



SKILLED EMPLOYER SPONSORED REGIONAL (PROVISIONAL) VISA (SUBCLASS 494)

Standard Business Sponsorship (SBS) Approval

- Business must be trading and operating in Australia;
- Start-ups or long-standing businesses accepted;
- No limitation on business size, turnover or profit: numbers must however make sense and business must be sustainable, while being able to take on expenses related to employing sponsored workers in the future;
- Once approved, businesses can sponsor workers for the next 5 years (each application to be assessed on its own merits).





Approval of Nomination (position being offered)

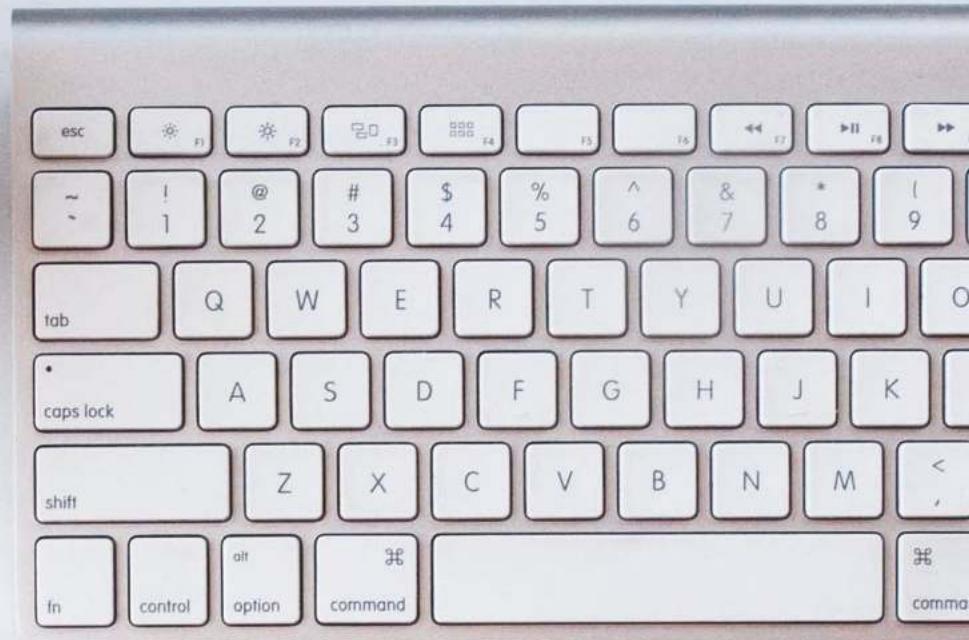
- Position must be on ROL (Regional Occupation List);
- Position must be in a designated regional area of Australia
<https://immi.homeaffairs.gov.au/visas/working-in-australia/skill-occupation-list/regional-postcodes>
- Position must be essential to the business operations and must fit within the nature, scope and scale of the business. If business is small there is more scrutiny into this requirement;
- The position must be genuine within Immigration's context;
- Position must be in line with worker's background;
- Position is full time and likely to exist for at least five years;
- Employer must attempt to recruit an Australian for the role before offering it to a foreigner (Labour Market Testing). Employers must show evidence that they have posted at least 2 job ads, which stayed "live" for a minimum of 28 days before lodging the nomination application. The ad has to meet certain specifications;
- 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 work force;
- The salary package must also be above the minimum salary (TSMIT) which is currently \$33,900 + super;
- Employer must seek an advice from the Regional Certifying Body that the nominee will be paid at least the annual market salary rate for the occupation
- Employers must meet the Training Requirement: at the time of lodging a nomination application, employers must make a monetary 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 \$3000*
 - *If the business turns over more than \$10 million a year, the contribution must be \$5000*

Approval of the skilled employer sponsored regional 494 visa

- At the time of application, the applicants must have been under 45 years old (unless exempted);
- Applicants must demonstrate they have the minimum skills required for the role but all applicants must have at least 3 years of full time (or equivalent part time) work experience in the position being offered. The experience is expected to be recent and at the right skilled level;
- Applicants are required to be positively assessed by the relevant assessing authority (skills assessment).
- If applicant is not from an English-speaking country: must take a test and have Competent English proficiency;
- Applicants can include immediate family in the visa application but only if employer agrees;
- Must meet health and character requirements;
- After approval, visa holders are subject to conditions limiting them to live, work and study only in a designated regional area and must notify the Department of changes of address and other details;
- After approval, visa holders must work in their nominated occupation;
- After approval, visa holders are unable to make a valid application for some specified visas unless they have held the 494 visa for at least three years;
- Visa holders may apply for a Subclass 191 (Permanent Residence (Skilled Regional) visa if they have held the 494 visa for at least three years; AND they provide evidence of a minimum annual income of at least \$53900 for the three years.

START —





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