



# EMPLOYER NOMINATION SCHEME SUBCLASS 186 VISA



## Temporary Residence Transition Stream

**The TRT stream is available for 457/482 visa holders who have been working for the same sponsor, in the same occupation (generally MLTSSL occupations) for a minimum of 3 years.**

*There are Grandfathering Arrangements in place until 18 March 2022 for people who held, or had applied for, a 457 visa on 18th April 2017, when changes to the 457 program were announced. These people may be able to apply for the 186 visa via the TRT stream after 2 years of employment (instead of 3 years) and even if their occupation is not currently on MLTSSL list.*

### EMPLOYER NOMINATION

- Business must be actively and lawfully operating in Australia;
- Must have a genuine need for a paid employee to fill a skilled position;
- Must offer a two years ongoing full time position in the applicant's field;
- The position must be in the MLTSSL list (exceptions apply) as defined by Immigration;
- The salary package being offered must meet Market Salary Rates – either what an Australian is earning in the same role in the business or what they would be earning in the workforce;
- The business and its directors must comply with Australian immigration and workplace relations laws;
- There must be no adverse information known about the business or any person associated with it;
- Employers must meet the Training Requirement: employers must make a contribution into the Skilling Australians Fund. The contribution must be paid upfront and is calculated according to the size of the business:
  - If the business turns over less than \$10 million a year, the contribution must be \$3,000
  - If the business turns over more than \$10 million a year, the contribution must be \$5,000



## Temporary Residence Transition Stream

### 186 VISA APPLICATION

- Must be under 45 years of age (unless exempted);
- If applicant is not from an English-speaking country, must have Competent English proficiency;
- Must meet minimum skills and qualifications (same skills previously assessed on 457/482 visa application);
- Applicants can include immediate family in the visa application but only if employer agrees;
- Must meet health and character requirements.



## Direct Entry Stream

**This stream is available for applicants who have briefly, or have not worked, for an employer under the 457/482 visa.**

### EMPLOYER NOMINATION

- Business must be actively and lawfully operating in Australia;
- Must have a genuine need for a paid employee to fill a skilled position;
- Must offer a two years ongoing full time position in the applicant's field;
- The position must be in the MLTSSL list (exceptions apply) as defined by Immigration;
- The salary package being offered must meet Market Salary Rates – either what an Australian is earning in the same role in the business or what they would be earning in the workforce;
- The business and its directors must comply with Australian immigration and workplace relations laws;
- There must be no adverse information known about the business or any person associated with it;
- Employers must meet the Training Requirement: employers must make a contribution into the Skilling Australians Fund. The contribution must be paid upfront and is calculated according to the size of the business:
  - If the business turns over less than \$10 million a year, the contribution must be \$3,000
  - If the business turns over more than \$10 million a year, the contribution must be \$5,000

### 186 VISA APPLICATION

- Must be under 45 years of age (unless exempted);
- If applicant is not from an English-speaking country, must have Competent English proficiency;
- Applicant must obtain a positive Skills Assessment with the relevant assessing authority. Requirements vary according to the position and authority;
- Applicant must show evidence of 3 years of work experience full time (or equivalent part time) in the nomination occupation;
- Applicants can include immediate family in the visa application but only if employer agrees;
- Must meet health and character requirements.



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