

Information session

**PATHWAYS to
AUSTRALIAN PERMANENT RESIDENCY**

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Organized by the Ukrainian Council of NSW

Disclaimer

Presented by **Olena Yaremchuk (MARN 1465729)**

Bachelor in Law, PhD in Law (Ukraine)

Bachelor in Law (Australia, UNSW)

Principal Migration agent

Australian Visa Immigration Consultancy

website: www.auvisa.com.au

email: info@auvisa.com.au

ph.: 04 9030 6632

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The information in this document is current as of **02 April 2023**.

Agenda

1. Useful links
2. Subclass 786 visa (limited notes)
3. Subclass 866 visa (limited notes)
4. s 48 of the *Migration Act 1958 (Cth)*
5. Family migration – parent, partner, child, remaining relative, aged dependent relative, carer visa
6. Mainstream skilled visas - list
7. Work visas – employer-sponsored migration – 186, 482 and 494 visa
8. Designated Area Migration Agreements (DAMAs) – The Orana DAMA, NSW
9. Skilled visas – 189, 190, 491 and 191 visa
10. 2022-23 statistics – invitation rounds for 190, 491 and 189 visa

1 Useful links

Department of Home Affairs – Immigration and Citizenship

<https://immi.homeaffairs.gov.au/>

Visa Entitlement Verification Online (VEVO)

<https://online.immi.gov.au/evo/firstParty?actionType=query>

VEVO allows visa holders, employers and other organisations to check your current 'in-effect' visa. VEVO shows -

- the expiry date
- the must not arrive after date
- the period of stay (how long you can stay)
- conditions (what you can and can't do)

VEVO is not able to provide any details relating to visas that are not 'in-effect'. For example, VEVO does not show your bridging visa if your current substantive visa has not yet expired.

List of Australian Visas

<https://immi.homeaffairs.gov.au/visas/getting-a-visa/visa-listing>

Skilled Occupation List

<https://immi.homeaffairs.gov.au/visas/working-in-australia/skill-occupation-list>

Ukraine Visa Support

<https://www.homeaffairs.gov.au/help-and-support/ukraine-visa-support>

Enquiry Form for Ukraine visa arrangements

<https://www.homeaffairs.gov.au/help-and-support/ukraine-visa-support/contact-form-for-ukraine>

2 Subclass 786 visa – TRAVEL RULE

General travel rule

If you depart Australia while holding 786 visa, your 786 visa will cease upon departure. To re-enter Australia, you will need to apply for another visa, for example a visitor visa. In these circumstances it will not be possible to apply for or be granted a subclass 786 visa again.

If you still need to travel – Permission to travel

If you need to travel overseas and want to maintain 786 visa you need to obtain a permission to travel (permission to depart and re-enter Australia) prior to your departure.

When permission to travel can be granted

Where compelling and compassionate circumstances for travel exist (at this stage, very quick processing and flexible approach).

How to request Permission to travel

- Submit a request with details of compelling and compassionate circumstances along with supporting evidence via email to ukraine.humanitarian@homeaffairs.gov.au or via the Enquiry form for Ukraine visa arrangement <https://www.homeaffairs.gov.au/help-and-support/ukraine-visa-support/contact-form-for-ukraine>.
- Once the travel has been approved, you will be asked to notify the Department **at least 1 (one) week prior** to the intended departure date, and you will be granted a **449 visa with travel rights**.
- This will mean that you may temporarily lose access to services in Australia (Medicare, Centrelink payments etc). Once you return to Australia, you need to contact the Department **to be re-granted the 786 visa**. After 786 visa grant you can get access to services in Australia again.

2 Subclass 786 visa – s 91K application bar

S 91K application bar

Section 91K of the *Migration Act 1958 (Cth)* says that as a holder of 786 visa you are prevented from making a valid application for another visa while you are in Australia.

When s 91K application bar can be lifted

Where exceptional circumstances exist. Exceptional circumstances may include, but are not limited to:

1. where an individual can show that by applying for and being granted another visa they are **contributing to the Australian economy or society**, or
2. that the visa they are proposing to apply for will ensure that they can **maintain a family unity** where Australian citizens are involved.

How to request s 91K bar lift

Contact the relevant visa processing centre via Online forms and provide relevant information relating to your exceptional circumstances.

If successful, you will be notified that '*section 91K does not apply to an application for a visa made by you in the period starting when you are given a notice and ending at the end of **seventh working day** after the day that the notice is given*'.

- Online form for parent visa

<https://immi.homeaffairs.gov.au/help-support/departmental-forms/online-forms/parent-visa-processing-centre-form>

- Online form for child visa

<https://immi.homeaffairs.gov.au/help-support/departmental-forms/online-forms/child-and-orphan-relative-visa-processing-centre-form>

- Online form for partner visa

<https://immi.homeaffairs.gov.au/help-support/departmental-forms/online-forms/partner-processing-enquiry-form>

- Online form for other family visa

<https://immi.homeaffairs.gov.au/help-support/departmental-forms/online-forms/other-family-visa-processing-centre-form>

If you cannot find an appropriate online form, you can submit your request via Enquiry form for Ukraine visa support and they will re-direct your request to the relevant visa processing centre.

2 Subclass 786 visa – Applying for 866 visa

Can I apply for 866 visa while holding 786 visa?

No. After being granted 449 visa or 786 visa a person cannot submit a valid application for a Protection (Subclass 866) visa because that fails to meet the eligibility criteria for 866 visa.

Item 1401(3)(d) of Schedule 1 to the Regulations says that a **person who holds, or has ever held, 449 visa or 786 visa cannot submit a valid application for 866 visa.**

3 Subclass 866 visa – Bridging visas

Bridging visa A (BVA)

In most cases, those who submitted a valid application for a Protection (Subclass 866) visa, have been granted a Bridging visa A (BVA) with full permission to work and full permission to study.

When BVA comes into effect?

BVA automatically comes into effect once your substantive visa ceases. From that date you will have full work and study rights (if your BVA was granted with full permission to work and full permission to study). Please check VEVO for your current visa conditions.

Medicare

You are eligible for Medicare from the date you have applied for 866 visa.

Bridging visa B (BVB) - if you need to travel overseas

If you need to travel overseas, apply for and be granted a Bridging visa B (BVB) prior to departure. If you depart Australia while holding BVA, your BVA ceases upon departure and you will need to apply for another visa to come back to Australia. But if you are granted BVB, it will allow you to re-enter Australia.

Applying for BVB now

If you apply for a BVB at the early stages of the protection visa application process, there is a **high risk of refusal**. The reasons for travel must be substantial as granting travel at early stages is very limited.

If you hold 786 visa and was granted BVA attached to 866 visa application

If you need to travel overseas now, apply for a permission to travel as 786 visa holder, do not apply for a Bridging visa B attached to 866 visa application due to the longer processing times and a high risk of refusal.

4 Section 48 bar

Section 48 of the *Migration Act (Cth) 1958*

Section 48 of the *Migration Act* says that, if a visa has been refused or cancelled while the applicant was in Australia, the **applicant can apply for a visa of a prescribed class only**, and cannot apply for any other visa **while staying in the migration zone**.

This process is known as the 'section 48 bar'.

When section 48 bar applies

Section 48 applies if:

- the applicant is in Australia;
- the applicant does not hold a substantive visa, and
- the substantive visa application has been refused or cancelled after last entering Australia.

Section 48 does not apply to a refusal of a bridging visa or refusal under the character grounds (section 501, 501A or 501B).

Leaving & re-entering Australia on a bridging visa B if s 48 bar applies

Applicant who, while holding a bridging visa, leaves and re-enters the migration zone is taken to have been continuously in the migration zone despite that travel (s 48(3) of the *Migration Act*). It means you cannot leave Australia on BVB and, after re-entering Australia again, submit a valid application for a substantive visa – s 48 bar will still apply.

What prescribed visa you can apply for if section 48 bar applies?

