

**HOME AFFAIRS PORTFOLIO
DEPARTMENT OF HOME AFFAIRS**

PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Joint Standing Committee on Migration
Inquiry into Australia's Skilled Migration Program

QoN Number: 12

Subject: Monthly processing data for 887 subclass visa

Asked by: The Committee

Question:

Please provide monthly processing time data for the 887 subclass visa at the 75th and 90th percentile for the last three years, with offshore and onshore applications broken down.

Answer:

From 19 September 2020, COVID-19 concessions to lodgement and eligibility requirements were made available to eligible prospective Skilled – Regional visa (subclass 887) applicants. One of these was to allow eligible prospective subclass 887 visa applicants to make their visa application outside Australia (offshore) and also be eligible for grant while they are offshore. Note that the COVID-19 concession period commenced on 1 February 2020 and is an interim arrangement.

Since that time, there have only been 80 primary applicants who were offshore at the time of lodging a subclass 887 visa and there have been no visa grants or refusals of these applicants.

Therefore, the below table only reports on processing times for primary applicants who were in Australia (onshore) when lodging their subclass 887 visa.

Processing time at the 75th and 90th percentile for subclass 887 visa for the last three program years, by month				
Subclass	Program year	Month	75th Percentile	90th Percentile
887	2017-18	JULY	6 Months	9 Months
887	2017-18	AUGUST	5 Months	6 Months
887	2017-18	SEPTEMBER	6 Months	9 Months
887	2017-18	OCTOBER	6 Months	7 Months
887	2017-18	NOVEMBER	6 Months	8 Months
887	2017-18	DECEMBER	7 Months	8 Months
887	2017-18	JANUARY	7 Months	9 Months
887	2017-18	FEBRUARY	8 Months	10 Months
887	2017-18	MARCH	8 Months	10 Months
887	2017-18	APRIL	9 Months	12 Months
887	2017-18	MAY	8 Months	10 Months
887	2017-18	JUNE	9 Months	10 Months

Processing time at the 75th and 90th percentile for subclass 887 visa for the last three program years, by month				
Subclass	Program year	Month	75th Percentile	90th Percentile
887	2018-19	JULY	9 Months	11 Months
887	2018-19	AUGUST	9 Months	11 Months
887	2018-19	SEPTEMBER	11 Months	14 Months
887	2018-19	OCTOBER	11 Months	12 Months
887	2018-19	NOVEMBER	12 Months	13 Months
887	2018-19	DECEMBER	Not available	Not available
887	2018-19	JANUARY	Not available	Not available
887	2018-19	FEBRUARY	14 Months	15 Months
887	2018-19	MARCH	15 Months	17 Months
887	2018-19	APRIL	15 Months	16 Months
887	2018-19	MAY	15 Months	17 Months
887	2018-19	JUNE	15 Months	16 Months
887	2019-20	JULY	18 Months	20 Months
887	2019-20	AUGUST	19 Months	21 Months
887	2019-20	SEPTEMBER	21 Months	23 Months
887	2019-20	OCTOBER	19 Months	20 Months
887	2019-20	NOVEMBER	18 Months	18 Months
887	2019-20	DECEMBER	18 Months	18 Months
887	2019-20	JANUARY	19 Months	21 Months
887	2019-20	FEBRUARY	23 Months	25 Months
887	2019-20	MARCH	24 Months	27 Months
887	2019-20	APRIL	21 Months	23 Months
887	2019-20	MAY	20 Months	22 Months
887	2019-20	JUNE	16 Months	21 Months
887	2020-21	JULY	16 Months	20 Months
887	2020-21	AUGUST	12 Months	18 Months
887	2020-21	SEPTEMBER	10 Months	15 Months
887	2020-21	OCTOBER	11 Months	17 Months
887	2020-21	NOVEMBER	22 Months	24 Months
887	2020-21	DECEMBER	20 Months	26 Months
887	2020-21	JANUARY	21 Months	26 Months
887	2020-21	FEBRUARY	Not available	Not available
887	2020-21	MARCH	15 Months	23 Months
887	2020-21	APRIL	Not available	Not available

Note 1 – Processing times are not available when the number of decisions made in a particular month is less than 30.

Note 2 – Decisions only include grants and refusals on primary, valid visa applications.

