

**FACT SHEET
FOR
POTENTIAL APPLICANTS
OF THE
SKILLED INDEPENDENT REGIONAL (PROVISIONAL)
“SIR” VISA**

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Disclaimer

This information is provided to the best of our knowledge and in good faith, with data available at the time of printing. An updated version is usually available on: www.immigration.sa.gov.au

Specific and detailed information on areas outside of Immigration SA’s area of responsibility should be directed to the agencies concerned such as Medicare, Health, Education, Taxation, Centrelink, etc.

**Immigration
SOUTH AUSTRALIA**

General Information for applicants of "SIR" Visa

If you are considering changing your life for the better by migrating to a new country, South Australia invites you to consider making a move to our State.

This document contains valuable information on the criteria, process, conditions and issues in relation to the Skilled Independent Regional (Provisional) "SIR" visa. You should read this document thoroughly before applying for the SIR visa.

If you are unable to meet the current Skilled Independent Pass Mark of 120 Points (see Commonwealth Department of Immigration and Citizenship "DIAC" Booklet 6) for skilled independent migration, you may qualify for the two-stage Skilled Independent Regional "SIR" visa Subclass 495 visa. At the first stage you are granted a three year "provisional" visa. Once you have lived for two years and been employed full time (usually 35 hours per week) for 12 months in a "regional or low population growth metropolitan area of Australia", you are eligible to apply for a permanent visa in Australia.

If you can score at least 100 Points on DIAC's General Skilled Migration Points Test and wish to live and work in South Australia, the Government of South Australia, through Immigration SA, may provide a pathway to help you settle permanently in our State and realise your dream of starting a new life in a great country.

South Australia "SA" has the advantage of being one of the few mainland States/Territories that have its capital city included in the definition of "regional or low population growth metropolitan area of Australia" due to the State's low population growth. So as an SIR visa holder, you can live and work anywhere in the whole state of SA to qualify for permanent residency.

To apply for a SIR visa, you must meet all the DIAC criteria which may include Sponsorship from a participating State or Territory Government at both the provisional and permanent stages of the visa (In South Australia, the agency is Immigration SA), depending on which pathway you choose to apply for permanency. Once sponsorship has been obtained, the applicant must then lodge their visa application under Subclass 495 with DIAC within six (6) months of receiving the sponsorship. If you fail to lodge your application within this time period, your sponsorship will no longer be valid.

However, if you have a skill or occupation that is on SA's List of Occupations for State Nominations i.e. skills that are deemed in shortage in our State, you may be able to apply for a permanent visa under the State/Territory Nominated Independent "STNI" Scheme. You will still need to meet all other DIAC criteria, provided you commit to migrate to and live in SA for at least two years. To check if your occupation is on this list, go to http://www.immigration.sa.gov.au/site/Skilled_Visa_stni.php

Employment

South Australia welcomes new migrants and the skills and diversity they bring to our society. The Government endeavours to help you settle quickly into your new environment by providing a range of On Arrival Services. A number of government programs that provide information, referrals and other assistance for seeking employment in South Australia are made available for SIR visa holders to access.

However, it is important for you to know that **IT IS STILL YOUR OWN RESPONSIBILITY TO FIND A JOB AND FINANCIALLY SUPPORT YOUR FAMILY in South Australia.** We encourage you to thoroughly research employment opportunities as well as have access to sufficient funds to support you and your family while you are finding employment before you commit to and start the immigration process. Although the cost of living in SA is much lower than most other States or Territories in Australia; it is generally high by world standards.

The "SIR" VISA

The SIR visa option was introduced by DIAC on 1 July 2004. It was designed to attract skilled migrants who wished to live in a 'regional or low population growth metropolitan area in Australia' but are unable to meet the criteria to be granted a permanent visa.

The initial SIR visa is valid for three years with the provision to be extended for another year (applications to be made with DIAC). Once the applicant has been in paid full time employment for at least 12 months and lived in "regional" Australia for 2 years, they are eligible to apply for a permanent visa. The employment must be paid and full time (usually 35 hours per week) and must be a total of 12 months.

There are **THREE possible pathways** for SIR visa holders to gain permanency, these are:

1. The Regional Sponsored Migration Scheme "RSMS"; OR
2. The State/Territory Business-Owner; OR
3. The On-shore State/Territory Nominated Independent "STNI" (modified from the current Off-shore STNI visa).