The applicant still will be able to apply for the following visa:

- Partner (Temporary) (Class UK) – 820 visa
- Partner (Residence) (Class BS) – 801 visa
- protection visas;
- Medical Treatment (Visitor) (Class UB);
- Territorial Asylum (Residence) (Class BE);
- Border (Temporary) (Class TA);
- Special Category (Temporary) (Class TY);
- Bridging A (Class WA);
- Bridging B (Class WB);
- Bridging C (Class WC);
- Bridging D (Class WD);
- Bridging E (Class WE);
- Bridging F (Class WF);
- Bridging R (Class WR);
- Resolution of Status (Class CD);
- Child (Residence) (Class BT) – 802 visa and 837 visa
- Retirement (Temporary) (Class TQ) – 410 visa
- Investor Retirement (Class UY) – 405 visa
- Skilled—Nominated (Permanent) (Class SN) – 190 visa
- Skilled Work Regional (Provisional) (Class PS) – 491 visa
- Skilled Employer Sponsored Regional (Provisional) (Class PE) – 494 visa

5 Family Migration

Parent visa

- Parent visa (subclass 103)
- Aged Parent visa (subclass 804)
- Contributory Parent (Temporary) visa (subclass 173)
- Contributory Parent visa (subclass 143)
- Contributory Aged Parent (Temporary) visa (subclass 884)
- Contributory Aged Parent visa (subclass 864)
- Sponsored Parent (Temporary) visa (subclass 870)

Partner visa

- Partner visa (subclass 820 801)
- Partner (Provisional and Migrant) visa (subclass 309 100)
- Prospective Marriage visa (subclass 300)

Child visa

- Child visa (subclass 802)
- Child visa (subclass 101)
- Orphan Relative visa (subclass 837)
- Orphan relative visa (subclass 117)
- Adoption visa (subclass 102)

Relative visa

- Remaining Relative visa (subclass 835)
- Remaining Relative visa (subclass 115)
- Aged dependent relative (subclass 838)
- Aged dependent relative (subclass 114)
- Carer visa (subclass 836)
- Carer visa (subclass 116)

5 Family Migration – Parent visa 103

Parent visas

Due to current priority processing of parent visas for the Ukrainian nationals, we will discuss 2 main parent visas only – **103 visa and 804 visa - the cheapest and fastest visas to obtain a permanent residency as a parent at this stage.**

Parent visa (subclass 103) – permanent residency visa

Basic eligibility criteria:

- Age – not being old enough to receive an aged pension in Australia (otherwise apply for 804 visa, please see notes for 804 visa)
- Be sponsored by an eligible sponsor (usually your eligible child)
- Meet the balance-of-family test -
 - at least 50% of your children and step-children are eligible children, or
 - there are more eligible children living in Australia than in any other single country
- Have an Assurance of support
- Meet the health requirement
- Meet the character requirement

Cost

1st VAC – payable at the time of application

AUD 4,560 main applicant

AUD 2,280 secondary applicant 18 and over

AUD 1,145 secondary applicant under 18

Assurance of support (upon IMMI request – Centrelink, for 4 years)

AUD 5,000 for 1 (one) person

AUD 7,000 for 2 (two) persons

2nd VAC – payable before grant of visa

AUD 2,065 main applicant

AUD 2,065 secondary applicant 18 and over

AUD 2,065 secondary applicant under 18

5 Family Migration – Parent visa 103

What else you should know about 103 visa

- You can be in and outside Australia, when you apply for 103 visa
- If you are in Australia on 786 visa, request to waive s91K application bar first
- There is **no bridging visa** attached to 103 visa application even if you are apply in Australia, so please maintain your lawful status in Australia while your 103 visa application is in progress
- **No Medicare** while waiting for a decision on 103 visa application
- You cannot apply for 103 visa if you have another parent visa application in progress. If this is a case, you can withdraw another parent visa application at the same time you apply for 103 visa application.
- You cannot apply for 103 visa if you currently hold a 870 visa, or if you held 870 visa and has not left Australia since that visa ceased to be in effect.
- Current processing times – a few months.

Examples of applying the Balance-of-family test

Total number of children	Children living in Australia permanently	Children in country A	Children in country B	Children in country C	Children in country D	Passes test?
1	1	0	0	0	0	Yes
2	1	1	0	0	0	Yes
3	1	2	0	0	0	No
3	1	1	1	0	0	No
4	2	2	0	0	0	Yes
4	1	1	1	1	0	No
4	1	2	1	0	0	No
5	1	1	1	1	1	No
5	2	1	1	1	0	Yes
5	3	2	0	0	0	Yes
6	2	2	2	0	0	No

5 Family Migration – Aged Parent visa 804

Aged parent visa (subclass 804) – permanent residency visa

Basic eligibility criteria:

- Age – be old enough to receive an aged pension in Australia – that’s means to **be minimum 65 – 67 years old** (eligible age depends on the date of birth)
- You must hold a substantive visa (other than 771 visa)
- You can apply for 804 visa if you hold a bridging visa or even if you are unlawful, if application for 804 visa is made within 12 months after ceasing to hold a substantive visa
- Be sponsored by an eligible sponsor (usually your eligible child)
- Meet the balance-of-family test -
 - at least 50% of your children and step-children are eligible children, or
 - there are more eligible children living in Australia than in any other single country
- Have an Assurance of support
- Meet the health requirement
- Meet the character requirement

Cost

1st VAC – payable at the time of application

AUD 4,560 main applicant

AUD 2,280 secondary applicant 18 and over

AUD 1,145 secondary applicant under 18

Assurance of support (upon IMMI request – Centrelink, for 4 years)

AUD 5,000 for 1 (one) person

AUD 7,000 for 2 (two) persons

2nd VAC – payable before grant of visa

AUD 2,065 main applicant

AUD 2,065 secondary applicant 18 and over

AUD 2,065 secondary applicant under 18

5 Family Migration – Aged Parent visa 804

What else you should know about 804 visa

- You must be in Australia, when you apply for this visa
- If you are in Australia on 786 visa, request to waive s91K application bar first
- Upon lodgement, you will **be granted a Bridging visa A** with full permission to work and full permission to study
- **No access to Medicare** while waiting for 804 visa on a bridging visa
- You can include / add a partner and a child in your application ('apply from' requirements and limitations based on child's age and dependency apply)
- You cannot apply for this visa if you have another parent visa application in progress. If this is a case, you can withdraw another parent visa application at the same time you apply for 804 visa application.
- You cannot apply for this visa if you currently hold a 870 visa, or if you held a 870 visa and has not left Australia since that visa ceased to be in effect
- Current processing times – a few months.

5 Family Migration – Onshore Partner visa 820/801

Partner visa – subclass 820 / 801 – permanent residency in 2 steps

If you meet all visa criteria, you will be granted a temporary 820 visa first and then usually you have to be in a genuine relationship with your partner for 2 years while holding 820 visa before your permanent 801 visa can be finalised (unless you have been in a long-term partner relationship).

Basic eligibility criteria

- You must be in Australia at the time of application and the time of decision
- You must hold a substantive visa when you apply for this visa (limited exemptions apply to bridging visa holders)
- Be in a genuine relationship with your spouse or de facto partner who is an Australian citizen, permanent resident or an eligible New Zealand citizen
- Have your spouse or de facto partner sponsor you
- Your spouse or de facto partner should not be prohibited from being a sponsor
- Meet the health requirement
- Meet the character requirement

Cost

- AUD 8,085 main applicant
- AUD 4,045 secondary applicant 18 and over
- AUD 2,025 secondary applicant under 18

5 Family Migration – Onshore Partner visa 820/801

What else you should know about 820 / 801 visa

- You must be in Australia, when you apply for this visa
- If you apply under de facto partner stream and cannot satisfy '12 months living together' requirement at the time of application, you still can apply for and be granted this visa if you register your relationship with an Australian authority before a decision is made on your 820 visa application
- You will **be granted a Bridging visa A** with full permission to work and full permission to study
- You will be **eligible for Medicare** from the date you applied for the visa
- You might not be eligible to apply if you are the holder of certain regional visas
- When you apply, you can include a child / dependent child in the application
- After you have applied, but before a decision is made, you can add a dependent child only
- Current processing times – a few months

5 Family Migration – Offshore Partner visa 309/100

Partner visa – subclass 309 / 100 – permanent residency in 2 steps

If you meet all visa criteria, you will be granted a temporary 309 visa first and then usually you have to be in a genuine relationship with your partner for 2 years while holding 309 visa before your permanent 100 visa can be finalised (unless you have been in a long-term partner relationship).

Basic eligibility criteria

The same criteria are applicable as to the partner 820/801 visa, except for –

- You must be outside Australia at the time of application and at the time of decision (unless COVID concessions apply)
- No requirements on what visa to hold at the time of application
- No limitations on your right to apply for the visa if you hold certain regional visas

What else you should know about 309 / 100 visa

- You will not be granted a bridging visa
- If you apply under de facto partner stream and cannot satisfy '12 months living together' requirement at the time of application, then you can consider of applying for a Prospective marriage visa (subclass 300) instead

Cost

- AUD 8,085 main applicant
- AUD 4,045 secondary applicant 18 and over
- AUD 2,025 secondary applicant under 18

5 Family Migration – Offshore Prospective Marriage visa 300

Prospective Marriage (Subclass 300) visa

This visa is for a person seeking entry to Australia to marry, after their first entry to Australia, the Australian citizen, Australian permanent resident or eligible New Zealand citizen who is their prospective spouse.

