



thinking student visas & options

Student visas are a significant are of the Migration program in Australia and contribute to the education system at both a secondary schooling and university level.

Many students come on a Subclass 500 Visa to complete a course of study at an Australian education institution; but a common question that arises, is 'what next?' A classic example would be an international student who commences a Bachelor Degree at University, and toward the completion of their degree wishes to continue living in Australia but doesn't know which visa to apply for. At Legal Minds, we are conscious that there are many options available, and choosing the right one can be a daunting process.

Temporary Graduate Visa

The most common visa for a student visa holder to apply for once their current visa is set to expire is the Temporary Graduate (subclass 485) Visa. This visa allows the student to stay in Australia for a period of up to four (4) years depending on whether one applies for the Graduate Work Stream or the Post-Study Work stream.

The Graduate Work stream best suits those students that have completed a course of study and attained the qualifications to work in their chosen field. This visa is granted for a period of 18 months. The main requirement that a student must meet, is that your chosen occupation must be a part of the Medium and Long-Term Strategic Skills List (MLTSSL) which can be found at the following address: <https://www.homeaffairs.gov.au/trav/work/work/skills-assessment-and-assessing-authorities/skilled-occupations-lists>. You must also complete a skills assessment that relates to your chosen occupation in order to obtain the visa.

The Post Study stream of the 485 Visa is aimed at students who graduate from an Australian Higher Education institution and wish to remain in Australia for a further period of time. The visa can be granted for up to four (4) years depending on the level of study completed. The main requirements for this stream of the visa is that you obtained a Student Visa on or after 5 November 2011, and that your qualification was awarded by an Australian university that is registered with the

Commonwealth Register of Courses and Institutions for Overseas Students (CRICOS).

Students applying for this stream must have completed a bachelor's degree or higher and must meet the Australian Study Requirement. This states that a student must complete a course of study registered with the CRICOS, and that course of study must be for a period of two calendar years.

Temporary Skilled Shortage Visa

On 18 March 2018, the 457 Visa was abolished, and the Temporary Skilled Shortage Visa was established. The TSS Visa is for people who have a set of skills or qualifications and wish to work in their chosen field in Australia for a period of up to four years. The Visa has specific requirements and obligations on the employer, who must register to be an approved sponsor. This visa is aimed at Australian employers who can't find Australian workers to meet the needs of their business and opt to fill the gap with international employees instead.

Employer Nominated / Regional Sponsored Migration

If you are thinking of applying for permanent residency, then the Employer Nominated Scheme or Regional Sponsored Migration Scheme may be the most appropriate visa to apply for. The requirements for these Visas are that the applicant has a suitable skillset and have an occupation that is on the MLTSSL. If the applicant is applying for the Regional Sponsored Migration Scheme, they must agree to live in Regional Australia for a period of two years.

Students may also apply for a subsequent Student Visa and commence a further course of study. It's important to make sure the choice of visa is right for you. Applying for any visa can be a complex and stressful process. Seeking professional advice from a registered Migration Agent can ensure that you have the necessary advice to make the correct decision and ensure that your application will satisfy departmental requirements. Talk to us, you'll be inspired!

Christopher K C Serow

Principal, Solicitor Director, Notary Public Migration Agent (MARN 0854319)

Samuel L Doyle

Paralegal

Thinking migration



Your goals

All the experience, skill and tenacity needed to get you there.

Our know-how

Solicitors

From commercial, insurance and business transactions to family, employment and estate matters.

Conveyancers

Fast, accurate detailing of all property transactions.

Mediation

Sensitive dispute negotiation to help you avoid going to court.

Notary Public

Witnessing and certifying the validity of documents, affidavits and depositions.

Migration Agent

Negotiating with government on your behalf for family, lifestyle or career reasons.



LEGALMINDS
thinking together

www.legalminds.com.au

T 1300 642 166

E contactus@legalminds.com.au

157 Beardy Street Mall, Armidale