You should study the criteria for these options to prepare you for permanency. Information is available on this website and at www.immi.gov.au

PROVISIONAL STAGE

DIAC Visa Criteria

To be eligible for the SIR (Provisional) Visa, the main applicant:

- ❖ Must meet the DIAC criteria for General Skilled Migration on Age, Skill and English Language:
 - Be under 45 years of age at the time of the application (unless invited by DIAC to apply for the SIR visa)
 - Be able to nominate an occupation on DIAC's Skilled Occupation List "SOL", and
 - Be assessed by the Australian Assessing Authority as having the qualifications and skills suitable for that occupation
 - Have Vocational level English, and
 - Possess recent skilled work experience or be eligible for a waiver of this requirement as a recent Australian graduate.
- ❖ Must achieve at least 110 Points in the General Skilled Migration Points Test for Migration. (However, DIAC will provide an additional 10 Points for State/Territory Sponsorship. This essentially means that applicants who have at least 100 Points in the General Migration Points Test may also apply for the SIR visa.)
- ❖ Must be prepared to live and work in "regional or low population growth metropolitan area of Australia"

See DIAC website Booklet 6 – <http://www.immi.gov.au/allforms/booklets/1119.pdf>

Sponsorship Criteria by Government of SA

If you believe you meet all the criteria listed above and wish to live and work in SA, you may seek sponsorship from Immigration SA. You will have to meet all of the following criteria as well:

- ❖ Your nominated occupation must be a 60 or 50 Point occupation – see DIAC' Skilled Occupations List
- ❖ Must possess an IELTS level of 5 on each of the 4 components – Vocational Level
- ❖ Must demonstrate your commitment to living and working in SA (for instance, through previous visits, thorough research into life in SA, family, friends, or business networks in SA, etc)
- ❖ Demonstrate that you have access to sufficient funds to sustain yourselves (and your family) while you find suitable employment. A minimum of AUD25,000 for a single applicant and an additional AUD5,000 for each additional member of the family who will be migrating with you is a rough guide, depending on your occupation and any support that you might have in SA

- ❖ Must demonstrate that you have made strong efforts in researching employment opportunities in your occupation in SA, for example:
 - Research the industry into which you will be seeking employment eg licensing requirements, any residency restrictions, etc
 - Research into the availability of relevant jobs in your field of occupation/expertise
 - Contacts made with recruitment agencies, employers, etc
- ❖ If you are applying in an IT or related occupation, you will be required to obtain a firm job offer of a minimum of three months for a job in South Australia for the sponsorship to proceed. Other occupations do not require job offers but securing one will enhance the sponsorship decision.

How to apply for Sponsorship from Immigration SA?

The SIR Provisional Sponsorship process with Immigration SA is initiated via our website:

- ❖ Apply for sponsorship on-line via the Immigration SA website making sure that your application is complete by answering all the questions thoroughly and honestly
- ❖ Click on the "SUBMIT" button and the application will be sent electronically to Immigration SA
- ❖ After you click on the submit button, a Document Cover Sheet will be generated automatically with your details which you must print out and send to Immigration SA
- ❖ Send all the documents requested to support your application via post or courier to Immigration SA together with the individual Document Cover Sheet (the address is on the Document Cover Sheet). Immigration SA will not accept documents that are faxed or emailed to us. These documents should all be in English and include:
 - A copy of your positive Skills Assessment from the relevant assessing authority (even if you have been a student in SA)
 - A copy of your IELTS score indicating at least 5 on each of the four components (unless you are a native of UK, USA, Canada, Ireland and New Zealand). If you are currently a student studying in Australia, the IELTS test you sat when you applied for admission into the educational institution will be considered. However, DIAC is at liberty to request an IELTS test result that is more recent.
 - Copy of a CV incorporating the following elements:
 - Period/Dates of employment
 - Title of Position
 - Key responsibilities
 - Name and address of company
 - Contact person in company
 - Any other relevant hard copy documents to support your application.
- ❖ Once you have submitted your application on-line **and** all the documents have been received at the Immigration SA office, your sponsorship application will be processed
- ❖ If you wish to check the progress of your application, you can do so via the Application Tracking System via this website
- ❖ Current processing time is around 4 weeks from the time all the documents are received at the Immigration SA office. Do not contact Immigration SA before this time as it may delay processing the application
- ❖ Once Sponsorship has been approved by Immigration SA, you will be sent an email confirming this approval. This will enable you to lodge your visa application with DIAC. If you wish, you may attach the email Immigration SA sent to you to the visa application as evidence that you have been sponsored by SA. DIAC no longer requires Immigration SA to sign off on the Form 1244.
- ❖ You will also receive an email if your application for sponsorship has been refused.
- ❖ If the documents you sent are incomplete, missing or not in English, your application will not be processed. You will be sent an email to inform you of this and you will need to re-send ALL the documents again, once all the documents are received, your application will be processed.
- ❖ When DIAC receives your visa application, they will contact Immigration SA electronically to verify the sponsorship approval is still valid. The Sponsorship approval is only valid for 6 months from the date of the approval.
- ❖ You are required to lodge your visa application with DIAC within 6 months of receiving the sponsorship.

