 135 overseas migrants arrived permanently in Canberra (noting their visa may have been granted any time within the last five years). Of these, 82 (60 per cent) of the new arrivals requested a meeting and were met by the ACT settlement team on arrival. The meeting provides support and advice to assist the migrant settle in Canberra and find skilled employment.

### **Focus on Canberra residence**

16. After 3 months residence in Canberra, the following applicants are eligible to apply for ACT nomination:
  - a. Temporary residence visa with work rights: 457; diplomats; working holiday; provisional spouse; occupational Training and research – must be working in a skilled occupation
  - b. Visitor visas holders (no work rights) – must have a genuine skilled job offer
17. After 12 months ACT residence, the following applicants are eligible to apply for ACT nomination:
  - a. International students (or their dependents). Canberra graduates must be working in a skilled occupation. Interstate graduates must have worked 6 months in their nominated occupation for an ACT employer before application.
18. PhD graduates from an ACT institution:
  - a. Canberra residents are eligible to apply on PhD completion. For interstate/overseas applicants, the PhD must be granted with the last 2 years.
19. Immediate family members of Canberra residents:
  - a. Overseas close family members are also eligible to apply for ACT nomination, even if their nominated occupation is closed. They must meet the nomination criteria

## **Additional information**

### **Skilled Independent Migration**

Top occupations:

1. Accountants; 21%
2. ICT: 11%
3. HR Advisers: 9%
4. Engineers: 5.0%
5. Registered nurses: 4%
6. HR Advisers: 9%

Top countries:

1. India: 23%
2. China: 22%
3. Pakistan: 10%
4. Philippines: 6.3%
5. Malaysia: 4%

### **Employer sponsored**

Top occupations:

1. Child care room leaders: 20.8%
2. Cooks: 18%
3. Registered Nurse: 8%
4. Retail Manager: 8%
5. Café / Restaurants: 7.8%
6. Academics: 7.4%

Top countries:

1. India: 25%
2. Philippines: 9%
3. China: 8%
4. Pakistan: 5%
5. United Kingdom: 5%

**Chief Minister, Treasury and Economic  
Development Directorate**

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<b>To:</b>	Minister for Economic Development	Tracking No.: CMTEDD2018/1611
<b>Date:</b>	12 April 2018	
<b>CC:</b>	Nil.	
<b>From:</b>	Executive Director, Innovate Canberra	
<b>Subject:</b>	Visa reforms - introduction of Temporary Skill shortage (TSS) subclass 482 visa.	
<b>Critical Date:</b>	In the normal course of business.	
<b>Critical Reason:</b>	In the normal course of business.	

- DDG .../.../...

**Purpose**

To inform you of the recent reforms to the temporary and permanent employer sponsored work visas and the expected impact on ACT employers and local temporary residents.

**Recommendation**

That you note the information contained in this brief.

**Noted / Please Discuss**

MLA ...../...../.....

Minister's Office Feedback

**Background**

1. On 19 April 2017, the Department of Home Affairs (Home Affairs) commenced a significant reform package to strengthen the integrity and quality of Australia's temporary and permanent employer sponsored skilled migration programs. The reform package was completed on 18 March 2018 when the Temporary Skill Shortage (TSS) visa (subclass 482) replaced the Temporary Work (Skilled) (subclass 457) visa. Key reforms include:

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Tracking No.: CMTEDD2018/1611

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- *Temporary sponsored visas:* The TSS visa is comprised of a Short-Term stream of up to two years (unless international trade obligations apply), a Medium-Term stream of up to four years and a Labour Agreement stream. Key reforms include; minimum two years work experience, restrictions on visa renewal, limited permanent pathways and contribution to the Skilling Australians Fund. A detailed summary of the temporary visa reforms is at [Attachment A](#).
- *Permanent nominated Visas:* Concessions that applied to employers nominating under the Regional Sponsored Migration Scheme (RSMS), in which the ACT participates as the Regional Certifying Body, were removed. Key reforms include 45 age limit, 3 year work experience and contribution to the Skilling Australians Fund. A detailed summary of the permanent visa reforms is at [Attachment B](#).
- *Skilling Australia Fund:* Employers will be required to pay a contribution to the Skilling Australians Fund (SAF) for each TSS or permanent visa nomination:
  - TSS visa: \$1200 per year or part year for small businesses (annual turnover < \$10 million) and \$1800 per year for other businesses.
  - Permanent: \$3000 per nomination for small businesses (annual turnover < \$10 million) and \$5000 per nomination for other businesses.

The legislation to implement the SAF is currently with the Australian Parliament.

- *Points tested migrants (ACT nomination):* Home Affairs has legislated an interim Regional Occupation List with 59 occupations only available for nomination in Regional Australia. The ACT is not classified as regional under this list.
- *Regional definition:* Home Affairs is undertaking a review of the 'Regional Australia' definition. They are seeking to consolidate the different definitions of regional Australia used across the various visa programs. The review is expected to be finalised by the end of June 2018.

## Issues

2. **Impact on the ACT.** Since April 2017, the Australian Government's visa reform program has resulted in a significant reduction (40%) in the number of 457 visas granted in the ACT and Australia wide ([Attachment C](#)). TSS visa grants are expected to decline even further as the criteria is aimed at making it considerably more difficult for employers to sponsor skilled overseas labour:
  - ACT employers may find that the restrictive TSS visa criteria and associated higher costs make the TSS an unattractive prospect; affecting their ability and/or desire to employ overseas staff to meet skill shortages;
  - The requirement for TSS applicants to have 2 years work experience will greatly impact on the International Student's eligibility to apply for the visa;
  - The visa reforms will reduce the number of ACT residents eligible to apply for a permanent employer sponsored visa.
  - International students may be deterred from studying at an ACT institution if, due to the visa reforms, their studies do not provide a permanent visa pathway.

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3. The high levy costs associated with the Skilling Australians Fund are also expected to reduce the demand for employer nominated permanent visas. For example, ACT Health were facing a \$5000 levy per nomination. They have implemented a policy to cease nominating staff and direct them to apply under the ACT 190 nominated visa.
4. The reduced permanent pathways is placing increasing pressure on the ACT Skilled Migration program as demand for ACT 190 nomination now exceeds the 800 target of nomination set by the Department of Home Affairs, which cannot be exceeded. Skills Canberra is currently considering new program management options to proactively manage the increasing demand for ACT nomination.
5. The new Regional Occupation List only applies to the Skilled Regional (Provisional) (subclass 489). As the ACT does not meet the regional definition for the provisional 489 scheme, we are not able to nominate the 59 regional occupations, which include property manager, policy analyst, building technician, etc. While the impact is not expected to be significant, one applicant for ACT 190 nomination was immediately affected by the March changes and is now not eligible to apply.
6. While consultations with Home Affairs about the regional Australia definition review are ongoing, it is expected that the ABS regional definition (remote location/low population growth) will be used as a starting point. If the ACT is no longer defined as regional, the impact on ACT employers accessing the 187 stream could be significant. However, while the ACT would lose access to the RSMS the Regional Certifying Body role would cease, employers could still access the Employer Nomination Scheme (subclass 186).

**Financial Implications**

7. If the levy costs reduce demand, this will in turn reduce the funding raised by the Skilling Australians Fund Levy, and the amount of funding available for States and Territories under the Skilling Australians Fund National Partnership, should it be agreed.

**Consultation**

8. Nil.

**Benefits/Sensitivities**

9. Nil.

**Media Implications**

10. Nil.

Signatory Name:

David Miller

Phone: 74791

Action Officer:

Julianne O'Brien

Phone: 71957

**Attachments**

Attachment	Title
Attachment A	Detailed summary of temporary visa reforms
Attachment B	Detailed summary of permanent visa reforms
Attachment C	Temporary and permanent visa grants

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Tracking No.: CMTEDD2018/1611

ACT VET sector growth - Private Business colleges

NATIONAL - TOTAL MARCH 2018 DATA VET - PRIVATE PROVIDERS	Data Year											
	Sum of DATA YTD Enrolments					Sum of DATA YTD Commencements						
	2014	2015	2016	2017	2018	%Growth	2014	2015	2016	2017	2018	%Growth
VET												
NSW	29,869	35,812	42,187	48,195	57,105	18.49	10,280	11,606	13,406	13,704	15,309	11.71
VIC	20,008	22,116	24,497	29,947	35,235	17.66	6,066	6,699	7,628	9,727	10,726	10.27
QLD	10,209	12,914	15,050	16,460	19,322	17.39	3,702	4,382	4,761	5,081	5,926	16.63
WA	4,832	6,109	7,389	8,920	8,958	0.43	1,815	2,153	2,604	2,758	2,694	-2.32
SA	2,655	2,550	2,700	3,160	3,549	12.31	700	604	783	915	1,047	14.43
ACT	139	132	119	146	831	469.18	50	65	37	46	381	728.26
TAS	1	13	71	681	1,298	90.60	0	9	45	322	317	-1.55
NT	96	109	127	173	250	44.51	39	36	48	65	73	12.31
NAT	214	60	4	0	0	0.00	69	0	0	0	0	0.00
	68,023	79,815	92,144	107,682	126,548	17.52	22,721.00	25,554	29,312	32,618	36,473	11.82



**Chief Minister, Treasury and Economic Development Directorate**

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**To:** Chief Minister  

- Minister for Higher Education, Training and Research

Tracking No.: CMTEDD2017/3483

**From:** Executive Director, Innovate Canberra

**Date:** 23 August 2017

**Subject:** Temporary closure of the ACT Migration Program to overseas applicants

**Critical Date:** In the normal course of business.

**Critical Reason:**

- Minister for Higher Education .../.../...
- DG .../.../...

**Purpose**

To provide you with background information about the temporary closure of the ACT Migration Program to overseas applicants on 23 August 2017.

**Recommendations**

That you note the information contained in this brief.

**Noted / Please Discuss**

Andrew Barr MLA ...../...../.....

Minister's Office Feedback

**Background**

- The ACT Migration Program, managed by Skills Canberra CMTEDD, operates within the Australian Government policy framework. The Territory Migration Agreement provides the ACT with the flexibility to contribute to addressing skills shortages and labour market needs through the State/ Territory nominated stream of the Australian Migration Program.

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2. Under this stream, the ACT is able to attract and retain appropriate and sustainable levels of skilled migrants to fill short term skill shortages and to support future strategic industry growth in the region, by nominating eligible migrants, with occupations in demand in the Territory, for a Skilled Nominated (subclass 190) visa.
3. The ACT Occupation List identifies occupations in demand for migration purposes. Migrants with occupations listed as 'open' on the list are eligible to apply for ACT nomination of a skilled visa to migrate to Australia and live and work in Canberra. They must meet the ACT nomination criteria, including evidence of sufficient ACT employment opportunities in their nominated occupation.
4. In order to identify current and emerging occupations in demand, Skills Canberra has developed a Forecasting of Industry Needs and Entitlement (FINE) model which assesses the demand and supply of labour across different occupations according to economic, social and training variables to identify skills gaps that are not being met by the local workforce the ACT.
5. FINE data analysis shows that between February 2013 and August 2015, the number of occupations in demand steadily decreased from 327 to 53. After increasing to 87 occupations in September 2016, the latest FINE update (in June 2017) showed a slight decline with 73 occupations in demand (for migration purposes):
  - a. The demand for skills within the construction and real estate industries eased and occupations within these sectors (including project managers, building associates; property managers, real estate agents etc.) were closed for nomination from overseas migrants.
  - b. The demand for skills within health management, hairdressing and optometry increased and occupations within these sectors were opened for nomination.
  - c. The 'open' status of the following occupations remained unchanged indicating a continual high demand for civil engineers, general practitioners, retail pharmacists, early childhood teachers, architects, medical imaging professionals, registered nurses, counsellors, panel beaters and psychologists.
6. Overseas applicants are eligible to apply for ACT nomination if their nominated occupation is one of the 73 occupations identified as in demand (open); or they have close ties (family or genuine job offer) in Canberra.
7. For many overseas applicants, their only chance to migrate to Australia is to be nominated by a state or territory government when their occupation is in demand in that jurisdiction.
8. The 1 September 2016 update to the ACT Occupation List led to a flood of overseas applications and the Program was closed to overseas applicants 13 days later. The 2016/17 Program remained open to Canberra temporary residents/students wanting to stay permanently in Canberra.

**Issue**

9. Under the terms of the Territory Migration Agreement with the Australian Government, the 2017/18 ACT target for subclass 190 nominations is set at 750.

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10. On 5 July 2017, the 2017/18 ACT Occupation list was published on [www.canberrayourfuture.com.au](http://www.canberrayourfuture.com.au) and the Program was reopened to overseas applicants.
11. As a result, there was another surge from overseas applicants with over 350 applications lodged in the six weeks from the Program reopening on 5 July 2017.
12. The ACT Migration Program closed to overseas applicants on 23 August 2017. However, overseas applicants can still apply if they have close ties (family or job offer) in Canberra or have completed a PhD at an ACT university. This action does not affect Canberra based applicants as they are still able to apply for ACT nomination if they meet the nomination criteria.
13. Once the 750 target is met, we are unable to process any more applications. By closing to overseas applicants, Skills Canberra can ensure that Canberra residents are given priority by reserving at least 50% of the Program target for Canberra based temporary residents/international students.
14. The Program can be reopened at any time if it is deemed there is more capacity within the ACT target to accept overseas applicants.

**Financial Implications**

15. Nil.

**Consultation**

16. Nil

**Benefits/Sensitivities**

17. Nil

**Media Implications**

18. Nil.

Signatory Name: David Miller Phone: x74791

Action Officer: Julianne O'Brien Phone: x71957

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## Attachment H – Notification of future consultation

Dear Agents

The ACT Skilled Migration Program - Agents Forum scheduled for this morning was cancelled yesterday due to unforeseen circumstances.

I sincerely apologise to any agents who were affected by the short notice, especially those agents who travelled interstate.

As you are aware, we were intending to discuss some new program management options that could be introduced in future, which might allow a more strategic approach to the consideration of applications and assist demand management for the 190 visa subclass. As is the situation in other jurisdictions, the program is faced with significant excess demand against the relatively small number of nomination places provided to the ACT by the Department of Home Affairs. Options under consideration may help us avoid having to use blunt instruments such as program closure in managing demand.

As we work through these issues and consider options, I can assure you that no changes to the current application and assessment processes will be introduced on 1 July 2018. We anticipate that consultation will be undertaken early in the next financial year.



## MINISTERIAL BRIEF

Chief Minister, Treasury and Economic  
Development Directorate

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To: Chief Minister

Tracking No.: CMTEDD2018/3095

Date: 26 June 2018

CC: Minister for Higher Education, Training and Research

From: Director Skills Canberra

Subject: Introduction of temporary process to manage the ACT Skilled nominated migration program demand from 1 July 2018 while a Cabinet process is undertaken to decide the future management strategy of the program.

Critical Date: 27 June 2018

Critical Reason: Need agreement from Chief Minister by this date to allow time to have arrangements ready for 1 July 2018.

- DDG .../.../...

### Purpose

To seek your agreement for interim program management arrangements regarding the ACT Skilled Nominated Migration stream from 30 June 2108, while a Cabinet process is undertaken to inform the ongoing strategic management of the program. The ACT Skilled Nomination (Subclass 190) stream of the program will be open to Canberra residents with occupations in demand and will remain closed to overseas applicants.

### Recommendations

That you:

1. Agree that the ACT Skilled Nominated (Subclass 190) stream will remain open to Canberra temporary residents with occupations in demand on the ACT Occupation List, and remain closed to overseas applicants from 1 July 2018. This will allow ongoing nomination of critical occupations while revised arrangements are considered.

**Agreed / Noted / Please Discuss**

2. Note that a Cabinet process to decide the future strategic management of the ACT Skilled Nominated program will be undertaken and expedited.

