

APPLYING FOR A TEMPORARY GRADUATE VISA

To apply for Temporary Graduate (Subclass 485) Visa you must meet the following requirements:*

- younger than 50 years of age
- holds an eligible visa
- meet the English Language requirement
- meet the Australian Study requirement within the last six months
- meet health and character requirements
- have obtained an Australian Federal Police Certificate
- have non-student health insurance in Australia
- meet the specific requirements for the relevant stream (Graduate Work Stream/Post-Study Work Stream/Second Post-Study Work Stream)

*COVID-19 Concessions available

More information:

<https://immi.homeaffairs.gov.au/visas/getting-a-visa/visa-listing/temporary-graduate-485>

Australian Study Requirement

- Complete one or more degrees, diplomas or trade qualifications as a result of a CRICOS registered course/s (CRICOS: Commonwealth Register of Institutions and Courses for Overseas Students)
- Completed course instructions should be in English
- Completed course duration should be at least two academic years (92 weeks)
- Completed in not less than 16 calendar months
- Study has been undertaken while in Australia holding a visa that authorises to study *COVID-19 Concessions available

Visas will be granted for between 18 months and 4 years depending on level of study completed (Bachelors/Masters by coursework = 2 years, Masters by Research = 3 years, PhDs = 4 years) * Hong Kong passport holders may stay for 5 years.

ABOUT US



Deakin Legal Service for Students provides free and confidential legal advice and information for all current Deakin University students.

Even if you are not sure if your problem is a legal one please complete the online query form available at:

eclc.org.au/deakin

If we are unable to help, we can refer you to someone who can.



Eastern Community Legal Centre
Ph: 1300 325 200
Burwood Campus



Barwon Community Legal Service
ph: 1300 430 599
Waurn Ponds, Waterfront & Warrnambool Campuses

USEFUL LINKS:

ImmiAccount

<https://online.immi.gov.au/lusc/login>

Information about COVID-19:

<https://covid19.homeaffairs.gov.au/>

How to Prepare your Application:

<https://www.border.gov.au/Trav/Visa/Info>

Deakin Legal Service for Students is a partnership Between Deakin University Student Association (DUSA), Eastern Community Legal Centre (ECLC) and Barwon Community Legal Service (BCLS).

DISCLAIMER: This information is intended as a guide only. It is not a substitute for legal



Deakin Student
Legal Service

Skilled Migration Pathways

KNOW YOUR OPTIONS!

For free information, referrals and appointments visit:

eclc.org.au/deakin

APPLYING FOR A SKILLED MIGRATION VISA (Subclass 189/190/491)

The Process:

- ⇒ **Choose an occupation** - Medium and Long-term Strategic Skills List (MLTSSL) – for Skilled Independent (Subclass 189) visa (Point-tested Stream) and Skilled Work Regional (Provisional) (Subclass 491) Visa (Family Sponsored) / MLTSSL and Short Term Skilled Occupation List (STSOL) – for Skilled Nominated (Subclass 190) and MLTSSL/STSOL and ROL—for Subclass 491 visa (State or Territory nominated)
- ⇒ **Skill Assessment** - apply for a skill assessment from the relevant assessing authority
- ⇒ **Self-assess point test** - have at least 65 points
- ⇒ **Lodge an Expression of Interest (EOI)** - through SkillSelect
- ⇒ **Wait** - until the Minister invites you to apply for the relevant visa
- ⇒ **Apply for the Visa** - within 60 days from the Invitation

Threshold eligibility criteria to lodge an EOI:

- less than 45 years old
- nominate an occupation from the relevant occupation list
- have a positive and valid skill assessment from the relevant assessing authority
- meet the English Language Requirement
- complete point test self-assessment
- Seek Nomination by State or Territory (for Subclass 190 and Subclass 491 (State/Territory Nominated) **only**)
- has family sponsorship (for Subclass 491 - Regional Sponsored **only**)
- Willingness to reside in regional Australia/designated area (for Subclass 491 **only**)

Expression of Interest

Submit an online Expression of Interest (EOI) through SkillSelect.

To submit an EOI you need to complete a Skills Assessment and English test. You do not need full 65 points to lodge EOI; you can update your EOI with additional points as you complete requirements. Once you have reached 65 points*, your EOI will be examined by the Department of Home Affairs and each claim you made will be considered. Subclass 189 EOIs are ranked according to date that 65 points were achieved and number of points (>65). Subclass 190 and 489 EOIs are not subject to ranking. There is no cost to submit an EOI .

**some occupations may require more than 65 points to receive an invitation .*

**currently Australia give priority for skilled applicants who can support its COVID-19 economic and health recovery*

Note:

EOI is not a n application for a visa and lodging an EOI does not entitle you to a bridging visa. You will have to leave

FURTHER RESEARCH:

Assessing Authorities:

<http://www.border.gov.au/Trav/Work/Work/Skills-assessment-and-assessing-authorities/assessing-authorities>

MLTSSL/STSOL
<https://www.legislation.gov.au/Details/F2019C00855>

SkillSelect
<http://www.border.gov.au/Trav/Work/Skil>

Subclass 189, 190 and 491

One overall Expression of Interest can be submitted for the following 3 visa types:

Subclass 189 – Skilled Independent visa.

Subclass 190 – Skilled Nominated visa – nominated by a state government.

Subclass 491– Skilled Work Regional (Provisional) visa – nominated by state government OR sponsored by an eligible relative in Australia.

- ⇒ Subclass 491 is a 5 year temporary (Provisional) visa. After meeting prerequisites, including three years living in ‘designated’ area of Australia and having taxable income at a specified income threshold for at least three years, permanent residency may be applied for via Permanent Residence (Skilled Regional) visa (subclass 191)* commences on 16th November 2022.

More information: Subclass 189/190/491

<https://immi.homeaffairs.gov.au/visas/getting-a-visa/visa-listing/skilled-independent-189>

<https://immi.homeaffairs.gov.au/visas/getting-a-visa/visa-listing/skilled-nominated-190>

<https://immi.homeaffairs.gov.au/visas/getting-a-visa/visa-listing/skilled-work-regional-provisional-491>

<https://immi.homeaffairs.gov.au/visas/working-in-australia/regional-migration/eligible-regional-areas>

If using a private migration agent they should be registered with the Office of the Migration Agents Registration Authority (MARA).

All Registered Migration Agents must comply with the MARA Code of Conduct <https://www.mara.gov.au>