- ❖ **You should keep a record of your SIR Sponsorship Application number and a copy of the Document Cover Sheet for any future enquiries or communication with Immigration SA. All communication with Immigration SA must be accompanied by the Document Cover Sheet.**
- ❖ Immigration SA may consider waiving the requirement for the results of the IELTS or Skills Assessment if there are genuinely urgent or mitigating circumstances why these results are not available. However, evidence (eg receipt of application from IELTS or the relevant assessing authority) of having applied for these must be provided instead. Should the applicant fail to obtain the positive results necessary, the Sponsorship will be deemed to be invalid.

Note:

You must factor in the time for the processing and approval of the Sponsorship by Immigration SA in your time-lines as Immigration SA cannot take responsibility for any urgency on your part or if a current visa expires while sponsorship is being sought. The current processing time is around 4 weeks from the time all documents are **received** by Immigration SA.

- ❖ Once you have received approval of the Sponsorship, Immigration SA no longer has any input into the rest of your visa process and will be unable to give you any information concerning your visa process. You should contact DIAC direct if you have any questions about the progress or conditions of your visa.

Occupational requirements

Some occupations have specific licensing or registration requirements before you can work in that occupation. It is your responsibility to investigate these before you migrate. Visit:

<http://www.tafe.sa.edu.au/Default.aspx?alias=www.tafe.sa.edu.au/strss> and www.ocba.sa.gov.au

Arrival in SA

As an SIR visa holder sponsored by Immigration SA, you must report to Immigration SA within two weeks of your arrival in SA. You can do this by ringing 8204 9250. In addition, as an SIR visa holder sponsored by Immigration SA, if you are re-locating from overseas, you are eligible to the unique **On Arrival Services** to help in your arrival in SA. If you wish to avail yourself of these services, you must contact Immigration SA at least six weeks in advance of your arrival date. These services include:

- Meet and Greet Service http://www.immigration.sa.gov.au/site/services_onarrival.php
- On Arrival Accommodation <http://www.immigration.sa.gov.au/site/Images/Global/japcouple.png>
- Migrant Employment Consultancy Service incorporating the Overseas Qualifications Assessment Service http://www.immigration.sa.gov.au/site/services_mecs.php;
<http://www.immigration.sa.gov.au/site/Images/Global/japcouple.png>
- Settlement Orientation Service <http://www.immigration.sa.gov.au/site/Images/Global/japcouple.png>

Even if you do not need to use any of these services, you must still report to Immigration SA within two weeks of your arrival. You are also invited to attend a **free Information Session** which is held monthly. Presenters at these Information Sessions may include representatives from Health, Education, Police, Housing, Taxation, etc to outline information that you require to familiarise yourself with Australian legislation, requirements and other settlement issues. To register your attendance, you just have to ring Immigration SA (8204 9250) to book yourself in. Times and venues for these Information Sessions may change, so you must register and the details for that Session will be provided to you.

Entitlements for "SIR" Visa Holders

The Commonwealth Government's policy is that, as a temporary resident, you are not able to access several Commonwealth services available to permanent residents. It is important that you know what these are as they may have implications to the financial resources you will need to settle successfully.

Medical Cover

As a temporary resident to Australia, you are not eligible for Medicare, Australia's Government health care program, which provides benefits towards the cost of medical treatment and free public hospital treatment for most Australians.

Temporary residents are not able to access health care without payment or social security benefits. You must pay to access health and higher education services and pay Australian taxes (including income tax and GST) and the Medicare levy.

If you are from countries that have arrangements under the Reciprocal Health Care Agreement with Australia, you may have restricted access to Medicare. You should check if you come from a country that is included in this Agreement and what the entitlements might be. Immigration SA is unable to provide advice or information on this matter. You should visit: www.medicareaustralia.gov.au/

Private Health Insurance

The cost of health care in Australia is high relative to many other countries. You are strongly advised to take out private health cover.

