



Australian Government

Department of Home Affairs

Pilbara DAMA (Designated Area Migration Agreement)

DAMA and Skilled Visa Information Session
May 2022

What is a DAMA?

A DAMA is an agreement between the Commonwealth and a state/territory or regional body that provides:

- A flexible, **tailored response to a designated region's local unique economic and labour market needs** and conditions
- solutions for Australian business where there are skills gaps and shortages that can't be met by the Australian market
- streamlined **access to a broader range of overseas workers** than available through the standard skilled visa programs
- various **negotiable concessions to the standard skilled visa requirements**; and
- **pathways to permanent residence** as a major incentive to attract and retain overseas workers

A DAMA is a two-tier framework:

- The first tier consists of an overarching **5 year deed of agreement** between the Commonwealth and the DAR;
- The second tier comprises of **individual Labour Agreements** with employers using the terms and conditions of the overarching DAMA agreement.
- Labour Agreements under a DAMA utilise the **Temporary Skills Shortage (TSS/482)**, **Skilled Employer Sponsored Regional (Provisional) visa (SESR/494)**.
- Where permanent residence is available, the **Employer Nominated Scheme (ENS/186)** and **Permanent Residence (Skilled Regional) Subclass 191** visa programs are utilised.

Key benefits of DAMAs

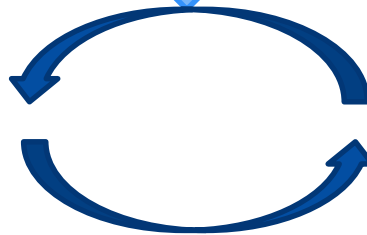
Regionally specific occupations	<ul style="list-style-type: none">• Tailored to the skill and labour needs of your region
More occupations	<ul style="list-style-type: none">• Greater choice of occupations than the standard skilled migration pathways across the range of ANZSCO skill levels, including semi-skilled occupations
Visa Duration	<ul style="list-style-type: none">• Temporary Skill Shortage 482 visa up to 4 years for all occupations, or• Skilled Employer Sponsored Regional (Provisional) 494 visa for 5 years for all occupations
Concessions to standard visa requirements	<ul style="list-style-type: none">• Recognise regional diversity• Greater flexibility to attract and retain a broader range of skilled visa applicants
Pathway to permanent residency	<ul style="list-style-type: none">• Permanent visa pathway available for occupations under a DAMA• Enable regions to attract and retain workers• Less staff turnover for regional employers

How is a DAMA established?

Region submits a business case for a DAMA

Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs agrees to enter into negotiation with the DAR for a DAMA

Terms and concessions negotiated by DAR and the Minister's delegate (Department of Home Affairs)



DAMA is signed by both parties and is executed

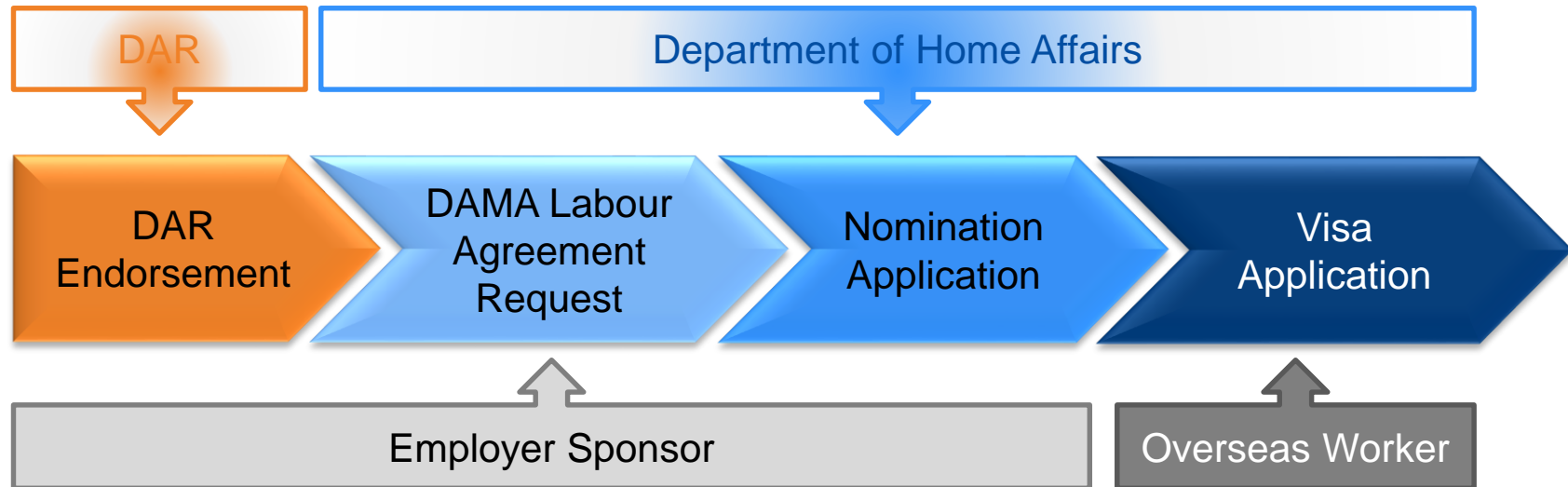
DAMA Labour Agreement Template is created