After marrying their prospective spouse (and while 300 visa is still in effect), 300 visa holder should apply for 820/801 partner visa.

Basic eligibility criteria

- Be outside of Australia at the time of application and time of decision (unless COVID concessions apply)
- Have a sponsor who is an Australian citizen, permanent resident or eligible New Zealand citizen
- Intend to marry your prospective spouse before the visa period ends
- Meet the health requirement
- Meet the character requirement

Cost

- AUD 8,085 main applicant
- AUD 4,045 secondary applicant 18 and over
- AUD 2,025 secondary applicant under 18

5 Family Migration – Offshore Prospective Marriage visa 300

What else you should know about 300 visa

- This visa lets you come to Australia to marry your prospective spouse and then apply for 820/801 partner visa (in this case the application fees for 820/801 partner visa will be much lower)
- You will **not be granted a bridging visa**
- You will **not be eligible for Medicare**
- This visa can be suitable for those offshore applicants who are in de facto partner relationship with an Australian citizen, permanent resident or eligible New Zealand citizen, but cannot satisfy 12 months living together requirement for 309 partner visa
- When you apply, you can include a child / dependent child in the application
- After you have applied, but before a decision is made, you can add a dependent child only
- Current processing times – a few months

5 Family Migration – Onshore Child visa 802

Child visa (subclass 802) – permanent residency

This visa allows a child to stay in Australia permanently and live with their parents.

Basic eligibility criteria

- Be in Australia when the application is made and when the decision is made
- Be single and dependent on the parent
- The child must be either:
 - under 18 years old, or
 - over 18 and under 25 years and studying full time, or
 - over 18 years with a disability
- If child is under 18, have consent to migrate to Australia (Form 1229 or court order)
- Be a child of a parent who is an Australian citizen, eligible New Zealand citizen or holder of an Australian permanent visa
- Be sponsored by an eligible parent or their parent's spouse or de facto partner
- Meet the health requirement
- Meet the character requirement

Cost

- AUD 2,790 main applicant
- AUD 1,395 secondary applicant 18 and over
- AUD 700 secondary applicant under 18

5 Family Migration – Onshore Child visa 802

What else you should know about 802 visa

- Exemptions to s 48 application bar are available and defined
- Child will be granted a **Bridging visa A with full permission to study**
- Child will be **eligible for Medicare** from the date the child applied for visa
- Child's dependent children can be added to the their visa application any time before a decision is made

5 Family Migration – Offshore Child visa 101

Child visa (subclass 101) – permanent residency

This visa lets a child outside Australia move to Australia to live with their parents.

Basic eligibility criteria

The same criteria are applicable as to the child 802 visa, except for –

- Child must be outside Australia when the application is submitted and at the time of decision (unless concession applies)

What else you should know about 101 visa

- No bridging visa will be granted
- Child's dependent children can be added to the their visa application any time before a decision is made

Cost

- AUD 2, 790 main applicant
- AUD 1,395 secondary applicant 18 and over
- AUD 700 secondary applicant under 18

5 Family Migration – Offshore Orphan Relative visa 117

Orphan Relative visa (subclass 117) – permanent residency

This visa lets a child who is single come to Australia to live with a relative if their parents are deceased, can't care for them or can't be found.

Basic eligibility criteria

The child must:

- Be outside Australia at the time of application and at the time of decision
- Be single and under 18 at the time of application
- Have no parent who can care for them – when both parents:
 - are deceased, or
 - are permanently incapable of caring for the child, or
 - can't be found
- Have consent to migrate to Australia (Form 1229 or a court order)
- **Be sponsored by a settled Australian relative (brother, sister, step-brother, step-sister, grandparent or step-grandparent, aunt, uncle, step-aunt or step-uncle) or their settled partner**
- Your Australian relative must be an Australian citizen, permanent resident or an eligible New Zealand citizen (not on temporary visa)
- Meet the health requirement
- Meet the character requirement

Cost

- AUD 1,710 main applicant
- AUD 855 secondary applicant 18 and over
- AUD 430 secondary applicant under 18

5 Family Migration – Offshore Orphan Relative visa 117

What else you should know about 117 visa

- If the child's parents are capable of caring for them but don't want to do so, the child won't be granted this visa
- There is no cost to apply for sponsorship
- Sponsor must agree to assist the child with accommodation and financial support for the first 2 years in Australia
- Case officer has a right to request an Assurance of support (AoS)

5 Family Migration – Onshore Orphan Relative visa 837

Orphan Relative visa (subclass 837) – permanent residency

This visa lets a child who is single and already in Australia stay with a relative if their parents are deceased, can't care for them or can't be found.

Basic eligibility criteria

The same criteria are applicable as to 117 visa, except for –

- Child must be in Australia at the time of application and at the time of decision
- Child must hold a substantive visa (other than 771 visa)
- Child can apply for 837 visa if they hold a bridging visa or even if they are unlawful, if application for 837 visa is made within 12 months after ceasing to hold a substantive visa

What else you should know about 837 visa

- Child will be granted a bridging visa
- If child's parents are capable of caring for them but don't want to do so, the child won't be granted this visa
- Visa can be granted only if the child has a consent to migrate to Australia (Form 1229, court order etc)
- There is no cost to apply for sponsorship, but a case officer has a right to request an Assurance of support (AoS)
- Sponsor must agree to assist the child with accommodation and financial support for the first 2 years in Australia

Cost

- AUD 1,710 main applicant
- AUD 855 secondary applicant 18 and over
- AUD 430 secondary applicant under 18

5 Family Migration – Adoption visa 102

Adoption visa (subclass 102) – permanent residency

This visa lets children adopted outside Australia live in Australia with their adoptive parent.

Basic eligibility criteria

The child must:

- Be outside Australia when the application is submitted
- Have been under 18 years of age when adopted, when they apply and at the time of decision on their application
- Be adopted or in the process of being adopted by their sponsor parent
- Be sponsored by an eligible adoptive parent or prospective adoptive parent
- Meet the health requirement
- Meet the character requirement

What else you should know about 102 visa

More information on this visa you can find here

<https://immi.homeaffairs.gov.au/visas/getting-a-visa/visa-listing/adoption-102#Eligibility>

Cost

- AUD 2,790 main applicant
- AUD 1,395 secondary applicant 18 and over
- AUD 700 secondary applicant under 18

5 Family Migration – Onshore Remaining Relative visa 835

Remaining Relative visa (subclass 835) – permanent residency

This permanent visa lets people stay in Australia to be with their only close family members.

Basic eligibility criteria

- Be in Australia at the time of application and time of decision
- Hold a substantive visa (other than 771 visa)
- You can apply for 835 visa if you hold a bridging visa or even if you are unlawful, if application for 835 visa is made within 12 months after ceasing to hold a substantive visa
- **Who can be your Australian relative** for this visa:
 - parent or step-parent
 - brother or sister
 - step-brother or step-sister
- Your Australian relative must be an Australian citizen, permanent resident or an eligible New Zealand citizen (not on temporary visa)
- Your Australian relative (or their partner) must sponsor you for this visa
- Have an Assurance of support
- **You and your partner do not have other near relatives except for the Australian relatives** (near relatives – parent, step-parent, brother, sister, step-brother, step-sister, adult non-dependent children or step-children, non-adult children or step-children who are not wholly or substantially in the daily care and control of the applicant or of the applicant's partner)
- Meet the health requirement
- Meet the character requirement

Cost

1st VAC – payable at the time of application
AUD 4,560 main applicant
AUD 2,280 secondary applicant 18 and over
AUD 1,145 secondary applicant under 18

Assurance of support

2nd VAC – payable before grant of visa
AUD 2,065 main applicant
AUD 2,065 secondary applicant 18 and over
AUD 2,065 secondary applicant under 18

5 Family Migration – Onshore Remaining Relative visa 835

What else you should know about 835 visa

- You can include members of the family unit in your application when you apply. You can also add them to your application at any time before we make a decision.
- You will be granted a bridging visa
- No costs to apply to be a sponsor
- Sponsor must agree to financially support the main visa application and their dependents for their first 2 years in Australia
- Usually sponsor is a person providing an Assurance of support

5 Family Migration – Offshore Remaining Relative visa 115

Remaining Relative visa (subclass 115) – permanent residency

This permanent visa lets people move to Australia to be with their only close family members.