As a rough guide, the cost of private health cover may be around AUD\$300 per month for a family of four (check the individual websites to obtain current costs).

The following website lists all the different health insurance companies in South Australia with links to each www.phiac.gov.au/healthfunds/sa.htm

- **Mutual Community** – www.mutualcommunity.com.au
- **Australian Unity** - www.australianunity.com.au
- **MBF** – www.mbf.com.au

If you are not entitled to Medicare benefits (or Medicare benefits under reciprocal health care agreements) and have no dependants who are entitled to such benefits, you can apply for exemption from the Medicare levy in your income tax return at the end of each financial year. To do this, your lack of entitlement to Medicare benefits must be certified by the Minister for Health.

Levy Exemption Unit
Health Insurance Commission
GPO Box 9822
HOBART TAS 7001
Phone +61 1300 300 271

Taxation

Any reference to residence on your visa refers to your immigration status, not your tax status.

People granted temporary residence visas are often considered to be Australian residents under taxation laws. This residency status for taxation purposes is important because it determines your liability to pay Australian personal tax on your income.

To determine if you have **resident status for tax purposes**, you can visit the Australian Tax Office (ATO) website www.ato.gov.au There you will find a calculator to determine if you are resident or non-resident.

In the Search box choose 'All ATO (except Legal database)', in the for box type 'resident'. From the results, click on 'Are you a resident?'

Immigration SA is unable to provide information or advice on Taxation policies or requirements.

Purchasing Property

As a temporary resident you may require foreign investment approval to purchase Australian residential real estate. This is obtained through the Foreign Investment Review Board. Information is available on the website www.firb.gov.au Immigration SA is unable to provide any information or advice on this matter.

Social Security Benefits

It is very important that you understand that as a temporary resident you are not entitled to any social security payments, including the following:

- There is no waiting period for permanent residents to access the Family Tax Benefit "FTB" which Centrelink administers. SIR visa holders, however, have to wait until you are permanent residents to be eligible for the FTB.
- There is a waiting period of 104 weeks for permanent residents for the Newstart allowance. However SIR visa holders can access part of the Newstart service in seeking jobs. Immigration SA is unable to provide any information or advice on entitlements provided by Centrelink or Newstart. Website : www.centrelink.gov.au

Education – Government Schools

A compulsory school fee for primary and secondary students is imposed by all Government Schools to cover the cost of necessities such as libraries, sporting fees and books apply to all local residents in South Australia. Visit www.decs.sa.gov.au. There are no additional fees for children attending government schools for SIR visa holders. Attendance at Government schools are 'zoned' ie children go to the school which is within their 'zone' or area. This school fee is around AUD\$200 per year for Primary and Secondary students in most Government Schools. The Department of Education and Children's Services website is: http://www.decs.sa.gov.au/decs_home.asp

Education – Private or Independent Schools

Private schools will have their own arrangements. You will need to find out from individual schools, visit: <http://www.ais.sa.edu.au/html/home.asp>

Education – Tertiary

As a temporary resident, you and your dependents are not entitled to fee-help from the Commonwealth Government for studying at tertiary level. Dependents studying at tertiary level, including Technical and Further Education "TAFE" attract the same fees as those which apply to overseas students.

More information about overseas student fees can be found on the website www.studyadelaide.com

For more information visit the "Frequently Asked Questions" on the Immigration SA website which is updated regularly and contains answers on specific issues and instances that might not be covered explicitly in this Fact Sheet.

Useful websites:

South Australia: www.southaustralia.biz/move

DIAC: www.immi.gov.au

Trades Recognition Support Service: : <http://www.tafe.sa.edu.au/Default.aspx?alias=www.tafe.sa.edu.au/strss>

Medicare: <http://www.medicareaustralia.gov.au/>

ASCO Dictionary: <http://www.abs.gov.au/AUSSTATS/abs@.nsf/DetailsPage/1220.01997?OpenDocument>

Australian Taxation office: www.ato.gov.au

Foreign Investment Review Board: www.firb.gov.au

Centrelink: www.centrelink.gov.au

FreshStartSA: www.immigration.as.gov.au/site/job_start.php

**Immigration South Australia
Department of Trade and Economic Development**

**GPO Box 1264, Adelaide 5001
Level 10, 50 Pirie Street, Adelaide 5000
SOUTH AUSTRALIA**

Email: immigration.sa@state.sa.gov.au

For more details on the above and other visa options, visit www.immigration.sa.gov.au