**Noted / Please Discuss**

Andrew Barr MLA.....  ..... 2.7.18.

Minister's Office Feedback

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## Background

1. The Territory Migration Agreement with the Australian Government ([Attachment A](#)) provides the ACT Skilled Migration Program, managed by Skills Canberra, with an avenue to address skilled labour needs through the **Skilled Nominated** (Subclass 190) visa stream.
2. Under an agreement with the Australian Government, the ACT is allocated 750 places each financial year to nominate intending migrants with occupations in demand in Canberra. ACT nomination does not guarantee a migration outcome, but triggers a formal visa invitation by the Department of Home Affairs (Home Affairs).
3. To identify current and emerging occupations in demand, Skills Canberra has developed a Forecasting of Industry Needs and Entitlement (FINE) model which assesses the demand and supply of labour across different occupations according to economic, social and training variables to identify skills gaps that are not being met by the local workforce in the ACT. FINE data informs the ACT Occupation List identifying occupations in demand for migration purposes. ([Attachment B](#)).
4. The ACT Skilled Migration Program is a significant contributor to the territory population growth and the economy. In the last three years, 2,079 Skilled Nominated and 1,489 Employer Nominated migrants, plus their dependents, settled permanently in Canberra. This outcome is reflected in the Net Overseas Migration increase of 1,100 people (or 45%) since September 2016 ([Attachment C](#)).
5. As well as bringing essential skills in demand into the Territory, there is a potential economic benefit of \$249 million in nominated settlement assets being transferred into the ACT (as declared by the ACT nominated applicants within the last three years). The 2016/17 Skilled Migration Program outcomes are at [Attachment D](#).
6. Recent Home Affairs legislation further restricting the eligibility criteria for employer nominated visas has resulted in increased demand for the state/territory nomination pathway. See CMTEDD2018/1611 at [Attachment E](#).
7. In addition, the high levy costs associated with the Skilling Australians Fund are also expected to reduce the demand for employer nominated permanent visas. For example, ACT Health were facing a \$5000 levy per nomination. ACT Health has confirmed that since March 2018 it has ceased sponsoring employees through the employer nomination route and is directing potential skilled migrants to apply under the Skilled Nominated stream where the SAF levy is not applied.
8. Since 1 July 2017 to date, around 1250 applications for ACT nomination have been lodged. Despite Home Affairs temporarily increasing the ACT allocation by 100 in early May, there still remain over 350 applications in the system which will need to be considered in 2018/19 when the Home Affairs annual program allocation of 750 is reset.
9. The pressure on the Skilled Nominated stream is expected to grow in 2018/19. There are over 17,000 international students and temporary residents living in Canberra. Anecdotal advice from agents indicates a significant number of interstate international students have moved to Canberra since July 2017 to position to access the ACT

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nominated pathway. This advice is supported by an eight-fold increase in private business college enrolments in Canberra from January to March 2018 at [Attachment F](#). Commencements have jumped from around 50 annually to 380 year to date.

10. Currently the only way to manage the influx of applications is to close the ACT nomination program without notice, when the numbers of applications received in a condensed time period puts obvious pressure on the annual allocation. For example, in August 2017, 400 applications were received in four weeks and the decision was made to close the Subclass 190 stream of the program to overseas applicants. The lack of notice and resulting backlog and lengthy processing time led to several complaints.
11. The Subclass 190 nominated program currently remains closed to all overseas applicants unless they have close family ties to Canberra. See CMTEDD2017/3483 at [Attachment G](#).
12. In response to the issues identified above, Skills Canberra has investigated different options to manage to ACT nominated program and has reviewed the management approaches of other jurisdictions. As a result, Skills Canberra has identified a range of options to manage demand for the program in future years.

### Issues

13. Skills Canberra is currently preparing a Cabinet Submission to present options and seek agreement on changes to the ongoing strategic management of the ACT Skilled Nominated migration stream. We anticipate this Submission will be considered in September 2018.
14. In the meantime, three options to manage demand for the program from 1 July 2018 have been identified:
  - a. Option 1: the ACT nominated program is closed to all new applications. This will allow the processing of grandfathered applications (currently 350, but expected to increase further by the end of June) but preserve the remaining 2018/19 allocation until Cabinet determines forward strategic management treatments. For example, if all the 350 applicants were approved (which is unlikely), that would leave 400 nominations for the remainder of the 2018/19 year.
  - b. Option 2: the ACT nominated program remains open to Canberra temporary residents with occupations in demand on the ACT Occupation List e.g., medical staff, allied health professionals and engineers, etc., but closes to all other occupations and remains closed to overseas applicants. This will allow the processing of grandfathered applications (currently 350, but expected to increase further by the end of June) and ensure the ongoing nomination of critical occupations for Canberra temporary residents during the Cabinet process. The Program would then re-open once Cabinet determines the forward strategic management treatments. *This is Economic Development's preferred option.*
  - c. Option 3: the Program remains open to all Canberra residents on 1 July 2018. It is expected that the remaining nomination places (750 minus those approved from the 350 grandfathered applications) will be used by end of July 2018 as new applications are received from 1 July 2018. Once the 2018/19 allocation is met, the program will have to close, regardless of demand, until the start of 2019/20. There

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will be no capacity to nominate essential occupations e.g., ACT Health staff, academics, trades etc., for the remaining 11 months of the 2018/19 financial year.

**Financial Implications**

15. Not applicable.

**Consultation**Internal

16. Not applicable.

Cross Directorate

17. Not applicable.

External

18. A consultation forum was planned to occur with migration agents on 14 June 2018, but it was decided it was too early in the process for this to occur. The consultation was subsequently cancelled and agents were notified that consultation would occur at a later time (Attachment H). Future consultation will inform the Cabinet Submission.

Benefits/Sensitivities

19. Option 2 will enable the program to be managed and administered in a sustainable way until a Cabinet process is finalized, and is consistent with the advice provided to migration agents on 13 June 2018.

20. Whatever option is chosen, there is potential for complaints by those unable to apply for ACT nomination until the program reopens. However the potential for complaints is greater if the 2018/19 program is closed completely once the allocation is met, and highly skilled, long term residents (e.g., registered nurses) are unable to apply for ACT nomination until 2019/20 if the Home Affairs allocation is met by end July 2018.

Media Implications

21. There is potential for negative media if the ACT nomination process closes on 30 June 2018 as noted above.

Signatory Name: Kareena Arthy Phone: 75564

Action Officer: David Miller Phone: 74791

**Attachments**

Attachment	Title
Attachment A	Territory Migration Agreement with the Australian Government
Attachment B	ACT Occupation List
Attachment C	Net Overseas Migration gain into ACT
Attachment D	2016/17 Skilled Migration Program outcomes
Attachment E	CMTEDD2018/1611
Attachment F	Increase in ACT private business college growth
Attachment G	CMTEDD2017/3483
Attachment H	Notification of future consultation

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**From:** [Arthy, Kareena](#)  
**To:** [Miller, DavidJ](#)  
**Cc:** [Cox, Ian](#)  
**Subject:** RE: ACT Skilled Migration Program [DLM=For-Official-Use-Only]  
**Date:** Thursday, 28 June 2018 2:16:00 PM

---

Please make sure this is handled very carefully. I copped a lot of flak from the office yesterday over this program and the brief mainly because the CMO didn't know it was coming and they viewed the proposed changes as going directly against their instructions on the previous brief. They were also of the view they were left no choice but to sign – given we have had a year to sort this out, it was not acceptable.

I had to wear it because ultimately it is my responsibility, but you both need to think very carefully about how you ensure CMO are fully across issues coming to them on sensitive issues and that appropriate timeframes are left for decision making (and no, giving me only a short time to turn around a complex brief is not the answer). I am incredibly unhappy about this one.

Cheers  
Kareena

---

**From:** Miller, DavidJ  
**Sent:** Thursday, 28 June 2018 12:30 PM  
**To:** Arthy, Kareena <[Kareena.Arthy@act.gov.au](mailto:Kareena.Arthy@act.gov.au)>  
**Cc:** Cox, Ian <[Ian.Cox@act.gov.au](mailto:Ian.Cox@act.gov.au)>  
**Subject:** RE: ACT Skilled Migration Program [DLM=For-Official-Use-Only]

Update will be posted on the website, and a notification will go out to all the migration agents. This is planned for tomorrow.

We're also preparing some standard responses for any discontent.

Most of the content is based on the messaging used when we cancelled the info session the other week.

Regs  
Dave

---

**From:** Arthy, Kareena  
**Sent:** Thursday, 28 June 2018 10:18 AM  
**To:** Miller, DavidJ <[DavidJ.Miller@act.gov.au](mailto:DavidJ.Miller@act.gov.au)>  
**Cc:** Cox, Ian <[Ian.Cox@act.gov.au](mailto:Ian.Cox@act.gov.au)>  
**Subject:** Fwd: ACT Skilled Migration Program [DLM=For-Official-Use-Only]

Can you please tell me how this is to be communicated to the sector?

Sent from my iPad

Begin forwarded message:

**From:** EnterpriseCBR DLO <[EnterpriseCBRDLO@act.gov.au](mailto:EnterpriseCBRDLO@act.gov.au)>  
**Date:** 28 June 2018 at 10:00:25 am AEST  
**To:** "Arthy, Kareena" <[Kareena.Arthy@act.gov.au](mailto:Kareena.Arthy@act.gov.au)>, "Cox, Ian" <[Ian.Cox@act.gov.au](mailto:Ian.Cox@act.gov.au)>  
**Cc:** "Hanns, Susan" <[Susan.Hanns@act.gov.au](mailto:Susan.Hanns@act.gov.au)>, "Campbell, Morgan" <[Morgan.Campbell@act.gov.au](mailto:Morgan.Campbell@act.gov.au)>, "Miller, DavidJ" <[DavidJ.Miller@act.gov.au](mailto:DavidJ.Miller@act.gov.au)>  
**Subject:** ACT Skilled Migration Program [DLM=For-Official-Use-Only]

Good Morning

The Chief has given the approval for this brief to proceed.

Kind regards  
Stephanie

**Stephanie McMullen | Directorate Liaison Officer - Economic Development  
Office of the Chief Minister | Office of Minister Ramsay | Office of Minister Fitzharris | Office  
of Minister Berry**

Chief Minister, Treasury and Economic Development Directorate | ACT Government  
☎ (02) 6205 4643 | ✉ [EnterpriseCBRDLO@act.gov.au](mailto:EnterpriseCBRDLO@act.gov.au) | ACT Legislative Assembly, 196 London  
Circuit Canberra City ACT 2601

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**From:** Barr, Andrew  
**Sent:** Wednesday, 27 June 2018 10:30 PM  
**To:** Greenwood, Martin <[Martin.Greenwood@act.gov.au](mailto:Martin.Greenwood@act.gov.au)>  
**Cc:** Cook, Michael <[Michael.Cook@act.gov.au](mailto:Michael.Cook@act.gov.au)>; Fox, Richard <[RichardD.Fox@act.gov.au](mailto:RichardD.Fox@act.gov.au)>  
**Subject:** Re: For your review: ACT Skilled Migration Program - Agreement to Restrict Applications for 1 July [DLM=For-Official-Use-Only]

The recommended solution is the only way forward this coming year - but we do need to manage this better in future.

Andrew Barr MLA  
Chief Minister  
Australian Capital Territory

---

**From:** McMullen, Stephanie **On Behalf Of** EnterpriseCBR DLO  
**Sent:** Wednesday, 27 June 2018 12:25 PM  
**To:** Greenwood, Martin <[Martin.Greenwood@act.gov.au](mailto:Martin.Greenwood@act.gov.au)>  
**Cc:** Fox, Richard <[RichardD.Fox@act.gov.au](mailto:RichardD.Fox@act.gov.au)>  
**Subject:** For your review: ACT Skilled Migration Program - Agreement to Restrict Applications for 1 July [DLM=For-Official-Use-Only]



Hi Martin

This brief has come through to me this morning. The brief is seeking the CM's agreement that the ACT Skilled Nominated (Subclass 190) stream will remain open to Canberra temporary residents with occupations in demand on the ACT Occupation List, and remain closed to overseas applicants from 1 July 2018.

As 1 July is this Sunday, agreement to restrict applications as per the above is required asap Friday 29 June. This will allow the team to update the website and notify all Migration Agents via email prior to 1 July. Obviously agreement via email due to the timeframes will be sufficient.

The brief is very detailed however in a nut shell: The Home Affairs allocation of 750 places (for the ACT) is due to reset on 1 July. There is currently 350 applications in the system which will need to be considered in 2018-19. If applications are not restricted prior to 1 July, we are likely to get an influx of applications and places will be exhausted within days or weeks, resulting in a closure of the program for the remainder of 2018-19. The potential for complaints is greater if the program is closed completely.

Attached you will find:

- Cover brief to CM
- Attachment A Territory Migration Agreement with the Australian Government
- Attachment B ACT Occupation List
- Attachment C Net Overseas Migration gain into ACT
- Attachment D 2016/17 Skilled Migration Program outcomes
- Attachment E CMTEDD2018/1611
- Attachment F Increase in ACT private business college growth
- Attachment G CMTEDD2017/3483
- Attachment H Notification of future consultation

Skills Canberra will progress a Cabinet Submission to decide the future management of the program.

I have provided the hard copy to Richard to review, and a copy will also be provided to the Fitzharris office. Happy to discuss this further.

Regards  
Steph

**Stephanie McMullen | Directorate Liaison Officer - Economic Development  
Office of the Chief Minister | Office of Minister Ramsay | Office of Minister  
Fitzharris | Office of Minister Berry**  
Chief Minister, Treasury and Economic Development Directorate | ACT

Government

☎ (02) 6205 4643 | ✉ [EnterpriseCBRDLO@act.gov.au](mailto:EnterpriseCBRDLO@act.gov.au) | ACT Legislative  
Assembly, 196 London Circuit Canberra City ACT 2601

**From:** [Bayer, Chris](#)  
**To:** [Miller, DavidJ](#)  
**Subject:** Communications re Skilled Migration program restrictions [SEC=UNCLASSIFIED]  
**Date:** Thursday, 28 June 2018 1:20:00 PM  
**Attachments:** [CCYF closure messageV2.docx](#)

---

Dave

Here is the current version of the communications.

1. A 'banner heading' for the CCYF website. This will appear on all pages of the website.
2. Messing for the skilled visa – ACT 190 nomination page
3. Email to Migration Agents
4. Email to applicants with existing applications in the system

Let me know if you want any changes. I've highlighted a couple of lines that you may want to take out.

**Chris Bayer | Manager - National Data Collections, Reporting and Skilled Migration**

Phone: 02 6205 9134 | Email: [chris.bayer@act.gov.au](mailto:chris.bayer@act.gov.au)

**Skills Canberra | Chief Minister, Treasury and Economic Development Directorate | ACT Government**

Level 4, Nara House | GPO Box 158 Canberra ACT 2601 | [www.cmtedd.act.gov.au](http://www.cmtedd.act.gov.au)

**Canberrayourfuture.com.au**

**1. Banner (Important Message)** - will appear on every page of the CCYF website

**Effective 29 June 2018:**

**Canberra residents:** your nominated occupation must be listed as '**open**' on the current ACT Occupation List.

- If your nominated occupation is listed as '**closed**' on the current ACT Occupation List, you are not eligible to apply for ACT 190 nomination.

**Overseas residents:** The ACT 190 nomination program is currently closed to **ALL** overseas applicants, including those with close ties to Canberra.

## 2. Update to wording on SKILLED VISA - ACT 190 NOMINATION PAGE

<http://www.canberrayourfuture.com.au/portal/migrating/article/skilled-visa-act-190-nomination/>

### Effective 1 July 2018:

**Canberra residents:** You are eligible to apply for ACT 190 nomination if your nominated occupation is listed as 'open' on the current ACT Occupation List.