Basic eligibility criteria

The same criteria are applicable as to the 835 visa application, except for –

- Visa applicant must be outside Australia at the time of application and at the time of decision

What else you should know about 115 visa

- No bridging visa

Cost

1st VAC – payable at the time of application
AUD 4,560 main applicant
AUD 2,280 secondary applicant 18 and over
AUD 1,145 secondary applicant under 18

Assurance of support

2nd VAC – payable before grant of visa
AUD 2,065 main applicant
AUD 2,065 secondary applicant 18 and over
AUD 2,065 secondary applicant under 18

5 Family Migration – Aged dependent relative visa 114

Aged dependent relative (subclass 114) – permanent residency

This permanent visa lets a single older person, who relies on a relative living in Australia for financial support, move to Australia permanently.

Basic eligibility criteria

- You must be outside Australia at the time of application and time of decision
- Applicant must be old enough to receive an aged pension in Australia – that's means to be minimum 65 – 67 years old (eligible age depends on the date of birth)
- Be single
- **You must have been dependent on your relative in Australia for basic needs like food, shelter and clothing for at least 3 years before you apply**
- **You must be an eligible relative of an Australian citizen, an Australian permanent resident or eligible NZ citizen** (you must be their parent, child or step-child, brother or step-brother, sister or step-sister, grandparent or step-grandparent, grandchild or step-grandchild, aunt or step-aunt, uncle or step-uncle, niece or step-niece, nephew or step-nephew)
- You must be sponsored by your settled Australian relative or their partner
- Have an Assurance of support (AoS)
- You can include dependent child or step-child to your application
- Meet the health requirement
- Meet the character requirement

Cost

1st VAC – payable at the time of application
AUD 4,560 main applicant
AUD 2,280 secondary applicant 18 and over
AUD 1,145 secondary applicant under 18

Assurance of support

2nd VAC – payable before grant of visa
AUD 2,065 main applicant
AUD 2,065 secondary applicant 18 and over
AUD 2,065 secondary applicant under 18

5 Family Migration – Aged dependent relative visa 838

Aged Dependent Relative visa (subclass 838) – permanent residency

This permanent visa lets a single older person stay in Australia if they rely on a relative living in Australia for financial support.

Basic eligibility criteria

The same criteria are applicable as to the 114 visa, except for –

- You must be in Australia at the time of application and time of decision
- Hold a substantive visa (other than 771 visa)
- You can apply for 838 visa if you hold a bridging visa or even if you are unlawful, if application for 838 visa is made within 12 months after ceasing to hold a substantive visa

What else you should know about 838 visa

- You will be granted a bridging visa

Cost

1st VAC – payable at the time of application
AUD 4,560 main applicant
AUD 2,280 secondary applicant 18 and over
AUD 1,145 secondary applicant under 18

Assurance of support

2nd VAC – payable before grant of visa
AUD 2,065 main applicant
AUD 2,065 secondary applicant 18 and over
AUD 2,065 secondary applicant under 18

5 Family Migration – Carer visa 836

Carer visa (subclass 836) – permanent residency

This permanent visa lets you stay in Australia to care for someone with a long-term medical condition who has no reasonable access to care options in Australia.

Basic eligibility criteria

- Be in Australia on a substantive visa (other than 771 visa)
- You can apply for 836 visa if you hold a bridging visa or even if you are unlawful, if application for 836 visa is made within 12 months after ceasing to hold a substantive visa
- **Be a carer for your Australian relative who needs care or a member of their family who lives with them and needs care and who has no reasonable access to care in Australia**
- Provide **a medical certificate from Bupa Medical Visa Services** that includes a statement that your Australian relative needs care or their family member who lives with them needs care because of a medical condition (or at least provide evidence assessment process has been started)
- Be sponsored by an eligible sponsor (applicant's near relative or relative)
- Meet the health requirement
- Meet the character requirement

Cost

- 1st VAC – payable at the time of application
 - AUD 1,880 main applicant
 - AUD 940 secondary applicant 18 and over
 - AUD 470 secondary applicant under 18
- 2nd VAC – payable before grant of visa (may be waived due to the financial hardship)
 - AUD 2,065 main applicant
 - AUD 2,065 secondary applicant 18 and over
 - AUD 2,065 secondary applicant under 18

5 Family Migration – Carer visa 116

Carer visa (Subclass 116) – permanent residency

This permanent visa lets you move to Australia to care for someone with a long-term medical condition and who has no reasonable access to care options in Australia.

Basic eligibility criteria

The same criteria are applicable as to the 836 visa application, except for –

- Visa applicant must be outside Australia at the time of application and at the time of decision

What else you should know about 116 visa

- Applicant is not eligible for a bridging visa

Cost

- 1st VAC – payable at the time of application
 - AUD 4,560 main applicant
 - AUD 2,280 secondary applicant 18 and over
 - AUD 1,145 secondary applicant under 18
- 2nd VAC – payable before grant of visa
 - AUD 2,065 main applicant
 - AUD 2,065 secondary applicant 18 and over
 - AUD 2,065 secondary applicant under 18

6 Skilled Migration – Mainstream visas

Skilled visa – permanent residency

- Skilled Independent visa (subclass 189)
- Skilled Nominated visa (subclass 190)
- Permanent Residence (Skilled Regional) visa (subclass 191)

Skilled visa – temporary visa

- Skilled Work Regional (Provisional) visa (subclass 491)

Work visa – permanent residency

- Employer Nomination Scheme (subclass 186)

Work visa – temporary visa

- Temporary Skill Shortage visa (subclass 482)
- Skilled Employer Sponsored Regional (provisional visa (subclass 494)

7 Work visa 186 - Streams

Employer Nomination Scheme (subclass 186) – permanent residency

This visa lets skilled workers, who are nominated by their employer, live and work in Australia permanently

There are 3 (three) streams available:

1. Direct Entry stream (DE)
2. Temporary Residence Transition stream (TRT)
3. Labour Agreement stream (LA)

	186 visa	
DE stream: <ul style="list-style-type: none">• be under 45• Skills assessment• English IELTS 6.0• 3 years WE	TRT stream: <ul style="list-style-type: none">• be under 45• 3 years on 482 visa• English IELTS 6.0	LA stream: <ul style="list-style-type: none">• LA requirements
	482 TSS visa – Medium term stream: <ul style="list-style-type: none">• any age• Being skilled• English IELTS 5.0• 2 years WE	482 LA visa: <ul style="list-style-type: none">• LA requirements

7 Work visa – 186 Direct Entry stream

Employer Nomination Scheme visa (subclass 186) - Direct Entry stream – permanent residency

This visa lets skilled workers, who are nominated by an employer, live and work in Australia permanently.

Basic eligibility criteria

- Be **under 45** at the time of application (exemption is available for academic and science applicants, subclass 444/461 workers)
- Have an occupation on the relevant skilled list – currently **216 occupations**
- Have a **valid skills assessment** for this occupation, unless exempt
- English requirement for main applicant – **IELTS at least 6.0** for each of 4 components; **PTE Academic at least 50** for each of 4 components (at the time of application)
- English requirement for partner and dependants over 18 – IELTS at least 4.5 for each of 4 components; PTE Academic at least 30 for each of 4 components (functional English)
- Have at least **3 years of relevant work experience** in the nominated or closely related occupation
- Be nominated by an Australian employer
- Meet the health requirement
- Meet the character requirement

Cost

- Sponsorship application (Employer)
 - AUD 420
- Nomination application (Employer)
 - \$ 540 + Skilling Australians Fund levy
- 186 visa application (Employee)
 - AUD 4,240 main applicant
 - AUD 2,120 secondary applicant 18 and over
 - AUD 1,060 secondary applicant under 18
 - AUD 4,890 if secondary applicant does not have functional English

7 Work visa – 186 Direct Entry stream

What else you should know about 186 visa – Direct Entry

- Proposed salary should be similar to the equivalent Australia worker and at least AUD 53,900 excl super
- If it is mandatory in the state or territory you intend to work in, to be licensed, registered or a member of a professional body for the nominated occupation, the applicant must provide evidence of holding such licence, registration, membership at the time of application
- **Applicant must have been employed for at least 3 years in the occupation on a full time basis and at the level of skill required for the occupation for which they have been nominated**
- Full-time employment - when the applicant have worked on average 38 hours per week
- Under policy, part time work and variable working hours employment also may be acceptable. In this case, the requirement for 3 years of relevant full-time work experience will be calculated on pro-rata - for example, 6 years of part-time work experience.
- Unpaid and volunteer work cannot be counted towards work experience
- Only post-qualification work experience is counted – when the applicant had been fully skilled to perform the duties specified for the occupation (periods of being a trainee, assistant are not counted)

7 Work visa – 482 visa TRT stream

Temporary Residence Transition Stream – 186 visa via 482 visa - permanent residency in 2 steps

