

Question 1. EOI data for 190 Visa during FY16/17 and 17/18. One chart for every 3 month period.  
Showing them in tables indicating population, mark and state, only require data on VIC and NSW.

**Expressions of Interest (EOI) Received**  
**Quarter 1 2016-17 (1 July 2016 - 30 September 2016)**  
**By Applicant Preferred State and Points Score**

State	Score	EOI Count
NSW	60	499
NSW	65	1012
NSW	70	1081
NSW	75	540
NSW	80	91
NSW	85	10
VIC	60	399
VIC	65	560
VIC	70	492
VIC	75	171
VIC	80	27
VIC	85	7
VIC	90	<5
VIC	95	<5

**Expressions of Interest (EOI) Received**  
**Quarter 2 2016-17 (1 October 2016 - 31 December 2016)**  
**By Applicant Preferred State and Points Score**

State	Score	EOI Count
NSW	60	409
NSW	65	703
NSW	70	794
NSW	75	828
NSW	80	105
NSW	85	8
NSW	95	<5
VIC	60	341
VIC	65	482
VIC	70	439
VIC	75	291
VIC	80	48
VIC	85	8
VIC	90	<5
VIC	95	<5

**Expressions of Interest (EOI) Received**  
**Quarter 3 2016-17 (1 January 2017 - 31 March 2017)**  
**By Applicant Preferred State and Points Score**

State	Score	EOI Count
NSW	60	414
NSW	65	787
NSW	70	837
NSW	75	1113
NSW	80	270
NSW	85	18
VIC	60	386
VIC	65	518
VIC	70	471
VIC	75	517
VIC	80	61
VIC	85	10
VIC	90	5
VIC	95	<5

**Expressions of Interest (EOI) Received**  
**Quarter 4 2016-17 (1 April 2017 - 30 June 2017)**  
**By Applicant Preferred State and Points Score**

State	Score	EOI Count
NSW	60	433
NSW	65	837
NSW	70	977
NSW	75	1111
NSW	80	458
NSW	85	79
NSW	90	5
VIC	60	388
VIC	65	529
VIC	70	550
VIC	75	523
VIC	80	169
VIC	85	16
VIC	90	<5
VIC	95	<5

**Expressions of Interest (EOI) Received**  
**Quarter 1 2017-18 (1 July 2017 - 30 September 2017)**  
**By Applicant Preferred State and Points Score**

State	Score	EOI Count
NSW	60	496
NSW	65	987
NSW	70	1213
NSW	75	1249
NSW	80	589
NSW	85	88
NSW	90	<5
NSW	95	<5
VIC	60	435
VIC	65	793
VIC	70	690
VIC	75	555
VIC	80	159
VIC	85	28
VIC	90	<5

**Expressions of Interest (EOI) Received**  
**Quarter 2 2017-18 (1 October 2017 - 31 December 2017)**  
**By Applicant Preferred State and Points Score**

State	Score	EOI Count
NSW	60	336
NSW	65	850
NSW	70	1069
NSW	75	1045
NSW	80	714
NSW	85	131
NSW	90	<5
VIC	60	344
VIC	65	717
VIC	70	599
VIC	75	539
VIC	80	284
VIC	85	37
VIC	90	<5

**Expressions of Interest (EOI) Received**  
**Quarter 3 2017-18 (1 January 2018 - 31 March 2018)**  
**By Applicant Preferred State and Points Score**

State	Score	EOI Count
NSW	60	335
NSW	65	882
NSW	70	1135
NSW	75	1110
NSW	80	1071
NSW	85	368
NSW	90	31
NSW	95	<5
NSW	100	<5
VIC	60	422
VIC	65	758
VIC	70	779
VIC	75	827
VIC	80	683
VIC	85	179
VIC	90	9
VIC	100	<5

**Expressions of Interest (EOI) Received**  
**Quarter 4 2017-18 (1 April 2018 - 30 June 2018)**  
**By Applicant Preferred State and Points Score**

State	Score	EOI Count
NSW	60	357
NSW	65	815
NSW	70	1291
NSW	75	1312
NSW	80	1241
NSW	85	554
NSW	90	64
NSW	95	<5
VIC	60	379
VIC	65	725
VIC	70	768
VIC	75	749
VIC	80	683
VIC	85	273
VIC	90	12
VIC	95	<5

Question 2. EOI data for occupation ANZSCO 252411 and 252511 for any permanent visa (including pathway visa - visa subclasses 186 187 189 190 489 887) during FY 16/17 and 17/18. Showing in tables, indicating population, total points score and visa subclass.