You are not eligible to apply for ACT 190 nomination if your nominated occupation is listed as 'closed' on the current ACT Occupation List,

**Overseas residents:** The ACT 190 nomination program is currently closed to ALL overseas applicants, including those with close ties to Canberra.

As is the situation in other jurisdictions, the ACT is faced with significant excess demand against the relatively small number of nomination places allocated by Home Affairs. We are currently investigating a range of administrative options to manage the unsustainable demand on the ACT 190 nomination program.

As we work through these issues and consider options, the program will remain suspended to Canberra residents with nominated occupations listed as 'closed' on the current ACT Occupation List. Once a decision has been made by government, a new strategic program management processes will be published.

Commented [BC1]: I think we should take this out

*Canberra - Confident, Bold and Ready.*

*The ACT Government can support your dream to live permanently in Canberra. Read through the following information about ACT nomination of a Skilled Nominated (subclass 190) visa and see whether you are eligible to apply for ACT nomination.*

### **Skilled Nominated (subclass 190) visa**

*The Skilled Nominated (subclass 190) visa is a points-based visa for skilled workers who are nominated by a state or territory because their occupations are in demand in that jurisdiction.*

*If you are nominated by the ACT you are awarded five additional points towards your overall points score. On ACT nomination, if you have the required 60 points, you will automatically receive an invitation from Department of Home Affairs to apply for the Skilled Nominated (subclass 190) visa.*

*The ACT Skilled Migration Program may close at any time (without notice) once it is deemed that the program targets have been met for the particular financial year.*

*You must read the ACT 190 nomination guidelines carefully; and be satisfied that you meet the ACT 190 nomination criteria BEFORE you apply for ACT 190 nomination.*

### **Skilled - Nominated (provisional) (subclass 489) visa**

*Please note the ACT does not have access to nominate subclass 489 visas*

## Email Agents

### Subject line – Important announcement – suspension of ACT 190 nomination program.

Dear Agents

I would like to advise you that effective immediately (4pm, Friday 29 June 2018 AEST):

Commented [BC2]: Is 4pm OK, or would noon be better?

**Overseas residents:** The ACT 190 nomination program is now **closed** to **ALL** overseas applicants, including those with close ties to Canberra.

**Canberra residents:** The ACT 190 nomination program is now suspended to Canberra residents with a nominated occupation listed as '**closed**' on the current ACT Occupation List.

Canberra residents with a nominated occupation listed as '**open**' on the current ACT Occupation List are still eligible to apply for ACT 190 nomination.

#### What happens to current applications nominating a closed occupation?

- 'Commenced': applications commenced after 4 pm AEST, Friday 29 June 2018 will be refused.
- 'In progress': applications commenced but not lodged prior to 4pm AEST Friday 29 June 2018, must be finalised and submitted (with fee paid) by midnight (AEST) Saturday 30 June 2018. Applications not finalised will be automatically lapsed.
- 'Submitted – payment pending': payment of the service fee must be made by midnight (AEST) Saturday 30 June 2018. If the service fee is not paid before 1 July 2018, the application will be refused.
- 'Lodged': applications already lodged prior to 4pm AEST Friday 29 June 2018 will not be affected by this suspension. Although these applications will be processed in 2018/19, they will be grandfathered and assessed against the 2017/18 nomination criteria.

#### Reason for suspension

As is the situation in other jurisdictions, the ACT is faced with significant excess demand against the relatively small number of nomination places allocated by Home Affairs. We are currently investigating a range of administration options to manage the unsustainable demand on the ACT 190 nomination program. As we work through these issues and consider options, the program will remain suspended to Canberra residents with nominated occupations listed as '**closed**' on the current ACT Occupation List. **Once a decision has been made by government, you will be consulted before a new strategic program management processes is implemented.**

Commented [BC3]: Do you want this sentence taken out?

Regards

*Julianne O'Brien*

Phone: 02 6207 1957 | Email: [julianne.obrien@act.gov.au](mailto:julianne.obrien@act.gov.au)

Skills Canberra | Chief Minister, Treasury and Economic Development Directorate

ACT Government | Nara Centre, 1 Constitution Ave Canberra 2601

GPO Box 158 Canberra ACT 2601 | [act.gov.au](http://act.gov.au)

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## Email to applicants

Dear applicant for ACT 190 nomination

I would like to advise you that effective immediately (4 pm, Friday 29 June 2018 AEST) the ACT 190 nomination program is suspended to Canberra residents with a nominated occupation listed as **'closed'** on the current ACT Occupation List.

You have commenced an application for ACT 190 nomination. If you wish to continue, you must finalise and submit the application (with fee paid) by midnight Saturday 30 June 2018 (AEST).

Applications not finalised by midnight Saturday 30 June 2018 (AEST) will automatically lapse. If your application is lapsed, you may reapply for ACT nomination if your occupation is 'open' on the current ACT Occupation List.

### Reason for suspension

As is the situation in other jurisdictions, the ACT is faced with significant excess demand against the relatively small number of nomination places allocated by Home Affairs. We are currently investigating a range of administrative options to manage the unprecedented demand on the ACT 190 nomination program. As we work through these issues and consider options, the program will remain suspended to Canberra residents with nominated occupations **'closed'** on the current ACT Occupation List. Once a decision has been made by government, a new strategic program management processes will be published.

Regards

*Julianne O'Brien*

Phone: 02 6207 1957 | Email: [julianne.obrien@act.gov.au](mailto:julianne.obrien@act.gov.au)

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ACT Government | GPO Box 158 Canberra ACT 2601 | [act.gov.au](http://act.gov.au)

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**From:** [Miller, DavidJ](#)  
**To:** [Bayer, Chris](#)  
**Cc:** [Cox, Ian](#)  
**Subject:** FW: Communications re Skilled Migration program restrictions [SEC=UNCLASSIFIED]  
**Date:** Thursday, 28 June 2018 7:08:56 PM  
**Attachments:** [CCYF closure messageV2.docx](#)

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Chris, just check that the language in the email to applicants is also consistent with the previous language used about the situation/reasons for the suspension.

Also wondering if in the email to agents, for the overseas bit we say: program remains closed for applications without close ties to Canberra, and is now closed to overseas applicants with close ties to Canberra.

i.e. we start with the indication that current circumstances are continuing for the overseas applicants in the first category, but is also now closed to second category.

Just looking at the opportunity (though small) to reinforce that at least in some ways this is just a continuation of the current circumstances.

Regs  
Dave

---

**From:** Bayer, Chris  
**Sent:** Thursday, 28 June 2018 2:06 PM  
**To:** Miller, DavidJ <[DavidJ.Miller@act.gov.au](mailto:DavidJ.Miller@act.gov.au)>  
**Subject:** RE: Communications re Skilled Migration program restrictions [SEC=UNCLASSIFIED]

Dave

Wording checked and changes made.

Let me know if it is OK.

Chris

**Chris Bayer | Manager - National Data Collections, Reporting and Skilled Migration**  
Phone: 02 6205 9134 | Email: [chris.bayer@act.gov.au](mailto:chris.bayer@act.gov.au)  
**Skills Canberra | Chief Minister, Treasury and Economic Development Directorate | ACT Government**  
Level 4, Nara House | GPO Box 158 Canberra ACT 2601 | [www.cmtedd.act.gov.au](http://www.cmtedd.act.gov.au)

---

**From:** Bayer, Chris  
**Sent:** Thursday, 28 June 2018 1:20 PM  
**To:** Miller, DavidJ <[DavidJ.Miller@act.gov.au](mailto:DavidJ.Miller@act.gov.au)>  
**Subject:** Communications re Skilled Migration program restrictions [SEC=UNCLASSIFIED]

Dave

Here is the current version of the communications.



1. A 'banner heading' for the CCYF website. This will appear on all pages of the website.
2. Messing for the skilled visa – ACT 190 nomination page
3. Email to Migration Agents
4. Email to applicants with existing applications in the system

Let me know if you want any changes. I've highlighted a couple of lines that you may want to take out.

**Chris Bayer | Manager - National Data Collections, Reporting and Skilled Migration**

Phone: 02 6205 9134 | Email: [chris.bayer@act.gov.au](mailto:chris.bayer@act.gov.au)

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**1. Banner (Important Message)** - will appear on every page of the CCYF website

**Effective 29 June 2018:**

**Canberra residents:**

- You are eligible to apply for ACT 190 nomination if your nominated occupation is listed as **'open'** on the current ACT Occupation List.
- You are not eligible to apply for ACT 190 nomination if your nominated occupation is listed as **'closed'** on the current ACT Occupation List.

**Overseas residents:**

- The ACT 190 nomination program is currently closed to **ALL** overseas applicants, including those with close ties to Canberra.

## 2. Update to wording on SKILLED VISA - ACT 190 NOMINATION PAGE

<http://www.canberrayourfuture.com.au/portal/migrating/article/skilled-visa-act-190-nomination/>

### Effective 1 July 2018:

#### Canberra residents:

- You are eligible to apply for ACT 190 nomination if your nominated occupation is listed as **'open'** on the current ACT Occupation List.
- You are not eligible to apply for ACT 190 nomination if your nominated occupation is listed as **'closed'** on the current ACT Occupation List,

#### Overseas residents:

- The ACT 190 nomination program is currently closed to **ALL** overseas applicants, including those with close ties to Canberra.

As is the situation in other jurisdictions, the ACT is facing a significant increase in demand for the relatively small number of nomination places allocated by Home Affairs. We are currently investigating a range of administrative options to manage the increased demand for the ACT 190 nomination program.

As we work through these issues and consider options to manage demand, the program will remain suspended to Canberra residents with nominated occupations listed as **'closed'** on the current ACT Occupation List.

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*The ACT Government can support your dream to live permanently in Canberra. Read through the following information about ACT nomination of a Skilled Nominated (subclass 190) visa and see whether you are eligible to apply for ACT nomination.*

#### **Skilled Nominated (subclass 190) visa**

*The Skilled Nominated (subclass 190) visa is a points-based visa for skilled workers who are nominated by a state or territory because their occupations are in demand in that jurisdiction.*

*If you are nominated by the ACT you are awarded five additional points towards your overall points score. On ACT nomination, if you have the required 60 points, you will automatically receive an invitation from Department of Home Affairs to apply for the Skilled Nominated (subclass 190) visa.*

*The ACT Skilled Migration Program may close at any time (without notice) once it is deemed that the program targets have been met for the particular financial year.*

*You must read the ACT 190 nomination guidelines carefully; and be satisfied that you meet the ACT 190 nomination criteria BEFORE you apply for ACT 190 nomination.*

#### **Skilled - Nominated (provisional) (subclass 489) visa**

*Please note the ACT does not have access to nominate subclass 489 visas*

## Email Agents

### Subject line – Important announcement – suspension of ACT 190 nomination program.

Dear Agents

I would like to advise you that effective immediately (12:00 noon, Friday 29 June 2018 AEST):

**Overseas residents:** The ACT 190 nomination program is now closed to **ALL** overseas applicants, including those with close ties to Canberra.

**Canberra residents:** The ACT 190 nomination program is now suspended to Canberra residents with a nominated occupation listed as '**closed**' on the current ACT Occupation List.

Canberra residents with a nominated occupation listed as '**open**' on the current ACT Occupation List are still eligible to apply for ACT 190 nomination.

#### What happens to current applications nominating a closed occupation?

- 'Commenced': applications commenced after 12 noon AEST, Friday 29 June 2018 will be refused.
- 'In progress': applications commenced but not lodged prior to 4pm AEST Friday 29 June 2018, must be finalised and submitted (with fee paid) by 11:59 pm (AEST) Saturday 30 June 2018. Applications not finalised will be automatically lapsed.
- 'Submitted – payment pending': payment of the service fee must be made by 11:59 pm (AEST) Saturday 30 June 2018. If the service fee is not paid before 1 July 2018, the application will be refused.
- 'Lodged': applications already lodged prior to 12 noon AEST Friday 29 June 2018 will not be affected by this suspension. Although these applications will be processed in 2018/19, they will be grandfathered and assessed against the 2017/18 nomination criteria.

#### Reason for restricting applications

As is the situation in other jurisdictions, the ACT is facing a significant increase in demand for the relatively small number of nomination places allocated by Home Affairs. We are currently investigating a range of administrative options to manage the increased demand for the ACT 190 nomination program. As we work through these issues and consider options to manage demand, the program will remain closed to Canberra residents with nominated occupations listed as '**closed**' on the current ACT Occupation List. The program will also remain closed to all overseas applicants.

Regards

*Julianne O'Brien*

Phone: 02 6207 1957 | Email: [julianne.obrien@act.gov.au](mailto:julianne.obrien@act.gov.au)

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## Email to applicants

Dear applicant for ACT 190 nomination

I would like to advise you that effective immediately (12 noon, Friday 29 June 2018 AEST) the ACT 190 nomination program is suspended for Canberra residents with a nominated occupation listed as '**closed**' on the current ACT Occupation List.

You have commenced an application for ACT 190 nomination. If you wish to continue, you must finalise and submit the application (with fee paid) by 11:59 pm Saturday 30 June 2018 (AEST).

Applications not finalised by 11:59 pm Saturday 30 June 2018 (AEST) will automatically lapse. If your application is lapsed, you may reapply for ACT nomination if your occupation is 'open' on the current ACT Occupation List.

### Reason for suspension

As is the situation in other jurisdictions, the ACT is faced with significant excess demand against the relatively small number of nomination places allocated by Home Affairs. We are currently investigating a range of administrative options to manage the increased demand for the ACT 190 nomination program. As we work through these issues and consider options, the program will remain suspended to Canberra residents with nominated occupations '**closed**' on the current ACT Occupation List.

Regards

*Julianne O'Brien*

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**From:** [Bayer, Chris](#)  
**To:** [Cox, Ian](#)  
**Cc:** [Hilton, Debbie](#); [Miller, DavidJ](#)  
**Subject:** Communications documents for Skilled Migration [SEC=UNCLASSIFIED]  
**Date:** Friday, 29 June 2018 10:11:00 AM  
**Attachments:** [CCYF closure message.docx](#)

---

Ian

Dave asked me to send this document through to you.

It has the messaging for the program adjustments effective from today. There are four different notifications.

1. A 'banner heading' for the CCYF website. This will appear on all pages of the website.
2. Messaging for the skilled visa – ACT 190 nomination page
3. Email to Migration Agents
4. Email to applicants with existing applications in the system

I'm still waiting on a call from South Australia to confirm their program management approach as far as informing the government goes. I rang them again this morning.

Let me know if you have any questions.

**Chris Bayer | Manager - National Data Collections, Reporting and Skilled Migration**

Phone: 02 6205 9134 | Email: [chris.bayer@act.gov.au](mailto:chris.bayer@act.gov.au)

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**1. Banner (Important Message)** - will appear on every page of the CCYF website

**Effective 29 June 2018:**

**Canberra residents:**

- You are eligible to apply for ACT 190 nomination if your nominated occupation is listed as **'open'** on the current ACT Occupation List.
- You are not eligible to apply for ACT 190 nomination if your nominated occupation is listed as **'closed'** on the current ACT Occupation List.

**Overseas residents:**

- The ACT 190 nomination program remains closed for overseas applicants without close ties to Canberra, and is now closed to overseas applicants with close ties to Canberra.

## 2. Update to wording on SKILLED VISA - ACT 190 NOMINATION PAGE

<http://www.canberrayourfuture.com.au/portal/migrating/article/skilled-visa-act-190-nomination/>

### Effective 1 July 2018:

#### Canberra residents:

- You are eligible to apply for ACT 190 nomination if your nominated occupation is listed as **'open'** on the current ACT Occupation List.
- You are not eligible to apply for ACT 190 nomination if your nominated occupation is listed as **'closed'** on the current ACT Occupation List,

#### Overseas residents:

- The ACT 190 nomination program remains closed for overseas applicants without close ties to Canberra, and is now closed to overseas applicants with close ties to Canberra.

