



**AUSTRALIAN CAPITAL TERRITORY (ACT)
Skilled – Nominated (Subclass 190) visa**

**Guidelines for Lodging an Application for
ACT Nomination of a Subclass 190 Visa**

The ACT Government encourages skilled migration and can provide advice on ACT nomination criteria, but not on wider immigration issues. Before lodging a nomination application, it is recommended that you obtain specific migration advice relevant to your circumstances from the Department of Immigration and Citizenship or a Registered Migration Agent.

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1800 244 650 (Toll Free within Australia) or +61 13 22 81
www.canberrayourfuture.com.au**

1. ABOUT THE GUIDELINES

These guidelines provide information about lodging an application for Australian Capital Territory (ACT) nomination of a Skilled – Nominated (subclass 190) visa. The agency responsible for managing the ACT Migration Program is the Migration and Information Services (MIS), Economic Development Directorate, ACT Government.

2. APPLICANTS ALREADY LIVING IN AUSTRALIA

Applicants already living in Australia can only apply for ACT nomination if they:

- are permanently residing in Canberra; and
- have been employed full time with an ACT employer, in the **nominated occupation**, for at least **three** months; or
- if a graduate from a Canberra institution, employed in Canberra in a skilled occupation.

3. ACT OCCUPATION LIST

The ACT Occupation List identifies occupations that are currently in demand in Canberra. The occupations listed do not relate to a specific job vacancy, nor represent a guarantee of a job in a specific occupation. Applicants must compete for employment vacancies with all people in the labour market as part of a normal selection process. Success will depend on employer requirements, and the applicant's relevant skills and experience and level of English language ability.

4. ACT OCCUPATION LIST UPDATES

The ACT Occupation List is updated on a regular basis to show the current status of the skill demand against each occupation, as demonstrated below:

Closed	nomination places are not available for this occupation.
Limited	nomination places are limited. Occupations must be VERIFIED before the application for nomination is lodged.
Open	nomination places are available for this occupation.

5. VERIFICATION OF 'LIMITED' OCCUPATIONS

A 'limited' occupation indicates that the current ACT target for this occupation is almost met or numbers are restricted. Applicants seeking nomination of a 'limited' occupation **must** have the occupation verified by MIS **before** an application for nomination is lodged.

A 'limited' occupation will be verified and considered for nomination if MIS is satisfied that the applicant has a high level of English ability and is able to demonstrate exceptional skills relevant to current employment opportunities in the ACT.

To verify a 'limited' occupation, email migrationservices@act.gov.au and provide the following documentation:

- Curriculum Vitae (CV) with 3 years recent, relevant experience in the nominated occupation that is in an industry relevant to the ACT. Experience in heavy industry or manufacturing; production; international airlines; mining; shipping; oil; railways; etc will generally not be considered relevant.
- Current skill assessment in the nominated occupation. All VETASSESS skill assessments must be dated after January 2010.
- IELTS result with a minimum score of 7 each band (unless the applicant holds a passport from the United Kingdom; Canada; New Zealand; United States of America; Republic of Ireland);
- Evidence that there are, currently, sufficient ACT employment opportunities in the nominated occupation that suit the applicant's skill set e.g. personal research into recent, relevant advertised positions. Please note: employment opportunities within the Australian Government will not generally be accepted as evidence, as these positions normally require Australian citizenship or an Australian Security clearance; and

- Commitment to Canberra statement explaining in **your own words** why you want to live in Canberra. Explain how Canberra's lifestyle would suit your way of life more than any other city in Australia (no more than two pages).

The applicant will be informed, by email, whether the 'limited' occupation has been verified. Verification is not a guarantee that the nomination will be approved, only that the application will be accepted and assessed against the nomination criteria.

An application nominating a limited occupation must be lodged within **one (1) month** of verification. Applications received after this time limit will be automatically recommended for refusal. A copy of the verification email must be submitted with the application. If an application for a 'limited' occupation is lodged without verification, the application will be automatically recommended for refusal.

6. OCCUPATIONS NOT ON THE ACT OCCUPATION LIST (OFF LIST NOMINATION)

The ACT has a limited number of 'off list' places available each year. Preference will be given to Canberra residents working in their nominated occupation; or overseas residents with a close family member who is resident in Canberra.