Step 1 - temporary visa

Temporary Skill Shortage visa (subclass 482) - Medium-term stream

Basic eligibility criteria

- Age – no limitations
- Have an occupation on the relevant skilled list (482 visa Medium-term stream) – currently **293 occupations**
- English requirement for main applicant – **IELTS at least 5.0** for each of 4 components; **PTE Academic at least 36** for each of 4 components (at the time of application)
- **Has worked for at least 2 years** in the nominated or closely related occupation
- Be nominated by an Australian employer
- Meet the health requirement
- Meet the character requirement

Cost

- Sponsorship application (Employer)
 - AUD 420
- Nomination application (Employer)
 - \$ 330 + Skilling Australians Fund levy
- 482 visa application (Employee)
 - AUD 2,770 main applicant
 - AUD 2,770 secondary applicant 18 and over
 - AUD 695 secondary applicant under 18

7 Work visa – 482 visa TRT stream

What else you should know about 482 visa – Medium term stream

- Skills assessment is not required (only for the certain occupation and certain passport holders)
 - Proposed salary should be similar to the equivalent Australia worker and at least AUD 53,900 excl super
 - There is no requirement that the work experience needs to be post-qualification, however it is advisable to follow skill level of the relevant occupation
 - Experience gained whilst studying, through a formal arrangement (for example, a clinical/industry placement, internship or apprenticeship) that is undertaken as part of a CRICOS registered course of study, may be considered as work experience where it is relevant to the occupation
 - Experience gained whilst studying, through a formal arrangement (for example, a clinical/industry placement, internship or apprenticeship) outside of a CRICOS registered course of study, must be undertaken at the skill level of the relevant occupation to be considered as work experience.
- Under policy, **it is expected that the work experience should have been undertaken on a full-time basis in the last five years**. This period does not need to be continuous. Decision-makers may also consider work undertaken as a part-time employee that is equivalent to two years full-time, where they are confident that the applicant's experience and skills are relevant and current.
 - Casual employment should not be counted towards meeting the work experience requirement
 - Full-time means where the visa applicant worked 38 hours per week. Work experience will, however, also be considered 'full-time' where the visa applicant worked for a period b/w 32 and 45 hours per week under an industry award or an agreement.
 - If licensing / registration is mandatory to perform the nominated occupation in Australia, it is not a requirement for 482 visa grant (you will have 90 days after the visa grant to get it sorted, if 90 days is not enough, do not apply for this visa)

7 Work visa – 186 visa TRT stream

Step 2 – permanent residency

Employer Nomination Scheme visa (subclass 186) – Temporary Residence Transition stream

Basic eligibility criteria

- Be **under 45** at the time of application (**TRT stream exemption** available if applicant had annual earnings for each of the 3 years **at least AUD 162,000**; academic, regional medical practitioners and science applicants)
- Have worked for the employer, who sponsored you for 482 visa, for **at least 3 years full-time** in the nominated occupation
- English language requirement for main applicant - **IELTS at least 6.0** for each of the 4 components; **PTE Academic at least 50** for each of the 4 components
- English requirement for partner and dependants over 18 – IELTS at least 4.5 for each of 4 components; PTE Academic at least 30 for each of 4 components (functional English)
- Be nominated by your Australian employer
- Meet the health requirement
- Meet the character requirement

Cost

- Sponsorship application (Employer)
 - AUD 420
- Nomination application (Employer)
 - \$ 540 + Skilling Australians Fund levy
- 186 visa application (Employee)
 - AUD 4,240 main applicant
 - AUD 2,120 secondary applicant 18 and over
 - AUD 1,060 secondary applicant under 18
 - AUD 4,890 if secondary applicant does not have functional English

7 Work visa – 482 & 186 visa - Labour Agreement stream

Employer Nomination Scheme visa (subclass 186) – Labour Agreement stream – 186 visa via 482 visa - permanent residency in 2 steps

The employer must have a labour agreement to allow them to **sponsor specific occupations not on the list** or to **access certain concessions to requirements**.

Step 1 – temporary visa

Temporary Skill Shortage visa (subclass 482) – Labour Agreement stream

This visa is for skilled workers nominated by employers who have a Labour Agreement. It lets you live and work in Australia temporarily. Labour agreements are developed between the Australian Government (represented by the Department) and employers.

Step 2 – permanent visa

Employer Nomination Scheme visa (subclass 186) – Labour Agreement stream.

This visa lets skilled workers who are nominated by their employer live and work in Australia permanently.

482 visa cost

- Sponsorship application (Employer)
 - AUD 420
- Nomination application (Employer)
 - \$ 330 + Skilling Australians Fund levy
- 482 visa application (Employee)
 - AUD 2,770 main applicant
 - AUD 2,770 secondary applicant 18 and over
 - AUD 695 secondary applicant under 18

186 visa cost

- Sponsorship application (Employer)
 - AUD 420
- Nomination application (Employer)
 - \$ 540 + Skilling Australians Fund levy
- 186 visa application (Employee)
 - AUD 4,240 main applicant
 - AUD 2,120 secondary applicant 18 and over
 - AUD 1,060 secondary applicant under 18
 - AUD 4,890 if secondary applicant does not have functional English

7 Work visa – 494 visa

Skilled Employer Sponsored Regional (provisional visa (subclass 494) – temporary visa

This visa is for skilled workers nominated by regional employers to address labour shortages within their region where employers can't find an appropriately skilled Australian worker.

There are 2 (two) streams available:

1. Employer Sponsored stream (ES)
2. Labour Agreement stream (LA)

Pathways to permanent residency

- If eligible, you can apply for permanent residence (191 visa) after you have held 494 visa for 3 years
- Unless you have held 494 visa for 3 years, holders of 494 visa are unable to:
 - Make a valid application for 820 partner visa
 - Be granted any of the following visas:
 - Subclass 132 (Business Talent)
 - Subclass 186 (Employer Nomination Scheme)
 - Subclass 188 (Business Innovation and Investment (Provisional))
 - Subclass 189 (Skilled (Independent))
 - Subclass 190 (Skilled (Nominated))
 - Subclass 858 (Global Talent)

191 visa – permanent residency (no sponsorship or nomination required)

494 visa
Employer sponsored
stream

494 visa
Labour agreement
stream

7 Work visa – 494 visa ES stream

Skilled Employer Sponsored Regional (provisional visa (subclass 494) – Employer-Sponsored stream - temporary visa

This visa is for skilled workers nominated by **regional employers** to address labour shortages within their region where employers can't find an appropriately skilled Australian worker.

Holders of this visa can live, work and study only in a **designated regional area**. Designated regional areas include all of Australia except for Sydney, Melbourne and Brisbane.

Basic eligibility requirements

- Be **under 45** when you apply (exemptions - 482 visa worker if they had annual earnings for each of 3 years **at least AUD 162,000**, academic, science applicants, regional medical practitioners, subclass 444/461 workers)
- Be nominated to work in an occupation on the relevant skilled occupation list (494 visa Employer sponsored stream) – currently **650 occupations**
- Have **at least 3 years relevant work experience** in your nominated occupation
- Have a **relevant skills assessment**, unless an exemption applies
- Work only for your sponsor or associated entity, unless an exemption applies
- English requirements language requirement for main visa applicant - **IELTS at least 6.0** for each of the 4 components; **PTE Academic at least 50** for each of the 4 components
- Meet the health requirement
- Meet the character requirement

Cost

- Sponsorship application (Employer)
 - AUD 420
- Nomination application (Employer)
 - Skilling Australians Fund levy
- 494 visa application (Employee)
 - AUD 4,240 main applicant
 - AUD 2,120 secondary applicant 18 and over
 - AUD 1,060 secondary applicant under 18
 - AUD 4,890 applicant 18 and over w/out at least functional English

7 Work visa – 494 visa Labour Agreement stream

Skilled Employer Sponsored Regional (provisional visa (subclass 494) – Labour Agreement stream - temporary visa

This stream is for skilled workers nominated by **employers who have a labour agreement** with the Australian government in effect.

Basic eligibility requirements

- be **under 45 years** of age, unless the labour agreement states otherwise
- Be nominated to work in a specified occupation under the terms of a labour agreement
- Have **at least 3 years relevant work experience** in your nominated occupation
- Have a **relevant skills assessment**, if this is specified in the labour agreement
- Work only for your sponsor
- You must have the level of English as specified in the labour agreement
- Meet the health
- Meet the character requirement

Cost

- Sponsorship application (Employer)
 - AUD 420
- Nomination application (Employer)
 - Skilling Australians Fund levy
- 494 visa application (Employee)
 - AUD 4,240 main applicant
 - AUD 2,120 secondary applicant 18 and over
 - AUD 1,060 secondary applicant under 18
 - AUD 4,890 applicant 18 and over w/out at least functional English

8 DAMAs - 482, 494 and 186 visa

Designated Area Migration Agreement (DAMA)

DAMA head agreement is a formal agreement between the Australian Government and a regional, state or territory authority.