As is the situation in other jurisdictions, the ACT is facing a significant increase in demand for the relatively small number of nomination places allocated by Home Affairs. We are currently investigating a range of administrative options to manage the increased demand for the ACT 190 nomination program.

As we work through these issues and consider options to manage demand, the program will remain suspended for Canberra residents with nominated occupations listed as **'closed'** on the current ACT Occupation List.

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*The ACT Government can support your dream to live permanently in Canberra. Read through the following information about ACT nomination of a Skilled Nominated (subclass 190) visa and see whether you are eligible to apply for ACT nomination.*

#### **Skilled Nominated (subclass 190) visa**

*The Skilled Nominated (subclass 190) visa is a points-based visa for skilled workers who are nominated by a state or territory because their occupations are in demand in that jurisdiction.*

*If you are nominated by the ACT you are awarded five additional points towards your overall points score. On ACT nomination, if you have the required 60 points, you will automatically receive an invitation from Department of Home Affairs to apply for the Skilled Nominated (subclass 190) visa.*

*The ACT Skilled Migration Program may close at any time (without notice) once it is deemed that the program targets have been met for the particular financial year.*

*You must read the ACT 190 nomination guidelines carefully; and be satisfied that you meet the ACT 190 nomination criteria BEFORE you apply for ACT 190 nomination.*

#### **Skilled - Nominated (provisional) (subclass 489) visa**

*Please note the ACT does not have access to nominate subclass 489 visas*



## Email Agents

### Subject line – Important announcement – suspension of ACT 190 nomination program.

Dear Agents

I would like to advise you that effective immediately (12:00 noon, Friday 29 June 2018 AEST):

**Overseas residents:** The ACT 190 nomination program remains closed for overseas applicants without close ties to Canberra, and is now closed to overseas applicants with close ties to Canberra.

**Canberra residents:** The ACT 190 nomination program is now suspended for Canberra residents with a nominated occupation listed as '**closed**' on the current ACT Occupation List.

Canberra residents with a nominated occupation listed as '**open**' on the current ACT Occupation List are still eligible to apply for ACT 190 nomination.

#### What happens to current applications nominating a closed occupation?

- 'Commenced': applications commenced after 12 noon AEST, Friday 29 June 2018 will be refused.
- 'In progress': applications commenced but not lodged prior to 4pm AEST Friday 29 June 2018, must be finalised and submitted (with fee paid) by 11:59 pm (AEST) Saturday 30 June 2018. Applications not finalised will be automatically lapsed.
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- 'Lodged': applications already lodged prior to 12 noon AEST Friday 29 June 2018 will not be affected by this suspension. Although these applications will be processed in 2018/19, they will be grandfathered and assessed against the 2017/18 nomination criteria.

#### Reason for restricting applications

As is the situation in other jurisdictions, the ACT is facing a significant increase in demand for the relatively small number of nomination places allocated by Home Affairs. We are currently investigating a range of administrative options to manage the increased demand for the ACT 190 nomination program. As we work through these issues and consider options to manage demand, the program will remain closed to Canberra residents with nominated occupations listed as '**closed**' on the current ACT Occupation List. The program will also remain closed to all overseas applicants.

Regards

*Julianne O'Brien*

Phone: 02 6207 1957 | Email: [julianne.obrien@act.gov.au](mailto:julianne.obrien@act.gov.au)

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## Email to applicants

Dear applicant for ACT 190 nomination

I would like to advise you that effective immediately (12 noon, Friday 29 June 2018 AEST) the ACT 190 nomination program is suspended for Canberra residents with a nominated occupation listed as '**closed**' on the current ACT Occupation List.

You have commenced an application for ACT 190 nomination. If you wish to continue, you must finalise and submit the application (with fee paid) by 11:59 pm Saturday 30 June 2018 (AEST).

Applications not finalised by 11:59 pm Saturday 30 June 2018 (AEST) will automatically lapse. If your application is lapsed, you may reapply for ACT nomination if you are a Canberra resident and your occupation is '**open**' on the current ACT Occupation List.

### Reason for restricting applications

As is the situation in other jurisdictions, the ACT is facing a significant increase in demand for the relatively small number of nomination places allocated by Home Affairs. We are currently investigating a range of administrative options to manage the increased demand for the ACT 190 nomination program. As we work through these issues and consider options to manage demand, the program will remain closed to Canberra residents with nominated occupations listed as '**closed**' on the current ACT Occupation List. The program will also remain closed to all overseas applicants.

Regards

*Julianne O'Brien*

Phone: 02 6207 1957 | Email: [julianne.obrien@act.gov.au](mailto:julianne.obrien@act.gov.au)  
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ACT Government | GPO Box 158 Canberra ACT 2601 | [act.gov.au](http://act.gov.au)  
**Canberra. Create your future** | [Website](#) | [Facebook](#) | [YouTube](#)

**From:** [Cox, Ian](#)  
**To:** [Bayer, Chris](#); [OBrien, Julianne](#)  
**Cc:** [Hilton, Debbie](#); [Miller, DavidJ](#)  
**Subject:** CCYF closure message V2 [SEC=UNCLASSIFIED]  
**Date:** Friday, 29 June 2018 11:23:53 AM  
**Attachments:** [CCYF closure message V2.docx](#)

---

Some comments and tweaks in this to consider quickly.

Chris, can you (and Julie if you are in?) come down to level 3 about 12.10 and discuss this please with me. I want to be clear on messaging – whether this departs from past timelines, etc., what degree of blow back will come our way.

IC

## Canberrayourfuture.com.au

1. **Banner (Important Message)** - will appear on every page of the CCYF website

**Effective 29 June 2018:**

### **Canberra residents:**

- You are eligible to apply for ACT 190 nomination if your nominated occupation is listed as **'open'** on the current ACT Occupation List.
- You are not eligible to apply for ACT 190 nomination if your nominated occupation is listed as **'closed'** on the current ACT Occupation List.

### **Overseas residents:**

- The ACT 190 nomination program remains closed for overseas applicants without close ties to Canberra, and is now closed to overseas applicants with close ties to Canberra.

## 2. Update to wording on SKILLED VISA - ACT 190 NOMINATION PAGE

<http://www.canberrayourfuture.com.au/portal/migrating/article/skilled-visa-act-190-nomination/>

Effective 1 July 2018:

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- You are not eligible to apply for ACT 190 nomination if your nominated occupation is listed as 'closed' on the current ACT Occupation List,

### Overseas residents:

- The ACT 190 nomination program remains closed for overseas applicants without close ties to Canberra, and is now closed to overseas applicants with close ties to Canberra.

As is the situation in other jurisdictions, the ACT is facing a significant increase in demand for the relatively small number of nomination places allocated by Home Affairs. We are currently investigating a range of administrative options to manage the increased demand for the ACT 190 nomination program.

As we work through these issues and consider options to manage demand, the program will remain suspended for Canberra residents with nominated occupations listed as 'closed' on the current ACT Occupation List.

Canberra - *Confident, Bold and Ready*.

The ACT Government can support your ~~dream~~ choice to live permanently in Canberra. Read through the following information about ACT nomination of a Skilled Nominated (subclass 190) visa and see whether you are eligible to apply for ACT nomination.

### Skilled Nominated (subclass 190) visa

The Skilled Nominated (subclass 190) visa is a points-based visa for skilled workers who are nominated by a state or territory because their occupations are in demand in that jurisdiction.

If you are nominated by the ACT you are awarded five additional points towards your overall points score. On ACT nomination, if you have the required 60 points, you will automatically receive an invitation from Department of Home Affairs to apply for the Skilled Nominated (subclass 190) visa.

The ACT Skilled Migration Program may close at any time (without notice) once it is deemed that the program targets have been met for the particular financial year.

You must read the ACT 190 nomination guidelines carefully; and be satisfied that you meet the ACT 190 nomination criteria BEFORE you apply for ACT 190 nomination.

### Skilled - Nominated (provisional) (subclass 489) visa

Please note the ACT does not have access to nominate subclass 489 visas

**Commented [C1]:** Can we get rid of the hype-y stuff. It's old, vomit principle.  
Can we just call it Australia's Capital or something

**Email Agents**

**Subject line – Important announcement – suspension of ACT 190 nomination program.**

Dear Agents

I would like to advise you that effective immediately (12:00 noon, Friday 29 June 2018 AEST):

~~Canberra residents: Canberra residents with a nominated occupation listed as ‘open’ on the current ACT Occupation List are still eligible to apply for ACT 190 nomination.~~

~~The ACT 190 nomination program is now suspended for Canberra residents with a nominated occupation listed as ‘closed’ on the current ACT Occupation List.~~

~~Canberra residents with a nominated occupation listed as ‘open’ on the current ACT Occupation List are still eligible to apply for ACT 190 nomination.~~

**Overseas residents:** The ACT 190 nomination program remains closed for overseas applicants without close ties to Canberra, and is now closed to overseas applicants with close ties to Canberra.

~~Canberra residents: The ACT 190 nomination program is now suspended for Canberra residents with a nominated occupation listed as ‘closed’ on the current ACT Occupation List.~~

~~Canberra residents with a nominated occupation listed as ‘open’ on the current ACT Occupation List are still eligible to apply for ACT 190 nomination.~~

**What happens to current applications nominating a closed occupation?**

- ‘Commenced’: applications commenced after 12 noon AEST, Friday 29 June 2018 will ~~be not be considered/refused.~~
- ‘In progress’: applications commenced but not lodged prior to 4pm AEST Friday 29 June 2018, must be finalised and submitted (with fee paid) by 11:59 pm (AEST) Saturday 30 June 2018. Applications not finalised will be automatically lapsed.
- ‘Submitted – payment pending’: payment of the service fee must be made by 11:59 pm (AEST) Saturday 30 June 2018. If the service fee is not paid before 1 July 2018, the application will be refused.
- ‘Lodged’: applications already lodged prior to 12 noon AEST Friday 29 June 2018 will not be affected by this suspension. Although these applications will be processed in 2018/19, they will be grandfathered and assessed against the 2017/18 nomination criteria.

**Commented [C12]:** Is it important to say refused

**Commented [C13]:** Why do we use a Saturday date? Why not an end of working day 2 July? Is this the 350 group? Can someone explain to me please.

**Commented [C14]:** Can you explain this too please

**Reason for restricting applications**

As is the situation in other jurisdictions, the ACT is facing a significant increase in demand for the relatively small number of nomination places allocated annually by Home Affairs. We are currently investigating ~~a range of administrative~~ options to fairly manage the increased demand for the ACT 190 nomination program. As we work through these issues and consider options to manage demand, the program will remain closed to Canberra residents with nominated occupations listed as ‘closed’ on the current ACT Occupation List. The program will also remain closed to all overseas applicants.

Regards

*Julianne O’Brien*

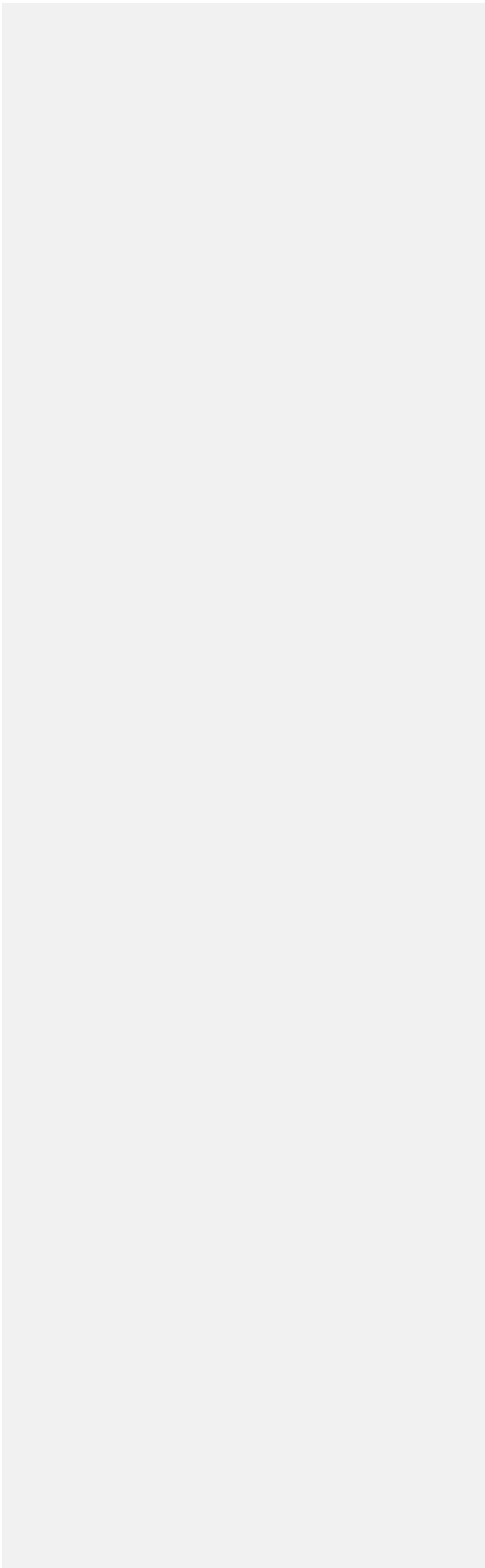
Phone: 02 6207 1957 | Email: [julianne.obrien@act.gov.au](mailto:julianne.obrien@act.gov.au)

Skills Canberra | Chief Minister, Treasury and Economic Development Directorate

ACT Government | Nara Centre, 1 Constitution Ave Canberra 2601

GPO Box 158 Canberra ACT 2601 | [act.gov.au](http://act.gov.au)

Canberra. Create your future | [Website](#) | [Facebook](#) | [YouTube](#)



## Email to applicants

Dear applicant for ACT 190 nomination

I would like to advise you that effective immediately (12 noon, Friday 29 June 2018 AEST) the ACT 190 nomination program is suspended for Canberra residents with a nominated occupation listed as 'closed' on the current ACT Occupation List.

You have commenced an application for ACT 190 nomination. If you wish to continue, you must finalise and submit the application (with fee paid) by 11:59 pm Saturday 30 June 2018 (AEST).

Applications not finalised by 11:59 pm Saturday 30 June 2018 (AEST) will automatically lapse. If your application is lapsed, you may reapply for ACT nomination if you are a Canberra resident and your occupation is 'open' on the current ACT Occupation List.

### Reason for restricting applications

As is the situation in other jurisdictions, the ACT is facing a significant increase in demand for the relatively small number of nomination places allocated annually by Home Affairs. We are currently investigating a range of administrative options to fairly manage the increased demand for the ACT 190 nomination program. As we work through these issues and consider options to manage demand, the program will remain closed to Canberra residents with nominated occupations listed as 'closed' on the current ACT Occupation List. The program will also remain closed to all overseas applicants.

