

REGIONAL SPONSORED MIGRATION SCHEME VISAS – SUBCLASS 119/857

MIGRATE TO AUSTRALIA AS A SKILLED PERSON

Ferguson Cannon are Migration Lawyers and Registered Migration Agents (Registered Number 0105779) located on the Sunshine Coast and Brisbane in Queensland, Australia. We specialise in complex and difficult applications.

The Regional Sponsored Migration Scheme (RSMS) is for employers in regional Australia, to fill skilled positions they are unable to fill from the local labour market.

Under the RSMS, employers are able to nominate staff from overseas or temporary residents currently in Australia to fill full-time, permanent vacancies.

The employees applying for a visa can be either of the following:

- skilled workers from overseas
- skilled temporary residents.

This visa allows you and any dependent family members included in your visa application to live as permanent residents in Australia.

Australian permanent residents can:

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

Employer Eligibility

The Regional Certifying Body (RCB) responsible for the area will assess the nomination to fill a position against the following criteria.

Criteria	Requirement
The business must be actively and lawfully operating in regional Australia.	there must be a need for a paid employee the employer's business must be established and actively engaged in the activity for which it is registered in the regional area all areas of Australia except for, Brisbane, Gold Coast, Newcastle, Sydney, Wollongong,

	Melbourne or Perth.
The position must be full time and available for 2 years.	the position is a genuine full-time vacancy the position is available for at least 2 consecutive years.
The business requires a person with diploma level qualifications or higher.	the position requires a person with qualifications equivalent to at least Australian diploma level (unless exceptional circumstances apply) Note: a Trade Certificate with full apprenticeship is accepted as equivalent to or higher than a diploma qualification.

Eligibility for nomination

In addition to the above, the department will also assess the application against the following criteria:

- the nomination has been approved by the relevant Regional Certifying Body
- the business follows all relevant Australian laws and has a satisfactory record of meeting immigration laws (if applicable)
- the nominated position is in a business operated by the employer
- the position is being remunerated in accordance with relevant workplace legislation and awards.

Employer Eligibility requirements

To be eligible for a permanent visa under the Regional Sponsored Migration Scheme, the employee must:

- have the relevant qualifications for the nominated position, which are equivalent to at least an Australian diploma level
- meet any mandatory licensing, registration or professional membership requirements
- have been offered a position for a fixed term of at least 2 years (supported by evidence of a contract or letter of appointment signed by both the employer and the employee)
- be under 45 years
- have Functional English language ability.

Exemption from eligibility requirements

Under exceptional circumstances, employees may seek exemption from skill, language or age eligibility requirements.

Health and character requirements

The employee and their dependent family members must meet the health and character requirements.

Limitation of applications

Applicants who are already in Australia may have a restriction on their current visa that prevents them from making an application for another visa.

Australian Values Statement

All visa applicants aged 18 years or over, are required to sign an Australian values statement. The statement is included in the visa application form and all applicants aged 18 years and over will need to sign it. Before signing the statement, applicants for this visa are required to have read, or had explained to them, material made available by the government on life in Australia which is contained in the Life in Australia book.