Note 3 – The table does not include any data on offshore applicants that have been granted or refused since September 2020

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PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Joint Standing Committee on Migration
Inquiry into Australia's Skilled Migration Program

QoN Number: 13

Subject: Monthly processing date for 189 subclass visa

Asked by: The Committee

Question:

Please provide monthly processing time data for the 189 subclass visa at the 75th and 90th percentile for the last three years, with offshore and onshore applications broken down.

Answer:

Processing time at the 75th and 90th percentile for subclass 189 visa for the last three program years, by month and client location (July 2017 – April 2021)						
Subclass	Program year	Month	Client Location			
			In Australia		Outside Australia	
			75th Percentile	90th Percentile	75th Percentile	90th Percentile
189	2017-18	JULY	8 Months	11 Months	12 Months	17 Months
189	2017-18	AUGUST	5 Months	9 Months	10 Months	14 Months
189	2017-18	SEPTEMBER	6 Months	7 Months	6 Months	9 Months
189	2017-18	OCTOBER	5 Months	6 Months	6 Months	11 Months
189	2017-18	NOVEMBER	5 Months	8 Months	7 Months	11 Months
189	2017-18	DECEMBER	5 Months	7 Months	6 Months	9 Months
189	2017-18	JANUARY	6 Months	9 Months	9 Months	12 Months
189	2017-18	FEBRUARY	7 Months	8 Months	8 Months	11 Months
189	2017-18	MARCH	7 Months	8 Months	8 Months	11 Months
189	2017-18	APRIL	7 Months	9 Months	7 Months	10 Months
189	2017-18	MAY	8 Months	9 Months	7 Months	12 Months
189	2017-18	JUNE	8 Months	10 Months	8 Months	12 Months
189	2018-19	JULY	9 Months	11 Months	9 Months	14 Months
189	2018-19	AUGUST	11 Months	12 Months	9 Months	12 Months
189	2018-19	SEPTEMBER	9 Months	13 Months	8 Months	11 Months
189	2018-19	OCTOBER	8 Months	12 Months	8 Months	11 Months
189	2018-19	NOVEMBER	7 Months	12 Months	7 Months	8 Months
189	2018-19	DECEMBER	8 Months	11 Months	6 Months	9 Months
189	2018-19	JANUARY	6 Months	9 Months	5 Months	7 Months
189	2018-19	FEBRUARY	6 Months	9 Months	6 Months	10 Months
189	2018-19	MARCH	5 Months	10 Months	5 Months	6 Months
189	2018-19	APRIL	6 Months	13 Months	6 Months	8 Months
189	2018-19	MAY	7 Months	12 Months	6 Months	7 Months
189	2018-19	JUNE	7 Months	13 Months	6 Months	8 Months

Processing time at the 75th and 90th percentile for subclass 189 visa for the last three program years, by month and client location (continued)						
Subclass	Program year	Month	Client Location			
			In Australia		Outside Australia	
			75th Percentile	90th Percentile	75th Percentile	90th Percentile
189	2019-20	JULY	9 Months	15 Months	7 Months	10 Months
189	2019-20	AUGUST	15 Months	21 Months	19 Months	21 Months
189	2019-20	SEPTEMBER	13 Months	19 Months	Not available	Not available
189	2019-20	OCTOBER	10 Months	16 Months	Not available	Not available
189	2019-20	NOVEMBER	11 Months	15 Months	Not available	Not available
189	2019-20	DECEMBER	10 Months	12 Months	11 Months	13 Months
189	2019-20	JANUARY	10 Months	12 Months	12 Months	12 Months
189	2019-20	FEBRUARY	11 Months	12 Months	11 Months	12 Months
189	2019-20	MARCH	11 Months	12 Months	12 Months	16 Months
189	2019-20	APRIL	11 Months	13 Months	Not available	Not available
189	2019-20	MAY	12 Months	14 Months	Not available	Not available
189	2019-20	JUNE	11 Months	15 Months	Not available	Not available
189	2020-21	JULY	11 Months	17 Months	Not available	Not available
189	2020-21	AUGUST	12 Months	20 Months	Not available	Not available
189	2020-21	SEPTEMBER	10 Months	18 Months	Not available	Not available
189	2020-21	OCTOBER	9 Months	21 Months	Not available	Not available
189	2020-21	NOVEMBER	15 Months	24 Months	Not available	Not available
189	2020-21	DECEMBER	14 Months	24 Months	Not available	Not available
189	2020-21	JANUARY	25 Months	31 Months	Not available	Not available
189	2020-21	FEBRUARY	13 Months	16 Months	Not available	Not available
189	2020-21	MARCH	13 Months	16 Months	Not available	Not available
189	2020-21	APRIL	15 Months	21 Months	Not available	Not available

Note 1 – Processing times are not available when the number of decisions made in a particular month is less than 30.

