



THINKING MIGRATION

Thinking Migration
- with Chris Serow &
Lucinda Wright

Many of us in the New England community know someone who has come from overseas to join family members, to settle and work, or as a student to study. We are aware that immigration policies and programs set by the Australian government have a national impact, but we may be less aware of the particular impact that they have on regional Australia.

Recently, the Government has given greater emphasis to programs to address the needs of rural and regional Australia. It has asked State Governments to develop their own Migration Plans tailored to their needs for skilled labour. The current NSW State Migration Plan has just been announced, and it provides for 1,750 skilled migrants to be nominated by NSW this year for visa processing by the Department of Immigration. NSW has published its own list of 138 occupations that are in demand in this state, including some specifically in regional areas. These include vocational education teachers, pharmacists, chefs and other trades such as fitters and cabinetmakers.

To encourage migrants to move to regional areas, the Federal Government offers some concessions to migrants who apply under regional programs. Skilled migrants may be nominated by State Governments, as noted above, or directly by employers.

The Regional Sponsored Migration Scheme ('RSMS') is designed specifically for regional employers to sponsor employees for permanent residence. The nomination must be for a skilled full time position and be certified by the appropriate body which, in New England, is Regional Development Australia (Northern Inland). Employers are also able to sponsor workers on temporary visas (often referred to as 457 visas) for up to four years. These visas are suitable for employers who have a more urgent need for an employee, as the processing times are shorter. Special 457 visa programs have been put in place to facilitate the hiring of skilled tradespeople to assist in the reconstruction of areas affected by the recent floods. Family members are usually included in these sponsorships.

Priority is given to processing applications lodged under the Employer Nomination Scheme ('ENS') or the Regional Sponsored

Migration Scheme. There is, however, a long waiting list of applicants applying in an independent capacity under the General Skilled Migration categories. The Government has also decided to abolish the long-standing program for relatives to sponsor skilled family members, leaving only the state and employer sponsored schemes.

Special programs are also available for overseas medical practitioners to work in regional areas on a temporary or permanent basis to help overcome well documented shortages of medical professionals. There are also specific temporary and permanent visas for overseas students who have obtained an Australian qualification and who are able to meet skills and other criteria.

Given the complexity of the migration program and visa requirements, deciding which visa is the right one can be daunting. Professional advice from a registered migration agent may assist in reaching a decision. Relevant questions an agent may ask are:

- Is a temporary or permanent stay intended?
- Is the main purpose to visit, study, join family members or to work?
- If work, does the applicant already have a job offer?
- Is the prospective employer willing to sponsor the applicant?
- What are the qualifications, skills and work experience of the applicant?
- Is the applicant's normal occupation on the Government's Skilled Occupation List?
- Will family members be accompanying?
- Are there any health or character issues that might affect the outcome of the application?

Advice from a registered migration agent will assist you in obtaining professional advice on the best visa alternatives and requirements. Professional assistance can also ensure that a complete and compliant 'decision ready' visa application is lodged with all required documentation with the Department of Immigration and that processing is closely monitored.

Christopher K C Serow
Principal, Solicitor Director, Notary Public,
Migration Agent MARN 0854319

Lucinda G. D. Wright
Migration Consultant

Thinking migration



Your goals Our know-how

All the experience, skill and tenacity
needed to get you there

Solicitors

From commercial, insurance and business transactions to family, employment and estate matters.

Conveyancers

Fast, accurate detailing of all property transactions.

Mediation

Sensitive dispute negotiation to help you avoid going to court.

Notary Public

Witnessing and certifying the validity of documents, affidavits and depositions.

Migration Agent

Negotiating with government on your behalf for family, lifestyle or career reasons.

LEGALMINDS
thinking together

www.legalminds.com.au

T 1300 642 166

E talktous@legalminds.com.au

157 Beardy Street Mall, Armidale