**Expressions of Interest (EOI) Received 2016-17 - ANZSCO occupation 252411 (Occupational Therapist) or 252511 (Physiotherapist)**  
**By Occupation, Visa Subclass and Points Score**

ANZSCO Occupation Code	Occupation	Visa Subclass	Score	EOI Count
252411	Occupational Therapist	189	60	67
252411	Occupational Therapist	189	65	53
252411	Occupational Therapist	189	70	19
252411	Occupational Therapist	189	75	5
252411	Occupational Therapist	189	80	<5
252411	Occupational Therapist	190	60	19
252411	Occupational Therapist	190	65	10
252411	Occupational Therapist	190	70	7
252411	Occupational Therapist	190	75	<5
252411	Occupational Therapist	190	80	<5
252511	Physiotherapist	189	60	100
252511	Physiotherapist	189	65	60
252511	Physiotherapist	189	70	26
252511	Physiotherapist	189	75	13
252511	Physiotherapist	189	80	<5
252511	Physiotherapist	189	85	<5
252511	Physiotherapist	190	60	30
252511	Physiotherapist	190	65	25
252511	Physiotherapist	190	70	11
252511	Physiotherapist	190	75	5
252511	Physiotherapist	190	80	<5

**Expressions of Interest (EOI) Received 2017-18 - ANZSCO occupation 252411 (Occupational Therapist) or 252511 (Physiotherapist)**  
**By Occupation, Visa Subclass and Points Score**

ANZSCO Occupation Code	Occupation	Visa Subclass	Score	EOI Count
252411	Occupational Therapist	189	60	42
252411	Occupational Therapist	189	65	52
252411	Occupational Therapist	189	70	25
252411	Occupational Therapist	189	75	13
252411	Occupational Therapist	189	80	6
252411	Occupational Therapist	190	60	20
252411	Occupational Therapist	190	65	34
252411	Occupational Therapist	190	70	34
252411	Occupational Therapist	190	75	7
252411	Occupational Therapist	190	80	<5
252411	Occupational Therapist	190	85	<5
252511	Physiotherapist	189	60	69
252511	Physiotherapist	189	65	75
252511	Physiotherapist	189	70	31
252511	Physiotherapist	189	75	18
252511	Physiotherapist	189	80	7
252511	Physiotherapist	189	85	<5
252511	Physiotherapist	189	95	<5
252511	Physiotherapist	190	60	22
252511	Physiotherapist	190	65	41
252511	Physiotherapist	190	70	42
252511	Physiotherapist	190	75	11
252511	Physiotherapist	190	80	<5

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# PAM3: SkillSelect

## Expression of Interest for Skilled Migration

### About this instruction

#### Contents

This instruction, which gives an overview of SkillSelect - in particular the Expression of Interest (EOI) process - comprises:

- [Introduction](#)
- [SkillSelect - The Skilled Migrant Selection Register](#)
- [Submission of an expression of interest](#)
- [Ranking of expressions of interest](#)
- [Validity of expressions of interest](#)
- [Invitations to apply for skilled independent](#)
- [Fees and charges](#)
- [Lawful stay in Australia](#)
- [Review rights for persons not invited to apply to migrate.](#)

#### Related instructions

Nil.

#### Latest changes

#### Legislative

Nil.

#### Policy

This instruction, which is part of the centralised departmental instructions system (CDIS), was reissued on 21 November 2015. It has been revised and updated throughout.

#### Owner

Skilled Migration Programme Management Section.

#### email

[Skillselect@border.gov.au](mailto:Skillselect@border.gov.au)

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# Introduction

## About this instruction

### Purpose

The primary purpose of this instruction is to explain the operation of SkillSelect and to explain the operation of the Minister's power to issue a person with an invitation to apply for certain skilled visas.

This instruction also provides policy and procedural advice on the process for submitting an expression of interest (EOI) within the Skilled Migrant Selection Register (called "SkillSelect") and the issuance of invitations to apply for skilled migration.

SkillSelect also provides a link between employers and prospective employees providing details of intending skilled migrants to certain Australian employers who may wish to access prospective migrants with particular skills.

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# SkillSelect - The Skilled Migrant Selection Register

## What is SkillSelect

### About SkillSelect

SkillSelect is an online service that enables skilled persons who are interested in obtaining an Australian visa to submit an EOI that includes information about their skills and other attributes. SkillSelect then issues invitations to apply to migrate based upon a ranking of the attributes of nominees, the passmark and subject to ceilings on occupation numbers.

SkillSelect also enables staff of certain State/Territory government agencies and Australian employers to view relevant information in an intending migrant's EOI. This information assists State/Territory government agencies to identify persons who they may nominate to help meet labour market needs in their respective jurisdictions. Similarly, SkillSelect assists employers to identify skilled workers in circumstances where vacancies are unable to be met through the Australian labour market.

SkillSelect is a three stage process:

1. intending migrants submit details of their qualifications, employment experience, English language ability and other information in their EOI
2. intending migrants who possess the skills and qualifications needed in the Australian labour market and are sufficiently highly ranked will be invited by the Minister to make a visa application or may be nominated or sponsored by an Australian employer
3. intending migrants make a visa application which is assessed and granted in circumstances where all criteria are satisfied.

