



# **Migration (Arrangements for Certain Skilled Visa Applications) Instrument (LIN 20/162) 2020**

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I, Jodie Bjerregaard, as delegate of the Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs, make the following instrument.

Dated: 10 November 2020

Jodie Bjerregaard  
Senior Executive Service Band One  
Temporary Visa Program Branch  
Department of Home Affairs



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## Part 1—Preliminary

### 1 Name

- (1) This instrument is the *Migration (Arrangements for Certain Skilled Visa Applications) Instrument (LIN 20/162) 2020*.
- (2) This instrument may be cited as LIN 20/162.

### 2 Commencement

This instrument commences on 13 November 2020.

### 3 Authority

This instrument is made under the following provisions of the *Migration Regulations 1994*:

- (a) subregulation 2.07(5);
- (b) items 1136, 1137, 1138, 1228, 1229, 1230 and 1241 of Schedule 1.

### 4 Definitions

In this instrument:

***authorising email*** means an email sent by an officer of the Department, authorising an applicant to make an application in an alternative place, or an alternative manner.

***Regulations*** means *Migration Regulations 1994*.

### 5 Application

This instrument applies to applications for a visa made on or after the commencement of the instrument.

### 6 Repeal

This instrument repeals *Migration (LIN 19/209: Arrangements for Certain Skilled and Temporary Graduate Visa Applications) Instrument 2019 (F2020C00274)*, in accordance with subsection 33(3) of the *Acts Interpretation Act 1901*.

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## **Part 2—Arrangements for Skilled Visas**

### **7 Form, place and manner for a Skilled (Provisional) (Class VF) visa application**

- (1) Subject to subsections (2) and (3), for the purposes of item 1228 of Schedule 1 to the Regulations, an application for a Skilled (Provisional) (Class VF) visa must be made using form 1276 (internet) as an internet application.
- (2) If an applicant cannot make an application in the manner specified in subsection (1), an application may be made using paper form 1276 if the Department has provided approval by an authorising email.
- (3) An application referred to in subsection (2) must:
  - (a) be lodged according to the directions in the authorising email;
  - (b) attach a copy of the authorising email to the application;
  - (c) be submitted before 11:59pm (AEST or AEDT when applicable) on the day after the day on which the authorising email was sent.

### **8 Form, place and manner for a Skilled (Provisional) (Class VC) visa application**

- (1) Subject to subsections (2) and (3), for the purposes of item 1229 of Schedule 1 to the Regulations, an application for a Skilled (Provisional) (Class VC) visa must be made using form 1276 (internet) as an internet application.
- (2) If an applicant cannot make an application in the manner specified in subsection (1), an application may be made using paper form 1409 if the Department has provided approval by an authorising email.
- (3) An application referred to in subsection (2) must:
  - (a) be lodged according to the directions in the authorising email;
  - (b) attach a copy of the authorising email to the application;
  - (c) be submitted before 11:59pm (AEST or AEDT when applicable) on the day after the day on which the authorising email was sent.

### **9 Form, place and manner for other skilled visa applications**

Under the item of Schedule 1 to the Regulations mentioned in column 1 of the following table, for a class of visa mentioned in column 2 for the item, an application must be made, using the form mentioned in column 3 for the item, as an internet application.

<b>Item No.</b>	<b>Column 1 Item of Schedule 1</b>	<b>Column 2 Class of visa</b>	<b>Column 3 Form</b>
1	Item 1136	Skilled (Residence) (Class VB)	1276 (internet)
2	Item 1137	Skilled Independent (Permanent) (Class SI)	
3	Item 1138	Skilled—Nominated (Permanent) (Class SN)	
4.	Item 1230	Skilled—Regional Sponsored (Provisional) (Class SP)	1393 (internet)
5.	Item 1241	Skilled Work Regional (Provisional) (Class PS)	