Interstate graduates (who commenced working in Canberra after 1 July 2012) are not eligible to apply for an 'off list' occupation.

- Canberra residents who **do not** have an occupation on the ACT Occupation List may still apply for nomination if they meet the nomination criteria, and they:
 - ◆ have a current skill assessment in a nominated occupation on the [DIAC Skilled Occupation List](#);
 - ◆ are currently employed in the nominated occupation in Canberra.
 - ◆ Contact MIS, by email at migrationservices@act.gov.au to verify the 'off list' nomination before applying.
- Overseas residents who **do not** have an occupation on the ACT Occupation List may still apply for nomination if they meet the nomination criteria, and they have either:
 - ◆ a close family member who is resident in Canberra; or
 - ◆ a genuine offer of employment in Canberra from an ACT employer; or
 - ◆ the occupation is verified with the same criteria as applies to a 'limited' occupation (see Section 5 'Verification of Limited Occupations').
 Contact MIS, by email: migrationservices@act.gov.au to verify the 'off list' nomination before applying.

7. SKILLSELECT EXPRESSION OF INTEREST

Before submitting an application for ACT nomination, you must be satisfied that you meet the Department of Immigration and Citizenship (DIAC) criteria for lodging a Skilled – Nominated (subclass 190) visa. On 1 July 2012, DIAC implemented *SkillSelect*; a major change to how Australia manages its skilled migration program. All potential migrants, including those who are government nominated, must record their details through a *SkillSelect* Expression of Interest (EOI).

- The EOI can be lodged before you apply for ACT nomination, or after you receive ACT nomination.
- When completing your EOI, you must:
 - ◆ only select the ACT as your preferred location within Australia;
 - ◆ only select the Skilled - Nominated subclass 190 visa.
 - ◆ ensure that the information recorded in the EOI matches the information provided on your application for ACT nomination.
- The application for ACT nomination is likely to be refused if:
 - ◆ you selected multiple states as your EOI preferred location;
 - ◆ you selected more than one visa subclass in your EOI; or
 - ◆ there are discrepancies between the information provided on your application for ACT nomination and the information recorded in your EOI.

- If you lodge the EOI after ACT nomination is approved, you must inform MIS by emailing migrationservices@act.gov.au, of the EOI Transaction Reference Number (TRN) before ACT nomination can be confirmed on *SkillSelect*. The offer of ACT nomination will be withdrawn if:
 - ◆ you selected multiple states as your EOI preferred location;
 - ◆ you selected more than one visa subclass in your EOI; or
 - ◆ there are discrepancies between the information provided on your application for ACT nomination and the information recorded in your EOI.
- If your application for ACT nomination is refused / withdrawn for any of the above reasons in relation to the EOI, you may re-apply for ACT nomination. However, you must submit a completely new application, pay the service fee, meet all current nomination criteria and address all reasons for refusal.

8. APPLYING FOR ACT NOMINATION

Complete the online application for ACT nomination of a subclass 190 visa at www.canberrayourfuture.com.au/migrating, and attach documentary evidence that you meet the following criteria:

- **SkillSelect EOI:** copy of the EOI (if you have already lodged the EOI with DIAC).
- **Nomination Obligations:** Signed and witnessed 'Declaration of Nomination Obligations' acknowledging and accepting ACT nomination obligations (see attachment A).
- **Skilled Occupation:** You must nominate an occupation that is either 'open' on the ACT Occupation List or has been verified as a 'limited' or 'off list' occupation:
 - ◆ Current skill assessment by the relevant assessing body. All VETASSESS skill assessments must be dated after January 2010 unless the applicant can demonstrate that they have been continuously employed in the nominated occupation since assessment date.
 - ◆ If the occupation is 'limited' or 'off list', a copy of the verification email.
- **English language ability:** You must either:
 - ◆ hold a passport from the United Kingdom; Canada; New Zealand; United States of America; Republic of Ireland; or
 - ◆ for all other passport holders, have a:
 - current IELTS result with a minimum score 7 in speaking and 7 overall; or
 - current OET result with a minimum grade B in all sections.
 - ◆ if a higher level of English is an additional nomination condition on the SMP Occupation List: an IELTS result with the required English ability.
 - ◆ if the occupation is verified as 'limited' or 'off list': an IELTS result with a minimum score of 7 in each band is required.
- **Work Experience.** Provide evidence that you have recent, relevant work experience in the nominated occupation. The length of work experience is not mandated. However, MIS must be satisfied that you have sufficient experience in you nominated occupation to be employable in Canberra.
 - ◆ Current Curriculum Vitae (CV) which clearly states personal details, educational qualifications and work experience. The experience must be relevant to the ACT economy. Experience in heavy industry or manufacturing; production; international airlines; mining; shipping; oil; or railways is generally not considered relevant to the ACT labour market.
 - ◆ Employment opportunities within the Australian Government will not generally be accepted as evidence, as these positions normally require Australian citizenship or an Australian Security clearance.
 - ◆ Current employment reference(s) which support recent, relevant work experience in the nominated occupation.