Note 2 – Decisions only include grants and refusals on primary, valid visa applications.

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PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Joint Standing Committee on Migration
Inquiry into Australia's Skilled Migration Program

QoN Number: 14

Subject: Origin, history and policy purpose of 887 and 189 subclass visas

Asked by: The Committee

Question:

Please provide a summary of the origin, history and policy purpose for the 887 and 189 subclass visas.

Answer:

The Skilled – Regional (subclass 887) and Skilled Independent (subclass 189) visas are part of Australia's skilled migration program, which aims to address domestic skill gaps and is designed to meet Australia's economic, demographic and labour market needs, without displacing opportunities for Australians.

Skilled – Regional (subclass 887) visa

The Subclass 887 visa was introduced in 2007 as part of changes to simplify 14 skilled visas into nine visa subclasses. The visa replaced the State/Territory – nominated Independent (subclass 137) visa and the Skilled – Designated Area-sponsored (Residence) (subclass 883) visa. The Subclass 887 visa was introduced to provide a permanent visa for applicants who have held a provisional General Skilled Migration visa for two years or more, and demonstrated a commitment to living and working in regional Australia (this is a condition of the visa).

On 1 July 2012, the Subclass 887 visa criteria was updated to include the new Skilled – Regional Sponsored (Provisional) (subclass 489) visa to the list of eligible qualifying provisional visas for the Subclass 887 visa. This change was part of the Government's simplification and deregulation agenda, repealing 19 visa subclasses and introducing seven new visas in a revised structure.

On 19 September 2020, the Subclass 887 visa criteria was further updated to provide concessions to assist holders of the qualifying provisional visas, who were on a pathway to the permanent visa, but were impacted by the COVID-19 pandemic.

The Subclass 887 visa remains open as a permanent pathway for eligible provisional visa holders, despite the qualifying visas now being closed to new applicants (Subclasses 489, 495, 496, 475 or 487 visas). New migrants seeking regional skilled migration must apply through visas introduced in November 2019 (Subclasses 491 and 191).

Skilled Independent (subclass 189) visa

The Subclass 189 visa was introduced on 1 July 2012, in line with significant reforms across the permanent skilled migration program, including the introduction of other skilled visas (subclasses 186, 187, 188, 190 and 489).

The Subclass 189 visa is for invited workers and New Zealand citizens, who have skills Australia needs, to live and work permanently anywhere in Australia. While employer-sponsored visas are designed for skilled migrants to fill specific vacancies where no suitable Australian workers are available, non-employer-sponsored skilled visas such as the Skilled Independent visa select prospective migrants based on their human capital attributes and ability to contribute to the Australian economy and labour market in the long term.

There are two visa streams available within the Subclass 189 visa (a summary of changes to the 189 visa since its introduction on 1 July 2012 can be found at Table 1):

1) The Points tested visa stream

This was the original visa stream introduced in 2012. This stream lets invited workers, with skills Australia needs, live and work permanently anywhere in Australia. To be eligible for this stream prospective applicants must:

- have an occupation on the relevant occupation list;
- be under 45 years of age;
- have at least competent English;
- be invited to apply;
- meet the points test pass mark; and
- have a skills assessment.

As part of the 1 July 2012 changes, the online platform SkillSelect was introduced, which is used by prospective applicants to lodge their expressions of interest. This allowed the points-tested visa stream to become an invitation-only visa program, enabling the Australian Government to actively select prospective migrants who would make the best contribution to the Australian economy, when they can apply, and in what numbers.

To be eligible to be invited to apply for this visa, Australia uses a points test which attributes weightings and a pass mark to tailor the program to reflect Australia's labour market needs. Prospective applicants must meet the pass mark (currently set at 65 points), and have a relevant occupation. Only intending migrants who receive an invitation can lodge a visa application.

