



Australian Government  
Department of Immigration and Citizenship

## Visas, Immigration and Refugees

### Professionals and other Skilled Migrants

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### Frequently Asked Questions - Capital Investment Scheme

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### Closure of the Capital Investment Scheme on 31 October 2009

From 31 October 2009, the South Australian Government Financing Authority (SAFA) has announced it will not accept any further applications from General Skilled Migration (GSM) applicants who wish to lodge a capital investment, as it will close the scheme.

Since the announcement of the reopening of the capital investment scheme by SAFA on 29 January 2009, the department has contacted all applicants whose cases had been assessed and who indicated they intended to lodge a capital investment.

Any applicants who have indicated on their application form that they intend to lodge a capital investment, but have not yet done so, are advised to finalise their capital investment before the scheme is closed.

Applicants who did **not** indicate on their application form that they intended to lodge a capital investment, but now wish to do so because they will be relying on the five bonus points to meet the Point Test, should also contact the department and finalise their capital investment before the scheme is closed.

This is the **final opportunity** for all pre 1 September 2007 GSM applicants to lodge a capital investment. As there will be no further capacity for applicants to make a capital investment to gain the bonus five (5) points, the department will not provide applicants any additional time to make a capital investment once the scheme offered by SAFA closes. Please note that this also applies to those

applicants who have appealed to the Migration Review Tribunal (MRT) and those applicants seeking judicial review.

Applicants who still intend to make a capital investment are strongly urged to do so before 31 October 2009.

Please note that only SAFA provides an approved designated security that enables an applicant for a pre-1 September 2007 GSM visa to be awarded bonus points for making a capital investment.

## Information about lodging a capital investment

Applicants who were affected by the closure of the capital investment scheme may now lodge a deposit with the South Australian Government Financing Authority. This is the only scheme currently available which the department is satisfied meets the requirements in the Regulations.

In consultation with the South Australian Government Financing Authority, the department has facilitated their administration of the reopening of the capital investment scheme by issuing Form 1134 *Declaration General Skilled Migration (Bonus points for capital investment in Australia)*.

To assist processing, applicants may only make a deposit accompanied by Form 1134 *Declaration General Skilled Migration (Bonus points for capital investment in Australia)* and the letter sent to you from a case officer.

If you lodged your GSM application before 1 September 2007 but have not had your case assessed (you have received no contact from a case officer) and you either indicated an intention to lodge a capital investment on your application form, or now want to rely on a capital investment to achieve the bonus five (5) points, you are now encouraged to contact the ASPC using the post-lodgement enquiry form to request a Form 1134 and letter from the department enabling a capital investment to be lodged. Please note that this form is generally only issued once a case has been assessed as meeting all other requirements. The department is prepared to provide you with this opportunity to lodge a capital investment given SAFA's closure, however, this should not be taken as an indication of a likely outcome on your application. In due course, your application will be assessed in its entirety.

**See:** [Post-lodgement enquiry form](#)

**Note:** The South Australian Government Financing Authority will not accept investments for migration purposes unless accompanied by Form 1134 and the letter sent to you from the department.

**See:** [SAFA Migration Bonds](#)

Those applicants who are no longer able to lodge the capital investment may still pursue other options relevant to their circumstances.

## What other visa options do I have?

Applicants should check if their nominated occupation has been added to the Migration Occupation in Demand List (MODL). If your occupation is now listed on the MODL, you will be awarded at least an additional 15 points. In this instance the department will resume processing of your application subject to the priority processing directions.

**See:** [Is your occupation in demand?](#)

Applicants could seek to claim the maximum for English language points available under Schedule 6A, 'competent English'. To achieve 'competent' English, an applicant must score at least six (6) on each of the four (4) components of the International English Language Test Scheme (IELTS) test. Applicants who can demonstrate this level of English language proficiency will achieve 20 points on the GSM points test.

**Note:** under Schedule 6A of the pre 1 September 2007 visas, native English speakers from the United Kingdom, Canada, New Zealand, the United States of America and the Republic of Ireland may have already been awarded the maximum points for English language.