Individual DAMA labour agreements are between the Australian Government and endorsed employers / businesses operating within the relevant designated region.

DAMAs, allow **variation to standard occupations and skills lists** and/or negotiable **concessions to visa requirements such as age, English, work experience** etc.

DAMAs use 482, 494 and 186 visa programs.

Individuals cannot directly access a DAMA. Individuals need to be sponsored:

- by an employer operating in a designated region, and
- for an occupation that is specified in the head agreement

There are currently 12 DAMAs in place:

1. NSW Orana <https://www.rdaorana.org.au/migration/dama/>
2. VIC Goulburn Valley <https://www.gvdama.com.au/>
3. VIC Great South Coast <https://gscdama.warnambool.vic.gov.au/>
4. SA Adelaide City Technology and Innovation Advancement <https://www.migration.sa.gov.au/local-businesses/supporting-information/designated-area-migration-agreements>
5. SA South Australia Regional <https://www.migration.sa.gov.au/local-businesses/supporting-information/designated-area-migration-agreements>
6. WA East Kimberley <https://www.ekcci.com.au/ek-dama/about-ek-dama/>
7. WA Pilbara <https://www.rdapilbara.org.au/dama>
8. WA South West <https://www.dardanup.wa.gov.au/our-shire/about-us/south-west-dama.aspx>
9. WA The Goldfields <https://www.ckb.wa.gov.au/business-development/designated-area-migration-agreement/dama-overview.aspx>
10. QLD Far North Queensland <https://www.cairnschamber.com.au/regional-migration/fnq-dama>
11. QLD Townsville <https://www.townsvilleenterprise.com.au/skills-and-migration/>
12. NT Northern Territory <https://industry.nt.gov.au/migration-for-business/northern-territory-designated-area-migration-agreement>

8 The Orana DAMA, NSW

The Orana Designated Area Migration Agreement (DAMA)

The Orana DAMA is a 5-year employer-sponsored visa program, approved by Minister for Immigration, Citizenship and Multicultural Affairs, David Coleman, in **April 2019**.

Areas covered by the Orana region

The Orana region includes the local governmental areas of Bogan Shire, Bourke Shire, Brewarrina Shire, Cobar Shire, Coonamble Shire, Dubbo Region, Gilgandra Shire, Mid – Western Region, Narromine Shire, Walgett Shire and the Warrumbungle Shire.

Essential elements of the Orana DAMA

- **Pathway to permanent residence** (186 visa via 482 visa under the Orana DAMA) - all occupations under the Orana DAMA are eligible for the TSS to ENS Permanent Residency Pathway, after having lived and worked in the Orana region **for three years** on 482 visa granted under the Orana DAMA
- Currently there are **63 eligible occupations** (skilled and semi-skilled)
- **Age, English language, salary, qualifications and experience concessions** are available.

How to find the Employer

Apply for the suitable job vacancies on -

- www.seek.com.au
- www.jobactive.gov.au
- <https://au.jora.com>

8 The Orana DAMA – occupation list

The Orana DAMA Occupation list – 63 occupations

<https://www.rdaorana.org.au/wp-content/uploads/2204-ORANA-DAMA-OCCUPATION-LIST-FINAL.pdf>

For example: 253211 (ANZSCO) – Anaesthetist (Occupation) – 1 (Skill level)

1. 253211 Anaesthetist 1
2. 121311 Apiarist 1
3. 272311 Clinical Psychologist 1
4. 253312 Dentist 1
5. 253912 Emergency Medicine Specialist 1
6. 253111 General Medical Practitioner 1
7. 234611 Medical Laboratory Scientist 1
8. 252411 Occupational Therapist 1
9. 241213 Primary School Teacher 1
10. 254412 Registered Nurse (Aged Care) 1
11. 254415 Registered Nurse (Critical Care and Emergency) 1
12. 254499 Registered Nurse (nec) 1
13. 254424 Registered Nurse (Surgical) 1
14. 253112 Resident Medical Officer 1
15. 251513 Retail Pharmacist 1
16. 241411 Secondary School Teacher 1
17. 272511 Social Worker 1
18. 252712 Speech Pathologist 1
19. 272613 Welfare Worker 1
20. 31111 Agricultural Technician 2
21. 351311 Chef 2
22. 411411 Enrolled Nurse 2
23. 149999 Hospitality, Retail and Service Managers (nec) 2
24. 411715 Residential Care Officer 2
25. 312116 Surveying or Spacial Science Technician 2
26. 321111 Automotive Electrician 3
27. 351111 Baker 3
28. 351211 Butcher or Smallgoods Maker 3
29. 394111 Cabinetmaker 3
30. 331212 Carpenter 3
31. 351411 Cook 3
32. 321212 Diesel Motor Mechanic 3
33. 341111 Electrician (General) 3

8 The Orana DAMA – occupation list (continued)

- 34. 341112 Electrician (Special Class) 3
- 35. 323211 Fitter (General) 3
- 36. 323212 Fitter and Turner 3
- 37. 322311 Metal Fabricator 3
- 38. 323299 Metal Fitters and Machinists (nec) 3
- 39. 323214 Metal Machinist (First Class) 3
- 40. 321211 Motor Mechanic (General) 3
- 41. 324111 Panelbeater 3
- 42. 334111 Plumber (General) 3
- 43. 331112 Stonemason 3
- 44. 324311 Vehicle Painter 3
- 45. 322313 Welder (First Class) 3
- 46. 551211 Bookkeeper 3
- 47. 551111 Accounts Clerk 4
- 48. 423111 Aged or Disabled Carer 4
- 49. 721111 Agricultural and Horticultural Mobile Plant Operator 4
- 50. 421111 Child Care Worker 4
- 51. 712211 Driller 4
- 52. 721211 Earthmoving Plant Operator (General) 4
- 53. 431511 (Waiter) Food and Beverage Attendant 4
- 54. 531111 General Clerk 4
- 55. 831211 Meat Boner and Slicer 4
- 56. 712212 Miner 4
- 57. 721999 Mobile Plant Operators(nec) 4
- 58. 423312 Nursing Support Worker 4
- 59. 551311 Payroll Clerk 4
- 60. 423313 Personal Care Assistant 4
- 61. 442217 Security Officer 4
- 62. 831212 Slaughterer 4
- 63. 733111 Truck Driver (General) 4

8 The Orana DAMA – Age Concessions

The Orana DAMA Concessions

- Age concessions
- English language concessions
- Salary concessions
- Qualifications and experience concessions

If no concession applies, a nominee must be able to meet the requirements of the substantive visa for which they are applying.

Age concessions

For occupations with Skill Level 1-4, an age concession of **up to 55 years of age**; for occupations with Skill Level 5 - **up to 50 years** of age.

8 The Orana DAMA – English language concessions

482 and 494 visa English language concession

Overall IELTS 5.0 (or equivalent) with no minimum band score (unless registration or licensing requires a higher level of English).

186 visa English language concession

Overall score of IELTS 5.0 (or equivalent) with no component being less than IELTS 4.0 (or equivalent), (unless registration or licensing requires a higher level of English).

List of eligible occupations

721111	Agricultural and Horticultural Mobile Plant Operator
31111	Agricultural Technician
321111	Automotive Electrician
351211	Butcher or Smallgoods Maker
331212	Carpenter
351311	Chef
351411	Cook
321212	Diesel Motor Mechanic
323211	Fitter (General)
323212	Fitter and Turner
831211	Meat Boner and Slicer
831311	Meat Process Worker
234611	Medical Laboratory Scientist
322311	Metal Fabricator
323299	Metal Fitters and Machinists (nec)
323214	Metal Machinist (First Class)
712212	Miner
721999	Mobile Plant Operators(nec)
321211	Motor Mechanic (General)
324111	Panelbeater
831212	Slaughterer
331112	Stonemason
733111	Truck Driver (General)
324311	Vehicle Painter
322313	Welder (First Class)

8 The Orana DAMA – Salary concessions

Salary concessions

The current value of the Temporary Skilled Migration Income Threshold (TSMIT) is **\$53,900** excluding superannuation.

There are two TSMIT concessions available under the Orana DAMA.

Concession Type 1

Businesses must demonstrate that annual monetary earnings will be at least 90% of TSMIT whilst also meeting Award requirements and Annual Market Salary Rate expectations for the specific occupation and location.

Concession Type 2

Businesses must demonstrate that monetary earnings will be at least 90% of TSMIT and non-monetary earnings (food and board) must not be more than 10% of TSMIT, with the total package being at least equal to the TSMIT.

