

Response to FOI Request FA 20/10/00452

1. Visa applications Granted for subclass 189 (points tested) by activity month for the months of September 2020 until 9th October 2020.
2. Visa applications Onhand for subclass 189 (points tested), as at snapshot date 9th October 2020. For onshore and offshore, Primary applicants only.
3. Visa applications Onhand for subclass 189 (points tested), as at snapshot date 9th October 2020. For onshore and offshore, for Primary and secondary applicants.
4. Visa applications Onhand for subclass 189 (points tested) onshore and offshore, for ANZCO code 233211 at snapshot date 9th October 2020.
5. Visa applications Granted for subclass 189 (points tested) by activity month for financial years 2019/2020 and 2020/2021 for ANZCO occupation 233211.

NOTE - For questions 4. and 5. data by occupation is not available at 9 October 2020; data to 30 September 2020 is provided.

- 6) Policy documentation or correspondence regarding how visa applications are allocated to case officers, for visa subclass 189 points-tested category.

Response to Question 1

Subclass 189 - Skilled Independent (Points Tested) - visa applications granted by month of grant - September 2020 and October 2020 (to 9 October 2020)

Source: Department of Home Affairs, 2020.

Note: Includes primary and secondary applicants.

Granted				
Visa Subclass	Visa Sub-Type	Month	Total	
189 Skilled - Independent	Points-Tested	Sep-20	155	
		Oct-20	39	

Response to Questions 2 and 3

Subclass 189 - Skilled Independent (Points Tested) - visa applications onhand at 9 October 2020
by applicant type and client location at time of application

Source: Department of Home Affairs, 2020.

Note: Includes primary and secondary applicants.

Onhand			Client Location (at time of application)		Total onhand at
Visa Subclass	Visa Sub-Type	Applicant Type	In Australia	Outside Australia	9/10/2020
189 Skilled - Independent	Points-Tested	Primary	2,190	1,079	3,269
		Secondary	851	1,409	2,260
189 Skilled - Independent Total			3,041	2,488	5,529

Response to Question 4

Subclass 189 - Skilled Independent (Points Tested) - primary visa applications onhand at 30 September 2020
by ANZCO occupation code 233211 and client location at time of application

Source: Department of Home Affairs, 2020.

Note: Includes primary applicants only.

Onhand			Client Location (at time of application)		Total onhand at
Visa Subclass	Occupation	In Australia	Outside Austral		30/09/2020
189 Skilled - Independent	233211 Civil Engineer	140	54		194

Response to Question 5

Subclass 189 - Skilled Independent (Points Tested) - primary visa applications granted 1 July 2019 to 30 September 2020
by ANZCO occupation code 233211 and grant month

Source: Department of Home Affairs, 2020.

Note: Includes primary applicants only.

Granted				Year
Visa Subclass	Occupation	Grant Month	2019-20	2020-21 to 30/09/2020
189 Skilled - Independent	233211 Civil Engineer	31/07/2019	14	
		31/08/2019	<5	
		30/09/2019	<5	
		30/11/2019	<5	
		31/12/2019	17	
		31/01/2020	29	
		29/02/2020	43	
		31/03/2020	23	
		30/04/2020	<5	
		31/05/2020	<5	
		30/06/2020	14	
		31/07/2020		<5
		31/08/2020		5
		30/09/2020		<5
	233211 Civil Engineer Total		153	7

From: 22(1)(a)(ii)
To: [REDACTED]
Cc: [REDACTED]
Subject: Allocation Priority from Monday 14 September [SEC=OFFICIAL: Sensitive]
Date: Friday, 11 September 2020 12:31:13 PM

~~OFFICIAL: Sensitive~~

Hi 22(1)(a)(ii)

Get next filters (Adelaide) will be simplified as it is getting increasingly difficult managing teams doing specific allocations due to DM's training/capability. Excluding AAT and GTI 124/858, the priority filters for the week will be available to all DM's (detailed below). Depending on APS level DM's should take the highest priority relevant to their capability. For example, if they are unable to process 491's move to the next priority etc. DMART reporting will be utilised to ensure correct filter use.