Applicants who have lodged an expression of interest are invited to apply for a visa based on their skills, attributes, and suitability for employment:

- The points test creates a selection process that is fair, transparent, and objective for skilled migrants.

- Points tested skilled visas provide flexibility to quickly adjust criteria, which allows Australia to continue to select migrants based on the skill sets and attributes needed to succeed in the Australian labour market and society.

The Government regularly reviews and adjusts the points test to make sure it continues to deliver the skills Australia needs.

2) The New Zealand visa stream

On 19 February 2016, in acknowledgement of the special bilateral relationship between Australia and New Zealand, the Prime Minister announced the introduction of an additional streamlined pathway to permanent residence for New Zealand citizens who hold a Special Category (subclass 444) visa (SCV).

From 1 July 2017 this permanent visa pathway became available as a new stream within the Subclass 189 visa. This illustrates Australia's commitment to facilitating citizenship and access to social welfare in recognition of the long and valuable commitment New Zealanders have made, and continue to make, to Australia.

This visa lets eligible New Zealand citizens who have demonstrated commitment and contribution to Australia, live and work in Australia permanently. To be eligible for this visa an applicant must:

- hold a SCV;
- have usually resided in Australia for at least the last 5 years;
- have started living here on or before 19 February 2016; and
- in most cases, have a taxable income at or above a specific income threshold for each of the four completed income years prior to lodging an application.

Table 1: Summary of changes to 189 visas since they were introduced in 1 July 2012:

Delivered	Measure
1 July 2012	Reforms to the skilled migration program were introduced: <ul style="list-style-type: none"> • SkillSelect came into effect, and new General Skilled Migration (GSM) visas (subclasses 189, 190 and 489) were implemented with a revised pass mark of 60 points.
19 February 2016	The introduction of an additional streamlined pathway to permanent residence (under subclass 189) for New Zealand Citizens (on a subclass 444) is announced).
1 July 2017	Maximum age for permanent skilled migrants lowered from 50 to 45 years (with some exemptions). Additional pathway (under subclass 189) provided for New Zealand Special Category (subclass 444) visa holders who were usually resident in Australia on or before 19 February 2016 and who: <ul style="list-style-type: none"> • have resided in Australia for at least five years; • are contributing to Australia, through taxable income at a specified level; and • meet mandatory health, character and security checks.

Delivered	Measure
1 July 2018	Pass mark for GSM points tested visas (subclasses 189, 190 and 489) increased from 60 to 65 points.
16 November 2019	Additional points available under the GSM points test for skilled partners, partners with good English language skills, single applicants, STEM educational qualifications, and regional nomination/sponsorship.

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PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Joint Standing Committee on Migration
Inquiry into Australia's Skilled Migration Program

QoN Number: 15

Subject: Perception of slow processing times

Asked by: The Committee

Question:

Please provide an explanation of the perception of applicants that the 887 and 189 subclass visas processing times are slow, particularly in relation to onshore 887 subclass applicants.

Answer:

The Department endeavours to finalise subclass 887 visa applications within reasonable timeframes, subject to the Government's priorities. Although global visa processing timeframes for the subclass 887 extended during several months in the 2019-20 and 2020-21 program years, processing times have now returned to pre-COVID timeframes (refer below).

75% percentile processing time for subclass 887 (Skilled Regional) visas comparison for March 2019, March 2020, and March 2021:

- March 2021, 75 per cent of visas processed within 15 months,
- March 2020, 75 per cent of visas processed within 24 months, and
- March 2019, 75 per cent of visas processed within 15 months.

Please note that processing times are not available for April or May 2021 due to low volumes.

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PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Joint Standing Committee on Migration
Inquiry into Australia's Skilled Migration Program

QoN Number: 16

Subject: Department of Home Affairs' understanding of the practical effects of the recent processing times

Asked by: The Committee

Question:

Please explain the Department of Home Affairs' understanding of the practical effects of the recent processing times for 887 and 189 subclass visas on the lives of applicants, and how this leads to discontent on the part of these applicants.

Answer:

In a normal year, the Department processes millions of applications against statutory and regulatory criteria, notwithstanding increases in the number of lodgements.

