



Migration (Arrangements for Certain Skilled and Temporary Graduate Visa Applications) Instrument (LIN 20/162) 2020

made under subregulation 2.07(5) of the

Migration Regulations 1994

Compilation No. 03

Compilation date: 1 July 2024

Includes amendments: *Migration Legislation Amendment (Graduate Visas) Instrument (LIN 24/044) 2024*

Prepared by the Department of Home Affairs

About this compilation

This compilation

This is a compilation of the *Migration (Arrangements for Certain Skilled and Temporary Graduate Visa Applications) Instrument (LIN 20/162) 2020* that shows the text of the law as amended and in force on 1 July 2024 (the **compilation date**).

The notes at the end of this compilation (the **endnotes**) include information about amending laws and the amendment history of provisions of the compiled law.

Uncommenced amendments

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Register (www.legislation.gov.au). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the Register for the compiled law.

Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

Modifications

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the Register for the compiled law.

Self-repealing provisions

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

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Part 1 Preliminary

1 Name

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

3 Authority

This instrument is made under subregulation 2.07(5) of the Regulations.

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.

Part 2 Arrangements for certain skilled and temporary visas

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.

Item No.	Column 1 Item of Schedule 1	Column 2 Class of visa	Column 3 Form
1	Item 1136	Skilled (Residence) (Class VB)	1276 (internet)
2	Item 1137	Skilled Independent (Permanent) (Class SI)	1393 (internet)
3	Item 1138	Skilled—Nominated (Permanent) (Class SN)	
3A	Item 1139	Permanent Residence (Skilled Regional) (Class PR)	
4	Item 1230	Skilled—Regional Sponsored (Provisional) (Class SP)	
5	Item 1241	Skilled Work Regional (Provisional) (Class PS)	

Endnotes

Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes

Endnote 2—Abbreviation key

Endnote 3—Legislation history

Endnote 4—Amendment history

Abbreviation key—Endnote 2

The abbreviation key sets out abbreviations that may be used in the endnotes.

Legislation history and amendment history—Endnotes 3 and 4

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

Misdescribed amendments

A misdescribed amendment is an amendment that does not accurately describe how an amendment is to be made. If, despite the misdescription, the amendment can be given effect as intended, then the misdescribed amendment can be incorporated through an editorial change made under section 15V of the *Legislation Act 2003*.

If a misdescribed amendment cannot be given effect as intended, the amendment is not incorporated and “(md not incorp)” is added to the amendment history.

Endnotes

Endnote 2—Abbreviation key

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ad = added or inserted	orig = original
am = amended	par = paragraph(s)/subparagraph(s) /sub-subparagraph(s)
amdt = amendment	pres = present
c = clause(s)	prev = previous
C[x] = Compilation No. x	(prev...) = previously
Ch = Chapter(s)	Pt = Part(s)
def = definition(s)	r = regulation(s)/rule(s)
Dict = Dictionary	reloc = relocated
disallowed = disallowed by Parliament	renum = renumbered
Div = Division(s)	rep = repealed
exp = expires/expired or ceases/ceased to have effect	rs = repealed and substituted
F = Federal Register of Legislation	s = section(s)/subsection(s)
gaz = gazette	Sch = Schedule(s)
LA = <i>Legislation Act 2003</i>	Sdiv = Subdivision(s)
LIA = <i>Legislative Instruments Act 2003</i>	SLI = Select Legislative Instrument
(md not incorp) = misdescribed amendment cannot be given effect	SR = Statutory Rules
mod = modified/modification	Sub-Ch = Sub-Chapter(s)
No. = Number(s)	SubPt = Subpart(s)
o = order(s)	<u>underlining</u> = whole or part not commenced or to be commenced
Ord = Ordinance	

Endnote 3—Legislation history

Endnote 3—Legislation history

Name	Registration	Commencement	Application, saving and transitional provisions
<i>Migration (Arrangements for Certain Skilled and Temporary Graduate Visa Applications) Instrument (LIN 20/162) 2020 (LIN 20/162)</i>	11 November 2020	13 November 2020	-
<i>Migration (Arrangements for Certain Skilled and Temporary Graduate Visa Applications) Amendment Instrument (LIN 20/297) 2020 (LIN 20/297)</i>	23 December 2020	24 December 2020	-
<i>Migration (Arrangements for Certain Skilled and Temporary Graduate Visa Applications) Amendment Instrument (LIN 22/035) 2022 (LIN 22/035)</i>	5 March 2022	5 March 2022	section 4
<i>Migration Legislation Amendment (Graduate Visas) Instrument (LIN 24/044) 2024 (LIN 24/044)</i>	25 June 2024	1 July 2024	-

Endnotes

Endnote 4—Amendment history

Endnote 4—Amendment history

Provision affected	How affected
section 1	rs. F2020L01703
section 2	rep. <i>Legislation Act 2003</i> , s 48D
section 3	rs. F2022L00274
section 6	rep. <i>Legislation Act 2003</i> , s 48C
part 2 heading	rs. F2020L01703
section 7	rep. F2024L00698
section 8	am. F2020L01703
section 9	ad. F2022L00274