Other Key Points

- Location filters removed.
- An offshore decision ready get next filter will be active. Initially offshore medical occupations. Any case not ready for grant should have the offshore RTG label removed , actioned and resubmitted as normal.
- GTI 189/190/NZP will take next priority. Offshore cases RTG should be labelled accordingly. DM's should be reminded that a GTI case may have an occupation not on the critical list.
- Medical occupation type initial assessments and resubmits for all 189/190/489 (546 cases) and 491 (190 non streamlined and 144 streamlined). Offshore cases RTG should be labelled accordingly.
- Team 6 22(1)(a)(ii) APS5's revert to the standard APS5 filters.
- A new priority filter active for GTI NZP.

My aim is to have the following get next filters available Monday morning for all Adelaide GSM APS4/5's . As we are awaiting approval for offshore decision ready , the relevant filter for these may not have cases until later in the week.

APS5's:

- AAT – Only Team 7
- GTI Initial Assessments – Only Team 2 (TCM)
- ADL APS5 Priority 1 491 offshore decision ready
- ADL APS5 Priority 2 189/190/489 offshore decision ready
- ADL APS5 Priority 3 GTI 189/190 AW onshore/offshore
- ADL APS5 Priority 4 GTI 189/190 IA onshore/offshore
- ADL APS5 Priority 5 491 AW onshore/offshore
- ADL APS5 Priority 6 491 IA onshore/offshore
- ADL APS5 Priority 7 189/190/489 AW onshore/offshore
- ADL APS5 Priority 8 189/190/489 IA onshore/offshore
- ADL APS5 Priority 9 887 AW
- ADL APS5 Priority 10 887 IA

APS4's:

- ADL APS4 Priority 1 491 offshore decision ready
- ADL APS4 Priority 2 189/190/489 offshore decision ready
- ADL APS4 Priority 3 NZP GTI IA
- ADL APS4 Priority 4 NZP GTI AW
- ADL APS4 Priority 5 491 AW onshore/offshore
- ADL APS4 Priority 6 491 IA onshore/offshore
- ADL APS4 Priority 7 NZP AW
- ADL APS4 Priority 8 NZP IA
- ADL APS4 Priority 9 887 AW
- ADL APS4 Priority 10 887 IA

Kind regards

22(1)(a)(ii)

Program Performance Manager
Skilled Program Delivery SA (GSM & BIIP)
Skilled and Family Visa Program | Immigration Programs Division
Immigration and Settlement Services Group
Department of Home Affairs
P: 22(1)(a)(ii)

~~OFFICIAL: Sensitive~~

From: 22(1)(a)(ii)

Sent: Wednesday, 2 September 2020 3:33 PM

To: 22(1)(a)(ii)

Subject: Proposed Allocation Priority [SEC=OFFICIAL: Sensitive]

~~OFFICIAL: Sensitive~~

Hi 22(1)(a)(ii)

The client location condition will be removed from the Get Next filters. Resubmits and Initial Assessments for onshore as per current processing and any offshore ready to grant labelled accordingly. At the end of the week we can provide the number of offshore cases ready to grant per category.

APS5

- Priority 1 GTI s/c 189/190
- Priority 2 Medical s/c 189/190/489/491
- Priority 3 Other Critical s/c 189/190/489/491

APS4

- Priority 1 Medical Streamlined s/c 491
- Priority 2 Other critical Streamlined s/c 491
- Priority 3 s/c 887 or 189NZP

I can provide current offshore ready to grant case numbers when we have confirmation of the critical occupation list. We also need priority confirmation for s/c 489/491 subsequent entrant cases – currently 70 onshore cases.

Thank you.

Kind regards

22(1)(a)(ii)

Program Performance Manager
Skilled Program Delivery SA (GSM & BIIP)
Skilled and Family Visa Program | Immigration Programs Division
Immigration and Settlement Services Group
Department of Home Affairs
P: 22(1)(a)(ii)

~~OFFICIAL: Sensitive~~

From: 22(1)(a)(ii)
To: [REDACTED]
Cc: [REDACTED]
Subject: Allocation settings - 7 September [SEC=OFFICIAL: Sensitive, ACCESS=Personal-Privacy]
Date: Monday, 7 September 2020 10:30:00 AM

~~OFFICIAL: Sensitive~~
~~Personal-Privacy~~

Hi 22(1)(a)(ii)

Allocation settings for this week (as it stands today), are the same as in place for last week.

