**VISAS**

**Summary of various visa categories. I emphasise this not an exhaustive synopsis of each visa category and it is merely to provide an overview of certain relevant criteria of each visa referred to.**

**Subclass 482 Temporary Skill Shortage Visa**

The TSS (subclass 482) visa requires an applicant to be sponsored by an Australian employer to work in Australia in a nominated occupation. As an applicant, you must have skills (qualifications and/or work experience) that match those required for the nominated position. Usually, you can only work for the business that sponsors you or one of its associated entities.

The subclass 482 visa employer sponsored visa involves three stages including: 1) Sponsorship by an Australian Employer; 2) Nomination of an eligible occupation on the designated list; and 3) Visa application.

Your nominated occupation must be included on:

* the Medium and Long-term Strategic Skills List (MLTSSL) which allows for a maximum four-year-term of employment under the Medium-term stream of this visa; OR
* the Regional Occupation List (ROL) and located in a regional area of Australia. This also allows for a maximum four-year term of employment under the Medium-term stream of this visa; OR
* the Short-term Skilled Occupation List (STSOL), which allows for a maximum two-year term of employment under the Short-term stream of this visa and allows you to be sponsored for one further term of 2 years while you in Australia.

It is a temporary residence visa. There is no age cap on this visa.

For the Subclass 482 visa you must:

* Prove at least 2 years relevant work experience in the nominated occupation or a related field. The period does not need to be continuous and can be equivalent part-time work (however you must have at least five years of full-time experience in your nominated occupation if you do not have the formal qualifications required for the occupation).
* Have a relevant skill assessment (only if this is required for your occupation as many occupations under this visa do not require a skill assessment); and
* Meet minimum English language requirements.

Under the MLTSSL and ROL streams of this visa,

* This visa can be granted for a period of 4 years. It can also be renewed.

The Government visa costs are AUD 3,115 for the main applicant and for each dependant 18 years and over, and AUD 780 for each dependant under 18 years old.

For the Short-term stream of this visa:

* This visa can be granted for a period of 2 years.
* The limit on short-term stream TSS visa applications that can be made onshore, in Australia has been removed to allow applicants and current visa holders to complete two years with the employer without having to depart Australia.

The Government visa costs are AUD 1,495 for the main applicant and for each dependant 18 years and over, and AUD 375 for each dependant under 18 years old.

**(Subclass 189) Skilled Independent Visa**

This is a permanent resident visa, which allows highly skilled workers who are not sponsored by an employer, State or Territory of Australia, or family member to live and work permanently in Australia.

As an applicant you must:

* Have an occupation on the relevant list of eligible skilled occupations;
* Obtain a positive skills assessment from the relevant Australian assessing authority in your nominated occupation;
* Be under the age of 45 at the time of application;
* Meet English language requirements at the time of application;
* Meet the points test pass mark of 65 points;
* Lodge an Expression of Interest (EOI). If this is successful, you will be invited to lodge a visa application; and
* Be invited to apply for the visa.

The Government visa costs are AUD 4,765 for the main applicant and AUD 2,385 for each family member 18 years and over, and AUD 1,195 for each family member under 18 years old.

**Subclass 190 Skilled Nominated Visa**

This is a permanent resident visa, which allows highly skilled workers to live and work permanently in Australia.

As an applicant you must:

* Have an occupation on the relevant list of eligible skilled occupations
* Have a positive skills assessment from the Australian assessing authority in your nominated occupation.
* Be under 45 years of age at the time of application;
* Have at least Competent English;
* Have a points test result of 65 or higher;
* Be nominated by a state or territory government to apply for this visa (each state has its own separate occupation list)
* Lodge an Expression of Interest (EOI). If this is successful, you will be invited to lodge a 491 visa application; and
* Be invited to apply for the visa.

The Government visa costs are AUD 4,770 for the main applicant and AUD 2,385 for each family member 18 years and over, and AUD 1,190 for each family member under 18 years old.

**Subclass 491 Skilled Work Regional (Provisional) Visa:**

This new regional subclass 491 visa came into effect on 16 November 2019. The subclass 491 visa is a provisional visa valid for 5 years. There is a pathway to permanent residence under the Permanent Residence Regional (subclass 191) visa, after you have lived, worked and studied in a designated regional area for at least 3 years on the 491 visa.