TIER 1

TIER 2

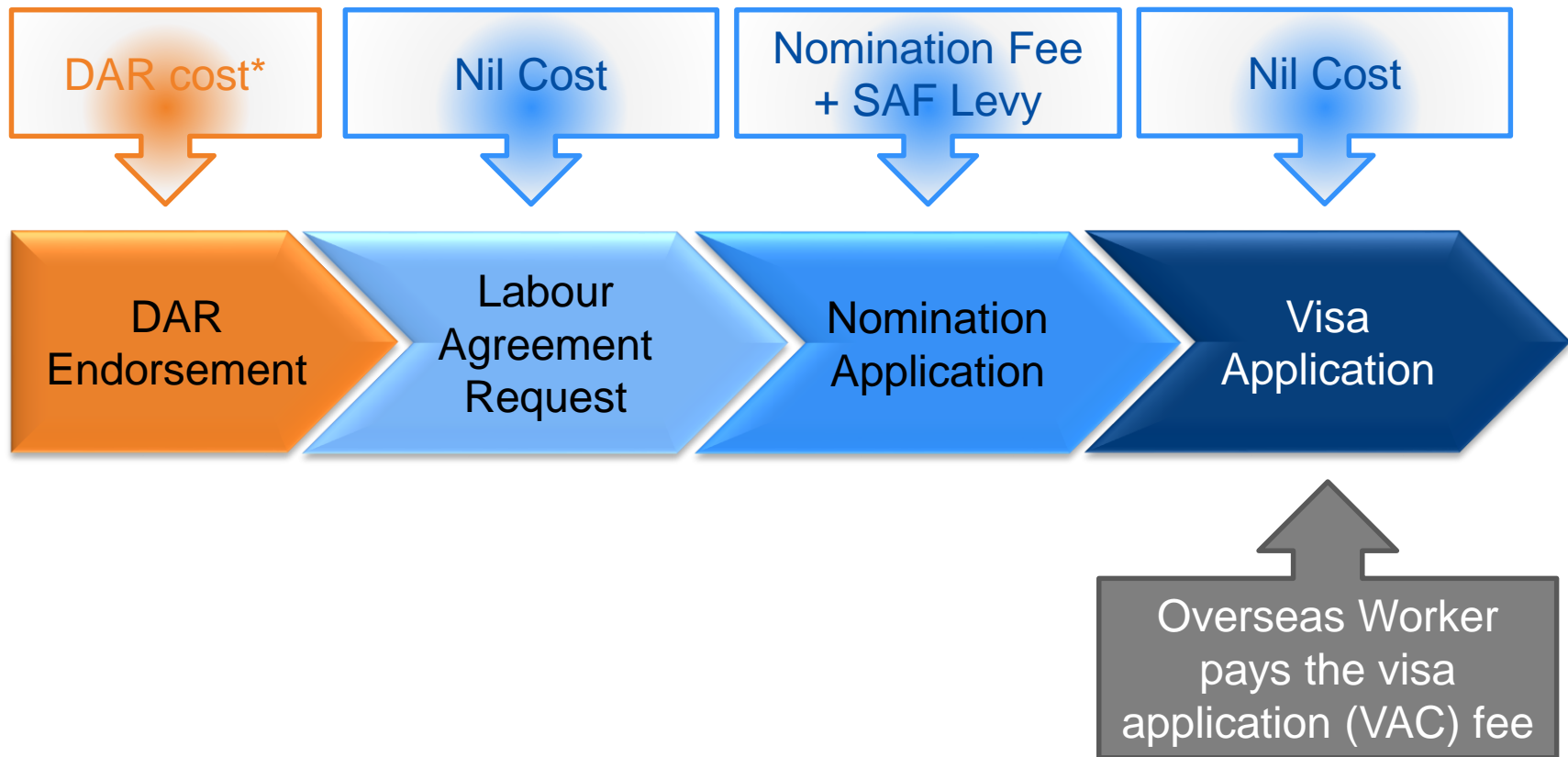
DAMA Application Process for employers

Process flow and participants



DAMA Labour Agreement cost summary

Costs for **employers to sponsor an overseas worker** through the Temporary Skill Shortage visa (subclass 482), Skilled Employer Sponsored Regional (Provisional) visa (subclass 494) or the Employer Nomination Scheme visa (subclass 186)

