

## Frequently Asked Questions

### For local businesses

***Why a Designated Area Migration Agreement (DAMA)?*** Having a DAMA in place ensures that businesses of the South-West have access to sponsor workers for occupations that are unique to the area, as well as to access concessions relating to age in relation to permanent residency pathways, English and TSMIT requirements.

***Who can sponsor workers under the South-West DAMA?*** Established businesses within the South-West region that have been operating for at least 12 months, they must have a need for the positions within their organisations and be operating within the designated region (ie. within the Shires of Augusta-Margaret River, Boyup Brook, Bridgetown-Greenbushes, City of Bunbury, City of Busselton, Shires of Capel, Collie, Dardanup, Donnybrook-Balingup, Harvey, Manjimup or Nannup).

***Does a business need to identify the prospective worker/s before lodging an application for endorsement under the South-West DAMA?*** No, a business can seek endorsement and be approved for a labour agreement without having to identify the prospective worker. This is because the endorsement and Labour Agreement process are about identifying and addressing a skills shortage in the business, it also allows for future planning and growth for the business.

***Is Labour Market Testing (LMT) required before seeking endorsement under the South-West DAMA?*** Yes, the Designated Area Representative (DAR) requires a summary of genuine recruitment efforts prior to requesting an endorsement, as providing evidence of LMT meeting the migration legislative requirements will be required at the Nomination stage with the Department of Home Affairs. The LMT requirement ensures that if there is a suitable Australian citizen or permanent resident to fill a vacancy, that they are prioritised.

***Can businesses sponsor prospective workers currently offshore?*** Yes, South-West employers may sponsor workers residing in Australia or overseas through the South-West DAMA.

***Can a worker bring their family along?*** Yes, you may include members of the family unit at the visa application stage where they meet the requirements. Members of the family unit can include a spouse or de facto partner and any eligible dependent children. Please refer to the Department of Home Affairs website for further information: [Glossary \(homeaffairs.gov.au\)](https://www.homeaffairs.gov.au/glossary)

***Does the Skilling Australian Fund levy apply to businesses under the South-West DAMA?*** Yes, for more information read the Skilling Australia Fund page: [Skilling Australians Fund - Department of Education, Skills and Employment, Australian Government \(dese.gov.au\)](https://www.dese.gov.au/skilling-australians-fund)

***What if my required occupation is not listed on the DAMA?*** The occupation list was compiled in consultation with businesses and industry in the South-West region and reflect the unique skills shortages of the South-West. If your occupation is not listed on the DAMA, there may be other visa options available, see Department of Home Affairs to see current information.

***I am an employer within the region looking to access the DAMA, what can I do?*** Consider starting your [Labour Market Testing](#) for an identified occupation listed on the DAMA occupation list. You can read up on the requirements and obligations as a sponsor with the *Employer Guide to Accessing a Labour Agreement*. You may also consider engaging a Registered Migration Agent to manage your application.

***What happens next after a positive endorsement for the South-West DAMA?*** Providing you receive a positive endorsement from the DAR, you will be able to lodge a Labour Agreement request with the Department of Home Affairs, the nomination and visa application stages are all managed by the Department of Home Affairs.

## For prospective workers

***I am a visa applicant looking to move to the South-West, can I apply for the DAMA?*** The DAMA is a migration agreement signed between 12 South-West local government areas and the Commonwealth, it is not a visa subclass that you can apply for independently. If you are a visa applicant, we would encourage you to look for a job with an employer within the South-West region.

***Can you recommend me businesses that will be willing to sponsor me under the South-West DAMA?*** It is up to you to find employment within the region. We recommend using a job search platform with national reach, such as [Seek](#), [Jora](#) or [JobActive](#).

***What visas are available under the South-West DAMA?*** The South-West DAMA utilises the Temporary Skills Shortage (TSS) subclass 482 visa, the Skilled Employer-Sponsored Regional (SESR) subclass 494 visa, the Employer Nomination Scheme (ENS) subclass 186 visa and the labour agreement streams.

***Do I require a skills assessment?*** Yes, a skills assessment will be required. The skills assessment will be specified in the Labour Agreement with the company.

***Is there a pathway to permanent residency under the South-West DAMA?*** Yes, for those occupations that are skill level 1-4, there is an option to apply for the 186 or 191 visa after three years on a TSS or SESR visa under the South-West DAMA (191 visa comes in to effect Nov 2022). For skill level 5 occupations, the qualifying period is four years, with at least two of those years to be at a skill level 4 occupation.