However, while you are on a 491 visa, you will not be able to apply for any other permanent visas until you have held the 491 for at least 3 years. (This includes the 186, 189, 190 visas).

As an applicant you must:

* Have an occupation on the relevant list of eligible skilled occupations
* Have a positive skills assessment from the Australian assessing authority in your nominated occupation;
* Be under 45 years of age at the time of application;
* Have at least Competent English;
* Have a points test result of 65 or higher;
* Lodge an Expression of Interest (EOI). If this is successful, you will be invited to lodge a 491 visa application; and
* Be invited to apply for the visa;

You must either be nominated by a state or territory government to apply for this visa (each state has its own occupation list) or sponsored by an Eligible relative living in a Regional area.

The requirements of family sponsorship under the 491 visa are:

* The sponsor must be over 18 years old and is an Australian citizen, an Australian permanent resident or an eligible New Zealand citizen.
* The sponsor is usually resident in a designated area (this generally is 2 years continuous residence).
* The sponsor is related to the primary applicant or the primary applicant’s spouse /de facto partner who is also an applicant for the 491.
* The sponsor is sponsoring each family member applying for the 491.

Some of the benefits of a 491 visa include:

* Priority processing of regional visas.
* As a holder of a 491 visa, you will be covered under Medicare (private health insurance is not required).

The Government fees for the 491 are:

* Primary visa applicant = AUD4,770
* Subsequent visa applicant over 18 years = AUD2,385
* AUD 1,190 for each family member under 18 years old.

**Subclass 500 Student Visa**

For a student visa, an applicant must be enrolled in a course of study that is registered on the Commonwealth Register of Institutions and courses for Overseas for Overseas Students (CRICOS). If you are applying from outside Australia, you must include a Confirmation of Enrolment (CoE) for each intended course of study with your visa application. I can assist you in searching for an appropriate course. At the time of this visa application, you and your family members must have and maintain adequate health insurance, Overseas Student Health Cover (OSHC), for the period of intended stay in Australia.

Form 1 July 2024, you cannot apply for student visa in Australia if you hold a substantive visa for one of these:

* Temporary Work (International Relations) visa (subclass 403) in the Domestic Worker (Diplomatic or consular) stream
* Domestic Worker (Temporary) Diplomatic and Consular visa (subclass 426)
* Temporary Graduate visa (subclass 485)
* Visitor visa (subclass 600)
* Electronic Travel Authority visa (subclass 601) (ETA)
* Medical Treatment visa (subclass 602)
* eVisitor visa (subclass 651)
* Transit visa (subclass 771)
* Maritime Crew visa (subclass 988)
* Diplomatic (Temporary) visa (subclass 995) – primary visa holder only. A family member of a Diplomatic (Temporary) visa (subclass 995) can apply for a Student visa in Australia

For those who is under 18 years of age and intend to apply for a student visa, you must have adequate welfare arrangements in place while you are in Australia.

You must provide evidence of English language proficiency while the visa application being processed unless exempt.

In addition, a primary applicant needs to have access to sufficient funds to cover travel expenses, living costs and expenses, tuition fees as well as costs required for any dependents included in the application. Current standard of annual living costs for those who intends to stay in Australia for a period of 12 months or more is AUD 29,710, and AUD 10,394 for a spouse or de facto partner, and AUD 4,449 for a dependent child. The accurate amount of financial support will be calculated case by case as per the requirement prescribed by the Department of Home Affairs.

With this visa, you can work up to 48 hours every 2-week period during your course of study or training is in session, and for your initial visa only commence work once your course has commenced.

Your family member also can work under the same restriction once your course starts. However, your family members can work unrestricted hours if you are students studying a master’s or a doctorate degree.

The Government visa costs are AUD 1,600 for the main applicant and AUD 1,190 for each family member 18 years and over, and AUD 390 for each family member under 18 years old.

**Subclass 485 Temporary Graduate Visa**

There are two streams under the Temporary Graduate Visa, which are the Post-Vocational Education Work stream and Post-Higher Education Work stream.

For a temporary graduate visa, an applicant must be 35 years of age or under when apply, unless you hold a Hong Kong or British National Overseas passport or are using a Masters (research) or Doctoral Degree to meet the Australian study requirement, you must be under the age of 50 when you apply.

You must be the main holder of a current student visa or held a student visa within the past 6 months before your application.