Thanks

22(1)(a)(ii)

~~Personal-Privacy~~
~~OFFICIAL: Sensitive~~

From: 22(1)(a)(ii)
Sent: Thursday, 27 August 2020 4:58 PM
To: 22(1)(a)(ii)
[REDACTED]
Cc: 22(1)(a)(ii)
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Subject: Allocation settings - 31 August [SEC=OFFICIAL: Sensitive, ACCESS=Personal-Privacy]

~~OFFICIAL: Sensitive~~
~~Personal-Privacy~~

Allocation settings – Week beginning 31 August

Adelaide

Please note:

- APS 5's from Team 7 will begin processing non streamlined s/c 491's.

Team 2

- APS5 – GTI and 491
- APS4 491 priority filters and NZP resubmits

Team 6

- AAT Remitted Cases

- NZP – Awake and Initial Assessments

Team 7

APS5's:

- Priority 1 491 priority filters for AW and IA
- Priority 2 Medical occupations Initial Assessments 189/190
- Priority 3 Key Occupation Awake 189/190/489
- Priority 4 189/190 GTI Awake
- Priority 5 887 Initial Assessments
- Priority 6 887 Awake

APS4's

- DM's that moved from Team 2 s/c 491 priority filters and s/c 887; all other APS4's s/c 887 Initial Assessments/Awake

Team 5

APS5's:

- Priority 1 Medical occupations initial assessments
- Priority 2 Key Occupation Awake
- Priority 3 189/190 GTI Awake
- Priority 4 NZP resubs

APS4's:

- DM's that moved from Team 2 s/c 491 priority filters and NZP initial assessments/resubmits; all other APS4's s/c NZP resubs

Team 3

APS5's:

- Priority 1 Medical occupations initial assessments
- Priority 2 Key Occupation Awake
- Priority 3 189/190 GTI Awake
- Priority 4 887 Initial Assessments
- Priority 5 887 Awake

APS4's:

- s/c 887 Initial Assessments/Awake
- s/c 489 sub entrant Awake

Brisbane

- APS4/5 Key occupation resubmits (Brisbane assessed)
- APS4/5 - 887 Initial Assessments

APS4/5 - 887 Awake **Personal-Privacy**
OFFICIAL-Sensitive

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Direction no. 87 - Order of Consideration — Certain Skilled Migration Visas

Direction no. 87 - Order of Consideration — Certain Skilled Migration Visas

KEY DATES AND REFERENCES	
Commenced	01/09/2020
Signed	31/08/2020
Status	Current
Revoked	Direction No. 86

Direction no. 87
Migration Act 1958
Direction under section 499
Order of Consideration — Certain Skilled Migration Visas

I, *Alan Tudge*, Acting Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs give this Direction under section 499 of the *Migration Act 1958*.

Dated: 2020

THE HON ALAN TUDGE MP

Acting Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs

Part 1 - Preliminary

1. Name of direction

This Direction is Direction no. 87 Order of Consideration - Certain Skilled Migration visas.

It may be cited as Direction no. 87.

2. Commencement

This Direction commences on the day after it is signed.

3. Revocation

The Direction given under section 499 of the Act, titled *Direction no. 86 Order of Consideration – Certain Skilled Migration visas*, dated 8 November 2019, is revoked.

4. Application

1. This Direction applies to all persons and bodies having powers under the Act, including the AAT, to consider and dispose of the applications for the visas specified in Schedule A and to review decisions pertaining to those applications.

2. This Direction also applies to decision-makers, including the AAT, who consider nomination applications in relation to visas specified in Schedule A.

3. Without intending to limit the scope of (1), this Direction applies to decision-makers performing functions or exercising powers:

a) under section 51 of the Act; and

b) under section 91 of the Act.