Many decision making processes require provision of information by third parties or the requesting of further information from applicants. Access to third party services has been significantly reduced during the global COVID-19 pandemic. The Department allocates processing capacity in accordance with Ministerial Directions and Government priorities.

Processing times are available online and regularly updated. For example, the Home Affairs website for 887 visas says "We are currently assessing applications submitted before September 2020" as of 23 June 2021.

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PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Joint Standing Committee on Migration
Inquiry into Australia's Skilled Migration Program

QoN Number: 17

Subject: 489 and 491 visa holders have been unable to enter Australia in time to meet requirements for a permanent visa

Asked by: The Committee

Question:

To the Department's knowledge, how many 489 and 491 visa holders have been unable to enter Australia in time to complete the required time in a regional area to qualify for permanent visas?

Answer:

Subclass 489 and 491 visas provide a stay in Australia for 4 and 5 years respectively.

The Department does not hold information on how many visa holders currently outside Australia intend to return.

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PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Joint Standing Committee on Migration
Inquiry into Australia's Skilled Migration Program

QoN Number: 18

Subject: Stranded 489 and 491 visa holders

Asked by: Julian Leeser

Question:

To the Department's knowledge, how many 489 and 491 visa holders have been stranded outside Australia due to border closures?

Answer:

As at 16 June 2021, there are 8,725 Skilled Regional (Provisional) (subclass 489) and Skilled Work Regional (Provisional) (subclass 491) visa holders located outside Australia.

Of these visa holders, 2,034 were granted their subclass 489 or 491 visa on or before 29 February 2020. A further 2,838 visa holders have departed Australia in the time period 21 August 2017 to 15 June 2021.

The Department cannot confirm the reason these visa holders are not currently in Australia. That is, some of these visa holders may have travelled to Australia previously, or had been in Australia and then departed, or may not have travelled to Australia on another visa, or have not travelled to Australia at all.

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PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Joint Standing Committee on Migration
Inquiry into Australia's Skilled Migration Program

QoN Number: 19

Subject: Travel authorisation for family members

Asked by: The Committee

Question:

To the Department's knowledge, with respect to 489 and 491 visa holders currently in Australia, how many applications for travel authorisations for family members have been made to enter Australia?

Answer:

It is not possible to answer this question without manual individual examination of requests, which would be an unreasonable diversion of resources.

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PARLIAMENTARY INQUIRY WRITTEN QUESTION ON NOTICE

Joint Standing Committee on Migration
Inquiry into Australia's Skilled Migration Program

QoN Number: 20

Subject: Concessions in place or planned for 489 and 491 visa holders to complete visa requirements

Asked by: The Committee

Question:

What concessions are in place or planned for the future to ensure 489 and 491 visa holders can complete the two years residence in a regional area, in cases where their entry to Australia was delayed by the COVID-19 pandemic?

Answer:

- The Skilled Regional (Provisional) (subclass 489) visa is one of the qualifying provisional visas for the permanent Skilled – Regional (subclass 887) visa. To be eligible for the Subclass 887 visa, applicants must have held a qualifying provisional visa, and have lived for at least two years and worked full time for at least one year in a specified regional area.
- On 19 September 2020, the Subclass 887 visa criteria under the *Migration Regulations 1994* was amended as per *Migration Amendment (COVID-19 Concessions) Regulations 2020* to allow flexibility in meeting visa eligibility requirements for prospective Subclass 887 visa applicants and their families who have been adversely affected by the COVID-19 pandemic. The amendments include changes to:
 - allow provisional visa holders and former provisional visa holders (whose visas expired during a concession period) to apply for a Subclass 887 visa while outside Australia during a concession period;
 - allow Subclass 887 visas to be granted to applicants who are outside Australia;
 - provide provisional visa holders and former provisional visa holders (whose visas expired during a concession period) with a concession toward the requirement to live for two years in a specified regional area. The applicant is taken to have lived in a specified regional area for six months if the applicant was outside Australia during a concession period and made the application during the concession period; and

- reduce the requirement for full-time work in a specified regional area from 12 months to nine months if the applicant held a provisional visa during a concession period and the application is made no later than three months after the end of the concession period.
- There are currently no concessions for Subclass 491 visa holders. The Subclass 491 visa was introduced in November 2019. The visa is granted for a five year period and visa holders must meet the regional requirement for three years before being eligible for permanent residence.