An applicant under Post-Higher Education Work Stream must hold an eligible Australian qualification at degree-level or above, regardless of field of study and meet the 2 academic years study requirement, which equals 92 weeks that contribute towards 1 or more acceptable qualification.

An applicant under Post-Vocational Education Work stream must nominate 1 occupation on the Medium and Long-term Strategic Skills List (MLTSSL), have a diploma or trade qualification closely related to that occupation and be assessed by a relevant assessing authority as having skills suitable for that occupation, and also meet the 2 academic years study requirement.

English proficiency needs to be proved if you do not hold a valid passport from the United Kingdom, the United States of America, Canada, New Zealand or the Republic of Ireland. English test result in the 12 months before the time of your application is accepted. You will be required to prove overall score of at least 6.5 with no band less than 5.5 for IELTS, or equivalent results for the other English tests.

Health insurance for overseas visitors must be arranged and maintained for the whole of your stay to be granted this visa.

With this visa, you can stay in Australia for 2 to 3 years under Post- Higher Education Work stream with no restriction on travel, work and study in Australia during your stay. The length of your stay in Australia will depend on the level of your Australian study qualification. Hong Kong and British National Overseas passport holders may stay for 5 years.

An applicant under under Post-Vocational Education Work stream can stay in Australia usually for 18 months.

The Government visa costs are AUD 1,945 for the main applicant and AUD 975 for each family member 18 years and over, and AUD 490 for each family member under 18 years old.

**Subclass 494 Skilled Employer Sponsored Regional (Provisional) visa**

The new subclass 494 visa came into effect in 16 November 2019, aimed at encouraging migrants to commit to working and residing in designated regional areas in Australia. The subclass 494 visa is a provisional 5-year visa. There is a pathway to permanent residence under the Permanent Residence (Skilled Regional) visa (subclass 191), after you have lived, worked and studied in a designated regional area for at least 3 years on the 494 visa.

The subclass 494 visa is a regional employer sponsored visa that will involve three stages including: 1) Sponsorship by an Australian Employer; 2) Nomination of an eligible occupation on the designated list; and 3) Visa application.

* The position must be located in a designated regional area of Australia;
* The occupation must be on the relevant occupation list or the Labour Agreement;
* The position must be genuine; and
* The position must be full-time.

As for 494 visa applicants, an applicant must:

* Be under 45 years of age at time of application;
* Hold a successful skills assessment assessment from the Australian assessing authority in your nominated occupation at time of application;
* Have a genuine intention to perform the occupation;
* Have at least three years full-time relevant work experience in the nominated occupation or a related field at the same level of skill;
* Have Competent English skills at the time of application; and
* Meet the health and character requirements of the visa.

The Government visa costs are AUD 4,770 for the main applicant and AUD 2,385 for each family member 18 years and over, and AUD 1,190 for each family member under 18 years old.

**Subclass 186 Employer Nomination Scheme visa**

This visa applies where you have been nominated for permanent residence under this visa by an Australian employer to work in Australia in an occupation on the relevant list of eligible skilled occupations.

The subclass 186 visa will be applicable to applicant’s seeking employment in Australia and applying for permanent residence as follows:

* You must be under the age of 45 at the time of application
* You must meet English language requirements
* You must meet the required skills and qualification requirements.
* You must have at least three years of full-time experience in your nominated occupation.

Generally, you will be required to work for your sponsoring employer for 2 years on the **Subclass 482 Temporary Skill Shortage Visa** before being sponsored for permanent residence under the subclass 186 visa.

You can apply for this visa without working for your sponsoring employer for 2 years (Direct Entry stream) if you have a positive skills assessment from the relevant Australian assessing authority in your nominated occupation unless you are exempt.

The Government visa costs are AUD 4,770 for the main applicant and AUD 2,385 for each family member 18 years and over, and AUD 1,190 for each family member under 18 years old.

**English requirements**

For any visa you must meet English language requirements and will be required to do one of the recognised English tests. The next step is for you to undertake the English test. (You are exempt from this requirement if you are a citizen of and hold a valid passport issued by the United Kingdom, the United States of America, Canada, New Zealand or the Republic of Ireland).

