



FOI Request FA 21/04/00891

Requests:

1. *How does the DHA define offshore/onshore applicants for Subclass 190 Visa Application? Is it based on the current residential address? Besides, if one of the applicants in one application is currently offshore, will the application be treated as onshore/offshore?*
2. *Is there any policy in DHA to prioritize Subclass 190 visa application for compassionate and compelling reasons?*
3. *Is there any policy/plan in DHA to clean up backlog application (Visa lodged in 2019 with status still under'Received') for Subclass 190?*
4. *What is the rule/standard for DHA to assign CO for Subclass 190?*

Responses:

Response 1:

- An offshore visa application is a visa application made by an individual who is not physically present in Australia. To facilitate visa application processing, applicants are encouraged to apply for their skilled visa from the country where they expect to reside for the period it may take to decide their application.
- Combined applications are treated as onshore/offshore depending on the primary applicant's location. For example, if the primary applicant is currently onshore, but secondary/dependant applicants are offshore, the application will be classified as onshore.

Response 2:

- The Department is prioritising applications for immediate family members of Australian Citizens and permanent residents with an urgent need to travel and applicants providing critical or specialist skills in support of the Government's response to COVID-19 and economic recovery.

- On 1 September, two new visa processing Directions were issued pursuant to section 499 of the Migration Act 1948, specifying prioritisation of Skilled visas.

Response 3:

- The Department endeavours to finalise Skilled Nominated (subclass 190) visa applications within reasonable timeframes, subject to the Government's priorities, including those expressed in relevant Ministerial Directions, in relation to the skilled migration program. Circumstances that affect processing times include application completeness, applicant responses to requests for additional information, and the length of time required to perform necessary checks on supporting information. Other circumstances, such as how long it takes to receive information from external agencies (for example, relating to health, character and national security requirements) are outside of the Department's control.

Response 4:

- The Department allocates resources flexibly to manage demand and on-hand levels for all visa types processed, as well as non-processing activities for which a business unit may be responsible. In addition, processing staff work across a range of skilled visas and are not allocated to processing a single visa subclass.
- The Skilled Program Delivery Network operates a collective case management model for all General Skilled Migration visa subclasses. This model means that no single visa application is processed by any one individual and therefore we are unable to determine decision maker resources assigned to a particular subclass.