

## The legislation confirming the occupations list applicable for the new Skilled Work Regional (Provisional) (subclass 491) visa and the Skilled Employer Sponsored Regional (Provisional) (subclass 494) visa has now been released.

The occupations lists available, particularly for the subclass 494 employer sponsored visa, will make a big difference for employers and employees who have been adversely affected by having access only to the occupations on the short-term list for the TSS visa. The occupations list for the 494 visa is now comprised of the Medium and Long-term Strategic Skills List (MLTSSL) and the Regional Occupation List (ROL), having 216 available occupations from the MLTSSL and 434 available on the ROL – totalling 650 available occupations.

In addition to our clients whom we know have been affected by the short-term list restrictions for the TSS visa, the wider professional industry will be pleased to hear that the following occupations are now available for the subclass 494 visa:

- HR advisor 223111
- Human resource manager 132311
- Recruitment consultant 223112
- Marketing specialist 225113
- Sales and marketing manager 131112
- Corporate services manager 132111
- Finance manager 132211
- Supply and distribution manager 133611
- Café or restaurant managers 141111
- Accommodation and hospitality managers (nec) 141999
- Customer service manager 149212
- Office manager 512111
- Practice managers 512229

## Exemptions Applicable for the Subclass 494 Visa Employer Sponsored Stream

There has also been new legislation released confirming an “age exemption”. This will be welcomed by employers and employees who have been restricted from applying for and/or transitioning to permanent residency (PR) in Australia since the new age restriction of under 45 was brought in. The new subclass 494 visa still has an age limitation of “under 45 at the time of application”; however, the new legislation confirms that applicants are not required to be under 45 for the subclass 494 visa in the employer sponsored stream if they are:

- Academic applicants
- Regional medical practitioner applicants
- Science applicants
- Subclass 444/461 workers
- Subclass 457/482 workers

Therefore, if employers have employees who are currently holding a 457 visa or 482 visa and are not eligible for PR due to the age limit restriction, if they are or can be moved to a regional location, they can still apply for the subclass 494 visa, and after three years, apply for PR. For further information on what is classified as a regional area, see our recent article.

Further, applicants for the subclass 494 visa in the employer sponsored stream are exempt from having to undertake a skills assessment or having to be employed in the nominated occupation full-time for three years at the level of skill required for the occupation if they are academic applicants, subclass 461 workers or subclass 444 workers.

If you would like more information on the subclass 494 visa or 491 visa, please contact Rachel Barnett.



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