### SkillSelect status

There are six statuses that an EOI has, they are:

- Draft – an EOI has been created but is incomplete and not yet submitted. EOIs that do not meet the eligibility threshold requirements for any subclass will remain in draft status. EOIs that no longer meet the requirements for the visa subclass(es) selected will be returned to draft status. Clients can continue to add/amend information to their EOI at this stage
- Submitted – an EOI that meets all requirements for all visa subclasses selected and has all fields completed can be submitted. Submitted EOIs are eligible for selection in an invitation round, by a state/territory government agency or an employer depending on the visa subclass(es) selected. Clients can continue to add/amend information to their EOI at this stage
- Suspended – an intending migrant can suspend their EOI if their personal circumstances require, eg they will not have access to the internet for a period of time. Suspending an EOI means that the EOI is not visible to state/territory government agencies or employers and cannot be invited in an invitation round. The EOI will need to be unsususpended by the client for details to be amended. EOIs can be suspended for up to two years
- Invited – an EOI has been issued an invitation to apply for visa either in an invitation round or by a state/territory government agency. The EOI becomes locked to changes in this status
- Lodged – an EOI that has a visa application lodged after an invitation to apply for a visa will be in lodged status while the visa application is processed. Details of the EOI cannot be amended in this status and

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- Closed – once closed an EOI cannot be viewed by the intending migrant, state/territory government agencies or employers. An EOI will be closed for one of the following reasons
  - two invitations to apply for a visa have expired or
  - the EOI has been in SkillSelect for two years or
  - the intending migrant has withdrawn the EOI or
  - a visa application resulting from an invitation has been finalised.

## The invitation requirement

It is a requirement for making a valid application for one of the following visa subclasses that the applicant has been invited to apply for that visa, through SkillSelect:

- 189 Skilled - Independent (Permanent) (Class SI)
- 190 Skilled - Nominated (Permanent) (Class SN)
- 489 Skilled - Regional Sponsored (Provisional) (Class SP)
- 188 Business Skills - Business Innovation and Investment (Provisional) (Class EB)
- 132 Business Skills - Business Talent (Permanent) (Class EA)

The power to issue an invitation rests with the Minister and this power has not been delegated. This power will be exercised through the SkillSelect system under s495A of the Migration Act, based on objective rules as described below. The power of the Minister to issue an invitation connects with Schedule 1 of the Migration Regulations, in that, to make a valid application for certain visas, the applicant must have been invited by the Minister to apply.

The online EOI registration collects information from potential migrants, on the basis of which they will be considered for the issue of an invitation to apply for certain skilled visas. The Minister will not consider any other form of request before issuing an invitation.

An invitation will include different details depending on which visa the applicant has been invited to apply for. As a minimum, the invitation will identify:

- the person (intending migrant) to whom the invitation is issued
- the visa subclass (and stream, if the visa subclass has streams) to which the invitation to apply relates and
- the time frame within which the invited person must lodge an application (the invitation ceases to be effective after that date).

The invitation will also include a copy of the information that the intending migrant provided in their EOI- for example, the intending migrant's nominated occupation, nomination/sponsor details where applicable and their claimed points test score.

The issuing of invitations by the Minister through SkillSelect to persons interested in applying to migrate is linked to the number of available programme places in different visa categories of the Skilled Stream of the Migration Programme.

For further details as to how the Minister will determine whether to issue an invitation, refer to [How SkillSelect works](#).

### Completing an EOI

When completing an EOI, intending migrants can express interest in one or more visa subclass(es), however the EOI can only be submitted if the requirements for all selected visa subclasses are met. An intending migrant can select as many visa subclasses as they like on one EOI.

An EOI is optional for intending migrants seeking temporary or permanent employer sponsorship under the following subclasses:

- 457 Temporary Work (Skilled)
- 186 Employer Nomination Scheme
- 187 Regional Sponsored Migration Scheme.

The EOI form will prompt clients to include the following information in relation to themselves and their skills. Questions are included or hidden based on the client's selection of visa subclass(es):

- Basic biodata including full name and date of birth;
- Nominated occupation;
- Qualifications;
- Skilled employment experience;
- English language ability;
- Skills assessment; and
- Other factors such as credentialed community language.

Note: each question is supported by help text and explanatory notes.

For points tested visa subclasses, claims will be assessed against the points test relevant to the subclass. Points tested visa subclasses are:

- Business Talent visa (subclass 132);
- Business Innovation and Investment (provisional) visa (subclass 188);
- Skilled Independent visa (subclass 189);
- Skilled Nominated visa (subclass 190); and
- Skilled Regional (Provisional) visa (subclass 489).

