

Summary skilled migration program changes

Changes

Employer Nominated (ENS) Subclass 186 visa and Regional Sponsored Migration Scheme (RSMS) Subclass 187 visa

For both the ENS and RSMS:

- Annual Market Salary Rates (rate that would be paid to an Australian or permanent resident) must be paid and continue to be paid by the employer for the visa duration.
- A salary of no less than the Temporary Skilled Migration Income Threshold (TSMIT) of \$53,900 per annum will now apply to all RSMS nominations.
- A reduction of the maximum age to 45 years. Limited exemptions will apply.
- To access the Temporary Residency Transition (TRT) stream an employee will now have to work for the employer for 3 years in the nominated position not 2. Aligning the TRT stream with the Direct Entry (DE) stream by requiring an applicant's nominated occupation to be on the MLTSSL at the time of nomination. Additional occupations will be available in regional areas.
- All applicants will be required to demonstrate at least 3 years full-time relevant work experience for the DE and TRT streams.
- Transitional arrangements will apply to persons who held or had applied for a SC457 visa on 18 April 2017.
- Business must demonstrate they have capacity to lawfully and actively operate and employ the nominee for at least 2 years.
- A \$3,000 (business turnover <\$10 million) or \$5,000 (business turnover >\$10 million) one-off training levy will replace the existing ENS training benchmarks and will be applied to the RSMS. Levy to be paid in full by employer at time of nomination. Date of implementation yet to be announced and subject to passage of legislation.
- For the RSMS only the Labour Agreement stream is no longer available, however the stream still exists under the ENS visa.

The Temporary Skills Shortage (TSS) Subclass 482 visa replaces the Subclass 457 visa

The TSS comprises of 3 streams:

Short term stream – (STSOL)

- Max 2 years, once only onshore visa renewal.
- No Permanent Residence pathway.
- Applicants must demonstrate they have a genuine intention to be a temporary residency in Australia only.
- English level same as current 457 visa (IELTS average 5 no band less than 4.5).

Medium term stream – (MLTSSL)

- Max 4 years.
- Multiple onshore visa renewals.
- Permanent Residence pathway after 3 years on TSS visa.
- Minimum IELTS 5.0 in each band.

Labour Agreement stream

- Eg NT Designated Area Migration Agreement (NT DAMA).

All streams will require

- Employers and employees to meet strengthened 'Adverse Information' criteria.
- Labour market testing strengthened - non-discriminatory labour market testing with multiple advertising in the last 6 months.
- All applicants to demonstrate 2 years full-time relevant work experience.
- Businesses must reapply for business sponsorship every 5 years (renewal is not possible).
- An annual training levy of \$1,200 (business t/o <\$10 million) or \$1,800 per worker per year (business t/o >10 \$million) on temporary work visas to be contributed to a new Commonwealth-State Skilling Australians Fund. Levy to be paid in full by employer at time of nomination. Implementation is subject to passage of legislation.

NT DAMA

The Northern Territory Designated Area Migration Agreement:

- Occupations remain unchanged at this stage.
- Home Affairs has varied the NT DAMA Agreement to transition from SC 457 to TSS visa. All new DAMA visa applications post 18 March 2018 will be for TSS visas.
- Current NT DAMA Agreement expires on 9 August 2018.

The information above is a guide only as it is based on the information currently available from the Department of Home Affairs.

Please check the Department of Home Affairs website www.homeaffairs.gov.au for detailed information.

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