Regards

*Julianne O'Brien*

Phone: 02 6207 1957 | Email: [julianne.obrien@act.gov.au](mailto:julianne.obrien@act.gov.au)  
Skills Canberra | Chief Minister, Treasury and Economic Development Directorate  
ACT Government | GPO Box 158 Canberra ACT 2601 | [act.gov.au](http://act.gov.au)  
Canberra. Create your future | [Website](#) | [Facebook](#) | [YouTube](#)

**Commented [C15]:** These timelines seem very tight for a Friday afternoon communication



**From:** [Miller, DavidJ](#)  
**To:** [Bayer, Chris](#)  
**Subject:** RE: CCYF closure message V2 [SEC=UNCLASSIFIED]  
**Date:** Friday, 29 June 2018 11:37:24 AM

---

As we discussed earlier, ian might want to soften the timeframes for the existing applications – make sure you have a sense of the size of that cohort before you talk to ian about it, but imagine we might end up giving them until next week to finalise their applications...

dave

---

**From:** Bayer, Chris  
**Sent:** Friday, 29 June 2018 11:34 AM  
**To:** Cox, Ian <[Ian.Cox@act.gov.au](mailto:Ian.Cox@act.gov.au)>; OBrien, Julianne <[Julianne.OBrien@act.gov.au](mailto:Julianne.OBrien@act.gov.au)>  
**Cc:** Hilton, Debbie <[Debbie.Hilton@act.gov.au](mailto:Debbie.Hilton@act.gov.au)>; Miller, DavidJ <[DavidJ.Miller@act.gov.au](mailto:DavidJ.Miller@act.gov.au)>  
**Subject:** RE: CCYF closure message V2 [SEC=UNCLASSIFIED]

ian

I will come down and see you at 12:10. Julianne is not in today, but is doing some things remotely to assist with the communications.

**Chris Bayer | Manager - National Data Collections, Reporting and Skilled Migration**

Phone: 02 6205 9134 | Email: [chris.bayer@act.gov.au](mailto:chris.bayer@act.gov.au)

**Skills Canberra | Chief Minister, Treasury and Economic Development Directorate | ACT Government**

Level 4, Nara House | GPO Box 158 Canberra ACT 2601 | [www.cmtedd.act.gov.au](http://www.cmtedd.act.gov.au)

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**From:** Cox, Ian  
**Sent:** Friday, 29 June 2018 11:24 AM  
**To:** Bayer, Chris <[Chris.Bayer@act.gov.au](mailto:Chris.Bayer@act.gov.au)>; OBrien, Julianne <[Julianne.OBrien@act.gov.au](mailto:Julianne.OBrien@act.gov.au)>  
**Cc:** Hilton, Debbie <[Debbie.Hilton@act.gov.au](mailto:Debbie.Hilton@act.gov.au)>; Miller, DavidJ <[DavidJ.Miller@act.gov.au](mailto:DavidJ.Miller@act.gov.au)>  
**Subject:** CCYF closure message V2 [SEC=UNCLASSIFIED]

Some comments and tweaks in this to consider quickly.

Chris, can you (and Julie if you are in?) come down to level 3 about 12.10 and discuss this please with me. I want to be clear on messaging – whether this departs from past timelines, etc., what degree of blow back will come our way.

IC

**From:** [Bayer, Chris](#)  
**To:** [Cox, Ian](#)  
**Cc:** [Hilton, Debbie](#); [Miller, DavidJ](#); [OBrien, Julianne](#); [Maher, Ellis](#)  
**Subject:** RE: Communications documents for Skilled Migration [SEC=UNCLASSIFIED]  
**Date:** Friday, 29 June 2018 2:29:00 PM  
**Attachments:** [190 guidelines Jan 18.doc](#)  
[CCYF closure message.docx](#)  
**Importance:** High

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Ian

I've made the changes that we discussed. Clean copy attached.

I've also made the minor updates to the guidelines to reflect the reference to the information on the CCYF website and make a more general reference to the Home Affairs points requirement. These are in track changes fyi.

Let me know if you are happy with the new versions and I will get Julianne to action them.

Thanks,

**Chris Bayer | Manager - National Data Collections, Reporting and Skilled Migration**

Phone: 02 6205 9134 | Email: [chris.bayer@act.gov.au](mailto:chris.bayer@act.gov.au)

**Skills Canberra | Chief Minister, Treasury and Economic Development Directorate | ACT Government**

Level 4, Nara House | GPO Box 158 Canberra ACT 2601 | [www.cmtedd.act.gov.au](http://www.cmtedd.act.gov.au)

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**From:** Cox, Ian  
**Sent:** Friday, 29 June 2018 11:09 AM  
**To:** Bayer, Chris <[Chris.Bayer@act.gov.au](mailto:Chris.Bayer@act.gov.au)>  
**Cc:** Hilton, Debbie <[Debbie.Hilton@act.gov.au](mailto:Debbie.Hilton@act.gov.au)>; Miller, DavidJ <[DavidJ.Miller@act.gov.au](mailto:DavidJ.Miller@act.gov.au)>; OBrien, Julianne <[Julianne.OBrien@act.gov.au](mailto:Julianne.OBrien@act.gov.au)>; Maher, Ellis <[Ellis.Maher@act.gov.au](mailto:Ellis.Maher@act.gov.au)>  
**Subject:** RE: Communications documents for Skilled Migration [SEC=UNCLASSIFIED]

I have some comments on these messages / I will see if I can progress between now and 11.30 / but don't put it up until you've got OK from me

---

**From:** Bayer, Chris  
**Sent:** Friday, 29 June 2018 10:12 AM  
**To:** Cox, Ian <[Ian.Cox@act.gov.au](mailto:Ian.Cox@act.gov.au)>  
**Cc:** Hilton, Debbie <[Debbie.Hilton@act.gov.au](mailto:Debbie.Hilton@act.gov.au)>; Miller, DavidJ <[DavidJ.Miller@act.gov.au](mailto:DavidJ.Miller@act.gov.au)>  
**Subject:** Communications documents for Skilled Migration [SEC=UNCLASSIFIED]

Ian

Dave asked me to send this document through to you.

It has the messaging for the program adjustments effective from today. There are four different notifications.

1. A 'banner heading' for the CCYF website. This will appear on all pages of the website.
2. Messaging for the skilled visa – ACT 190 nomination page

3. Email to Migration Agents
4. Email to applicants with existing applications in the system

I'm still waiting on a call from South Australia to confirm their program management approach as far as informing the government goes. I rang them again this morning.

Let me know if you have any questions.

**Chris Bayer | Manager - National Data Collections, Reporting and Skilled Migration**

Phone: 02 6205 9134 | Email: [chris.bayer@act.gov.au](mailto:chris.bayer@act.gov.au)

**Skills Canberra | Chief Minister, Treasury and Economic Development Directorate | ACT Government**

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# GUIDELINES FOR APPLYING FOR AUSTRALIAN CAPITAL TERRITORY (ACT) NOMINATION: SKILLED NOMINATED (SUBCLASS 190) VISA.

## 19 January 2018

Canberra - Confident, Bold and Ready. If you're looking for a place to create your future – one that is full of brilliant possibilities – Canberra is your city.

Canberra, the national capital of Australia, is located within the Australian Capital Territory (ACT). Big things happen here: in politics, science, research, education, business and the arts – creating the potential for exciting careers and opportunities.

Canberra also has the power to surprise people – with food and wine, with art and culture, with our heritage and with our warm welcome. We look to the future, not the past, and we actively pursue our dreams. Are you ready to pursue yours?

You must apply for ACT nomination of a Skilled Nominated (subclass 190) visa after completing an Expression of Interest on the Department of Home Affairs *SkillSelect*. Before lodging an application for ACT nomination, it is recommended that you obtain specific migration advice relevant to your circumstances from the Department of Home Affairs or a Registered Migration Agent.

The ACT Skilled Migration Program is managed by Skills Canberra within the ACT Government's Chief Minister, Treasury and Economic Development Directorate.

### About these Guidelines

[These guidelines must be read in conjunction with the information published on the Canberra Create Your Future website.](#)

These guidelines explain how to lodge an application for ACT nomination of a Skilled Nominated (subclass 190) visa.

You must demonstrate that you meet the nomination criteria and have a genuine commitment to live in Canberra for at least two years from date of permanent arrival / visa grant.

You must sign a declaration that you acknowledge and agree to meet the obligations attached to the offer of ACT nomination at [Attachment A](#).

## Department of Home Affairs Criteria

Before you submit an application for ACT nomination, you must be satisfied that you meet the Department of Home Affairs criteria for a [Skilled Nominated \(subclass 190\) visa](#).

The Skilled Nominated (subclass 190) visa is a points-based visa for skilled workers who are nominated by a state or territory because their occupations are in demand in that jurisdiction. ACT nominates eligible highly skilled workers with occupational skills needed in Canberra to drive economic growth.

You must apply for ACT nomination of a subclass 190 visa. If your application is successful and you are nominated by the ACT, you are awarded five additional points towards your overall points score. You ~~only~~ need ~~60~~ **to meet the minimum** points **prescribed by the Department of Home Affairs** to be eligible to apply for a subclass 190 visa.

## Skill Select

Before you can apply for ACT nomination, you must complete an Expression of Interest (EOI) through Department of Home Affairs [SkillSelect](#).

- You must select the ACT as your preferred location to live in Australia.
- You must have ~~a~~ **the** minimum ~~60~~ points **prescribed**.

Once the EOI is submitted on [SkillSelect](#), you must apply for ACT 190 nomination by completing the online '[Application for ACT nomination](#)'.

If your application for ACT nomination is approved, your EOI will be confirmed on [SkillSelect](#) and the visa invitation will be automatically issued by Department of Home Affairs. You will be unable to update the EOI once ACT nomination is confirmed.

You will then have 60 days to apply for a Skilled Nominated (subclass 190) visa. ACT nomination does not guarantee that the Skilled Nominated (subclass 190) visa will be granted.

## Applying for ACT nomination from overseas

If you are living overseas, you may be eligible to apply for ACT nomination if your occupation is in demand and 'open' on the ACT Occupation List; and you meet the nomination criteria.

If your occupation is 'closed' on the ACT Occupation List, you may still be eligible to apply for ACT nomination if you have [close ties](#) (job offer or family) in Canberra; and you meet the nomination criteria that is in effect on the date you lodge the application for ACT nomination.

**NOTE:** *If you, or any dependents, are living or have lived in another Australian state or territory within the last twelve months, you are not eligible to apply for ACT nomination.*

If you do not have a genuine job offer, you must research the ACT labour market and provide evidence that there are sufficient employment opportunities (at least five and no more than eight opportunities) in your nominated occupation in Canberra; and that you have:

- Skills and recent experience relevant to the researched employment opportunities;

- Skills and experience relevant to the ACT economy. Experience in heavy industry, manufacturing, production, mining; shipping, gas and oil, head office banking and railways are not generally considered relevant industries;
- A genuine commitment to settling in Canberra for at least 2 years from date of permanent arrival in Australia;
- Access to sufficient financial assets to fund your migration and settlement in Canberra while you seek employment.

## Applying for ACT Nomination while in Australia – Canberra residents

If you are currently in Australia, you must be living in Canberra before you are eligible to apply for ACT nomination. If your immediate family (spouse/partner and children) are currently in Australia, they must also be living in Canberra before you are eligible to apply for ACT nomination.

*NOTE: You are not eligible to apply for ACT nomination if you, or any members of your immediate family are living, working or studying in another Australian state or territory.*

Your nominated occupation does not have to be 'open' or in demand in Canberra. You may nominate any occupation on the Department of Home Affairs [List of Eligible Skilled Occupations](#) as long as you have the relevant skill assessment for the nominated occupation; and you meet the nomination criteria that is in effect on the date you lodge the application for ACT nomination.

Eligibility for ACT nomination will vary depending on which visa you currently hold, or last held if you are on a bridging visa:

### Subclass 457 visas

If you are the holder, or the dependent of the holder of a subclass 457 visa, you must meet the following criteria before you are eligible to apply for ACT nomination:

- If you have **NOT** lived in another Australian state or territory within the last two years:
  - You have lived in Canberra for the last three months; and
  - You are working for an ACT employer in a skilled occupation (as defined by [ANZSCO](#) skill level 1 to 4).
- If you **HAVE** lived in another Australian state or territory within the last two years:
  - You have lived in Canberra for the last 12 months; and
  - You are working full time for an ACT employer in the nominated occupation.

### Other temporary residence visas

If you are the holder, or the dependent of the holder of a temporary resident or provisional visa including subclass 400 series (excluding 457 and 485), diplomatic, business or a provisional spouse visa, you must meet the following criteria before you are eligible to apply for ACT nomination:

- If you have **NOT** lived in another Australian state or territory within the last two years:
  - You have lived and worked in Canberra for the last six months; and
  - You are working for an ACT employer in a **skilled** occupation (as defined by [ANZSCO](#) skill level 1 to 4). You do not have to be working in your nominated occupation. The employment does not have to be full time. You must provide at least two current payslips to evidence your employment.

- If you **HAVE** lived in another Australian state or territory within the last two years:
  - You have lived in Canberra for the last 12 months; and
  - You are working for an ACT employer in your nominated occupation for at least six months.

## Visitor visa

If you are the holder of visitor visa, you must meet the following criteria before you are eligible to apply for ACT nomination:

- If you have **NOT** lived in another Australian state or territory within the last two years:
  - You are living in Canberra and you have a genuine job offer with an ACT employer in your nominated occupation.
- If you **HAVE** lived in another Australian state or territory within the last two years:
  - You have lived in Canberra for the last 12 months and you have a genuine job offer with an ACT employer in your nominated occupation.

## Student or temporary graduate visa

If you are the holder of a student or temporary graduate visa you must meet the following criteria before you are eligible to apply for ACT nomination:

- You have lived in Canberra for the last 12 months; and
- If you have **NOT** lived or studied in another Australian state or territory within the last two years:
  - You have completed and graduated (or you are the dependent of a graduate) from a CRICOS registered course at Canberra institution. The course must be, at minimum, a Certificate III or higher qualification; and have a minimum duration of one academic year (40 weeks); and
    - You are working for an ACT employer in a **skilled occupation** (as defined by [ANZSCO](#) skill level 1 to 4). You do not have to be working in your nominated occupation. The employment does not have to be full time. You must provide at least two current payslips to evidence your employment.
- If you **HAVE** lived or studied in another Australian state or territory within the last two years:
  - You are working full time for an ACT employer in your **nominated** occupation for at least six months immediately before applying for ACT nomination. Student visa holders (with visa condition 8105) working 20 hours per week are deemed to meet the full time criterion. You must provide payslips to evidence six months employment.
  - or
  - You have completed and graduated (or you are the dependent of a graduate) from a CRICOS registered course at Canberra institution. The course must be, at minimum, a Certificate III or higher qualification; and have a minimum duration of one academic year (40 weeks); and

- You must be working **full time** for an ACT employer in a **skilled occupation** (as defined by [ANZSCO](#) skill level 1 to 4). Student visa holders (with visa condition 8105) working 20 hours per week are deemed to meet the full time criterion. You must provide at least two current payslips to evidence your employment.

## Postgraduate course – Canberra tertiary institution

If you are the holder, or the dependent holder, of a student visa (subclass 500 series) who is currently studying, or has completed a postgraduate course at a Canberra university, you must meet the following criteria before you are eligible to apply for ACT nomination:

- You have lived in Canberra for the last 12 months; and
- You are either:
  - In receipt of a stipend and / or scholarship from the University / government agency (that covers your living expenses) that is ongoing for at least 3 months from ACT nomination application date; or
  - Working an ACT employer in a **skilled occupation** (as defined by [ANZSCO](#) skill level 1 to 4). You do not have to be working in your nominated occupation. The employment does not have to be full time. You must provide at least two current payslips to evidence your employment.

## ACT Occupation List

The ACT Occupation List identifies the skills that are currently in demand, or 'open' in Canberra. The demand for each occupation is used to determine availability of ACT nomination for that occupation.

While a major analysis of the demand for occupations will be undertaken twice a year (in February and August) the demand for each occupation will be reviewed on an ongoing basis. Once it is determined that the demand for an occupation has been met, the occupation will be closed without further notice.

The ACT Occupation List is not linked to specific job vacancies and it is not a guarantee of a job in a nominated occupation. You must be satisfied that there are sufficient employment opportunities in your nominated occupation before you apply for ACT nomination.

You must also understand that the demand for your particular occupation may change before you arrive permanently in Canberra. You will compete for jobs with all people in the labour market as part of a normal selection process. Your success will depend on employer requirements, your relevant skills, your experience and your level of English language ability.