## How SkillSelect works

### EOI and application process

- |         |   |
|---------|---|
| Stage 1 | intending migrants express their interest in applying for a relevant skilled visa subclass(es) through completing an EOI.                 |
| Stage 2 | intending migrants will be invited by the Minister to apply for a visa subject to a ranking process and occupational ceilings.            |
| Stage 3 | intending migrants apply for a visa which is assessed against visa subclass criteria. If all criteria are satisfied, the visa is granted. |

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**Stage 1****Threshold eligibility criteria to complete an EOI**

<b>Threshold eligibility criteria to complete an EOI</b>				
<b>Skilled Independent (189), Skilled Regional sponsored (489) and State/Territory Nominated (190)</b>				
<b>Threshold criteria</b>	<b>Subclass</b>			
	189 Skilled Independent	190 State/Territory nominated	489 State/Territory nominated	489 Regional sponsored
Age	<50	<50	<50	<50
Occupation	SOL	CSOL	CSOL	SOL
Skills assessment	Suitable and valid	Suitable and valid	Suitable and valid	Suitable and valid
English language ability	Competent and valid	Competent and valid	Competent and valid	Competent and valid
Complete points test self-assessment	Yes	Yes	Yes	Yes
Seeking nomination by State/Territory govt	No	Yes	Yes	No
Has family sponsorship	No	No	No	Yes
Willingness to reside in regional Australia	Not necessary	Not necessary	Yes	Yes

<b>Threshold eligibility to complete an EOI</b>			
<b>Employer Nomination (186) Regional Employer Nomination (187) and Temporary Work (Long Stay) (457)</b>			
<b>Threshold criteria</b>	<b>Subclass</b>		
	186 Direct Entry stream	187 Direct Entry stream	457 Temporary Work (Long Stay)
Age	<50 or seeks exemption	<50 or seeks exemption	N/A
Occupation	CSOL	ANZSCO Skill level 1-3	CSOL

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<b>Threshold eligibility to complete an EOI</b>			
<b>Employer Nomination (186) Regional Employer Nomination (187) and Temporary Work (Long Stay) (457)</b>			
<b>Threshold criteria</b>	<b>Subclass</b>		
	186 Direct Entry stream	187 Direct Entry stream	457 Temporary Work (Long Stay)
Skills	Suitable and valid skills assessment & 3 years' experience or seeks exemption	Suitable and valid skills assessment required if occupation is a trade occupation in ANZSCO skill level 3 and intending migrant has an overseas trade qualification	N/A
English	Competent and valid or seeks exemption	Competent and valid or seeks exemption	Vocational and valid or seeks exemption
Seeking employer nomination	Yes	Yes	Yes
Willingness to reside in regional Australia	No	Yes	No

\*SOL = Skilled Occupation List

\*CSOL = Consolidated Sponsored Occupation List

<b>Threshold eligibility to complete an EOI</b>							
<b>Business Innovation and Investment (188) and Business Talent (132)</b>							
<b>Threshold criteria</b>	<b>Subclass</b>						
	188 Business Innovation stream	188 Investor stream	188 Significant Investor stream	188 Premium Investor stream	188 Entrepreneur stream	132 Significant Business History stream	132 Venture Capital stream
Age	<55 or seeks exemption	<55 or seeks exemption	N/A	N/A	< 55 or seeks exemption	<55 or seeks exemption	N/A

Threshold eligibility to complete an EOI							
Business Innovation and Investment (188) and Business Talent (132)							
Threshold criteria	Subclass						
	188 Business Innovation stream	188 Investor stream	188 Significant Investor stream	188 Premium Investor stream	188 Entrepreneur stream	132 Significant Business History stream	132 Venture Capital stream
Personal & business assets	AUD 800 000	AUD 2 250 000	AUD 5 000 000	AUD 15 000 000	No	AUD 1 500 000	No
Business/investment	AUD 500 000 in business turnover in 2 out of last 4 fiscal years	No	No	No	No	Business assets of AUD 400 000	No
Complete points test self-assessment	Yes	Yes	No	No	No	No	No
Seeking nomination by State/Territory	Yes	Yes	Yes	No	Yes	Yes	Yes
Seeking nomination by Austrade	No	No	Yes	Yes	No	No	No
AUD 1 million venture capital funding from Australian company with a specified industry association membership	No	No	No	No		No	Yes
AUD 200 000 from an approved Australian funding source	No	No	No	No	Yes	No	No

If an intending migrant has indicated interest in more than one visa subclass and they are able to meet the threshold eligibility for each of these visa subclasses, their EOI will be able to be completed for each visa subclass. If an intending migrant is unable to meet threshold eligibility for any visa subclass of interest, they can retain their EOI in an incomplete status for up to 2 years and update their claims as their circumstances change.

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The details of intending migrants are stored in the SkillSelect database, which is accessible by the department (on behalf of the Minister). State/Territory government agencies and Australian employers are also able to access limited information contained in SkillSelect, provided the intending migrant has indicated that they are interested in visa subclasses requiring State/Territory nomination or employer sponsorship, respectively. Access to information in SkillSelect is in accordance with relevant privacy and anti-discrimination laws. For example, employers are not able to access biographical details of those who have not indicated interest in obtaining employer nomination or sponsorship.

## Stage 2

At stage 2, intending migrants may be invited by the Minister to apply for a Subclass 132 Business Skills - Business Talent (Permanent) (Class EA), Subclass 188 Business Skills - Business Innovation and Investment (Provisional) (Class EB), Subclass 189 Skilled - Independent (Permanent) (Class SI), Subclass 190 Skilled - Nominated (Permanent) (Class SN) or Subclass 489 Skilled - Regional Sponsored (Provisional) (Class SP) visas. Invitations are a mandatory requirement before visa application can be lodged for these visa subclasses.

