Albany

Changes to Australia’s Skilled Migration Program

From 1 July 2012
Components of the permanent Migration Program
Permanent Residents

- Can live and work in Australia on a permanent basis
- Can study in Australia at school or university
- Can receive subsidised healthcare through Medicare and the Pharmaceutical Benefits Scheme (PBS)
- Can access certain social security payments (subject to waiting periods)
- Are eligible for Australian citizenship (subject to the residency eligibility criteria)
- Can sponsor people for permanent residence
Temporary Residents with work rights

- Can work in Australia depending on their visa conditions
- May be able to bring eligible secondary applicants with them to Australia – secondary applicants may be able to work and study
- After entering Australia, have no limit on the number of times they travel in and out of Australia.
Working Holidays – Temporary Visa

Subclass 417 or Subclass 462 Visa, for people aged 18-30 years of age.

Visa holders can:

• enter Australia at any time **within 12 months** of the visa grant date
• stay in Australia for up to 12 months from the date of first entry
• leave and re-enter Australia any number of times from the 12 months from the date of first entry
• undertake temporary employment in Australia for **up to six months** with each employer
• study for up to four months.
• A second 417 visa can be granted if the visa holder has undertaken specified work in a specified regional area.
Employers can check the work rights of a visa holder through the VEVO (Visa Entitlement Verification Online) system.

### Range of visa options to address skill needs

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<th>Visa Option</th>
<th>Details</th>
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<tr>
<td><strong>Subclass 457</strong></td>
<td>Most commonly used program for employers to sponsor overseas workers - for up to four years</td>
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<tr>
<td><strong>Labour Agreements (EMAs and RMAs)</strong></td>
<td>For employers wanting to employ workers with occupations not on the list of approved occupations for subclass 457, ENS or RSMS or not covered in ANZSCO</td>
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<tr>
<td><strong>Regional Sponsored Migration Scheme (RSMS - 187)</strong></td>
<td>For employers wanting to sponsor skilled workers in regional and low population areas of Australia for two consecutive years</td>
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<tr>
<td><strong>Employer Nomination Scheme (ENS - 186)</strong></td>
<td>For employers wanting to sponsor highly skilled workers from overseas or temporary residents for at least three years</td>
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<tr>
<td><strong>Skilled Independent / State or Australian Sponsored</strong></td>
<td>Occupation must be on the Skilled Occupation List (SOL) (State/territory sponsorship - using state plans may include occupations that are not on the SOL)</td>
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</tbody>
</table>
The 457 visa program is:

- Temporary
- Demand driven (uncapped)
- Skilled
- Responsive

- Occupations must be eligible (refer CSOL)
- Employees must be paid market salary rates (*rates must at least meet the Temporary Skilled Migration Income Threshold, $51,400*)
- Employees must have the skills to do the job
- Provide evidence of registration (if required)
Permanent Employer Sponsored - Reforms

Collapsing existing subclasses from 6 to 2 with 3 streams each
Temporary residence transition; direct entry & agreement streams

Streamlining pathway from 457 to PR (ENS or RSMS)

Raising the upper age limit from under 45 to under 50 years

Changes to key visa criteria including English language & skills

Refocussing RCB network on untested direct entry stream - RSMS

Introducing one consolidated sponsored occupation list
(457, ENSOL, StatSOL)
## Temporary Residence Transition Stream

### ENS

**Employer nomination**
- The occupation is not assessed, it must be the same as the 457 sponsorship.
- Salary matches market rate.
- Has, and continues to meet, subclass 457 standard business sponsored training requirement

**Visa applicant:**
- Skills not assessed.
- Less than 50 years old, unless exempt
- Vocational English, unless exempt

### RSMS

**Employer nomination**
- The occupation is not assessed, it must be the same as the 457 sponsorship.
- Salary matches market rate.

**Visa applicant:**
- Skills not assessed.
- Less than 50 years old, unless exempt
- Vocational English, unless exempt
Direct Entry Stream

**ENS**

**Employer nomination**
- Assessed against new consolidated occupation list with ANZSCO skill level 1-3 (degree, diploma or AQF Certificate III).
- Salary matches market rate.
- Meets training benchmarks

**Visa applicant:**
- Skills assessment and 3 years work experience, unless exempt.
- Less than 50 years old, unless exempt
- Competent English, unless exempt

**RSMS**

**Employer nomination**
- Broaden to all ANZSCO skill level 1-3 occupations (degree, diploma or AQF Certificate III).
- Salary matches market rate.
- RCB certification required.

**Visa applicant:**
- TRA assessment for overseas qualified tradespeople. Australian or comparable overseas qualification to the ANZSCO skill level, unless exempt.
- Less than 50 years old, unless exempt
- Competent English, unless exempt
Objective exemptions have replaced subjective exceptional circumstances/appointments:

**Age:** Temporary Residence Transition applicants who have worked full-time in Australia for 4 years on a subclass 457 and paid Fair Work Australia High Income Threshold.

**English:** passport holders of the UK, Canada, Ireland, New Zealand or USA or applicants who have achieve ‘B’ score in an OET.
Agreements are contractual arrangement for access to overseas skilled workers where standard immigration products don’t suit

**Labour Agreements**
- For when a genuine skills shortage exists and there are no suitably qualified or experienced Australians readily available.
- Can be industry wide or for a single business.
- Currently 5 industry wide agreements, meat, on-hire, fishing, snow sports, fast food managers and tour guides and a Tourism and Hospitality agreement under negotiation.

**Regional Migration Agreements**
- Similar to Labour agreements but regional focus rather then single industry or single business focus.
- Not yet available, guidelines expected shortly.
SkillSelect is Australia’s new service for managing its skilled migration program, incorporating significant visa reform and the deployment of a new online service.
More Information

Online Resources:

Skilled visas  
www.immi.gov.au/skilled

Visa wizard  

Booklets  

Migration Blog  
www.migrationblog.immi.gov.au

SkillSelect  
www.skillselect.gov.au

Agent Gateway  

Facebook  
Department of Immigration and Citizenship
Further information

General Skilled Migration: 1300 364 613

General enquiries: 131 881

Citizenship: 131 880

Department’s Website: www.immi.gov.au

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