## Open Occupations

You are eligible to apply for ACT nomination if your occupation is in demand and listed as 'open' on the current ACT Occupation List; and you meet the nomination criteria.

## Closed Occupations



If your occupation is listed as 'closed' on the ACT Occupation List, you are not eligible to apply for ACT nomination unless you meet the following criteria:

### Canberra residents:

You are eligible to apply for ACT nomination of a 'closed' occupation if you meet the nomination criteria.

### Overseas residents:

You are eligible to apply for nomination of a 'closed' occupation if you meet the nomination criteria and you have close ties to Canberra; either a:

- Genuine offer of employment in the nominated occupation. The employer must be actively operating in the ACT. The employment contract must in accordance with Australian legislation and the salary paid at market rate. While it is expected that the offer is for a full time position, a part time position may be accepted if the applicant can demonstrate that the salary is sufficient to support their lifestyle in Canberra. You must also demonstrate that you meet the nomination criteria.

OR

- Close family member (spouse / partner of the applicant; or parents, brother, sister, grandparents, step parents, step siblings of the main applicant or their spouse / partner) who is an Australian citizen / permanent resident and has resided in Canberra for the last twelve months.

## Application for ACT Nomination

Complete the online application for ACT nomination of a subclass 190 visa at [Canberra. Create Your Future](#) and attach the following information to the online application:

### SkillSelect EOI:

- Attach a copy of the *SkillSelect* Expression of Interest (EOI) record of response which shows the personal, education, English and employment details submitted.
- The ACT **MUST** be selected as your preferred location on the EOI. Applicants who select 'Any' or express interest in living in another state or territory will not meet the ACT nomination criteria.

### Skilled Occupation:

- Attach a copy of a current skill assessment in the nominated occupation.

### Employability:

- For Canberra residents.
  - Attach employment contract and payslips for the required period of employment; or
  - Postgraduate stipend.
  - If you do not have work rights, attach evidence of a genuine job offer from an ACT employer in the nominated occupation.
- For overseas residents:
  - Attach evidence of a genuine job offer by an ACT employer in your nominated occupation; or

- Attach evidence that there are, currently, sufficient ACT employment opportunities in your nominated occupation that are relevant to your skill set and recent experience. The evidence must include:
  - Personal research into recent advertised positions relevant to the nominated occupation (a minimum of 5 vacancies and not more than 8). You must provide a copy of the full advertisement (saved as a .pdf):
    - It is essential that the date of the job advertisement as well as the location of the job is clearly displayed;
    - Web links alone are not acceptable and, if provided without the accompanying advertisement, will result in the criterion not being met.
  - An employment statement for each advertisement. You must explain how your qualifications, knowledge and experience relate to and meet the requirements for each of the job advertisements.

Please note:

- You must be able to demonstrate that you have the relevant qualifications, skill set and work experience etc. to meet the criteria of the advertised position; for example if the position requires:
  - A certain number of years relevant work experience: you must have that experience;
  - A minimum qualification: you must hold that qualification;
  - Australian work experience: you must have that experience;
  - Citizenship / security clearance, you must be a citizen or have the clearance.
- Job advertisements must be recent. Advertisements must be dated no more than 6 weeks before submission of the application.
- Job advertisements must be relevant to the nominated occupation; for example:
  - If the nominated occupation is a Real Estate Agent we will not accept jobs for Property Manager;
  - If the nominated occupation is a HR Adviser, we will not accept jobs for recruitment consultants;

If the nominated occupation is for a manager, we will not accept assistant, support or junior positions.
- Employment opportunities requiring Australian citizenship and/or an Australian Security clearance will not be accepted as evidence of employability.
- Job advertisements related to a position vacancy directly or indirectly related to working with the Australian (Federal) Government will not be accepted unless you can demonstrate that Australian citizenship and or a security clearance is not a job requirement. Supplying an advertisement for a Federal Government job which does not mention citizenship is not sufficient evidence that it is not required.

## Australian qualifications

- If you are currently studying in Canberra, attach evidence of your Confirmation of Enrolment; or
- If you have completed a CRICOS course at an Australian institution, attach evidence of your course completion or qualification.

## Declaration of Nomination Obligations:

- If you are using a migration agent, you must attach the signed and witnessed declaration that you acknowledge and accept ACT nomination obligations (see Attachment A).
- If you are not using a migration agent, you can confirm that you acknowledge and accept ACT nomination obligations while completing the online application.

## English:

- Hold a passport issued by the United Kingdom; Canada; New Zealand; United States of America; or Republic of Ireland; OR
- For Canberra residents:
  - Attach a current test result (dated within the last three years) with the following minimum scores:

Test	Listening	Reading	Writing	Speaking	Overall
IELTS	6	6	6	6	6
TOEFL iBT	12	13	21	18	60
PTE Academic	50	50	50	50	50
Cambridge CAE	169	169	169	169	169
OET	B	B	B	B	

- For overseas residents:
  - In addition to meeting the minimum Department of Home Affairs criteria of Competent English, you must provide a current test result (dated within the last three years) with the following minimum scores:

Test	Listening	Reading	Writing	Speaking	Overall
IELTS	6	6	6	7	7
TOEFL iBT	12	13	21	23	93
PTE Academic	50	50	50	65	65
Cambridge CAE	169	169	169	185	180
OET	B	B	B	B	

## Work Experience:

- For Canberra residents:

- Attach your Curriculum Vitae (CV) or Resume which clearly states personal details, educational qualifications and work experience to date.
- For overseas residents:
  - Attach your Curriculum Vitae (CV) or Resume which clearly states personal details, educational qualifications and work experience.
  - Work experience:
    - Attach current employment reference(s) supporting your recent, relevant work experience in the nominated occupation to date. The length of work experience is not mandated but it must be clear that you have enough recent, relevant experience in your nominated occupation to be employable in Canberra.
    - Your work experience must be in an industry relevant to the ACT economy. Experience in heavy industry, manufacturing, production, mining; shipping, oil, head office banking and railways are not generally considered relevant industries.

### Financial capacity:

- For Canberra residents
  - You are not required to provide evidence of your financial capacity.
- For overseas residents:
  - Attach your signed and witnessed 'Declaration of Financial Capacity' to show that you have access to sufficient financial resources to fund your migration to Australia and settlement in Canberra while you are securing employment.
  - You need to be realistic about employment expectations once you arrive in Canberra as it can take up to 3 months to secure employment. This timeframe is only indicative, as the employment market fluctuates at different times of the year. Your ability to secure employment quickly will depend on your research of the Canberra labour market and the relevance of your skill set and experience to the market.
  - Your signature on the Declaration of Financial Capacity must be witnessed by an authorised person. See Attachment B for information about who is authorised to witness this declaration.
  - You are not required to provide documentary evidence to support your financial position with your application. However, you must be able to provide such documents if requested by your case officer.

### Settlement statement:

- For Canberra residents
  - You are not required to provide a settlement statement.
- For overseas residents
  - Show that you have researched the cost of living in Canberra and that you have a sound understanding of the settlement costs involved while you seek employment:
    - If you are using a migration agent, you must attach a settlement statement that includes:

- Evidence of research into the cost of living in Canberra, including rent, food, transport and entertainment.
- Estimated cost of relocation to ACT in Australian Dollars, including but not limited to: flights; freight; and initial accommodation.
- Estimated cost of living in Canberra for you and any dependants, in Australian Dollars.
- If you are not using a migration agent, the settlement research is included as part of the online application.

## Commitment to Canberra:

- For Canberra residents:
  - In no more than two pages, explain in your own words what you love about living in Canberra and why you want to continue living in Canberra for at least two years from visa grant.
  - If you have lived, worked or studied interstate within the last two years, you must demonstrate that all members of your immediate family (spouse/partner and children *if applicable*) meet the Canberra residence criteria.
- For overseas residents:
  - In no more than two pages, explain in your own words, why you want to live in Canberra for at least two years from date of permanent arrival:
    - Tell us why Canberra's lifestyle suits your way of life more than any other city in Australia.
    - Include evidence that you have personally researched Canberra's lifestyle and attractions.
    - Statements that are obviously copied from another source (and not written in your own words) will not meet the genuine commitment to Canberra criteria.
    - If your spouse / partner (if any) intend to work, include evidence that they have also researched employment opportunities in Canberra and are satisfied that they are employable.
    - If you, your spouse / partner or any dependents have studied or lived in another Australian state or territory within the last 12 months, you are not eligible to apply for ACT nomination.

## Close Family:

- A close family member includes parents, brother, sister, grandparents, step parents and step siblings of the main applicant or spouse / partner.
- For Canberra residents
  - You are not required to provide evidence if you have family living in other parts of Australia.
- For overseas residents:
  - If you have close family members living in Australia you must attach the following information:

- Close family living in Canberra:
  - passport and/ or birth certificates to evidence the familial relationship;
  - letter of support from your Canberra relative;
  - evidence of their 12 month residence in the ACT; and
  - evidence of their Australian residency / citizenship.
- Close family living in other parts of Australia: attach a statement explaining why you have chosen to live in Canberra and not with them in their state/territory.

### Nomination by another Australian state / territory:

- If you have applied to another Australian state or territory for nomination of a skilled migration visa, you must attach a statement explaining why you are now applying to the ACT.

### Personal Information:

- Attach a copy of your passport. This must be current (valid for travel purposes) and show your personal details and any pages showing Australian visas.
- Attach a copy of any current Australian visa grant notification. For bridging visa holders, attach a copy of the visa grant notification for the last substantive visa you held.
- Attach a copy of your spouse / defacto partner's passport (*if applicable*).
- If you are using a migration agent, attach a completed and signed form 956 *Advice by a migration agent/exempt person of providing immigration assistance*.

### If you are already living in Canberra:

- Attach bank statements to demonstrate that you have lived in Canberra for the required length of time. The statements must show shopping activity, ATM withdrawals, salary etc.
- Evidence that your spouse / defacto partner (*if applicable*) is also living in Canberra if they are in Australia i.e. Drivers Licence or proof of age card, proof of employment, bank statements etc.

### Service fee: A\$300

- A non-refundable service fee must be paid to complete your application. The service fee may be paid online at time of application; or you can pay later by Credit card or EFT.
- If you are paying later by EFT, a copy of the EFT receipt must be emailed to [migrationservices@act.gov.au](mailto:migrationservices@act.gov.au).
- The payment will be confirmed within three working days.
- The application will not be queued for processing until the payment is confirmed.

## How to lodge your Application for ACT Nomination

You must complete the online application for ACT nomination (at [Canberra.Createyourfuture](https://www.canberra.createyourfuture.com.au)), attach all supporting documentation and pay the service fee. The service fee must be paid, and confirmed before the application is lodged and queued for processing. All applications will be processed in queue order

- If you are a Migration agent acting on behalf of a client, you must register and create an account before you can access the online application portal.
- If you are an individual applying for ACT nomination of a 190 visa, and you are not using a migration agent, you are not required to create an account.

The service fee must be paid and confirmed before the application is lodged and queued for processing. All applications will be processed in queue date order.

You must demonstrate that you meet the nomination criteria that is in effect at the date of application lodgement.

The assessment of the application for ACT nomination will be based solely on the supporting documents provided at the time of application. Additional documents in support of the application will not be accepted once the application is submitted.

If the application is incomplete, or it does not meet the nomination criteria, the application will be refused.

## Service Fee

A **non-refundable** service fee is charged for processing applications for ACT nomination. The service fee is an administration charge only and does not guarantee the approval of a nomination.

The service fee of \$300 may be paid by one of the following options:

### Credit Card – pay now or pay later

- Select 'pay now' on the online application.
- Select 'pay later' and access the ['Pay an ACT Government Account'](#)

### Electronic Funds Transfer (EFT) – pay later

- Transfer the fee to:  
Westpac Bank – City Walk, Canberra, 2600  
Account name: 'EDD Operating Account'  
BSB: 032-777  
Account Number: 000145  
Reference: *Application reference number*
- Email the EFT receipt and a copy of the 'payment pending' email to:  
[migrationservices@act.gov.au](mailto:migrationservices@act.gov.au)

*Please note your bank may charge a transaction fee for processing the EFT. This charge must be paid by the applicant and is in addition to the service fee.*

## Processing applications

All applications are processed in submission date order. The ACT doesn't competitively rank applicants according to Department of Home Affairs points. You are only required to have a minimum of 60 points (including five points for territory nomination) to be eligible to apply for a Skilled nominated subclass 190 visa.

You will be notified by email when the application is assigned to a case officer for processing. The case officer will assess the application based solely on the supporting documents provided at the time of application. Applications that do not meet the nomination criteria will be refused.

## Processing time

Most applications for nomination from Canberra residents will be normally processed within six (6) to eight (8) weeks. For the current processing date [click here](#). Applications from overseas residents may take up to six months.

Please do not enquire about the progress of your application before the eight weeks have passed. Progress enquiries can delay application processing.

## Notification of outcome

You will be notified of the outcome of the application by email.

**Approval:** If the application for ACT nomination is approved, your EOI on *SkillSelect* will be confirmed and the Department of Home Affairs will immediately issue the visa invitation. Once the visa invitation is issued, you will not be able to update the EOI. You must apply for the Skilled Nominated (subclass 190) visa within 60 days.

**Refusal:** If the application for ACT nomination is refused, you will be informed of the reasons why the application did not meet the nomination criteria. Any request for a reconsideration of a refused application will be based solely on the supporting documents provided at time of application. Additional documentation will not be accepted.

## ACT Nomination expires after 60 days

The offer of ACT nomination is valid for 60 days from date of approval. If the visa application is not lodged within 60 days the offer of ACT nomination will expire. You would have to reapply for ACT nomination and meet the current nomination criteria.

## Department of Home Affairs Visa Decision

You must inform us of the outcome of the application for the ACT nominated subclass 190 visa and, if you are living overseas, the expected date of your arrival in Australia:

- Email: [welcometocanberra@act.gov.au](mailto:welcometocanberra@act.gov.au)
- Attach a copy of your visa grant notification.

## Administrative Appeals Tribunal

Please note that the ACT will not, under any circumstances, appeal to the Administrative Appeals Tribunal against decisions by the Department of Home Affairs to decline granting a visa to any skilled migration applicants nominated by the ACT.

## Closing the ACT Skilled Migration Program

The ACT Skilled Migration Program may be temporarily closed at any time, without notice, once the Program target for the year is met. The program may be reopened at any time if there is sufficient



capacity within the target to accept more applications; or at the start of the new financial year when the Program target is reset. It is highly likely that the demand for occupations will also be reassessed when the Program reopens.

## What are your commitments if you are nominated by the ACT

Once your ACT nominated Skilled Nominated (subclass 190) visa is granted by the Department of Home Affairs you have agreed to:

- Inform the ACT Skilled Migration team when your visa is granted and your expected arrival date in Canberra by email: [welcometocanberra@act.gov.au](mailto:welcometocanberra@act.gov.au)
- Live and work in Canberra, ACT for at least two years from visa grant / first arrival date;
- Contact the ACT Skilled Migration team prior to, or within one month of your first arrival in Australia by email: [welcometocanberra@act.gov.au](mailto:welcometocanberra@act.gov.au)
- Complete further settlement surveys 6, 12, 18 and 24 months after arrival;
- Keep us informed of any changes to your contact details in Canberra for 24 months after arrival in order to receive and complete the settlement surveys.

You have also signed a declaration agreeing that ACT nomination is exclusive to the ACT and is NOT transferable to any other state or territory in Australia.

## Welcome to Canberra Settlement Service

The ACT Skilled Migration team provides a free settlement service to help ACT nominated migrants settle in Canberra. The Welcome to Canberra team will:

- Provide information and advice while you are waiting for your visa, and, if you have questions about living in Canberra, refer you to the relevant websites.
- Keep you up to date with regular newsletters including information about special events and upcoming activities in Canberra.
- Meet with you (by appointment only) when you arrive in Canberra and give you some initial settlement support and advice. We will also follow up with a phone call or email.