The invitation process does not apply to intending migrants who express their interest in temporary and/or permanent employer nomination visa subclasses. Instead, employers may contact intending migrants to arrange nomination for permanent employer nominated visa (subclass 186 or subclass 187) or sponsorship for a temporary work subclass 457 visa. Alternatively, employers may choose to nominate or sponsor a skilled worker directly outside of the SkillSelect database by using existing visa application procedures.

The EOI database provides a central repository of details of intending migrants, which enables employers to identify, compare and establish contact with potential skilled workers.

State/Territory governments may nominate intending migrants from the SkillSelect database if they have available places in their jurisdiction's State/Territory Migration Plans as approved by the Minister.

## Stage 3

At stage 3, intending migrants apply for a visa, which is assessed against visa criteria. If criteria are satisfied, the visa may be granted.

## Applicable visa classes and subclasses

The visa classes and subclasses that require a mandatory invitation through SkillSelect are:

- Subclass 189 Skilled - Independent (Permanent) (Class SI)
- Subclass 190 Skilled - Nominated (Permanent) (Class SN)
- Subclass 489 Skilled - Regional Sponsored (Provisional) (Class SP)
- Subclass 188 Business Skills - Business Innovation and Investment (Provisional) (Class EB); and
- Subclass 132 Business Skills - Business Talent (Permanent) (Class EA).

All intending migrants wishing to apply for these visa subclasses have to submit an EOI and receive an invitation before they can apply for the visa.

Intending migrants may also express interest through SkillSelect in the following visa classes and subclasses, but do not require an invitation to apply for these visas:

- Employer Nomination (Permanent) (Class EN) subclass 186
- Regional Employer Nomination (Permanent) (Class RN) subclass 187
- Temporary Work (Skilled) subclass 457 .

An intending migrant who has a non-SkillSelect skilled visa application that is currently being processed by the department may also choose to submit an EOI. Intending migrants may choose to do this, especially if they hold a temporary visa and are seeking permanent migration.

The submission of an EOI has no impact on the processing of any existing visa application that has not been finally determined. That visa application will continue to be processed in accordance with the legislative requirements for that visa and any applicable s499 priority processing direction in effect at that time.

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# Submission of an expression of interest

## Submitting an EOI

Intending migrants can submit an EOI only through SkillSelect.

## Location of applicant at time of submitting an EOI

There are no restrictions on where an intending migrant must be in order to submit an EOI - they may be in or outside Australia. A submission of an EOI is not a visa application and it does not entitle the intending migrant to be granted a bridging visa.

If an intending migrant is invited by the Minister to apply for a specified visa, they may apply whether they are in or outside Australia. If the intending migrant seeks to apply for a visa while in Australia, they must hold a substantive visa, or a Bridging A, Bridging B or Bridging C visa.

Since an intending migrant who has been issued with an invitation to apply for a specified skilled visa from the Minister can apply from outside Australia, they should not be granted a visa to travel to Australia merely for the purposes of making the skilled visa application. These intending migrants, like any other visa applicant, are required to meet the specific the visa criteria for a visa to travel to Australia.

## EOI information requirements

The amount of information an intending migrant provides in their EOI and makes available to prospective employers and/or State/Territory governments agencies is for the intending migrant to decide. However, to complete and submit an EOI, they must provide sufficient minimum information regarding their subclass(es) of interest. Depending on the subclass of visa this information may include the following:

- given names and surname
- date of birth
- country/ies of citizenship
- qualifications
- level of English language ability
- nominated occupation
- employment history
- preparedness to live and work in regional Australia
- business and investment history
- business assets.

## Evidentiary requirements

There is no requirement or facility for an intending migrant to attach supporting documentation to their EOI. However, if invited to apply for a particular visa subclass, the intending migrant will be required, as part of the visa application, to support many of the claims made in the EOI with documentation relevant to that subclass of visa. Certain documentation must be dated prior to the date of the invitation to apply for a visa.

Intending migrants are strongly encouraged to complete relevant assessments such as obtaining a satisfactory skills assessment and English language test results before creating an EOI.

When a client is invited to make a visa application through SkillSelect, the data collected in the EOI will then migrate to the department's eVisa system and pre-populate relevant fields. When an invitation is received, the EOI becomes locked to any further amendments. Supporting documents are attached directly to the eVisa system via an ImmiAccount after an invitation has been accepted and the client begins their application. When an application is submitted, eVisa then migrates the complete application to the department's visa processing system for assessing of the application.

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# Ranking of expressions of interest

## Ranking of EOIs through SkillSelect

### Skilled Independent and Skilled Regional sponsored skilled visas

For the Subclass 189 Skilled - Independent (Permanent) (Class SI) and Subclass 489 Skilled Regional (Provisional) (Class SP) visas, SkillSelect will rank intending migrants based on their self assessed score against the points test, which is based upon the claims submitted in their EOI.

