



State Migration Plans Frequently Asked Questions

Q1 What are State Migration Plans?

On 8 February 2010 the Australian Government announced a series of reforms to the skilled migration program. One of the reforms announced was the development of State Migration Plans.

State and territory Migration Plans (Plans) are agreements between individual states and territories with the Minister for Immigration and Citizenship. Plans allow states and territories to nominate General Skilled Migration (GSM) applicants under occupations required to fill skill shortages within their local labour markets.

Plans specify which occupations state and territory governments can nominate applicants under and specify the number of visas that will be granted as part of this program.

Q2 How do I apply for a state or territory nomination?

For information about obtaining a nomination you will need to contact the relevant Agency for the state or territory where you intend to settle. Information about contacting these agencies is provided at Q16 below.

For GSM applications lodged after 1 July 2010, evidence of nomination approval is required prior to lodging your visa application. Without this prior approval you will not be able to lodge a valid application for a nominated visa. This department will subsequently receive confirmation of your nomination approval from the nominating state or territory government.

States and territories have a limited capacity to put forward nominations for occupations not listed on their Plan. If you want to be nominated for an occupation that is not on a state or territory's Plan you will need to discuss this with the nominating agency before proceeding with your visa application.

Q3 Why is the Government introducing State Migration Plans?

Plans provide state and territory governments with flexibility within the Migration Program to address specific skill shortages and local labour market needs. Plans are tailored to the requirements of each state and territory's jurisdiction. While state and territory governments have had the capacity to nominate applicants for the purposes of the GSM program for a number of years, the introduction of Plans is intended to improve the targeting of this part of the program.

Each state and territory has different skill needs and Plans are tailored to the requirements of each jurisdiction. Therefore, occupation lists may differ between each state and territory.

States and territories can nominate applicants for occupations that are not found on Schedule 3 of the current Skilled Occupation List (SOL) assisting them to address local difficulties in finding workers to fill skill shortages.

Q4 When are the state and territory Migration Plans being introduced?

The department expects that all Plans will have commenced by the end of the 2010 calendar year, however, Plans for each state and territory will not all commence at the same time.

Q5 Which occupations are going to be listed on each state and territory's Migration Plan?

When Plans are in place, each state and territory will publish the list of eligible occupations on their website. Links for the relevant state and territory agency websites are listed in Q16 below.

Q6 How will I be able to determine whether my nominated occupation is on a State Migration Plan?

When a Plan is in place, state and territory governments will publish their list of eligible occupations on their website. Links for the relevant state and territory government websites are listed in Q16 below.

Q7 Who do State Migration Plans apply to?

Plans apply to applicants who obtain nomination from a state or territory government and apply for one of the following visas:

- Subclass 176 Skilled - Sponsored
- Subclass 886 Skilled - Sponsored
- Subclass 475 Skilled - Regional
- Subclass 487 Skilled - Regional Sponsored.

Transitional Arrangements

Q8 I have already lodged a state or territory nominated application and my occupation is included on my nominating state or territory's Plan. Will my application be processed more quickly now a Plan is in place?

Yes. Ministerial Direction 48 made on 14 July 2010, by the then Minister for Immigration and Citizenship, Senator the Hon Chris Evans, set new priority processing arrangements for certain skilled migration visas.

Under this Ministerial Direction the following processing priorities (with the highest priority listed first) apply:

1. Applications from people who are employer sponsored under the Employer Nomination Scheme (ENS) and the Regional Sponsored Migration Scheme (RSMS).
2. Applications from people who are nominated by a state or territory government agency with a nominated occupation that is specified on that state or territory's Migration Plan.
3. Applications from people who have nominated an occupation on the current Skilled Occupation List (SOL) – Schedule 3 in effect from 1 July 2010.

See: <http://www.immi.gov.au/skilled/general-skilled-migration/pdf/new-list-of-occupations.pdf>

4. All other applications are to be processed in the order in which they are received.

For more information about priority processing you can visit the department's website.

