

Employment News

Queensland RSMS Visa Employer Sponsor RCB Regional Certifying Body

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The Department of Immigration and Citizenship (DIAC) offers a Regional Sponsored Migration Scheme (RSMS), allowing employers in regional or low population growth areas of Australia to sponsor skilled workers from overseas or skilled temporary residents of Australia for a permanent visa to work in Australia. All RSMS applications require certification by a local Regional Certifying Body office prior to lodgement with the Department.

Chamber of Commerce and Industry Queensland – Regional Certifying Body (RCB) for temporary skilled workers under 457 visas or the Regional Sponsored Migration Scheme (RSMS) Regional Certifying Body

Chamber of Commerce & Industry Queensland (CCIQ) is certified to act as a RCB to assist the Department by certifying a RSMS nomination before submission.

CCIQ is gazetted as a Regional Certifying Body in the following geographic locations:

- * Townsville
- * Cairns
- * Gold Coast
- * Mackay
- * Rockhampton (including Gladstone and Emerald)
- * Sunshine Coast, Wide Bay & Burnett (including Bundaberg)
- * Toowoomba

The RSMS process

The RSMS process follows three stages:

1. certification of nominations/vacancy by a certifying body such as CCIQ;
2. DIAC assessment of employer nomination
3. visa application made by nominee.

Changes affecting the Subclass 457 visa program from 1 July 2010

From 1 July 2010, the Department of Immigration and Citizenship is switching from the Australian Standard Classification of Occupations (ASCO) system to the Australian and New Zealand Standard Classification of Occupations (ANZSCO) system. While the same occupations remain eligible for the Subclass 457 program, they will be described differently and be assigned new codes.

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RSMS application certification

Chamber of Commerce & Industry Queensland is able to assist with stage one – certifying a nomination.

In order to complete this stage, nominees should first visit <http://www.immi.gov.au> (this link goes outside odesk.com) (the Department of Immigration and Citizenship) for information and conditions about the scheme they wish to apply for.

CCIQ recommends all application address the following criteria to ensure all conditions are fulfilled during the certification process:

- * evidence that the position that the application is being sought cannot be reasonably filled locally
- * evidence that the position description aligns with the position the nomination employer wishes to fill
- * evidence the position is a genuine full-time vacancy available for at least two consecutive years
- * evidence the employment conditions, including remuneration being offered for the position, at least accord with levels provided for in Australian legislation and awards

Once an application adequately documents fulfilment of these criteria, the following documents can be lodged with CCIQ. Please note, only DIAC forms will be returned to nominees, all other documents will not be returned. CCIQ recommends applications retain copies of all forms for records.

- * RSMS application (Form 1054), correctly completed
- * A full position description that outlines all the duties that the employee is required to undertake (this must correspond to the duties claimed against the Australian Standard Classification of Occupations {ASCO})
- * Applicant's CV
- * a letter of offer or an employment contract that states the hours of work per week (must be full time), the duration of employment contract (minimum two years), and what award/NAPSA (if applicable) will dictate the terms and conditions of employment. If the position is non award then you must state what will govern the terms and conditions of employment (eg. Australian Fair Pay). Gross salary must be stated
- * evidence the position cannot be filled locally (evidence should include advice about how the position was advertised within Australia including where the advertisements appeared, the publications in which the advertisements appeared, the duration of advertisements and the outcomes or Employment Agent Statement attesting to the fact that they were unable to fill the position locally
- * a letter from the employer explaining why they can't fill the position locally and how the position is necessary to the operation of the business
- * The draft employer contract for the applicant.

At this stage, applicants are also required to make payment to CCIQ for certification services to be rendered.

Once application form is correctly completed and all documents have been assembled, the full application should be posted to the nearest Chamber of Commerce & Industry Queensland regional office.

- * Chamber of Commerce & Industry Queensland regional office locations

Upon receiving the complete application, CCIQ will assess the nomination and determine whether it should be certified. This certification process can take up to ten working days to complete once all correct documentation has been received.

If CCIQ chooses to certify an application, the original application form 1054 and a letter of approval will be returned to the nominee to lodge with the Department of Immigration and Citizenship, as per the conditions set out on their website. CCIQ will also forward a letter to the Department to notify them of the application.

Please note: certification of an application by CCIQ does not guarantee the application will be approved by the Department of Immigration and Citizenship.

From this point, CCIQ has no further involvement with the application process. All enquiries should be directed to the Department of Immigration and Citizenship.

