



MIGRATION FACT SHEET

Subclass 491 (Temporary Visa) to Subclass 191 (Permanent Visa) pathway

What is a Subclass 491 Temporary Visa?

This is a temporary visa. It is for skilled workers who want to live and work in regional Australia.

What is a Subclass 191 Permanent Visa?

This visa is for people who have lived, worked and studied in a designated regional area in Australia on a previous, eligible visa. With this visa you can: work and study anywhere in Australia.

Conditions to obtain a Subclass 491 Skilled Work Regional (Provisional) Visa:

A visa is granted for a period of five years. The visa holder may move between designated regional areas. And they may apply and be granted approval inside or outside Australia, but not if they are in immigration clearance.

The applicant must:

- be invited to apply for the visa,
- have a current positive skill assessment for the relevant occupation,
- have a current nomination or sponsorship approval from an eligible relative,
- have competent English,
- have the required points score,
- live, work and study only in a part of Australia that was a designated regional area at the time the visa was granted,
- meet applicable health and character requirements,
- be under the age of 45 at time you are invited to apply for this visa. You will not be invited to apply if you turn 45 before receiving an invitation. However, you can still apply if you receive an invitation and turn 45 **after** your invitation.
- have a skilled occupation on a relevant list,
- declare genuine intention to live, work and study in a designated regional area.

If sponsored by the State, then the applicant must meet the eligibility requirements for their particular nomination stream.

After the visa is granted:

After the visa is granted there are conditions that the visa holder must meet. These include:

- Notifying the Department of Immigration, within 14 days of a change to their:
 - Residential address
 - Email address
 - Phone number
 - Passport details
 - Employer address
 - Change to location of his/her place of work.

Conditions to obtain a Subclass 191 Permanent Residence (Skilled Regional) visa:

To obtain a Subclass 191 Permanent Residence (Skilled Regional) visa the following conditions apply:

- The applicant must have met the minimum threshold taxable income as defined by the legislative instrument, **while holding the Subclass 491 visa.**
- At least one member of the family unit must have satisfied the primary criteria.
- The applicant must meet all the required health and character checks.
- All members of the family unit, including those not included in the application, must meet all the required health and character checks.
- The applicant must have held the Subclass 491 for at least three years, and substantially complied with the conditions of the visa.

Timing:

A Subclass 191 Permanent Residence (Skilled Regional) Visa does not commence until 16 November 2022 and more details will be provided by the Department of Immigration as the legislative instrument is developed.

What does a Subclass 191 visa entitle you to do?

Obtaining a Subclass 191 Permanent Residence (Skilled Regional) means you can:

- stay in Australia permanently,
- work and study in Australia,
- enrol in Australia's public health care scheme, Medicare,
- sponsor your relatives to come to Australia,
- travel to and from Australia for 5 years,
- if eligible, apply for Australian citizenship

Contact us for more assistance:

CA Legal & Migration is here to assist you with understanding and navigating the legislation and migration information relevant to your particular situation.

You can contact us in the following ways:

Address: 3 Drabsch Street, Loxton SA 5333

Phone: 08 7078 7702

Email: law@calegalmigration.com.au

Website: calegalmigration.com.au

Book an appointment online via:

<https://calegalmigration.leapweb.com.au/>



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