Applicants can seek bonus points for demonstrated proficiency in a 'designated/community language'. Applicants who can demonstrate this proficiency via NAATI accreditation or overseas qualification (equivalent to an Australian bachelor degree) in a designated language, are eligible for the award of five (5) points on the GSM points test if they have not claimed other bonus points.  
See: Australian Community Language

Applicants may be able to claim 'partner skills' points if their partner is able to satisfy the relevant age, English language ability, recent work experience or Australian study, and if they have obtained a suitable skills assessment from the relevant assessing authority.

**Important:** You cannot claim 'partner skills' points if your partner is an Australian permanent resident or an Australian Citizen.

Applicants also have the option to reapply under the new GSM visa stream and be assessed against the post 1 September 2007 requirements. However, please note that there are no provisions to refund any Visa Application Charge (VAC) paid in respect of a withdrawn application and you will need to pay another VAC to lodge a new application.

Detailed information regarding the current offshore and onshore GSM visa subclasses is available on the department's website.

See: Visa Options

Applicants may also wish to consider employer sponsored visa options.

See: Employer Sponsored Visas

Detailed information about the priority processing directions is available on the department's website.

See: What's New? Recent Changes in General Skilled Migration

## **I want to apply for a new GSM visa**

Applicants affected by the Capital Investment Scheme who decide to lodge a new visa application must meet all the eligibility criteria for the new GSM visa at the time of making a new application.

You should include a cover note stating that you have a current undecided GSM application.

If you are onshore, and you hold a Bridging Visa (BVA or BVB), to avoid it ceasing, do not withdraw your current application until your new application has been decided.

Applicants who decide to lodge a new GSM visa application must pay a new VAC.

If you decide to lodge a further application, please contact the Adelaide Skilled Processing Centre and provide the details of your new application.

## Can my current application be used to grant me a different visa?

The Regulations allow, in limited circumstances, certain applications for one visa subclass or class to be considered against the criteria for another without having to apply for a new visa.

Applicants who have applied for a Skilled - Independent (subclass 136) visa can also be considered for a State/Territory Nominated Independent (subclass 137) visa if they are able to secure nomination by a State or Territory. Applicants should consult the relevant State or Territory website to determine whether their nominated occupation is on a State's occupation list.

**See:** [Nomination by State/Territory Government](#)

**Important:** Although the information available from this webpage refers to applicants for a subclass 176 visa, it is also relevant to applicants for a Skilled - Independent (Migrant) Class BN visa.

If you applied for one of the following visas:

- Skilled - Independent (subclass 136) visa
- Skilled - Australian Sponsored (subclass 138) visa
- Skilled - Independent Overseas Student (subclass 880) visa
- Skilled - Australian Sponsored Overseas Student (subclass 881) visa.

you may be eligible to be considered for one of the following:

- Employer Nomination Scheme (ENS) visa if you have an Australian employer who is willing to nominate you
- Regional Sponsored Migration Scheme (RSMS) if you have been offered a position in a designated area
- Labour Agreement (LA) visa if you have a nomination from an employer under a Labour Agreement.

If you are eligible, you do not need to lodge a further application to be considered against the criteria for an ENS, RSMS or LA visa.

**See:** [Skilled workers permanent visa options](#)

## How can I apply for nomination from an employer or State or Territory government?

You can check if a State or Territory is willing to sponsor applicants with your occupation and then contact them directly for nomination.

**See:** [Nomination by State/Territory government](#)

In some circumstances, States may be willing to nominate applicants even if their occupation is not on their State lists. You may wish to approach the State you intend to live in to see if they will nominate you.

You may also have your skills and work experience listed on the Skill Matching Database. This provides a database to employers and State and Territory Governments who are willing to nominate applicants who have applied for the following permanent visas:

- Skilled - Independent (subclass 136) visa
- Skilled - Australian Sponsored (subclass 138) visa
- Skilled - Independent Overseas Student (subclass 880) visa
- Skilled - Australian Sponsored Overseas Student (subclass 881) visa.

You will need to provide your personal contact details as well as details of your qualifications and work history. If you have a partner, they may also complete the form and be entered on the database.

If an employer or State and Territory Government is interested in nominating you, they will contact you for further information.

If you applied for one of these visas and now wish to have your employment details listed on the Skill Matching Database, you will need to complete Form 1266.

See:

[Form 1266 \(152KB PDF file\)](#)

[Skill Matching Database Overview](#)

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