

Extract from: SA Regional DAMA – original - (ADD2019/1794117)

Schedule 8 – Permanent Residence Pathway

A permanent residence pathway for Overseas Workers may be available through the Employer Nomination Scheme (ENS) Subclass 186 visa program for all occupations in Table 11 below. 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 visa granted in connection with this Agreement; and
- (b) The Third Party's ENS nomination identifies an Occupation in Table 11 that was the subject of the most recently approved TSS visa for the Overseas Worker; and
- (c) The ENS nominated Occupation is not an ANZSCO skill level 5; and
- (d) The Overseas Worker has been employed on a full-time basis for a period of at least 3 years before the ENS nomination is made, by one or more Third Parties who were all endorsed under this Agreement, in the ENS nominated occupation or an Occupation in Table 11 that is in the same ANZSCO 4 digit level; and
- (e) For the whole time that the Overseas Worker was employed in accordance with paragraph (d):
 - 1. he or she must have held a TSS visa granted in connection with this Agreement; and
 - 2. he or she must have worked in the Designated Area outlined in Item 3 of Schedule 1 of this Agreement; and
- (f) An Overseas Worker may be nominated for an ENS visa only if they have not turned 50 years of age at the time of the Third Party's ENS nomination; and
- (g) The Overseas Worker identified in the ENS nomination will be employed on a full-time basis in the position for at least 2 years; and
- (h) 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.

**Extract from: South Australia Regional DAMA – Deed of Variation 1
(ADD2020/5906480)**

Schedule 8 – Permanent Residence Pathway

A permanent residence pathway for Overseas Workers may be available through the subclass 186 Employer Nomination Scheme (ENS) visa program for all occupations in Table 14 below.

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 visa granted in connection with this Agreement; and

(b) The Third Party's ENS nomination identifies an Occupation in Table 13 that was the subject of the most recently approved visa for the Overseas Worker; and

(c) The ENS Occupation is not an ANZSCO skill level 5 occupation; and

(d) The Overseas Worker has been employed on a full-time basis for a period of at least 3 years before the ENS nomination is made, by one or more Third Parties who were all endorsed under this Agreement, in the ENS nominated occupation or an Occupation in Table 14 that is in the same ANZSCO 4 digit level; and

(e) For the whole time that the Overseas Worker was employed in accordance with paragraph

(d):

1. he or she must have held a TSS/SESR visa granted in connection with this Agreement; and

2. he or she must have worked in the Designated Area outlined in Item 3 of Schedule 1 of this Agreement; and

(f) For Occupations listed in Table 14 an Overseas Worker may be nominated for an ENS visa only if they have not turned 55 years of age at the time of the Third Party's ENS nomination; and

(g) For Occupations listed in Table 15 an Overseas Worker may be nominated for an ENS visa only if they have not turned 50 years of age at the time of the Third Party's ENS nomination; and

(h) The Overseas Worker identified in the ENS nomination will be employed on a full-time basis in the position for at least 2 years; and

(i) 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.