List of eligible occupations

551111	Accounts Clerk
423111	Aged or Disabled Carer
721111	Agricultural and Horticultural Mobile Plant Operator
31111	Agricultural Technician
551211	Bookkeeper
351211	Butcher or Smallgoods Maker
421111	Child Care Worker
351411	Cook
431511	(Waiter) Food and Beverage Attendant
531111	General Clerk
149999	Hospitality, Retail and Service Managers (nec)
831311	Meat Process Worker
234611	Medical Laboratory Scientist
841611	Mixed Crop and Livestock Farm Worker
721999	Mobile Plant Operators(nec)
423312	Nursing Support Worker
551311	Payroll Clerk
423313	Personal Care Assistant
411715	Residential Care Officer
442217	Security Officer
331112	Stonemason
733111	Truck Driver (General)

8 The Orana DAMA – Qualification and experience concessions

Qualifications and Experience concessions – Table 1

Qualification and Experience concessions - Table 1:

- Where the relevant AQF qualification was obtained in Australia, only **1 year of relevant full-time work experience** is required for 482 visa or;
- Only **2 years of relevant full-time work experience** for 494 visa

List of eligible occupations

31111 Agricultural Technician 2
253211 Anaesthetist 1
121311 Apiarist 1
321111 Automotive Electrician 3
351111 Baker 3
351211 Butcher or Smallgoods Maker 3
394111 Cabinetmaker 3
331212 Carpenter 3
351311 Chef 2
272311 Clinical Psychologist 1
351411 Cook 3
253312 Dentist 1
321212 Diesel Motor Mechanic 3
341111 Electrician (General) 3
341112 Electrician (Special Class) 3
253912 Emergency Medicine Specialist 1
411411 Enrolled Nurse 2

323211 Fitter (General) 3
323212 Fitter and Turner 3
253111 General Medical Practitioner 1
149999 Hospitality, Retail and Service Managers (nec) 2
234611 Medical Laboratory Scientist 1
322311 Metal Fabricator 3
323299 Metal Fitters and Machinists (nec) 3
323214 Metal Machinist (First Class) 3
321211 Motor Mechanic (General) 3
252411 Occupational Therapist 1
324111 Panelbeater 3
334111 Plumber (General) 3
241213 Primary School Teacher 1
254412 Registered Nurse (Aged Care) 1
254415 Registered Nurse (Critical Care and Emergency) 1
254499 Registered Nurse (nec) 1
254424 Registered Nurse (Surgical) 1
253112 Resident Medical Officer 1
411715 Residential Care Officer 2
251513 Retail Pharmacist 1
241411 Secondary School Teacher 1
272511 Social Worker 1
252712 Speech Pathologist 1
331112 Stonemason 3
312116 Surveying or Spacial Science Technician 2
324311 Vehicle Painter 3
322313 Welder (First Class) 3
272613 Welfare Worker 1

8 The Orana DAMA – Qualification and experience concessions

Qualifications and Experience concessions – Table 2

This concession is available for **Bookkeeper ANZSCO 551211 (Skill level 3) only**.

The visa applicant must have:

- Undergone a skills assessment,

AND

- Have at least 1 (one) year full-time of relevant full-time work experience for the 482 visa program where the relevant AQF qualification was completed in Australia; or
- Have at least 2 (two) years of relevant full-time work experience for the 494 visa program; or
- Meet the additional work experience requirements required under the standard 482, 494 or 186 visa programs.

8 The Orana DAMA – Qualification and experience concessions

Qualifications and Experience concessions – Table 3

This concession is available for **Child Care Worker ANZSCO 421111 (Skill level 4) only**.

The visa applicant must have:

- Undergone a skills assessment
- AND
- Have at least one year (20 hours per week) of relevant post qualification experience where the applicant is a holder of at least an AQF Certificate III or equivalent; or
 - Have at least one year of relevant full-time work experience for the 482 visa program where the relevant AQF qualification was undertaken in Australia; or
 - Have at least two years relevant full-time work experience for the 494 visa program; or
 - Meet the additional work experience required under the standard 482, 494 or 186 programs.

8 The Orana DAMA – Qualification and experience concessions

Qualifications and Experience concessions – Table 4

The visa applicant must have:

- Undergone a skills assessment

AND

- Meet the skill level as defined in ANZSCO, including where work experience may substitute the formal qualification;

AND

- Have at least 1.5 years (20 hours plus per week) relevant post qualification experience where the applicant is a holder of at least an AQF Certificate II or equivalent; or
- Have at least 1 years (20 hours plus per week) relevant post qualification experience where the applicant is a holder of at least an AQF Certificate III or equivalent; or
- Have at least two years of relevant full-time work experience; or
- Have at least one year of relevant full-time Australian work experience for the 482 visa; or
- Have at least two years of relevant full-time work experience for the 494 visa; or
- Meet the additional work experience required under the standard 482, 494 or 186 visa programs.

List of eligible occupations

551111	Accounts Clerk	4
721111	Agricultural and Horticultural Mobile Plant Operator	4
712211	Driller	4
721211	Earthmoving Plant Operator (General)	4
431511	(Waiter) Food and Beverage Attendant	4
531111	General Clerk	4
712212	Miner	4
721999	Mobile Plant Operators (nec)	4
551311	Payroll Clerk	4
442217	Security Officer	4
733111	Truck Driver (General)	4

8 The Orana DAMA – Qualification and experience concessions

Qualifications and Experience concessions – Table 5

The visa applicant must have:

- Undergone a skills assessment

AND

- Meet the skill level as defined in ANZSCO, including where work experience may substitute the formal qualification;

AND

- Have at least 1 years (20 hours plus per week) relevant post qualification experience where the applicant is a holder of at least an AQF Certificate III or equivalent; or
- Have at least one year of relevant full-time Australian work experience for the 482 visa; or
- Have at least two years of relevant full-time work experience for the 494 visa; or
- Meet the additional work experience required under the standard 482, 494 or 186 visa programs.

List of eligible occupations

423111	Aged or Disabled Carer	4
423312	Nursing Support Worker	4
423313	Personal Care Assistant	4

8 The Orana DAMA – Qualification and experience concessions

Qualifications and Experience concessions – Table 6

This concession is available for a **Mixed Production Farm Worker ANZSCO 842499 Skill level 5 only**.

The visa applicant must have:

- Have undergone a skills assessment

AND

- Meet the skill level as defined in ANZSCO, including where work experience may substitute the formal qualification;

AND

- Have at least one year of relevant full-time Australian work experience for the 482 visa; or
- Meet the additional work experience required under the standard 482, 494 or 186 programs.

8 The Orana DAMA – Application process

STEP-BY-STEP Guide to the Orana DAMA application process

Steps 1-5 – to be done by the Employer

Step 6 – to be done by the Employee (You)

Step 1: The employer makes an appointment for a pre-lodgement meeting with RDA Orana.

Step 2: The employer completes and lodges an application for Endorsement. Fee is applicable.

Step 3: The employer receives a Letter of endorsement, if application for endorsement is successful.

Step 4: The employer lodges the labour agreement application with the Department of Home Affairs. No application fee is applicable.

Step 5: The employer lodges the nomination application with the Department of Home Affairs. Fees are applicable.

Step 6: The employee lodges their visa application with the Department of Home Affairs. Fees are applicable.

* Please note for some occupations verification process / skills assessment is required in addition

9 Skilled visa – 189 permanent visa

Skilled Independent visa (subclass 189) – Point tested stream – permanent residency

This visa lets invited workers with skills to live and work permanently anywhere in Australia. **No sponsorship or nomination is required.**

Basic eligibility requirements

- Be **under 45 years** at the time of invitation to apply for the visa
- Have a **valid skills assessment** in the eligible occupation - **212 occupations**
- English for main applicant - **IELTS at least 6.0** in each of 4 components; **PTE at least 50** in each of 4 components (3 years before date of invitation)
- must score **at least 65 points** on the General Skilled Migration point test
 - age
 - single / partner skills
 - English language
 - Work experience
 - Educational qualifications
 - Australian study requirement
 - STEM educational qualifications
 - NAATI (community language), PYP (professional year program)
- Meet the health requirement
- Meet the character requirement

Step by Step

- Complete **skills assessment (SA)** for the eligible occupation
- Book the **English language test** (sometimes English language test is a requirement for SA, in this case book the English language test before SA)
- Submit your Expression of Interest (**Eoi**) on SkillSelect – you can submit multiple Eois
- An Eoi is a registration of interest and is not a visa application (no bridging visa)
- If you are selected, you will receive an **invitation to apply** for the visa through email
- You will **have 60 days to submit your visa application** along with the supporting documents – prepare all the supporting documents for the claimed points beforehand
- You do not need to get your police clearance certificate or complete your medical examinations before you apply (will be requested later)

Cost

- AUD 4,240 main applicant
- AUD 2,120 secondary applicant 18 and over
- AUD 1,060 secondary applicant under 18
- AUD 4,885 for secondary applicant 18 and over who does not have at least functional English

9 Skilled visa – 190 permanent visa

Skilled Nominated visa (subclass 190) – permanent residency

This visa lets nominated skilled workers live and work in Australia as permanent residents. **State nomination is required.**

Basic eligibility requirements

- Be **under 45 years** at the time of invitation to apply for the visa
- Have a **valid skills assessment** in the eligible occupation - **427 occupations** (check also your state occupation list)
- English for main applicant - **IELTS at least 6.0** in each of 4 components; **PTE at least 50** in each of 4 components (3 years before the date of invitation)
- must score **at least 65 points** on the General Skilled Migration point test –
 - age
 - single / partner skills
 - English language
 - Work experience
 - Educational qualifications
 - Australian study requirement
 - STEM educational qualifications
 - NAATI (community language), PYP (professional year program)
 - **5 points for state nomination**
- Meet the health requirement
- Meet the character requirement

State nomination agencies

All state and territory government agencies have their own criteria for deciding who they will nominate (some agencies requires a separate Nomination application to be made, for example in Victoria).