The points test is a mechanism that assesses a skilled migrant's level of human capital by their age, level of qualifications, skilled employment experience, English language ability and various other factors. The Minister will not consider issuing an invitation to a prospective applicant whose skills and attributes do not pass the points test. However, not all intending migrants whose EOIs equal to or above the pass mark will be issued an invitation to apply, as only the highest point scoring applicants (as determined by their self assessed score against the Schedule 6D points test) will be invited. For further information, refer to [PAM3: Sch6D - General points test for General Skilled Migration visas mentioned in subregulation 2.26AC\(1\)](#).

To ensure that every EOI has a unique ranking, equally scoring EOIs will be separated by the date and time at which the intending migrant submitted all eligibility factors and points test score for a given subclass. The time of effect will be updated each time the intending migrant amends their EOI resulting in a change to their points test score or eligibility for a visa subclass. If an intending migrant changes their information, but it does not change their points score or eligibility, this will not alter their date of effect for the purposes of ranking against a particular subclass of visa.

The ranking of an EOI, for a Subclass 189 Skilled - Independent (Permanent) (Class SI) or Subclass 489 Skilled - Regional Sponsored (Provisional) (Class SP) visa, will also change if the claims against the points test have changed resulting in a higher or lower points test score - for example, if the intending migrant:

- updates the claims in their EOI, resulting in a reduction in their points score or
- has a birthday that changes their age bracket for the points test

An EOI will be returned to Draft status if SkillSelect determines that the intending migrant is no longer eligible for a particular visa subclass(es) eg the intending migrant turns 50 years of age (exceeding the age requirement of being less than 50 at the time of invitation)

Ranking is an automatic process, conducted by SkillSelect daily in order to facilitate the issuance of invitations with no intervention by departmental staff. The ranking is based on the information provided by the intending migrant and the timeframe in which it is submitted.

An example of how the points score of an EOI for a given subclass would change due to an intending migrant updating their details is as follows:

An intending migrant submitted a complete EOI for a 189 Skilled - Independent (Permanent) (Class SI) visa on 1 August 2012. They claimed a points score of 55, which included 10 points for their trade qualification. They later completed a Bachelor degree, and on 10 September 2012 at 0911 hours and 13 seconds AEST Australian Capital Territory, updated their EOI to claim an additional 5 points for this qualification. Hence, for the purposes of ranking the EOI, the date of effect is 10 September 2012 at 0911 hours 13 seconds with a points score of 60 points.



This change does not effect the date of submission of their EOI, which is still valid for 2 years from the original lodgement date of 1 August 2012, when they first submitted their EOI. The visa date of effect will be updated to 10 September 2012 when the qualification was added altering the points from 55 to 60.

## **State/Territory government nominated GSM and Business Skills visas**

Ranking by the Minister in order to determine who will be issued with an invitation does not take place in relation to State/Territory government nominated visas (190 and 489), Business Innovation and Investment visas (132 and 188).

Permanent (186 and 187) and temporary (457) employer nominated visas

EOIs in relation to Employer Nomination subclass 186, Regional Employer Nomination subclass 187, or Business long stay subclass 457 visas are not ranked, and visa applications are not subject to the requirement for an invitation by the Minister in order to make a valid application. The submission of an EOI in SkillSelect is not mandatory for permanent employer nomination (subclass 186 and 187) and subclass 457 (Business (Long Stay) .

## Validity of expressions of interest

### EOIs - Period of validity

An EOI is valid for 2 years from the date of submission. After 2 years from the date of submission, an EOI will be automatically closed by SkillSelect.

If an EOI is created but never submitted, it will remain in SkillSelect for 2 years from the date of creation. Once the 2 years elapses, the EOI will automatically close.

An EOI can be suspended, however this will not extend the validity period of the EOI.

### EOI Eligibility

Any intending migrant can create an EOI in SkillSelect.

An EOI can only be submitted if the threshold requirements for the selected visa subclass(es) are met.

An EOI in draft status can be updated and amended as an intending migrant's circumstances change such as gaining new qualifications or employment experience.

An EOI with claims that meet the threshold requirements for the select visa subclass(es) but does not meet the points test pass mark can be submitted. – The Minister may alter the point test pass mark from time to time.

A submitted EOI will be returned to draft status when threshold requirements are no longer met.

Only EOIs in submitted status that meet or exceed the points test pass mark can be issued an invitation to apply for a visa.

## Circumstances in which an EOI is removed from SkillSelect

An EOI:

- will remain in the SkillSelect database for 2 years after its date of creation and/ or submission. After 2 years, it will be automatically removed
- can be withdrawn by a client at any time until an invitation to apply for a visa is issued
- will be removed prior to the expiry of the 2 year period if a permanent or provisional visa is granted
- is removed SkillSelect if a visa application that followed an invitation in SkillSelect is refused
- can be cancelled by the department for a breach of the SkillSelect Terms and Conditions.