- **Employment Opportunities.** Provide evidence (no more than six vacancies) that demonstrate that there are currently sufficient Canberra employment opportunities in your nominated occupation e.g. personal research into recently advertised positions that would suit your skill set and are relevant to your work experience.
 - ◆ Please note: employment opportunities within the Australian Government will not generally be accepted as these positions normally require Australian citizenship or an Australian Security clearance.
- **Financial capacity:** You must declare, by signing the 'Declaration of Financial Capacity', that you have access to sufficient financial resources to fund your migration to Australia and settlement in Canberra while you secure employment.
 - ◆ Your signature on the Declaration of Financial Capacity must be witnessed by an authorised witness (Notary Public, Justice of the Peace, other professional or official authorised to attest the authenticity and accuracy of information in this pro forma). See Attachment B.
 - ◆ You are not required to provide documentary evidence to support your financial position with your application. However, you must be able to provide these documents on request by MIS.
- **Settlement Statement:** *(not required for applicants already living in Canberra)*. You must show that you have a realistic understanding of the settlement costs involved upon arrival in Canberra and while you seek employment. You must show evidence of your research into the cost of living in Canberra (rent, food, transport, entertainment etc), and include the following information:
 - ◆ estimated cost of relocation to the ACT (A\$: flights, freight, initial accommodation etc);
 - ◆ details on how you researched the cost of living in Canberra;
 - ◆ estimated cost of living in Canberra (A\$ per month)
 - ◆ breakdown of monthly living expenses.
- **Commitment to Canberra:** you must provide a statement, (no more than two pages), demonstrating your commitment to living in Canberra for a minimum two year period from visa grant. The statement should:
 - ◆ explain, **in your own words**, why you want to live in Canberra. Explain how 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.
 - ◆ Simply providing copied information from the internet or another source will not be considered sufficient evidence of your commitment to living in Canberra and may be cause for refusal.
- **Family relationships:** if you have close family members living:
 - ◆ in Canberra: provide evidence of their Canberra residency and relationship to you.
 - ◆ elsewhere in Australia: provide details of the State/Territory they live in and relationship to you. You must also explain why you have chosen to live in the Canberra and not with them in their state/territory.
- **Nomination by another state / territory government:** if you have applied to another state / territory government for nomination, you must explain why you are now applying to the ACT.
- **Personal Information:**
 - ◆ copy of passport (bio page and Australian visas *if any*) for main applicant and dependents included in the nomination.
 - ◆ a completed and signed form 956 *Appointment of a migration agent (if applicable)*.
- **Already living in Australia (if applicable)** - you must provide the following documents to support your residence and employment in Canberra:
 - ◆ ACT drivers licence;
 - ◆ banks statements for the last three months;
 - ◆ employment contract or letter of offer; and
 - ◆ 3 months pay slips.

- **Service fee:** payable on lodgement of nomination application.

9. SERVICE FEE

The ACT charges a non refundable service fee for processing applications for subclass 190 nomination. The service fee is an ACT administration charge only and does not guarantee the approval of a nomination.

The service fee of **\$300** may be paid by:

Credit Card

- selecting '**pay now**' on the online application;
- selecting '**pay later**' and accessing the 'Pay an ACT Government Account' portal at <https://forms.act.gov.au/smartform/public/FormServer?formId=1009>. Email a copy of the EFT receipt to migrationservices@act.gov.au.