4. This Direction does not apply to:

a) applications that have been remitted by the AAT for reconsideration;

b) applications where the AAT has set aside a decision and substituted a new decision;

c) applications where it is readily apparent that the criteria for grant of the visa would not be satisfied;

d) applications by visa applicants claiming to be a member of the family unit of a person who holds a visa granted on the basis of satisfying the primary criteria in Schedule 2 to the Regulations and who did not make a combined application with that person;

e) applications for a [Subclass 489 \(Skilled - Regional \(Provisional\)\) visa](#) where the applicant seeks to satisfy the criteria in the Second Provisional Visa stream or claims to be a member of the family unit of such an applicant;

f) applications for a [Subclass 189 \(Skilled - Independent\) visa](#) where the applicant seeks to satisfy the criteria in the New Zealand stream.

5. Subject to (4) above, this Direction applies to nomination applications and visa applications made both before, on or after the commencement of this Direction.

5. Preamble

1. Australia's Skilled Migration Program is designed to select people who will make a positive contribution to the Australian economy and labour market, and assist Australian businesses to access workers with skills that cannot be met from the local labour market, including in emerging new technology and growth sectors. The Australian Government also remains committed to assisting employers and communities in regional Australia through dedicated regional skilled visa programs.

2. In relation to the specified visas in Schedule A, this Direction directs persons and bodies to which it applies with respect to the performance of functions and exercise of powers (under section 51 or section 91 of the Act) to:

- consider and dispose of visa applications in the appropriate order of consideration; and

- to review decisions pertaining to those applications in the appropriate order of consideration.

3. Persons and bodies to whom this direction applies are to give due regard to the priority processing directions set out below in [Part 2](#) of this Direction.

6. Interpretation

1. In this Direction:

AAT means the Administrative Appeals Tribunal.

Act means the [Migration Act 1958](#) in effect and as amended from time to time.

Approved sponsor with Accredited Status means approved sponsors under the [Temporary Skill Shortage visa](#) program awarded Accredited Status by the Department of Home Affairs.

Critical Sector means an industry or part of an industry (however defined), that has been identified by the Department as being of critical importance during the COVID-19 pandemic and post-pandemic recovery. The Department of Home Affairs will provide information about the sectors on its website.

Designated Area Migration Agreement means an arrangement between the Commonwealth of Australia and another party known as a designated area representative.

Designated Regional Area has the same meaning as in regulation [1.15M](#) of the Regulations.

Employer Sponsored visa means a [Subclass 186 \(Employer Nomination Scheme\) visa](#).

Global Talent Employer Sponsored Agreement means a labour agreement made under the Global Talent Employer Sponsored program.

Global Talent program refers to the cohort of visa applicants that are covered by the priority processing arrangements set out paragraph 7(1)(a) under Part 2 of *Direction no. 85 – Order of Consideration – Distinguished Talent visas*.

Labour agreement has the same meaning as in the Regulations.

Member of the family unit has the same meaning as in regulation [1.12](#) of the Regulations.

Minister means the Minister who administers the Act.

Primary criteria means the visa criteria under Schedule 2 to the Regulations for a specified visa subclass that is to be satisfied by the primary applicant.

Priority Migration Skills Occupation List means the list of priority occupations, as amended from time to time, identified by the Department of Home Affairs and the Department of Education, Skills and Employment, entitled the *Priority Migration Skilled Occupation List*, and published on the Department of Home Affairs website.

Regional sponsored visa means a Subclass 187 (Regional Sponsored Migration Scheme) visa and a Subclass 494 (Skilled Employer Sponsored Regional (Provisional)) visa.

Regulations means the *Migration Regulations 1994* in effect and as amended from time to time.

Section 85 cap means the maximum number of visas of a specified class that may be granted in a particular financial year, as specified by the Minister in a legislative instrument made under section 85 of the Act.

Skilled regional points-tested visa means a Subclass 489 (Skilled Regional (Provisional)) visa and a Subclass 491 (Skilled Work Regional (Provisional)) visa.