The following table summarises how long an EOI remains in SkillSelect:

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Granted a 457 visa	Granted a permanent employer nominated visa	Invited for a State/Territory government nominated visa	Invited for a Skilled Independent or Skilled Regional Sponsored visa	Not invited	Invitation issued and no application made
<p>EOI will not be removed from the database until either:</p> <ul style="list-style-type: none"> <li>▪ the 2 year expiry period elapses</li> </ul> <p>OR</p> <ul style="list-style-type: none"> <li>▪ another of the rules on this table applies</li> </ul>	<p>EOI will be removed upon visa grant. If application for employer nominated visa is refused or withdrawn, EOI will remain in SkillSelect.</p>	<p>EOI will be removed upon finalisation of application by primary decision maker. This does not include circumstances where an invalid application was made. If invalid application made, EOI remains in SkillSelect. If application is refused or withdrawn, new EOI is required.</p>	<p>EOI will be removed upon finalisation of application by primary decision maker. This does not include circumstances where an invalid application was made. If invalid application made, EOI remains in SkillSelect. If application is refused or withdrawn, new EOI is required.</p>	<p>EOI will be removed 2 years after date of submission.</p>	<p>EOI will be removed after 2 invitations are issued that do not result in a visa application being lodged.</p>

## EOI details are locked when an invitation to apply for a visa is issued

When an invitation to apply for a visa is issued, an EOI becomes locked to any further amendments.

# Invitations to apply for skilled independent and skilled regional sponsored migration

## Issuing of invitations

### Invitations for skilled independent and skilled regional sponsored visas

For Subclass 189 Skilled - Independent (Permanent) (Class SI) and Subclass 489 Skilled Regional (Provisional) (Class SP) migration, all invitations are issued electronically in order of ranking, subject to the occupation ceiling and set maximum number of invitations.

Subclass 189 Skilled - Independent (Permanent) (Class SI) EOIs are ranked separately from Subclass 489 Skilled - Regional Sponsored (Provisional) (Class SP) EOIs.

The occupation ceiling applies to all Subclass 189 Skilled - Independent (Permanent) (Class SI), and Subclass 489 Skilled Regional (Provisional) (Class SP) visas in total, rather than to each visa subclass.

If an intending migrant has been issued an invitation to apply for a visa and discovers inaccuracies in the claims made in their EOI, they should allow the 60 day invitation validity period to elapse. Once the invitation has expired and the EOI has been returned to submitted status the intending migrant should then amend their EOI to accurately reflect their claims.

Summary process for issuing invitations to intending migrants for Subclass 189 Skilled - Independent (Permanent) (Class SI) and Subclass 489 Skilled - Regional Sponsored (Provisional) (Class SP) visas.

Invitation rounds are conducted regularly.

The department will announce upcoming invitation round dates and the maximum number of invitations for Subclass 189 Skilled - Independent (Class SI) visas and Subclass 489 Skilled - Regional Sponsored (Provisional) (Class SP) visas on its website.

The invitation process will be conducted simultaneously for the Subclass 189 Skilled - Independent (Class SI) visa and Subclass 489 Skilled - Regional Sponsored (Provisional) (Class SP) visa.

EOIs are ranked by points score then by date of submission for each invitation round. The ranking process only applies to submitted EOIs which meet the points test pass mark.

The point score and submission date and time of the lowest ranked EOI to be issued an invitation in an invitation round will be published for Skilled Independent (subclass 189) and for Skilled Regional (Provisional) (subclass 489) as the tie break score and time.

Invitations will be issued to the EOIs with the highest points scores first then to EOIs with the earliest dates of submission until:

- the occupation ceiling is reached for one or more occupation group;
- the maximum number of invitations is reached for the subclass; or
- there is no further eligible EOIs available in SkillSelect.

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## Invitations for State/Territory government nominated GSM and business skills visas

Delegates from State/Territory governments with authorised access to that jurisdiction are able to access the SkillSelect database at any time and nominate intending migrants. The Minister has determined that the following requirements apply in determining whether an intending migrant will be issued an invitation or not under the State/Territory nominated visa:

Summary process for issuing invitations to intending migrants for State/Territory government nominated GSM visas is as follows:

Invitations will be issued by the Minister provided all of the following are met:

- the nominating State/Territory government has places available in its State Migration Plan for that visa subclass in that programme year
- the intending migrant has been nominated by a State/Territory government through SkillSelect for a Subclass 190 Skilled - Nominated (Permanent) (Class SN) or Subclass 489 Skilled Regional (Provisional) (Class SP) and
- the intending migrant indicates in their EOI that they meet the points test pass mark for that subclass of visa.

Summary process for issuing invitations to intending migrants for State/Territory government nominated Business Innovation and Investment visas.

Invitations will be issued by the Minister provided all of the following are met:

- the nominating State/Territory government has places available in its State Migration Plan for that visa subclass in that programme year
- the intending migrant has been nominated by a State/Territory government through SkillSelect for a Subclass 188 Business Skills - Business Innovation and Investment (Provisional) (Class EB) or Subclass 132 Business Skills - Business Talent (Permanent) (Class EA) and
- a State/Territory can then view it and decide whether to nominate the intending migrant to apply for a visa. States/Territories have their own criteria for deciding who they might nominate. In most cases, before a person is nominated, the relevant State/Territory will contact the intending migrant to discuss business possibilities.
- If a State/Territory decides to nominate an intending migrant to apply for a visa stream, then the person will receive an invitation to lodge an application for the visa.
- A person will not be invited until having been nominated. When a State/Territory nominates in SkillSelect, it will automatically trigger an invitation.
- Extensive supporting documentation may be required at the time of lodging an application.

