

## ARE YOU A FILIPINO REGISTERED NURSE?

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Australia is currently one of the best destinations for Filipino registered nurses not only because the ‘Registered Nurse’ is an occupation in demand in Australia, but also because the opportunities to work in the USA or UK may not be available at this time. This is based on the advice that the USA is currently processing applications which date back to July 2006 and that the UK prefers registered nurses from members of the European Union. There are other work opportunities for nurses to work in the Asian region, however, they do not pay as much as employers in Australia.

First of all, you must be a registered Australian nurse to qualify for a working visa or permanent residence as a registered nurse in Australia.

Working visas to Australia for all occupations was discussed in a separate paper entitled, “*Do You Qualify For a Working Visa?*” Before you pay a single cent in any “offer for a working visa” you must verify with the Department of Immigration and Citizenship (DIAC) whether your proposed sponsoring employer has been approved as sponsor. You also need to determine whether the proposed position, task and workplace where you will be assigned, satisfy the current migration policy criteria.

### **Pitfalls of working visas**

Many have fallen victim to “recruiters” who claim they are authorised to recruit for positions of Caregiver, Assistant in Nursing (AIN) or Residential Care Officer (RCO). Migration policy has changed over the years and continues to change. At present:

- “Assistant in Nursing” and “caregiver” are not in the list of qualifying occupations for working visa.
- A Residential Care Officer may no longer be assigned to work in nursing homes and care for the aged because, according to a recent case decided by the Policy Section of DIAC in Canberra, it is outside the RCO ASCO definition “to provide care and supervision for children or disabled persons in group housing or government institutions”.
- A Disability Services Officer (DSO) may likewise no longer be allowed to provide personal care in nursing homes if DIAC is to strictly enforce the DSO ASCO definition “to provide education and community access to people with intellectual, physical, social and emotional disabilities”.

### **Nurse Registration in Australia**

Currently, there is a plan to unify the requirements for Australian nursing competency assessment and registration by 2010. Until that time, nursing registration is through the nursing registration board of any of the Australian States and Territories. They vary in their registration process, costs and requirements.

Once registered as “registered nurse” in any state or territory of Australia, your tourist, non-working visa or student visa may be changed to a working visa for a period of one year up to four years under certain conditions, provided there is no visa condition of “no further stay” on your existing visa.

### **NSW Nurse Registration for Overseas Registered Nurses**

Under the 2008 guidelines, the NSW Nursing Board will consider, among other matters:

- The rank or classification of your educational institution in the Country Education Profile of the country of your education
- your overseas registration
- your grades in your transcript of records
- your experience, if any

The NSW Nursing board will determine whether your qualifications meet certain standards:

- The standard of your educational institution must be comparable to the standard of an Australian tertiary institution and
- The level of your nursing degree must be comparable to the level of an Australian Bachelor degree not an Australian Diploma level; and
- The course content of your overseas Bachelor degree in Nursing must be comparable to the course content of the Australian Bachelor in Nursing degree.

If your qualifications meet the standard of an Australian Bachelors degree in Nursing you will be referred to complete the College of Nursing Assessment for registered nurses. If not, you may be referred for assessment as an “enrolled nurse”. If you pass the assessment, you will be eligible for registration as registered nurse or enrolled nurse as the case may be.

Registration as “enrolled nurse” will not qualify you for permanent resident visa because it is not listed in the Skilled Occupations List (SOL) but will qualify you to apply for a working visa.

The other two accredited pathways for registered nurse registration in New South Wales are:

- A three year Australian Bachelor in Nursing degree and
- A two-year graduate entry Bachelor in Nursing degree course at the University of Technology Sydney or University of Western Sydney.

In all cases, you will be required to pass an English test at varying levels, unless exempted.

## **Permanent Resident Visa Application while working Overseas**

If you are currently working as registered nurse in the UK, USA, Ireland, Canada or New Zealand, you may be granted registration without having to undertake an English test and nursing competency test under certain conditions. After you obtain Australian registration you may qualify for permanent residence in Australia under certain conditions while you continue to work in the UK, USA, Ireland, Canada or New Zealand.

If your permanent resident visa is approved before your overseas contract expires, you can still validate your respective visas by entering Australia with those included in your visa application. You may return to the UK, USA, Ireland, Canada or New Zealand to complete your employment contract the next day and your family members can either remain in Australia, or leave for the Philippines or elsewhere, provided each of you return to live in Australia within 5 years from visa grant.

## **Which Family Members Can You Bring?**

You are allowed to include your entire family (spouse and dependent children below 25 years old) your widowed parent, single aunt or uncle who have lived with you and are dependent on you, as part of your family in your permanent resident visa application under certain conditions. Once you get your permanent resident visa, you will qualify to sponsor your brothers, sisters, nephew, nieces and other relatives.

## **We Can Assist You**

We are able to assist in your enrolment in any of the qualifying courses, in finding your sponsoring employer and managing your application for working visa or permanent resident visa as registered nurse. We also assist skilled workers and other professionals, in obtaining permanent resident and working visas.

*This information is of a general nature and should not be taken as authoritative legal advice for specific cases. Australia has a scheme that requires persons who give immigration assistance to be registered as migration agent. The writer, Atty. Imelda Argel is a practising Filipino lawyer and a registered migration agent in Sydney, Australia. She is a Solicitor of the Supreme Court of New South Wales, the High Court of Australia, an Attorney at law in the Philippines and in the State of New York, USA. Her Registered Migration Agent no. is 9682957. More information can be found at [www.iargel.com.au](http://www.iargel.com.au)*