For more information about the Canberra Settlement Service, contact the Welcome to Canberra team by:

Email: [welcometocanberra@act.gov.au](mailto:welcometocanberra@act.gov.au)

## Monitoring Program

As part of your nomination obligations you agree to live and work in Canberra for a minimum period of **two years** from visa grant / permanent arrival in Australia.

- Complete settlement surveys at 6, 12, 18 and 24 months after arrival.
- Tell us about any change to your contact details in Canberra for two years after arrival in order to receive the settlement surveys.

## Your personal information

Skills Canberra, Chief Minister Treasury and Economic Development Directorate, uses the application form to collect information which is necessary to allow the ACT Government to consider ACT nomination of a Skilled - Nominated (subclass 190) visa. For details on the collection of personal information please refer to the [Canberra. Create Your Future privacy notice](#).

## Disclaimer

The ACT Government and its employees are not liable for any inaccuracies or omissions in the information provided to the applicant in the context of their application for ACT nomination.

The ACT Government is not responsible for finding employment, accommodation or providing financial incentive or assistance to ACT nominated visa holders or other skilled migrants.

ACT nomination is exclusive to the ACT and is NOT transferable to any other state or territory in Australia.

## Contact Us

For more information contact:

Client Manager, ACT Skilled Migration Program,

Skills Canberra, Chief Minister, Treasury and Economic Development Directorate.

Address: Nara House. 1 Constitution Avenue Canberra ACT 2601

Mail: GPO Box 158, Canberra ACT 2601

International callers: +61 2 6207 5111 (*International call rates apply*)

Australian callers: 13 22 81

Email: [migrationservices@act.gov.au](mailto:migrationservices@act.gov.au)

**ATTACHMENT A****Nomination Obligations to the Australian Capital Territory (ACT)**

I (name)..... (DOB)...../...../.....

of (address).....

do solemnly and sincerely declare that:

- The information contained in my application for Australian Capital Territory (ACT) nomination is true and accurate.
- I have access to sufficient financial resources to support myself (and any dependents) while securing employment in Canberra if my visa application is successful.
- I am aware that Australian labour market conditions may vary significantly as the employment market fluctuates at different times of the year; and from year to year.
- I understand that I need to be realistic about employment expectations as it can take up to three months to secure employment.
- I have researched relevant employment opportunities in Canberra and am satisfied that there are sufficient employment opportunities in my nominated occupation in Canberra.
- I understand that I will compete for employment vacancies with all people in the labour market as part of a normal selection process.
- I understand that the ACT reserves the right to withdraw the nomination if, at any time until the visa is granted, they are satisfied that:
  - My commitment to living in Canberra, for at least two years from visa grant, is not ongoing and genuine;
  - I have provided false information or statements in my application for nomination;
  - I have lost contact with ACT Skilled Migration team and am not contactable by email.
- I will inform the ACT Skilled Migration team of the progress of my visa application, when the visa application is decided by the Department of Home Affairs and, if approved, my expected arrival date in Canberra.
- I understand that my Curriculum Vitae or Resume may be sent to local recruitment agencies or industry bodies in Canberra to assist me in my search for work upon successful ACT nomination.
- I understand that the ACT is not responsible for finding employment, accommodation or providing a financial incentive to ACT nominated skilled migrants.
- I acknowledge that ACT nomination is exclusive to the ACT and is NOT transferable to any other State or Territory in Australia.
- I agree to live and work in the ACT for at least two years following my visa grant / permanent move to Australia.
- I understand that the ACT will monitor my settlement in Canberra for 2 years from date of permanent arrival and I agree to comply with the ongoing monitoring program.
- I understand that the ACT or employees of the ACT are not liable for any inaccuracies or omissions in the information provided to the applicant in the context of their application for state / territory nomination.

*The information you provide with your application is collected by Skills Canberra, Chief Minister, Treasury and Economic Development, a Directorate of the ACT Government and will be used to assess your application for an ACT nomination of a Skilled – Nominated (Subclass 190) Visa. For details on the collection of personal information please refer to the [Canberra.Create Your Future privacy notice](#). Information you provide in the settlement surveys will be used to monitor your settlement if you are a successful applicant. Depersonalised settlement information may be used to compile statistical reports for ACT Government internal reporting and may be published in media releases. Information you provide in and/or with your application (for example, your Resume) may be disclosed to local recruitment agencies/industry bodies to assist you in your search for work. Personal information you provide in the settlement surveys may be disclosed to the Minister's Office and other Government Agencies. Any information submitted by you in and/or with your application and in the settlement surveys which contains personal information will be stored, used and disclosed in accordance with the requirements of the [Information Privacy Act 2014](#).*

Signature of applicant: .....

Date: ...../...../.....

Name of Witness .....

Signature of witness: .....

Date...../...../.....

## Declaration of Financial Capacity

### For overseas residents only

To be completed by the principal applicant for ACT nomination. Assets of a spouse / partner may be included if they are migrating with principal applicant.

<b>Full name of Applicant</b>	
<b>Date of Birth</b>	
<b>Full name of Spouse/Partner</b>	
<b>Date of Birth</b>	

Assets listed must be in name(s) inserted above only. Assets in another person's name will not be considered.

Item	Name/s of asset holder	Amount in local currency	Amount in Australian Dollars
Cash/Bank Savings			
Net value of Property/Properties			
Net value of other investments and Maturity Date (if applicable)			
Other Assets (provide details).			
<b>Total</b>			

- I/we ATTEST that I/we have access to sufficient financial resources to fund my/our migration to Australia and settlement in Canberra while securing employment.
- I/we confirm that this is the **net value** of resources owned by me/us.

Signature (principal applicant): ..... Date ..... / ..... / .....

Signature (spouse / partner of principal applicant): ..... Date ..... / ..... / .....

Witnessed and signed by a Notary Public, Justice of the Peace, migration agent, any Government or other official authorised to attest the authenticity and accuracy of information in this proforma  ..... (Signature of official)	Seal/Stamp of Bank or Notary Public (if applicable):
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## ACT Nomination Checklist (Subclass 190)

The following supporting documents must be attached to the online application.

### Required documentation

- Copy of the full record of the SkillSelect EOI responses.
- Signed and witnessed 'Declaration of Nomination Obligations' (*for agent use only*).
- Current skill assessment by the relevant assessing body.
- Current Curriculum Vitae (CV) or Resume.
- Evidence of recent relevant work experience in the nominated occupation (*if not currently working in Canberra*).
- Research into current ACT employment opportunities and employment statement; or genuine job offer (*if not currently working in Canberra*).
- Evidence of current ACT employment, job offer or stipend / scholarship for PhD students (*if living in Canberra*).
- Evidence of English language ability
- Research into settlement costs while seeking employment (*if not living in Canberra*).
- Commitment to Canberra statement.
- Signed and witnessed 'Declaration of Financial Capacity (*if not living in Canberra*).
- Statement of family relationships in Australia (*if applicable*).
- Evidence of close family living in Canberra (*if applicable*)
- Evidence of other state / territory nomination (*if applicable*).
- Copy of the passport for main applicant and spouse.
- Completed and signed form 956 Appointment of a migration agent (*if applicable*).
- Evidence of ACT residence (*if applicable*).
- Service fee.

**1. Banner (Important Message) - will appear on every page of the CCYF website**

**Effective 4:00pm AEST Friday 29 June 2018:**

**Canberra residents:**

- You are eligible to apply for ACT 190 nomination if your nominated occupation is listed as **'open'** on the current ACT Occupation List.
- You are not eligible to apply for ACT 190 nomination if your nominated occupation is listed as **'closed'** on the current ACT Occupation List.

**Overseas residents:**

- The ACT 190 nomination program remains closed for overseas applicants without close ties to Canberra, and is now closed to overseas applicants with close ties to Canberra.

## 2. Update to wording on SKILLED VISA - ACT 190 NOMINATION PAGE

<http://www.canberrayourfuture.com.au/portal/migrating/article/skilled-visa-act-190-nomination/>

### Effective 1 July 2018:

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As is the situation in other jurisdictions, the ACT is facing a significant increase in demand for the relatively small number of nomination places allocated by Home Affairs. We are currently investigating options to fairly manage the increased demand for the ACT 190 nomination program.

As we work through these issues and consider options to manage demand, the program will remain suspended for Canberra residents with nominated occupations listed as **'closed'** on the current ACT Occupation List.

### *Canberra - Australia's Capital.*

*The ACT Government can support your choice to live permanently in Canberra. Read through the following information about ACT nomination of a Skilled Nominated (subclass 190) visa and see whether you are eligible to apply for ACT nomination.*

#### **Skilled Nominated (subclass 190) visa**

*The Skilled Nominated (subclass 190) visa is a points-based visa for skilled workers who are nominated by a state or territory because their occupations are in demand in that jurisdiction.*

*If you are nominated by the ACT, you are awarded five additional points towards your overall points score. On ACT nomination, if you have the required points as prescribed by the Department of Home Affairs, you will automatically receive an invitation from Department of Home Affairs to apply for the Skilled Nominated (subclass 190) visa.*

*The ACT Skilled Migration Program may close at any time (without notice).*

*You must read the ACT 190 nomination guidelines carefully; and be satisfied that you meet the ACT 190 nomination criteria BEFORE you apply for ACT 190 nomination.*

#### **Skilled - Nominated (provisional) (subclass 489) visa**

*Please note the ACT does not have access to nominate subclass 489 visas*

## Email Agents

### Subject line – Important announcement – suspension of ACT 190 nomination program.

Dear Agents

I would like to advise you that effective immediately (4:00pm AEST, Friday 29 June 2018):

**Canberra residents:** Canberra residents with a nominated occupation listed as ‘open’ on the current ACT Occupation List are still eligible to apply for ACT 190 nomination.

The ACT 190 nomination program is now suspended for Canberra residents with a nominated occupation listed as ‘closed’ on the current ACT Occupation List.

**Overseas residents:** The ACT 190 nomination program remains closed for overseas applicants without close ties to Canberra, and is now closed to overseas applicants with close ties to Canberra.

#### What happens to current applications nominating a closed occupation?

- ‘Commenced’: applications commenced after 4:00pm AEST Friday 29 June 2018 will not be considered.
- ‘In progress’: applications commenced but not lodged prior to 4:00pm AEST Friday 29 June 2018, must be finalised and submitted (with fee paid) by 4:00pm AEST Friday 6 July 2018. Applications not finalised by 4:00pm AEST Friday 6 July 2018 will be automatically lapsed.
- ‘Submitted-payment pending’: payment of the service fee must be made by 4:00pm AEST Friday 6 July 2018. If the service fee is not paid before 4:00pm AEST Friday 6 July 2018, the application will not be considered.
- ‘Lodged’: applications already lodged prior to 4:00pm AEST Friday 29 June 2018 will not be affected by this suspension. Although these applications will be processed in 2018/19, they will be grandfathered and assessed against the existing 2017/18 nomination criteria.

#### Reason for restricting applications

As is the situation in other jurisdictions, the ACT is facing a significant increase in demand for the relatively small number of nomination places allocated annually by Home Affairs. We are currently investigating options to fairly manage the increased demand for the ACT 190 nomination program. As we work through these issues and consider options to manage demand, the program will remain closed to Canberra residents with nominated occupations listed as ‘closed’ on the current ACT Occupation List. The program will also remain closed to all overseas applicants.

Regards

*Julianne O’Brien*

Phone: 02 6207 1957 | Email: [julianne.obrien@act.gov.au](mailto:julianne.obrien@act.gov.au)

Skills Canberra | Chief Minister, Treasury and Economic Development Directorate

ACT Government | Nara Centre, 1 Constitution Ave Canberra 2601

GPO Box 158 Canberra ACT 2601 | [act.gov.au](http://act.gov.au)

*Canberra. Create your future* | [Website](#) | [Facebook](#) | [YouTube](#)



## Email to applicants

Dear applicant for ACT 190 nomination

I would like to advise you that effective immediately (4:00pm AEST Friday 29 June 2018) the ACT 190 nomination program is suspended for Canberra residents with a nominated occupation listed as '**closed**' on the current ACT Occupation List.

You have commenced an application for ACT 190 nomination. If you wish to continue, you must finalise and submit the application (with fee paid) by 4:00pm AEST Friday 6 July 2018.

Applications not finalised by 4:00pm AEST Friday 6 July 2018 will automatically lapse. If your application is lapsed, you may reapply for ACT nomination if you are a Canberra resident and your occupation is '**open**' on the current ACT Occupation List.

### Reason for restricting applications

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Regards

*Julianne O'Brien*

Phone: 02 6207 1957 | Email: [julianne.obrien@act.gov.au](mailto:julianne.obrien@act.gov.au)

Skills Canberra | Chief Minister, Treasury and Economic Development Directorate

ACT Government | GPO Box 158 Canberra ACT 2601 | [act.gov.au](http://act.gov.au)

**Canberra. Create your future** | [Website](#) | [Facebook](#) | [YouTube](#)

**From:** [Cox, Ian](#)  
**To:** [Bayer, Chris](#)  
**Cc:** [OBrien, Julianne](#); [Miller, DavidJ](#)  
**Subject:** CCYF closure message (003) [SEC=UNCLASSIFIED]  
**Date:** Friday, 29 June 2018 2:56:08 PM  
**Attachments:** [CCYF closure message \(003\).docx](#)

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One minor edit on the last page / marked up in this version / ok to post in the timeframe you explained

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*You must read the ACT 190 nomination guidelines carefully; and be satisfied that you meet the ACT 190 nomination criteria BEFORE you apply for ACT 190 nomination.*

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Skills Canberra | Chief Minister, Treasury and Economic Development Directorate

ACT Government | Nara Centre, 1 Constitution Ave Canberra 2601

GPO Box 158 Canberra ACT 2601 | [act.gov.au](http://act.gov.au)

*Canberra. Create your future* | [Website](#) | [Facebook](#) | [YouTube](#)

## Email to applicants

Dear applicant for ACT 190 nomination

I would like to advise you that effective immediately (4:00pm AEST Friday 29 June 2018) the ACT 190 nomination program is suspended for Canberra residents with a nominated occupation listed as '**closed**' on the current ACT Occupation List.

~~If you~~ You have commenced an application for ACT 190 nomination ~~and, if~~ you wish to continue, you must finalise and submit the application (with fee paid) by 4:00pm AEST Friday 6 July 2018.

Applications not finalised by 4:00pm AEST Friday 6 July 2018 will automatically lapse. If your application is lapsed, you may reapply for ACT nomination if you are a Canberra resident and your occupation is '**open**' on the current ACT Occupation List.

### Reason for restricting applications

As is the situation in other jurisdictions, the ACT is facing a significant increase in demand for the relatively small number of nomination places allocated annually by Home Affairs. We are currently investigating options to fairly manage the increased demand for the ACT 190 nomination program. As we work through these issues and consider options to manage demand, the program will remain closed to Canberra residents with nominated occupations listed as '**closed**' on the current ACT Occupation List. The program will also remain closed to all overseas applicants.

Regards

*Julianne O'Brien*

Phone: 02 6207 1957 | Email: [julianne.obrien@act.gov.au](mailto:julianne.obrien@act.gov.au)

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**From:** [Bayer, Chris](#)  
**To:** [Cox, Ian](#)  
**Cc:** [OBrien, Julianne](#); [Miller, DavidJ](#)  
**Subject:** RE: CCYF closure message (003) [SEC=UNCLASSIFIED]  
**Date:** Friday, 29 June 2018 3:23:00 PM  
**Attachments:** [CCYF closure message.docx](#)  
[190-phd-nomination-guidelines-Jan 18.doc](#)  
**Importance:** High

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Ian

Thanks for that. I've included your changes.