## Permanent and temporary employer nominated visas

Submitting an EOI in SkillSelect is not mandatory for intending migrants who apply for an employer sponsored visa. Employer sponsored visas are:

- Employer Nomination Scheme (EN) (subclass 186)

- Regional Sponsored Migration Scheme (RN) (subclass 187) and
- Temporary Work (Skilled) (subclass 457).

## What is an occupation ceiling

Occupation ceilings were introduced to prevent the annual migration programme from domination by a small group of occupations. The intent of occupation ceilings is to prevent an oversupply of skilled workers in any occupation group leading to insufficient employment opportunities for Australian workers.

Occupation ceilings apply to the following visas:

- Skilled Independent visa (class SI) (subclass 189)
- Skilled Regional (Provisional) visa (class SR) (subclass 489).

Each occupation group, (as at the 4 digit ANZSCO level) has an occupation ceiling based on factors such as current workforce participation, projected industry growth and replacing workers who are exiting the workforce. The minimum ceiling for any occupation group is 1000.

Once an occupation group has reached its ceiling no further invitations can be issued for that programme year.

Occupation ceilings do not apply to the following visa subclasses:

- Business Talent (subclass 132)
- Business Innovation and Investment (subclass 188)
- Skilled Nominated (subclass 190)
- Skilled Regional (Provisional) (Class SN) (subclass 489)
- Employer Nomination Scheme (subclass 186)
- Regional Sponsored Migration Scheme (subclass 187).

## Invitations - Period of validity

An invitation to apply for a visa is valid for:

- 60 days from the date of issue
- The validity period including the expiry date will be specified on the invitation
- The invitation is valid for the visa subclass and stream of that subclass where applicable only
- If an invitation is not actioned within the validity period it will expire
- The validity period of an invitation cannot be extended
- An EOI cannot be amended during the invitation validity period - refer to EOI details are locked when an invitation to apply for a visa is issued. Therefore the EOI is locked during the invitation validity period. The EOI cannot receive a second invitation during the invitation validity period
- During the invitation validity period employers and state/territory government agencies cannot access the details of the EOI (unless the state/territory government is the nominator)
- If 2 invitations are issued and allowed to expire, the EOI will automatically close - refer to Circumstances in which an EOI is removed from SkillSelect. The intending migrant will then need to create, complete and submit a new EOI.

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## Fees and charges

### Fees and charges

There are no fees or charges payable to the department to create or submit an EOI. However there are external costs associated with obtaining skills assessments and English language tests to meet visa subclass requirements.

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## Lawful stay in Australia

### Submitting an EOI does not entitle the intending migrant to a bridging visa

As the submission of an EOI in SkillSelect is not an application for a visa, an intending migrant cannot apply for or be granted a bridging visa on the basis of having completed and submitted an EOI in SkillSelect.

### Entry to Australia after submission of an EOI

#### Intending migrants who are outside Australia

If an intending migrant is outside Australia at the time of EOI submission, this does not preclude them from applying for another visa or entering Australia on a visa while their EOI is being considered. They must consider whether they will meet the genuine travel criteria of these visas.

#### Intending migrants who are in Australia

If an intending migrant is in Australia at time of EOI submission, nothing precludes them from:

- remaining in Australia for the period of the visa they currently hold or
- applying for a visa that is not subject to an EOI submission through SkillSelect, provided they can meet the requirements for that visa.



# Review rights for persons not invited to apply to migrate

## Merits review rights

As the submission of an EOI is not a visa application, intending migrants have no merits review right should their EOI not result in an invitation to apply being issued.

Only intending migrants who make a valid visa application and are subsequently refused grant of a visa due to failure to satisfy prescribed criteria may be eligible to access merits review (provided all legislative requirements for merits review are met).

If an applicant is eligible to access merits review after their visa has been refused, this will be stated in the visa refusal notification letter.

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FA 18/07/00105

Question 4. The number of subclass 189 and 190 visa applications lodged and granted during the whole of the FY16/17 and 17/18.

Applications Lodged	Financial Year	
	2016-17	2017-18 to 30/06/2018
189 Skilled - Independent	25,331	16,797
190 Skilled - Nominated	9,447	10,185
<b>Grand Total</b>	<b>34,778</b>	<b>26,982</b>

Note: Includes primary and secondary applicants.

Applications Granted	Financial Year	
	2016-17	2017-18 to 30/06/2018
189 Skilled - Independent	21,888	19,473
190 Skilled - Nominated	8,560	9,397
<b>Grand Total</b>	<b>30,448</b>	<b>28,870</b>

Note: Includes primary and secondary applicants.