Part 2 - Directions

7. Order for considering nominations

1. The following processing priorities (with highest priority listed first) should be given due regard to in relation to nominations:
 - a. Nominations lodged in relation to an occupation specified in the Priority Migration Skilled Occupation List, and separately nominations lodged in relation to a Global Talent Employer Sponsored Agreement, and separately nominations lodged in relation to a Subclass 188 visa in the Significant Investor stream;
 - b. Nominations for an occupation within a Critical Sector, other than those mentioned in (a) above.
 - c. Nominations lodged in relation to an Employer Sponsored visa or a Regional Sponsored visa by an employer who is a party to a labour agreement under a Designated Area Migration Agreement;
 - d. Nominations lodged in relation to a Subclass 494 (Employer Sponsored Regional (Provisional)) visa. Within this priority, nominations lodged by approved sponsors with Accredited Status and nominations lodged by a party to a labour agreement not mentioned in paragraph (a) or (b) are to have precedence;
 - e. All other nominations lodged in relation to an Employer Sponsored visa. Within this priority, nominations by approved sponsors with Accredited Status, or nomination lodged by a party to a labour agreement not mentioned in paragraph (a) or (b) are to have precedence;
 - f. Nominations lodged in relation to a Subclass 187 (Regional Sponsored Migration Scheme) visa. Within this priority, nominations lodged by approved sponsors with Accredited Status are to have precedence.
 - g. All other nominations.
2. For categories c – g above, priority will be given to onshore nominations ahead of offshore nominations.

8. Order for considering visa applications

1. The following processing priorities (with highest priority listed first) should be given due regard to in relation to applications for visas that are specified in Schedule A:
 - a. Visa applications for an Employer Sponsored visa or Regional Sponsored visa in relation to an occupation specified in the Priority Migration Skilled Occupation List, and separately visa applications where the applicant is nominated by an employer who is a party to a Global Talent Employer Sponsored Agreement, all applications identified through the Global Talent Program and separately visa applications for the Subclass 188 visa in the following order:
 - a. Subclass 188 visa applications in the Significant Investor stream
 - b. All other Subclass 188 visa applications.
 - b. Visa applications for an occupation within a Critical Sector.
 - c. Visa applications lodged in relation to an Employer Sponsored visa or a Regional Sponsored visa by an employer who is a party to a labour agreement under a Designated Area Migration Agreement;

- d. Visa applications for a Subclass 494 (Employer Sponsored Regional (Provisional)) visa. Within this priority, visa applications where the applicant is nominated by an approved sponsor with Accredited Status or nominated by a party to a labour agreement not mentioned in paragraph (a) are to have precedence;
 - e. Visa applications for a Subclass 491 (Skilled Work Regional (Provisional)) visa;
 - f. Visa applications for an Employer sponsored visa. Within this priority, visa applications where the applicant is nominated by an approved sponsor with Accredited Status, or nominated by a party to a labour agreement not mentioned in paragraphs (a) and (b) have precedence;
 - g. Visa applications for a Subclass 187 (Regional Sponsored Migration Scheme) visa. Within this priority, visa applications where the applicant is nominated by an approved sponsor with Accredited Status are to have precedence;
 - h. Visa applications for a Subclass 489 (Skilled - Regional (Provisional)) visa;
 - i. Visa applications for a Subclass 190 (Skilled - Nominated) visa;
 - j. Visa applications for a Subclass 189 (Skilled - Independent) visa in the Points-tested stream;
 - k. All other visa applications.
2. For categories c – g above, priority will be given to onshore applications ahead of offshore applications.

9. If a section 85 cap applies

1. Applications for a visa may be affected by a section 85 cap that allows processing to be conducted but prevents the grant of visas beyond a specified number in a specified time period.
2. In deciding the order for considering and disposing of visa applications (or reviewing decisions pertaining to such applications) when affected by a section 85 cap, the applications to which this Direction specifically applies should be given priority in the order as provided for above.
3. This Direction prevails over any other directions under section 499 of the Act that outline the order of consideration for visa applications not described in this Direction.

10. Schedule A

1. The following visas are specified:
 - a) Subclass 124 Distinguished Talent;
 - b) Subclass 186 (Employer Nomination Scheme);
 - c) Subclass 187 (Regional Sponsored Migration Scheme);
 - d) Subclass 188 (Business Innovation and Investment);
 - e) Subclass 189 (Skilled - Independent) (Points-tested Stream);
 - f) Subclass 190 (Skilled - Nominated);
 - g) Subclass 489 (Skilled - Regional (Provisional));

- g) Subclass 491 (Skilled Work Regional (Provisional));
- h) Subclass 494 (Employer Sponsored Regional (Provisional));
- i) Subclass 858 Distinguished Talent.