Cheque / money order

- The service fee may be paid by bank / business cheque / money order by selecting '**pay later**' on the online application and forwarding the payment and a copy of the 'payment pending' email to MIS .
- Payable to: Economic Development Directorate.

Electronic Funds Transfer (EFT):

- The service fee may be paid by EFT by selecting '**pay later**' on the online application and transferring the fee into the following bank account.
Commonwealth Bank - Ainslie Ave, Canberra, 2601
Account name: 'ACT Economic Development Directorate – Departmental'
BSB: 062-987
Account Number: 100 199 90
Reference: Name of client
- Email the EFT receipt and a copy of the 'payment pending' email to 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.)

10. PRIORITY OF PROCESSING

Applications for nomination will generally be processed within 30 working days. Please do not contact MIS before this time elapses to enquire about the progress of the application as constant enquiry is time consuming and can delay processing.

11. NOMINATION NOTIFICATION

You will be notified of the outcome of the ACT nomination application by **email**.

12. NOMINATION VALIDITY

If ACT nomination is approved, you must lodge the *SkillSelect* EOI (if you have not already done so) within 30 days of receiving the offer of ACT nomination.

Email the EOI Transaction reference Number (TRN) to migrationservices@act.gov.au. On receipt of the TRN, MIS will confirm your ACT nomination on *SkillSelect* and DIAC will immediately issue the invitation to apply for your visa.

Your ACT nomination will expire if you don't apply for the visa within the 60 days of receiving the DIAC invitation.

13. WITHDRAWAL OF NOMINATION

The ACT reserves the right to withdraw the offer of ACT nomination if:

- your commitment to living in Canberra for at least two years from visa grant is not ongoing or genuine because:
 - ◆ you selected multiple states as your preferred location in the EOI;
 - ◆ selected more than one visa subclass in your EOI; or
- you have provided false or misleading information or statements in your application for nomination;
- there are discrepancies between the information provided on your application for ACT nomination and the information recorded in your EOI.

14. STATE/TERRITORY NOMINATED VISA DECISION

You must inform MIS of the outcome of your ACT nominated subclass 190 visa application and, if approved by DIAC, the expected date of your arrival in Australia by email: welcometocanberra@act.gov.au

15. MIGRATION REVIEW TRIBUNAL

Please note that it is the policy of the ACT that it will not, under any circumstances, appeal to the Migration Review Tribunal (MRT) against decisions by DIAC to decline granting a visa to any skilled or business migration applicants nominated by Canberra.

16. CANBERRA SETTLEMENT – RELOCATION WEBSITE

Once you have informed [us](#) that your visa has been granted you will be given access to **The Canberra Information Portal**: a complete self-service website designed to support skilled migrants nominated by the ACT.

The Canberra Information Portal is a purpose-built self-help website that will enable you to proactively prepare for and then settle in Canberra. For 6 months from pre-arrival through to settling-in, a virtual relocation consultant guides you through your journey of resettlement and tailors quality and up-to-date local information to suit your particular needs.

As well as answering your questions, **The Canberra Information Portal** facilitates independent research and introduces the range of suburbs most likely to suit your family's lifestyle, housing, education, community and budget requirements and enables many of the practical tasks that need to be done.

17. 'WELCOME TO CANBERRA' SETTLEMENT SERVICE

MIS provides a free settlement service to help nominated migrants settle into Canberra. Visa grant is just the start of the migration process. Moving to a new country and starting a new life can be quite overwhelming. The settlement service is provided to help our new arrivals feel comfortable about the move they have made so that they can start enjoying the wonderful lifestyle and employment opportunities on offer in our beautiful city. 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, and refer you to the relevant websites,
- send you regular newsletters updating you on special events and upcoming activities that we are enjoying in Canberra.
- give you access to our on-line self-service relocation program, the Canberra Information Portal when your visa is granted.
- arrange to meet with you when you arrive in Canberra and provide you with initial settlement support and advice, and a follow up phone call or email after 6 weeks.
- refer you to the Canberra Settlement Service for job preparation and employment support; including connection with employers and recruitment agencies.