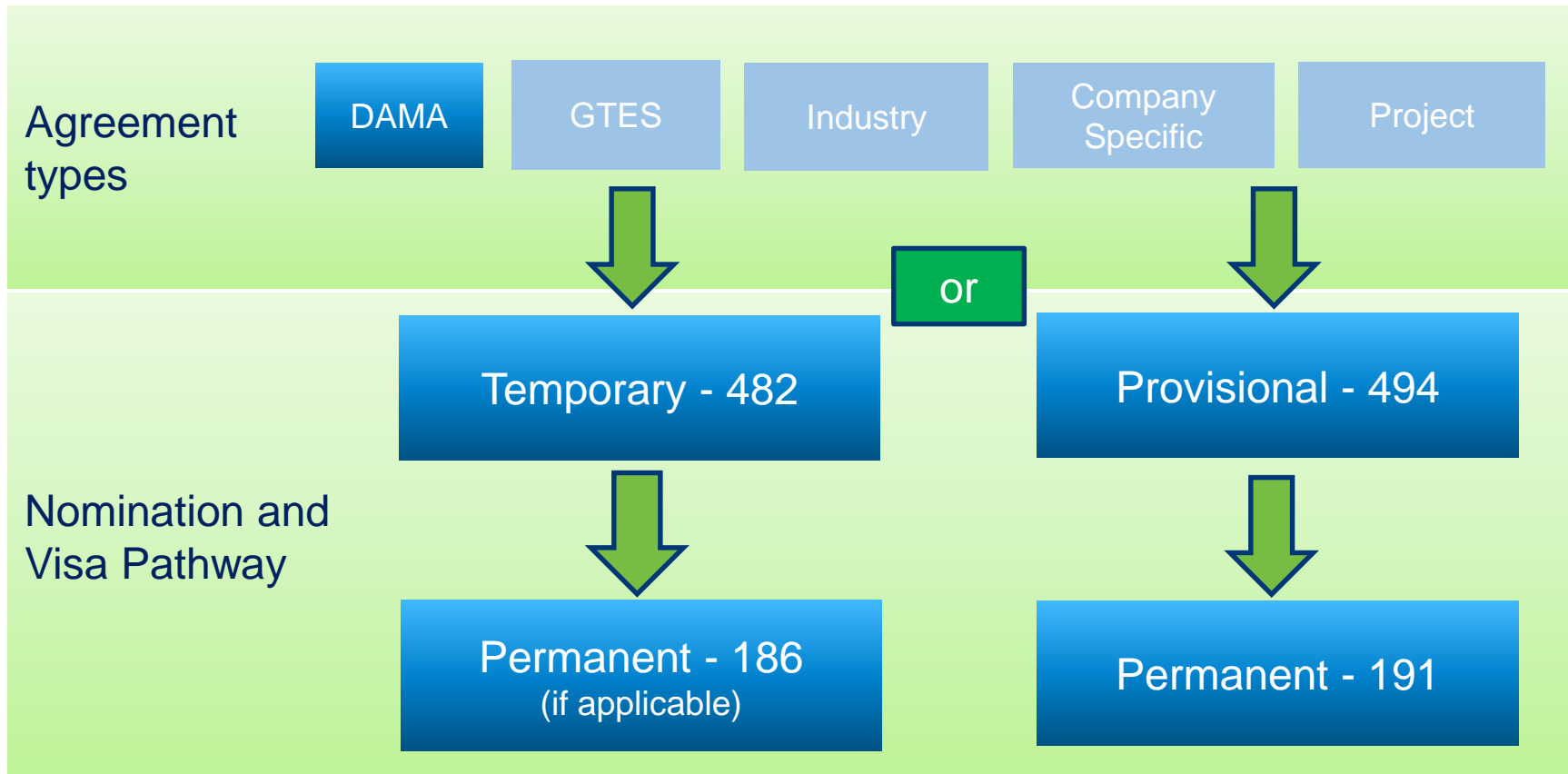


*Refer to DAR information about endorsement fees

Labour Agreement Framework

Business can sponsor skilled overseas workers when there is a demonstrated need that cannot be met through the Australian labour market or standard visa programs.

Apply online through ImmiAccount



Migration Program Concessions

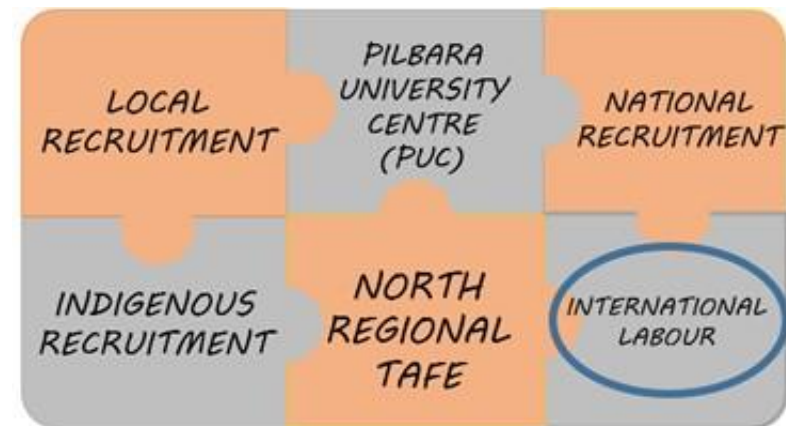
Under the Pilbara DAMA

- Concessions to the Temporary Skilled Migration Income Threshold (TSMIT) for all approved DAMA occupations (TSMIT = \$53 900)
- Concessions to English language requirements – varies by occupation overall no minimum IELTS individual band scores. *Refer to RDA Pilbara website for full occupation details.*
- Age Concessions – aged limit increased up to 55 years for both SESR and ENS (permanent) visa applications under DAMA to attract and retain senior skilled workers into the region.
- Pathways to Permanent residence – approved Pilbara DAMA occupations have a permanent visa pathway from both the 482 and 494 temporary and provisional visas.
- Priority processing under current Ministerial Directions for DAMA nominations and visa applications lodged – see: [Skilled visa processing priorities \(homeaffairs.gov.au\)](https://www.homeaffairs.gov.au)

Areas included in the Pilbara DAMA

Only businesses operating within the following Local Government Areas will be eligible to apply for DAR endorsement and access the Pilbara DAMA Labour Agreement.

- **City of Karratha**
- **Town of Port Hedland**



This is part of RDA Pilbara, the City of Karratha and the Town of Port Hedland's holistic approach to both attracting and retaining skilled workers into the Pilbara region. See: [DAMA | RDA Pilbara](#)

Roles and Responsibilities

Designated Area Representative (DAR)

- Create and submit a business case to request a DAMA for their region
- ***Assessing and endorsing employers who want to sponsor overseas workers under the established DAMA***
- Manage ongoing governance of DAMA including variations, reports and evaluations

Department of Home Affairs

- Works with the DAR to assess their business case and negotiate a DAMA for the region
- ***Works with endorsed employers to assess and establish the individual DAMA Labour Agreements***
- ***Process nominations and visa applications made under the DAMA Labour Agreements***
- Work with DAR to evaluate and review the DAMA annually
- Process Deeds of Variation and annual ceiling requests for both the DAMA and DAMA labour agreements

Employers (or their appointed Migration Agent)

- ***Seek endorsement from the DAR to sponsor overseas workers under the DAMA***
- ***Enter into individual DAMA labour agreements with the Department of Home Affairs***
- Lodge nominations to fill vacancies
- Pay all applicable fees and levies upfront at time of nomination

