

Hammond Taylor a migration law firm



Permanent Visa Pathways
Registered & Enrolled Nurses

Current visa options for Registered Nurses

There have been significant changes in the Australian immigration system affecting healthcare workers, and the hospitals and clinics employing them, over the last 2 ½ years. The key changes include:

1. Imposition of the Skilling Australians Fund (SAF) levy on employers for both Subclass 482 – Temporary Skill Shortage (TSS) visas and Subclass 186 – Employer Nominated permanent visas
2. Removal of the Regional Skilled Migration visa Sc 187 and replacement with the provisional (i.e., temporary pathway) Sc 494 Skilled Employer Sponsored Regional pathway
3. Reduction of the age limit for the 186 visas to 45 unless exemptions apply
4. Changes to Labour Market Testing which mean only international trade exemptions apply (based on applicant's nationality)
5. Substantial reduction in places available under the SkillSelect visa program pushing up the points score required to 90 or above, making it difficult for nurses to apply independently

Permanent/Provisional Visa Options

As of November 2019, the following permanent or provisional (leading to permanent) visas will be available to doctors:

SkillSelect

- Subclass 189 & 190 – Skilled Independent & State Nominated Skilled permanent visas
- Subclass 491 – Skilled Work Regional provisional visa (replacing the Subclass 489 visa)

Employer Sponsored

- Subclass 186 – Employer Nomination Scheme permanent visa
- Subclass 494 – Skilled Employer Sponsored Regional provisional visa

The definition of regional area for the purpose of the 491 and 494 visas will be anywhere outside of the Sydney, Melbourne, Brisbane, Gold Coast and Perth metropolitan areas.

SkillSelect visa programs

The visas under the SkillSelect program include the Subclass 491, 189 and 190 visas. It is not possible to apply directly for these visas, instead, applicants must submit an 'Expression of Interest' with a point score. The applicant's point score is based on their age, English ability, skills, qualification, and experience.

Historically, the minimum score to be invited for a visa is 65 points. Many nurses previously lodged an expression of interest for the 189 visa and were invited with 65 points. A reduction in the number of Sc 189 visas in 2020 has increased the point score required to 90 or above, making it more difficult to be invited to apply for most applicants.

During the pandemic period, however, the government has selected and invited some nurses despite not meeting the higher points threshold due to priority for the healthcare sector.

Where States / Territories support the nomination of Nurses for the 491 and 190 visas, the points score required drops to 65. This threshold should be relatively easy to obtain for nurses under the age of 39. The options for nomination vary significantly between states. Registration is required for these visas as well.

The key features of those visas as they relate to nurses are as follows:

Visa Type	Enrolled Nurse	Registered Nurse	Nurse Manager	Nurse Educator	Nurse
SkillSelect visas					
Visa Subclass 189 - Skilled	N	Y	N	N	N
Visa Subclass 190 - Skilled Nominated	Y*	Y*	Y*	Y*	Y*
Visa Subclass 491 - Family & State Sponsored	Y*	Y*	Y*	Y*	Y*
Employer Sponsored visas					
Visa Subclass 186 - TRT & DE	N	Y	N	N	N
Visa Subclass 494 - Skilled Employer Sponsored Regional	Y	Y	N	Y	Y

* Depends on State / Territory requirements which may vary over time.

Subclass 189 & 190 Visa	Subclass 491 Visa	
<ul style="list-style-type: none"> • Positive Skills Assessment with ANMAC • AHPRA registration • Meet the points test minimum of 65 points • Ideally score 90+ points • Age limit of 45 • No employer sponsorship or SAF levy • Once granted, obtain unrestricted permanent residence visa 	<ul style="list-style-type: none"> • Positive Skills Assessment with ANMAC • AHPRA registration • Meet the points test minimum of 65 points • Ideally score 90+ points • Age limit of 45 • No employer sponsorship or SAF levy • Receive 5-year provisional visa with a condition that all family members only live, work and study in a regional area • Option to apply for permanent residence after 3 years through Sc 191 	
Subclass 186 Visa – Temporary Residency Transition	Subclass 186 Visa – Direct Entry	494 Visa
<ul style="list-style-type: none"> • AHPRA registration • SAF levy • No Labour Market Testing • Age limit of 45, limited exemptions apply (see below) • Receive unrestricted permanent residence visa 	<ul style="list-style-type: none"> • Positive Skills Assessment with ANMAC • AHPRA registration • SAF levy • Age limit of 45, exemptions apply for NZ citizens who have worked for more than 2 years • Receive unrestricted permanent residence visa 	<ul style="list-style-type: none"> • Positive Skills Assessment with ANMAC • Must be sponsored by employer • Labour Market Testing for all occupations • Age limit of 45 • SAF levy • Receive 5-year provisional visa with a condition to only live, work for the sponsor and in the nominated occupation and study in a regional area • Option to apply for permanent residence after 3 years

About Hammond Taylor

Hammond Taylor is a law firm specialising in immigration law and employer sponsored visa applications. We assist private and public health services providers throughout regional Australia. Please contact us for a discussion about visa applications, immigration strategy and compliance.

For further information on how we can assist you to manage your visa requirements contact Hammond Taylor Partner, Jackson Taylor by phone on **(03) 9044 9265** or by email at j.taylor@hammond-taylor.com.au

The above is a summary only and should not be treated as legal advice. You should seek personalised advice before acting on the above information.

Hammond Taylor
Ground Floor, 268 Rosslyn St,
West Melbourne, VIC 3003

(03) 9044 9265
hello@hammond-taylor.com.au
hammond-taylor.com.au