If you would like more information about our complimentary Settlement Service, contact the 'Welcome to Canberra' team by email: welcometocanberra@act.gov.au

18. MONITORING PROGRAM

By signing the Declaration of Nomination Obligations, you have agreed obligations, to live and work in Canberra for a minimum period of **two years** from permanent arrival in Australia. After your ACT nominated visa has been granted, you are required to:

- Contact MIS and confirm your expected date of arrival in Canberra and whether you would like to take advantage of the free Canberra Settlement support.
- Complete settlement surveys at 6, 12, 18 and 24 months after arrival.
- Inform MIS of any change to your contact details in Canberra for two years after arrival in order to receive the settlement surveys.

DISCLAIMER

By applying for nomination, the applicant acknowledges that the ACT is not responsible for finding employment, accommodation or providing a financial incentive to ACT nominated visa holders or other skilled migrants. The ACT Government or employees of the ACT Government are not liable for any inaccuracies or omissions in the information provided to the applicant in the context of their application for territory nomination. ACT nomination is exclusive to the ACT and is NOT transferable to any other State or Territory in Australia.

CONTACT DETAILS

For further information about the ACT's skilled migration program, contact:

The Client Manager
Migration and Information Services (MIS)
Economic Development Directorate
Australian Capital Territory

Address: Telstra House,
490 Northbourne Avenue,
Dickson, ACT. 2602

Mail: GPO Box 158, Canberra, ACT, 2601.
Phone: (02) 6207 1957
Fax: (02) 6207 0033
Email: migrationservices@act.gov.au

**DECLARATION OF NOMINATION OBLIGATIONS
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 the financial resources as stated on the ‘Declaration of Financial Capacity’.
- I have researched relevant employment opportunities in Canberra and am satisfied that there sufficient employment opportunities in my nominated occupation in Canberra.
- 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 the Migration and Information Services (MIS) team and am not contactable by email.
- I will inform the MIS team of the progress of my visa application, when the visa application is decided by DIAC and, if approved, my expected arrival date in Canberra.
- 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.
- I understand that my Curriculum Vitae or Resume may be sent to local recruitment agencies/industrial 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 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.

Privacy

The information you provide with your application is collected by Migration and Information Services (MIS), Economic Development, a Directorate of the ACT Government and will be used to assess your application for an ACT Skilled – Nominated (Subclass 190) Visa. Information you provide in the settlement surveys and collected by MIS will be used by MIS to monitor your settlement if you are a successful applicant. Depersonalised settlement information may be used to compile statistical reports for MIS 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 ACT 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 Privacy Act 1988 (Cth).

.....
(Signature of applicant)

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

Name of Witness.....

.....
(Signature of witness)

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

DECLARATION OF FINANCIAL CAPACITY

To be completed by the principal applicant for nomination by the ACT.
 (Assets of spouse may be included if spouse is migrating with principal applicant).

Full Name of Applicant	Date of Birth
Full Name of Spouse	Date of Birth

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).			
TOTAL			

- 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 (1)

Signature (2)

Witnessed and Signed by a Notary Public, Justice of the Peace or any Government or other official authorised to attest the authenticity and accuracy of information in this pro forma. Signature...../.../....	Seal/Stamp of Bank or Notary Public:
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ACT NOMINATION CHECKLIST (Subclass 190)

The following supporting documents must be attached to the online application

<u>REQUIRED DOCUMENTATION</u>	YES
Copy of the <i>SkillSelect</i> EOI (if the EOI has been lodged with DIAC).	
Verification email (for limited / off list occupations only).	
Signed and witnessed 'Declaration of Nomination Obligations'.	
Evidence of English language ability (IELTS or OET if required).	
Current skill assessment by the relevant assessing body.	
Current Curriculum Vitae (CV).	
Evidence of recent relevant work experience in the nominated occupation (employer references).	
Research into current ACT employment opportunities (if not working in Canberra).	
Evidence of current ACT employment (if working in Canberra).	
Research into settlement costs while seeking employment (if not living in Canberra).	
Commitment to Canberra statement.	
Signed and witnessed 'Declaration of Financial Capacity'.	
Evidence of family relationships if they are living in Australia, and supporting statement (if applicable).	
Evidence of other state / territory nomination (if applicable).	
Copy of passport (bio data page and any Australian visas) for main applicant and dependents.	
Completed and signed form 956 <i>Appointment of a migration agent</i> (if applicable).	
Evidence of ACT residence (if applicable)	
Service fee	