



## IMMIGRATION & VISAS

### AUSTRALIA

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## Employer Sponsored Visas

In order to be eligible for the **Employer Nomination Scheme (ENS)**, an applicant must satisfy each of the following:

- (1) he/she has been nominated by an employer, in accordance with subregulation 5.19(2), for an appointment in the business of that employer;
- (2) either:
  - (i) both of the following are met:
    - (a) an assessing authority specified by the Minister in a Gazette Notice for this sub-paragraph as the assessing authority for the occupation to which the appointment relates has assessed the applicant's skills as suitable;
    - (b) unless exceptional circumstances apply, the applicant has been employed in the occupation to which the appointment relates for at least 3 years before making the application; or
  - (ii) the applicant will be paid a salary in the nominated position that is at least the amount of salary specified in a Gazette Notice for this subparagraph (currently AS\$165,000 per annum plus superannuation); or
  - (iii) the applicant:
    - (a) holds a Subclass 418, 421, 422, 428, 444, 457 or 461 visa; and
    - (b) has worked full-time in the occupation to which the appointment relates in Australia, while holding a visa of a subclass mentioned in sub-subparagraph (a), for at least the period of 2 years immediately before making the application; and
    - (c) has worked full-time for the employer mentioned in paragraph (a), and in the occupation to which the appointment relates, while holding a visa of a subclass mentioned in sub-subparagraph (a), for at least the period of 1 year immediately before making the application;
- (3) in any other case – unless exceptional circumstances apply, the applicant:
  - (a) is less than 45; and
  - (b) has vocational English.

There is also the **Regional Skilled Migration Scheme (RSMS)** for employers in regional Australia to employ skilled people into full time skilled position. The criteria for the employer to meet is essentially the same as above. The criteria to meet for the applicant is slightly different – see below.

In order to be eligible for RSMS, an applicant must satisfy each of the following::

- (1) he/she has been nominated by an employer, in accordance with subregulation 5.19(4), for an appointment in the business of that employer;
  - (a) the applicant was less than 45 at the time of the application for a Skilled (Residence) (Class VB) visa or a Skilled (Migrant) (Class VE) visa; and
  - (b) the applicant has competent English; and
  - (c) the applicant has a diploma (within the meaning of subregulation 2.26A(6)) or higher qualification that is, unless the appointment is exceptional, relevant to the appointment; or
- (2) in any other case:
  - (a) unless exceptional circumstances apply, has not turned 45; and
  - (b) unless exceptional circumstances apply, has functional English; and
  - (c) unless exceptional circumstances apply, has a diploma (within the meaning of subregulation 2.26A(6)) or a higher qualification, that is relevant to the appointment