

Schedule 8 - Permanent Residence Pathway

A permanent residence pathway for Overseas Workers may be available via the Subclass 494 (Skilled Employer Sponsored Regional) (SESR) and through the Subclass 186 (Employer Nomination Scheme) (ENS) visa program for all occupations included in the South-West DAMA.

The following conditions will ordinarily be included in a Labour Agreement and will apply to any nomination for an ENS visa (in addition to the ENS requirements outlined in the Migration Legislation):

- (a) The Overseas Worker, at the time of an application for approval of the nomination in relation to an ENS visa ('the ENS nomination'), holds a TSS/SID (subclass 482) visa (or a bridging visa in association with a TSS/SID visa), granted in connection with the South-West DAMA; and
- (b) The Third Party's ENS nomination identifies an Occupation in **the South-West DAMA Occupation list** that was the subject of the most recently approved TSS/SID visa for the Overseas Worker; and
- (c) The Overseas Worker has been employed on a full-time basis, in the ENS nominated occupation, an occupation in **the South-West DAMA Occupation list**, or a closely related occupation that is also specified in **the South-West DAMA Occupation list**, for a period of at least two (2) years before the ENS nomination is made.
- (d) For the whole time that the Overseas Worker was employed in accordance with paragraph (c):
 - 1. the applicant must have held a TSS/SID visa granted in connection with this Agreement; and
 - 2. the applicant must have worked in the Designated South-West Area; and
- (e) The Overseas Worker identified in the ENS nomination will be employed on a full-time basis in the position for at least two (2) years, and
- (f) The terms and conditions of employment of the Overseas Worker will not include an express exclusion of the possibility of extending the period of employment.

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