DAR Endorsement Requests

Endorsement application requirements

Employer declaration	<ul style="list-style-type: none">• Declare the business is lawfully operating and financially viable• Have genuine skills gap that cannot be filled by Australians• No redundancies or retrenchments in last six months• Provide terms and conditions of employment to overseas workers that are in accordance with those offered to Australian workers employed in the region undertaking equivalent work
Salary table (when TSMIT concession requested)	<ul style="list-style-type: none">• Details of the positions and salary offered within the business
Statement of why concessions are requested	<ul style="list-style-type: none">• Details of why you are seeking concessions available under the DAMA
Organisational chart	<ul style="list-style-type: none">• Details of the business structure

DAMA Labour Market Testing (LMT) requirements

Employers seeking overseas workers under a DAMA must provide evidence of LMT:

- when applying for Designated Area Representative (DAR) endorsement,
- requesting a DAMA labour agreement, and
- at the Nomination stage.

Evidence must demonstrate at least **2 genuine attempts (advertising) to recruit qualified and experienced Australians**. The same LMT evidence can be used at each of the above stages, however the advertising must have occurred **within the last 12 months** before lodging the nomination application.

DAMA Labour Market Testing

- The Department will now accept *more flexible evidence* of LMT from businesses in [Category 3 regions](#):
- Acceptable evidence will include **one advertisement with national reach**, for example: Seek, Jobactive or an Australian industry website.
- The **other advertisements may be local**, for example: a business' website or local media online, print or radio.
- For businesses in Category 3 regions, Jobactive advertising is still encouraged as an option but is not a prescribed requirement.

Skilled and Regional visa pathways

There are a number of standard / mainstream visa options also available to help fill regional job vacancies where Australian workers are not available.

Visas/ Pathway	Description	Subclass
Temporary Work (short stay specialist) visa	temporary visa, specialist work	400
Temporary Activity visa	temporary visa, specialist work	408
Seasonal Worker Program	temporary visa for seasonal work	403
Pacific Labour Scheme	temporary visa for low and semi-skilled work	403
Work and Holiday visas	temporary visa	417, 462
Temporary Skill Shortage visa	temporary employer sponsored skilled visa	482
Temporary Graduate visa	temporary visa	485
Employer Nomination Scheme	permanent employer sponsored skilled visa	186
Skilled Independent visa	permanent visa, point tested	189
Skilled Nominated visa	permanent visa, point tested	190
Industry Labour Agreement	temporary and permanent employer sponsored	482, 186
Designated Area Migration Agreement (DAMA)	temporary and permanent employer sponsored	482, 186
Skilled Work Regional (Provisional)	provisional visa, points tested	491
Skilled Employer Sponsored Regional (Provisional)	provisional employer sponsored skilled visa	494

Further information is available at: <https://immi.homeaffairs.gov.au/visas/working-in-australia>

Visa Costs for TSS Subclass 482 and SESR Subclass 494

Applying at same time	Subclass 494	Subclass 482 Medium Term Stream
VAC Primary Applicant	\$4,115 for 5 years (\$823pa)	\$2,690 for 4 years (\$672.50pa)
VAC Additional Applicant > 18yrs	\$2,060	\$2,690
VAC Additional Applicant < 18yrs	\$1,030	\$675
Second VAC (English exemption)	\$4,890	Nil
Nomination Fee	Nil	\$330
SAF Levy	\$3,000 small (turnover <\$10M) \$5,000 other (turnover \$10M+)	\$4,800 small (turnover <\$10M) \$7,200 other (turnover \$10M+)

Links and Resources

Purpose	Contact
Labour Agreement enquiries, factsheets, FAQs, etc.	Labour.agreement.section@homeaffairs.gov.au
Labour Agreement requests Nomination Applications Notification of sponsor changes	https://immi.homeaffairs.gov.au/help-support/applying-online-or-on-paper/online
Search ANZSCO occupations & skills requirements	www.abs.gov.au
Home Affairs Regional Migration Hub	https://immi.homeaffairs.gov.au/visas/working-in-australia/regional-migration
Visa information	Visa list (homeaffairs.gov.au) Skilled occupation list (homeaffairs.gov.au)
RDA Pilbara – DAMA information on approved occupations and concessions available.	DAMA RDA Pilbara