See: <http://www.immi.gov.au/skilled/general-skilled-migration/updated-priority-processing-arrangements.htm>

When a state and territory government's Plan is in place, existing applicants whose nominated occupation is included on the relevant Plan will be processed under processing priority category 2.

Q9 Do I need to tell the department that my occupation is on the State Migration Plan to obtain priority processing?

No. When your nomination is accepted by this department you do not need to provide any further information as the department will determine your eligibility for priority processing. Applicants will not be eligible for priority processing under a Plan until this department accepts a nomination.

If you have already lodged an application with nomination you do not need to provide any further confirmation as nominations, approved before Plans were implemented, remain valid.

Q10 Can I obtain priority processing under a State Migration Plan if I have already applied for an Independent Skilled visa or I have been sponsored by a family member?

Applications for permanent visas lodged before 1 July 2010

Applicants who applied for either a Skilled (Residence) or Skilled (Migrant) visa (subclasses 175, 176, 885 and 886) before 1 July 2010 are able to seek a nomination under a Plan and have their application assessed on the basis of having a state or territory nomination.

Applications for permanent visas lodged on or after 1 July 2010

Applicants who applied for either a Skilled (Residence) or Skilled (Migrant) visa (subclasses 175, 176, 885 and 886) on or after 1 July 2010 as either an independent or family sponsored applicant cannot be assessed using a state or territory nomination under a Plan. This is because it is a legislative requirement for applicants applying from 1 July 2010 to have obtained a nomination (or family sponsorship) prior to lodging the visa application.

Applications for provisional visas

The Migration Regulations have never permitted applicants who applied for a Skilled Sponsored (Regional) visa (subclasses 475 or 487) on the basis of family sponsorship to change their application to a state or territory nominated application and this has not changed.

Q11 I have been nominated and my occupation is not on my nominator's State Migration Plan but is on another Plan. Can I obtain a nomination from another state or territory under their State Migration Plan?

Applications for GSM visas lodged before 1 July 2010

Applicants who applied for either a Skilled (Residence) or Skilled (Migrant) visa (subclasses 175, 176, 885 and 886) before 1 July 2010 can obtain a further nomination under a Plan and be assessed on the basis of the new nomination.

Applicants who applied for a Skilled Sponsored (Regional) visa (subclasses 475 or 487) before 1 July 2010 on the basis of a state or territory nomination can obtain a further nomination under a Plan and be assessed on the basis of the new nomination.

Applications for GSM visas lodged on or after 1 July 2010

Applicants for GSM visas who applied on or after 1 July 2010 cannot use a nomination from another state or territory for their existing application.

Q12 I lodged my visa application before the commencement of State Migration Plans and my occupation is not on my nominating state or territory Plan. What happens to my application now?

If you applied for your visa before the relevant Plan commenced, and your occupation is not on that Plan your nomination continues to be valid, however, your application will not receive priority processing (category 2) under a Plan. This means that your application will retain its existing processing priority under Ministerial Direction 48 (see Q7 for priority processing information).

Q13 I have lodged a visa application with sponsorship from a family member. Can I access family sponsorship through a State Migration Plan?

No, Plans are for applicants who are nominated by a state or territory government only.

Q14 I am not eligible for priority processing under a State Migration Plan. What options do I have?

The options available to you are:

- continue to await a decision on your visa application
- or
- assess your eligibility for an employer sponsored visa.

For more information about priority processing you can visit the department's website.

See: <http://www.immi.gov.au/skilled/general-skilled-migration/updated-priority-processing-arrangements.htm>

Q15 How can I contact in the department to ask more about State Migration Plans?

If you are outside Australia.

Telephone: + 61 1300 735 683

If you are in Australia.

Telephone: 1300 735 683

Monday to Friday 9 am to 4 pm (Central Australian Time).

Q16 How do I get in touch with the relevant state or territory government?

You can contact the relevant state and territory governments through their websites which are listed under contact details of the fact sheet.

See: [State Migration Plans Fact Sheet](#)