**Subclass 482 Temporary Skill Shortage Visa**

* For the Medium-term stream of the subclass 482 visa, you would be required an overall score of at least 5 with a score at least 5 in each of the bands (reading, writing, listening and speaking) in the General version of the International English Language Testing System (IELTS) or an overall score of at least 36 with a score of at least 36 in each of the bands in the PTE Academic.
* For the Short-term stream of the subclass 482 visa, you would be required an overall score of at least 5 with a score at least 4.5 in each of the bands (reading, writing, listening and speaking) in the General version of the International English Language Testing System (IELTS) or an overall score of at least 36 with a score of at least 30 in each of the bands in the PTE Academic.

**Subclass 186, 189,190, 491 and 494 visas**

* You must have at least **Competent** English. **Competent** English requires an overall score of at least 6 for each of the bands (reading, writing, listening and speaking) in the General version of the International English Language Testing System (IELTS) or at least 50 for each of the bands in the PTE Academic.
* You must attempt to obtain a high score to increase your points for one of the skilled visas. Although the threshold requirement is lower (**Competent** English), obtaining at least a **proficient** level of English will give you a score of 10 points**. Proficient** English requires a score of at least 7 for each of the bands (reading, writing, listening and speaking) in the General version of the International English Language Testing System (IELTS) or at least 65 for each of the bands in the PTE Academic. Obtaining a **Superior** level of English will give you a score of 20 points. **Superior** English requires a score of at least 8 for each of the bands (reading, writing, listening and speaking) in the General version of the International English Language Testing System (IELTS) or at least 79 for each of the bands in the PTE Academic.

**Explaining DAMA - Designated Area Migration Agreements**

**Overview**

A Designated Area Migration Agreement (DAMA) is a labour agreement which allows employers in designated regional areas to sponsor overseas workers. A DAMA is designed to fill Australia’s skill shortages, while also protecting jobs for locals.

**Key points:**

* The DAMA is employer sponsored – an independent individual cannot apply
* The employer must be endorsed by the DAMA Authority before they can sponsor overseas workers
* Employers must evidence a genuine attempt to recruit Australians prior to accessing a DAMA

DAMAs provide access to additional occupations and concessions to standard migration programs under the:

* Temporary Skill Shortage (TSS) visa (subclass 482)
* Employer Nomination Scheme visa (subclass 186)
* Skilled Employer Sponsored Regional (Provisional) visa (subclass 494)

**Existing DAMAs**

There are currently 13 DAMAs in place. Below is a list of those DAMAs with links to the respective DAR\* websites that contain information on how to access each DAMA as well as which regions/locations/shires are covered:

* Adelaide City Technology and Innovation Advancement, SA: [Skilled & Business Migration](https://www.migration.sa.gov.au/local-employers/designated-area-migration-agreements)
* East Kimberley, WA: [East Kimberley Chamber of Commerce and Industry](https://www.ekcci.com.au/ek-dama/about-ek-dama/)
* Far North Queensland, QLD: [Cairns Chamber of Commerce,](https://www.cairnschamber.com.au/fnq-dama)
* Goulburn Valley, VIC: [Goulburn Valley](https://gvdama.com.au/)
* Great South Coast, VIC: [Warrnambool City Council](https://gscdama.warrnambool.vic.gov.au/)
* Northern Territory, NT: [Northern Territory Designated Area Migration Agreement](https://business.nt.gov.au/business/migration-information-for-business/northern-territory-designated-area-migration-agreement)
* Orana, NSW: [Regional Development Australia - Orana, NSW](https://www.rdaorana.org.au/migration/dama/)
* Pilbara, WA: [RDA Pilb ara](https://www.rdapilbara.org.au/dama)
* South Australia Regional, SA: [Skilled & Business Migration](https://www.migration.sa.gov.au/local-employers/designated-area-migration-agreements)
* South West, WA: [Shire of Dardanup](https://www.dardanup.wa.gov.au/our-shire/about-us/south-west-dama.aspx)
* The Goldfields, WA: [City of Kalgoorlie Boulder](https://www.ckb.wa.gov.au/business-development/designated-area-migration-agreement)
* Townsville, QLD: [Townsville Enterprise Limited](https://www.townsvilleenterprise.com.au/skills-and-migration/)
* Western Australia: [Department of Training and Workforce Development](https://migration.wa.gov.au/designated-area-migration-agreement)

You can refer to the [Department website](https://immi.homeaffairs.gov.au/visas/employing-and-sponsoring-someone/sponsoring-workers/nominating-a-position/labour-agreements/designated-area-migration-agreements) for the latest DAMA lists.