I was just going through the website layout to make sure this all fits together and noticed there is separate dropdown text around PhD streamlined applications.

I've taken the text from the main 190 page and applied it to the PhD subpage with some minor wording changes to reflect that PhD applications include interstate applicants (so it says closed to interstate and overseas rather than just overseas). Additional PhD info is on page 3 of the CCYF closure message document. I've amended the PhD guidelines consistent with the changes made to the 190 guidelines.

Both attached fyi.

Julianne has started the behind the scenes updates but will wait for your OK on this part.

Chris

**Chris Bayer | Manager - National Data Collections, Reporting and Skilled Migration**

Phone: 02 6205 9134 | Email: [chris.bayer@act.gov.au](mailto:chris.bayer@act.gov.au)

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---

**From:** Cox, Ian

**Sent:** Friday, 29 June 2018 2:56 PM

**To:** Bayer, Chris <Chris.Bayer@act.gov.au>

**Cc:** OBrien, Julianne <Julianne.OBrien@act.gov.au>; Miller, DavidJ <DavidJ.Miller@act.gov.au>

**Subject:** CCYF closure message (003) [SEC=UNCLASSIFIED]

One minor edit on the last page / marked up in this version / ok to post in the timeframe you explained

**1. Banner (Important Message) - will appear on every page of the CCYF website**

**Effective 4:00pm AEST Friday 29 June 2018:**

**Canberra residents:**

- You are eligible to apply for ACT 190 nomination if your nominated occupation is listed as **'open'** on the current ACT Occupation List.
- You are not eligible to apply for ACT 190 nomination if your nominated occupation is listed as **'closed'** on the current ACT Occupation List.

**Overseas residents:**

- The ACT 190 nomination program remains closed for overseas applicants without close ties to Canberra, and is now closed to overseas applicants with close ties to Canberra.



## 2. Update to wording on SKILLED VISA - ACT 190 NOMINATION PAGE

<http://www.canberrayourfuture.com.au/portal/migrating/article/skilled-visa-act-190-nomination/>

**Effective 4:00pm AEST Friday 29 June 2018:**

### **Canberra residents:**

- You are eligible to apply for ACT 190 nomination if your nominated occupation is listed as **'open'** on the current ACT Occupation List.
- You are not eligible to apply for ACT 190 nomination if your nominated occupation is listed as **'closed'** on the current ACT Occupation List.

### **Overseas residents:**

- The ACT 190 nomination program remains closed for overseas applicants without close ties to Canberra, and is now closed to overseas applicants with close ties to Canberra.

As is the situation in other jurisdictions, the ACT is facing a significant increase in demand for the relatively small number of nomination places allocated by Home Affairs. We are currently investigating options to fairly manage the increased demand for the ACT 190 nomination program.

As we work through these issues and consider options to manage demand, the program will remain suspended for Canberra residents with nominated occupations listed as **'closed'** on the current ACT Occupation List.

*Canberra - Australia's Capital.*

*The ACT Government can support your choice to live permanently in Canberra. Read through the following information about ACT nomination of a Skilled Nominated (subclass 190) visa and see whether you are eligible to apply for ACT nomination.*

### **Skilled Nominated (subclass 190) visa**

*The Skilled Nominated (subclass 190) visa is a points-based visa for skilled workers who are nominated by a state or territory because their occupations are in demand in that jurisdiction.*

*If you are nominated by the ACT, you are awarded five additional points towards your overall points score. On ACT nomination, if you have the required points as prescribed by the Department of Home Affairs, you will automatically receive an invitation from Department of Home Affairs to apply for the Skilled Nominated (subclass 190) visa.*

*The ACT Skilled Migration Program may close at any time (without notice).*

*You must read the ACT 190 nomination guidelines carefully; and be satisfied that you meet the ACT 190 nomination criteria BEFORE you apply for ACT 190 nomination.*

### **Skilled - Nominated (provisional) (subclass 489) visa**

*Please note the ACT does not have access to nominate subclass 489 visas*

### **3. Update to wording on SKILLED VISA - ACT 190 NOMINATION PAGE – PHD SUBPAGE**

#### **Effective 1 July 2018:**

##### **Canberra residents:**

- You are eligible to apply for ACT 190 PhD streamlined nomination if your nominated occupation is listed as **'open'** on the current ACT Occupation List.
- You are not eligible to apply for ACT 190 PhD streamlined nomination if your nominated occupation is listed as **'closed'** on the current ACT Occupation List.

##### **Overseas and interstate residents:**

- The ACT 190 PhD streamlined nomination program is currently closed to interstate and overseas applicants.

## Email Agents

### Subject line – Important announcement – suspension of ACT 190 nomination program.

Dear Agents

I would like to advise you that effective immediately (4:00pm AEST, Friday 29 June 2018):

**Canberra residents:** Canberra residents with a nominated occupation listed as **'open'** on the current ACT Occupation List are still eligible to apply for ACT 190 nomination.

The ACT 190 nomination program is now suspended for Canberra residents with a nominated occupation listed as **'closed'** on the current ACT Occupation List.

**Overseas residents:** The ACT 190 nomination program remains closed for overseas applicants without close ties to Canberra, and is now closed to overseas applicants with close ties to Canberra.

#### What happens to current applications nominating a closed occupation?

- **'Commenced'**: applications commenced after 4:00pm AEST Friday 29 June 2018 will not be considered.
- **'In progress'**: applications commenced but not lodged prior to 4:00pm AEST Friday 29 June 2018, must be finalised and submitted (with fee paid) by 4:00pm AEST Friday 6 July 2018. Applications not finalised by 4:00pm AEST Friday 6 July 2018 will be automatically lapsed.
- **'Submitted-payment pending'**: payment of the service fee must be made by 4:00pm AEST Friday 6 July 2018. If the service fee is not paid before 4:00pm AEST Friday 6 July 2018, the application will not be considered.
- **'Lodged'**: applications already lodged prior to 4:00pm AEST Friday 29 June 2018 will not be affected by this suspension. Although these applications will be processed in 2018/19, they will be grandfathered and assessed against the existing 2017/18 nomination criteria.

#### Reason for restricting applications

As is the situation in other jurisdictions, the ACT is facing a significant increase in demand for the relatively small number of nomination places allocated annually by Home Affairs. We are currently investigating options to fairly manage the increased demand for the ACT 190 nomination program. As we work through these issues and consider options to manage demand, the program will remain closed to Canberra residents with nominated occupations listed as **'closed'** on the current ACT Occupation List. The program will also remain closed to all overseas applicants.

Regards

*Julianne O'Brien*

Phone: 02 6207 1957 | Email: [julianne.obrien@act.gov.au](mailto:julianne.obrien@act.gov.au)

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## Email to applicants

Dear applicant for ACT 190 nomination

I would like to advise you that effective immediately (4:00pm AEST Friday 29 June 2018) the ACT 190 nomination program is suspended for Canberra residents with a nominated occupation listed as '**closed**' on the current ACT Occupation List.

If you have commenced an application for ACT 190 nomination and you wish to continue, you must finalise and submit the application (with fee paid) by 4:00pm AEST Friday 6 July 2018.

Applications not finalised by 4:00pm AEST Friday 6 July 2018 will automatically lapse. If your application is lapsed, you may reapply for ACT nomination if you are a Canberra resident and your occupation is '**open**' on the current ACT Occupation List.

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# GUIDELINES FOR APPLYING FOR STREAMLINED AUSTRALIAN CAPITAL TERRITORY (ACT) NOMINATION: SKILLED NOMINATED (SUBCLASS 190) VISA. STREAMLINED PhD

## 19 January 2018

Canberra - Confident, Bold and Ready. If you're looking for a place to create your future – one that is full of brilliant possibilities – Canberra is your city.

Canberra, the national capital of Australia, is located within the Australian Capital Territory (ACT). Big things happen here: in politics, science, research, education, business and the arts – creating the potential for exciting careers and opportunities.

Canberra also has the power to surprise people – with food and wine, with art and culture, with our heritage and with our warm welcome. We look to the future, not the past, and we actively pursue our dreams. Are you ready to pursue yours?

The ACT Skilled Migration Program is managed by Innovate Canberra within the ACT Government's Chief Minister, Treasury and Economic Development Directorate.

### About these Guidelines

[These guidelines must be read in conjunction with the information published on the Canberra Create Your Future website.](#)

These guidelines explain how to lodge a streamlined application for ACT nomination of a Skilled Nominated (subclass 190) visa if you have completed a PhD at a university located in the ACT.

Your nominated occupation does not have to be in demand in Canberra. You may nominate any occupation on the [Department of Home Affairs List of Eligible Skilled Occupations](#) as long as you have the relevant skill assessment.

Before lodging an application for nomination, it is recommended that you obtain specific migration advice relevant to your circumstances from the Department of Home Affairs or a Registered Migration Agent.

## Department of Home Affairs Criteria

Before you submit an application for ACT nomination, you must be satisfied that you meet the Department of Home Affairs criteria for a [Skilled Nominated \(subclass 190\) visa](#).

The Skilled Nominated (subclass 190) visa is a points-based visa for skilled workers who are nominated by a state or territory. If you are nominated by a state / territory you are automatically awarded five additional points towards your overall points score.

ACT nomination is not a guarantee that the Skilled Nominated (subclass 190) visa will be granted.

## Skill Select

You must complete an Expression of Interest (EOI) on the Department of Home Affairs [SkillSelect](#).

The EOI must be submitted on *SkillSelect* before you apply for ACT nomination:

- You must select the ACT as your preferred location to live in Australia.
- You must have **at least the minimum 60 points prescribed**.

If your application for ACT nomination is approved, your EOI will be confirmed on *SkillSelect* and the visa invitation will be automatically issued by the Department of Home Affairs. You will then have 60 days to apply for a Skilled Nominated (subclass 190) visa.

## Applying for ACT Nomination while in Australia

### Canberra residents

You are eligible to apply for streamlined ACT nomination if you have completed a PhD at an ACT university.

### Interstate residents

If you are living in another state or territory, you are eligible to apply for streamlined ACT nomination if you were awarded a PhD from an ACT university within the last two years.

## Applying for ACT nomination from overseas

If you are living overseas, you are eligible to apply for streamlined ACT nomination if you were awarded a PhD from an ACT university within the last two years.

## Application for ACT Nomination

Complete the online application for ACT nomination of a subclass 190 visa at [Canberra. Create your future](#) and attach the following information to the online application:

### SkillSelect EOI:

- Attach a copy of the *SkillSelect* Expression of Interest (EOI) record of response which shows the personal, education, English and employment details submitted.

- The ACT **MUST** be selected as your preferred location on the EOI.

### Skilled Occupation:

- Attach a copy of a current skill assessment in the nominated occupation.

### Australian qualifications

- Attach evidence of completion of your PhD from an ACT university.

### Authorised agent

- If you are using a migration agent, attach a completed and signed form 956 *Advice by a migration agent/exempt person of providing immigration assistance*.

### Service fee: \$0

- The application for streamlined PhD nomination is free.

## How to lodge your Application for ACT Nomination

The application for ACT nomination must be completed online at [Canberra. Create your future](#)

Migration agents acting on behalf of a client must register and create an account before they can access the online application site.

Individuals applying for ACT nomination of a 190 visa are not required to create an account.

The assessment of the application for ACT nomination will be based solely on the supporting documents provided at the time of application. If the application is incomplete, or it does not meet the nomination criteria, the application will be refused.

## Processing time

Most applications for streamlined PhD nomination will be assigned to a case officer within one week of lodgement.

## Notification of outcome

You will be notified of the outcome of the application by email.

If the application for ACT nomination is approved, ACT nomination of your EOI will be confirmed on *SkillSelect* and the Department of Home Affairs will immediately issue the visa invitation. Once the visa invitation is issued, you will not be able to update the EOI. You must apply for the Skilled Nominated (subclass 190) visa within 60 days.

## ACT Nomination expires after 60 days

The offer of ACT nomination is valid for 60 days from date of approval. If the visa application is not lodged within 60 days, the offer of ACT nomination will expire. You would have to reapply for ACT nomination and meet the current nomination criteria.

## Department of Home Affairs Visa Decision

You must inform us of the outcome of the application for the ACT nominated Skilled Nominated (subclass 190) visa and, if you are living overseas, the expected date of your arrival in Australia:

- Email: [welcometocanberra@act.gov.au](mailto:welcometocanberra@act.gov.au)
- Attach a copy of your visa grant notification.

## Administrative Appeals Tribunal

Please note that the ACT will not, under any circumstances, appeal to the Administrative Appeals Tribunal against decisions by the Department of Home Affairs to decline granting a visa to any skilled migration applicants nominated by the ACT.

## Disclaimer

The ACT Government and its employees are not liable for any inaccuracies or omissions in the information provided to the applicant in the context of their application for ACT nomination.

The ACT Government is not responsible for finding employment, accommodation or providing financial incentive or assistance to ACT nominated visa holders or other skilled migrants. ACT nomination is exclusive to the ACT and is NOT transferable to any other state or territory in Australia.

## Contact Us

For more information contact:

The Client Manager, ACT Skilled Migration

Skills Canberra

Chief Minister, Treasury and Economic Development Directorate.

Address: Nara House. 1 Constitution Avenue Canberra ACT 2601

Mail: GPO Box 158, Canberra ACT 2601

International callers: +61 2 6207 5111 (*International call rates apply*)

Australian callers: 13 22 81

Email: [migrationservices@act.gov.au](mailto:migrationservices@act.gov.au)

## ACT Nomination Checklist (Subclass 190)

The following supporting documents must be attached to the online application.

### Required documentation

- Copy of the full record of the SkillSelect EOI response.
- Award / completion of PhD at an ACT university.



- Current skill assessment by the relevant assessing body.
- Completed and signed form 956 Appointment of a migration agent (*if applicable*).

**From:** [Cox, Ian](#)  
**To:** [Bayer, Chris](#)  
**Cc:** [OBrien, Julianne](#); [Miller, DavidJ](#)  
**Subject:** RE: CCYF closure message (003) [SEC=UNCLASSIFIED]  
**Date:** Friday, 29 June 2018 3:34:44 PM

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Ok'ed / thanks all

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**From:** Bayer, Chris  
**Sent:** Friday, 29 June 2018 3:23 PM  
**To:** Cox, Ian <[Ian.Cox@act.gov.au](mailto:Ian.Cox@act.gov.au)>  
**Cc:** OBrien, Julianne <[Julianne.OBrien@act.gov.au](mailto:Julianne.OBrien@act.gov.au)>; Miller, DavidJ <[DavidJ.Miller@act.gov.au](mailto:DavidJ.Miller@act.gov.au)>  
**Subject:** RE: CCYF closure message (003) [SEC=UNCLASSIFIED]  
**Importance:** High

Ian

Thanks for that. I've included your changes.

I was just going through the website layout to make sure this all fits together and noticed there is separate dropdown text around PhD streamlined applications.

I've taken the text from the main 190 page and applied it to the PhD subpage with some minor wording changes to reflect that PhD applications include interstate applicants (so it says closed to interstate and overseas rather than just overseas). Additional PhD info is on page 3 of the CCYF closure message document. I've amended the PhD guidelines consistent with the changes made to the 190 guidelines.

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Chris

**Chris Bayer | Manager - National Data Collections, Reporting and Skilled Migration**

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**To:** Bayer, Chris <[Chris.Bayer@act.gov.au](mailto:Chris.Bayer@act.gov.au)>  
**Cc:** OBrien, Julianne <[Julianne.OBrien@act.gov.au](mailto:Julianne.OBrien@act.gov.au)>; Miller, DavidJ <[DavidJ.Miller@act.gov.au](mailto:DavidJ.Miller@act.gov.au)>  
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