Contact the state or territory agency directly to find out more about their nomination process:

New South Wales <https://www.nsw.gov.au/visas-and-migration>

Victoria <https://liveinmelbourne.vic.gov.au/migrate>

South Australia <https://www.migration.sa.gov.au/>

ACT <https://www.act.gov.au/migration>

Western Australia <http://www.migration.wa.gov.au/>

Queensland <https://www.migration.qld.gov.au/>

Northern territory <https://theterritory.com.au/migrate/migrate-to-work/northern-territory-government-visa-nomination/eligibility>

Tasmania <https://www.migration.tas.gov.au/>

Cost

- AUD 4,240 main applicant
- AUD 2,120 secondary applicant 18 and over
- AUD 1,060 secondary applicant under 18
- AUD 4,885 for secondary applicant 18 and over who does not have at least functional English

9 Skilled visa – 190 permanent visa – NSW nomination

Basic eligibility for NSW nomination for 190 visa

To be considered for NSW nomination, at a minimum, you must meet the following basic criteria:

- Meet all requirements outlined by Home Affairs for this visa
- Be skilled in an occupation that is within an ANZSCO unit group identified on the **NSW skills list for 190 visa** AND is eligible for the visa
- Be **currently residing in NSW**, or offshore, and have continuously done so **for a minimum period of six months**
- Have submitted an EOI SkillSelect seeking nomination for the **190 visa only** and **NSW only**

Below is the link for 190 NSW list (available in Ukrainian language):

<https://www.nsw.gov.au/visas-and-migration/skilled-visas/nsw-skills-lists?language=uk>

Key steps for NSW Nomination

- Complete an EOI in SkillSelect ensuring that all information is accurate
- **Be invited to apply** for NSW nomination
- If invited, apply for NSW nomination **within 14 days** and provide evidence for all points claims in your SkillSelect EOI and where you currently reside

Nomination for this visa is exceptionally competitive. The NSW government strongly encourages to consider all other migration pathways and do not wait to be invited to apply for NSW nomination, the vast majority of migrants seeking nomination will not be invited.

9 Skilled visa – 491 temporary visa

Skilled work Regional (Provisional) (subclass 491) visa – temporary visa

This visa is for skilled people nominated by a state or territory government to live and work in **regional Australia**.

Basic eligibility requirements

- Be **under 45** at the time of invitation to apply for the visa)
- **Be nominated** to apply by a state or territory government agency, or **be sponsored** by an eligible relative
- Have a **valid skills assessment** for the eligible occupation - currently **504 occupations** in State or Territory nominated stream & **212 occupations** in Family Sponsored stream (check your state occupation list)
- English for main applicant - **IELTS at least 6.0** in each of 4 components; **PTE at least 50** in each of 4 components (3 years before date of invitation)
- Must score **at least 65 points** on the General Skilled Migration point test (will be awarded **15 points for nomination / sponsorship**)
- Meet the health requirement
- Meet the character requirement

There are 2 (two) options available

- Be nominated by a state or territory governmental agency, or
- Be sponsored by an eligible relative

Pathway to permanent residency

There is a pathway to get a permanent residency – after the temporary 491 visa apply for a permanent 191 visa.

Cost

- AUD 4,240 main applicant
- AUD 2,120 secondary applicant 18 and over
- AUD 1,060 secondary applicant under 18
- AUD 4,885 for secondary applicant 18 and over who does not have at least functional English

9 Skilled visa – 491 temporary visa – NSW nomination

Option 1 – Nominated by State or Territory agency

Basic eligibility for NSW nomination for 491 visa

- Be able to **score specific points**. Each occupation requires different standards of minimum points. The group of occupations that requires the highest scores are those ones classified under the “managers” group and “professionals” group.
- Have a suitable **skills assessment**
- Meet minimum **relevant work experience**. Despite the fact of holding a positive skills assessment, applicants still need to meet the minimum relevant work experience. Holding a positive skills assessment does not guarantee the applicants meet minimum relevant work experience. Each occupation has different minimum relevant work experience. The group of occupations that require the highest scores are those ones classified under the “managers” group and “technicians and trade workers” group. Please refer to the NSW list link below.

Below is the link for 491 NSW list (available in Ukrainian language):

<https://www.nsw.gov.au/visas-and-migration/skilled-visas/nsw-skills-lists?language=uk>

Key steps for NSW Nomination (directly to RDA office)

- You must ensure you meet all visa requirements set by Home Affairs and all NSW nomination requirements for your respective stream
- Submit an **expression of interest** (EOI) in SkillSelect. Your EOI must be for the 491 visa and NSW only
- Pay your application assessment fee directly to the RDA office in your nominating region
- Complete the application form, providing ALL supporting evidence
- Wait for your application assessment – this can take up to 8 weeks
- If your application is approved, you will receive an invitation to apply for the 491 visa by Home Affairs to the email address you provided in your SkillSelect EOI

9 Skilled visa – 491 temporary visa – sponsored by relative

Option 2 – Sponsored by eligible relative

Your sponsor must be:

- 18 years old or older
- usually resident in a designated area of Australia
- be an Australian citizen, an Australian permanent resident, or an eligible New Zealand citizen
- be your eligible relative or your partner's eligible relative if your partner is also applying for this visa

Who is an eligible relative:

- a parent
- a child or step-child
- a brother, sister, adoptive brother, adoptive sister, step-brother or step-sister
- an aunt, uncle, adoptive aunt, adoptive uncle, step-aunt or step-uncle
- a nephew, niece, adoptive nephew, adoptive niece, step-nephew or step-niece
- a grandparent, or
- a first cousin

You should indicate in your EOI that you will be sponsored by an eligible relative, and then the Department may invite you to apply for a 491 visa in an invitation round.

9 Skilled visa – 191 permanent visa

Permanent Residence (Skilled Regional) visa (subclass 191) - Regional Provisional stream

This visa allows people who have lived and worked in **designated regional areas of Australia on an eligible visa**, live and work in Australia permanently.

Basic eligibility requirements

- Hold 494 or 491 visa for at least 3 (three) years
- Have had a taxable income at or above a specific income threshold for at least three years while holding your eligible visa
- Have complied with the conditions of the eligible visa you hold or have held
- Do not need a sponsor or nominator
- Meet the health requirement
- Meet the character requirement

Cost

- AUD 435 main applicant
- AUD 220 secondary applicant 18 and over
- AUD 110 secondary applicant under 18

191 visa (no sponsorship or nomination required)			
494 visa Employer sponsored		491 visa	
Employer sponsored stream	Labour agreement stream	Nominated by state or territory	Sponsored by eligible relative

10 Skilled visa – Statistics - 2022-23 Invitation rounds

190 visa and 491 state nominated visa - State and Territory invitations 2022-23

The number of intending migrants who received nominations from **State and Territory Governments from 1 July 2022 to 28 February 2023** is shown in the following table:

	VIC	NSW	SA	WA	QLD	TAS	ACT	NT
190 VISA	6,521	5,896	2,174	1,763	1,187	1,168	704	412
491 VISA	1,508	1,346	3,975	845	792	934	1,103	462

189 and 491 family sponsored visa – Department of Home Affairs invitations 2022

The number of intending migrants who received invitations from the **Department of Home Affairs in 2022** is shown in the following table:

	08.12.2022	06.10.2022	22.08.2022	21.04.2022	21.01.2022
189 visa	35,000	11,714	12,200	1,000	200
491 visa	120	818	466	500	200

Thank you