

Fact Sheet

Employer Nomination Scheme - Subclass 186 Visa

The Employer Nomination Scheme (ENS) enables employers to nominate foreign workers for a permanent residence visa to Australia. There are generally two stages to the ENS application:

Step 1. Employer Nomination

The employer nominates the position to be filled by a non-Australian worker. The position must be skilled, be an occupation listed on the relevant skilled occupation list, be offered on a full-time basis for at least 2 years and be remunerated at market rates. The employer must also demonstrate a satisfactory record of training Australian employees. For some trade and professional occupations, the sponsor must demonstrate that the position cannot be filled locally through evidence of advertising and labour market testing.

Step 2. 186 Visa Application

Currently there are 3 streams under which you can apply for a 186 visa:

Temporary Residence Transition Stream: for applicants who have worked with an employer on a TSS visa for the last 3 years in their nominated occupation (or 2 years for some TSS visa holders). No skills assessment is required for a TRT stream application, and an English level of IELTS Band 6 or equivalent is required. Applicants must be under 50 years of age.

Direct Entry Stream: for applicants who have sufficient skill and experience to pass a formal skills assessment in their occupation, are nominated in an occupation on the relevant skills list, and have worked in their occupation for at least 3 years. The required English level is IELTS Band 6 or equivalent. Applicants must be under 45 years of age.

Agreement Stream: this stream is applicable where an employer has a Labour Agreement with the Australian Government and the terms of that Agreement permit the nomination of 186 visa applicants.

Skills Assessment (Direct Entry Stream only)

Applicants applying under the Direct Entry Stream must have their skills formally assessed by a skills assessment authority. This involves an assessment of the applicant's qualifications, work experience and in the case of trades people, an interview or practical examination to assess technical skills.

Processing Times

The current processing time outlined by the Department of Home Affairs is between 14 to 17 months for the Transition Pathway, between 6 to 11 months for Direct Entry Pathway, and 6 to 10 months for the Labour Agreement Pathway.

What happens when the 186 visa is granted?

This is a permanent visa which allows you to remain in Australia indefinitely and work for the nominating employer for 2 years. The travel facility on this visa is valid for 5 years, after which you will have to apply for a further permanent residence visa to be able to travel outside of Australia (if you

have not been conferred Australian citizenship by then). If you are outside Australia when the visa is granted, you and your family members will need to enter Australia for the first time prior to expiry of your health and police clearances.

Our Services

We offer end-to-end case management to help you obtain your visa effortlessly and efficiently. We work on a fixed fee basis, our services include initial eligibility assessment, strategic planning, review and advice in relation to supporting evidence, preparation of the application submission, and liaison with the Department of Home Affairs until time of decision.

Need more information?

Find further information about The Migration Agency and our services on our website www.themigrationagency.com.au or contact us by phone on (02) 8896 6056. Please contact your migration specialist before relying on this information for a visa application.