

Regional Migration Program Certification Process for Regional Sponsored Migration Scheme Visa Applications

1. Regional migration program for employers to fill skilled positions

The Department of Immigration and Citizenship (DIAC) has a program that enables employers in regional areas fill skilled occupations when the positions cannot be filled from the local labour market.

DIAC website link to information on the Regional Sponsored Migration Scheme (RSMS) (subclass 119/857): <http://www.immi.gov.au/skilled/skilled-workers/rsms/index.htm>

Suitable occupations using the [Australian Standard Classification of Occupations \(ASCO\)](#) codes are from 1***-** to 7***-**. A sample list of occupations and suitable programs are listed below.

2. Sample occupations and their suitability under the RSMS program

Key: ✓ Applicable under this program ☒ Not Applicable under this program

ASCO Major level	Example ASCO Code	Example	RSMS	RSMS – Option A*
1. Managers and Administrators	1112-11	General Manager	✓	✓
2. Professionals	2211-11	Accountant	✓	✓
3. Associate Professionals	3322-11	Chef	✓	✓
4. Tradespersons and Related Workers	4211-11	Motor Mechanic	✓	✓
5. Advanced Clerical and Service Workers	5111-11	Secretary	☒	✓
6. Intermediate Clerical, Sales and Service Workers	6396-13	Outdoor Adventure Operator	☒	✓
7. Intermediate Production and Transport Workers	7993-01	Supervisor, Storeperson	☒	✓
8. Elementary Clerical, Sales and Service Workers	8291-11	Checkout Operator	☒	☒
9. Labourers and Related Workers	9921-79	Farm Hands	☒	☒

*Option A relates to a position that has been held by an employee with their employer/sponsor for the previous 2 years, whilst on a Temporary Long Stay Business Visa.

3. Regional Certifying Body assessment

All RSMS applications need to be certified by the local Regional Certifying Body (RCB) officer before they are lodged with the DIAC.

The Cairns Chamber of Commerce is a Regional Certifying Body as gazetted by the Department of Immigration and Citizenship on 5 February 1997. We consider applications from Cardwell, north to and including the Torres Straits and West to the Northern Territory Border with Queensland. This includes the Tablelands, Cassowary Coast and Cairns Regional Councils.

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4. Certification process by Regional Certifying Body

If you require assistance with completing your application, you will need to contact a Migration Agent or the Department of Immigration. Some useful links and contacts can be found at the end of this document.

The standard turnaround time for our certification process is 10 working days (once all correct documentation has been received). If the applicant's visa is going to expire within this time, we suggest that you contact the Department of Immigration or a Migration Agent for advice.

Step 1. Follow the steps outlined on the Department of Immigration website for the program you are applying under (as per website links at the start of this document), then:

Step 2. Ensure your application addresses the following items that we consider when assessing your application:

- The position cannot be filled locally.
- The tasks of the nominated position correspond to the tasks of a skilled occupation
- The position being considered is a genuine, full time position that is necessary to the operation of the business.
- The working conditions of the position, including salary, will be no less favourable than those provided for under Australian legislation and awards.

Step 3. Send the following documents to the Cairns Chamber of Commerce.

(Apart from the Department of Immigration Forms, documents supplied to our office will not be returned. Please keep originals/copies for your records).

Mandatory documents required:

1. Department of Immigration Form 1054 (RSMS)
2. Position description including the relevant [ASCO](#) Code;
3. Resume/CV;
4. Draft employment contract stating the position duties and responsibilities, applicant's full name, number of hours p/week the position is based on and base salary proposing to pay;
5. Organisational chart including the position title and salary being paid;
6. Payment of \$550.00/position made payable to *Cairns Chamber of Commerce* by credit card or money order

Other documents which may be requested:

7. Evidence of labour market testing i.e. copies of advertisements for position/letter outlining need for position and inability to fill from local labour market.

Send your documents to:

Cairns Chamber of Commerce
PO Box 2336, CAIRNS QLD 4870

E: info@cairnschamber.com.au

F: 07 40310883

Step 4. We will assess the application and make a decision as to whether or not we certify the application.

If we certify the application, the original form 1054 and a letter of approval will then be returned to you to lodge with the Department of Immigration. We also forward a letter to the Department of Immigration to notify them of your application.

Please note that certification of an application by the Cairns Chamber of Commerce does not guarantee that it will be approved by the Department of Immigration.

☞ At this point the Cairns Chamber of Commerce has no further involvement in the application process. Future enquiries about your application should then be directed to the Department of Immigration or to your Migration Agent.

Step 5. Once you have received certification from us, you then need to lodge your application with the Department of Immigration as explained in their forms.

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5. Contacts and links

(a) Department of Immigration – Cairns office

All Forms and Information on their website: <http://www.immi.gov.au>

Regional Outreach Officer: Fiona Pemberton

T: (07) 4044-5912 E: fiona.pemberton@immi.gov.au

Level 2 GHD Building, 85 Spence Street, Cairns QLD 4870

(b) Local migration agents

Company	Telephone	Facsimile
Australian Immigration and Visa Centre	40418040	40418001
Bottoms English Lawyers	40515388	40515206
Carol Shipway Migration Services	40411580	40314672
Frank Lanza	40316676	40314627
Gayler Cleland Solicitors	40516111	40517504
ImmigrationHelp	40556266	40575575
MacDonnells Law	40300600	40300699
Migration Pathways	40977556	40977556
Migration Plus	40412620	40415011
Visa Connection	40519043	40519032

(c) Websites of interest

General Information
Employer Sponsored Migration (handbook)
Regional migration programs
Regional Certifying Bodies
Department of Immigration Offices
Wageline – Award Wages and Conditions
Skills Matching Database
Australian Skills Recognition Information (ASRI)
Australian Standard Classification of Occupations (ASCO)

Regional Sponsored Migration Scheme (RSMS) Links
General information on the Regional Sponsored Migration Scheme
Form 1054 – Employer Nomination under the Regional Sponsored Migration Scheme
Department of Immigration Fees for RSMS Application

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6. RSMS program key points

Conditions to meet

The employer must have a genuine vacancy that:

- is available for at least two consecutive years;
- is unable to be filled through the local labour market;
- requires the skills of at least an Australian diploma level;
- will be remunerated in accordance with Australian industrial laws

The visa applicant must:

- have the relevant qualifications/experience (at least Australian diploma level) for the position;
- be able to meet mandatory licensing requirements for the position;
- be less than 45 years old;
- have functional English;
- meet health and character requirements (family members included)

The RSMS process consists of three distinct stages:

- certification of the nomination/vacancy (by a certifying body such as the Chamber);
- nomination by the employer is assessed by Department of Immigration; and
- nominee's application for a visa.

The Position

- The RCB certifies the position, not the employee.
- Certification can be given, even when no employee is known, and remains valid for six (6) months.
- The Skills Matching Database provides an alternative means for employers to located possible staff to fill the position. This is available on-line via the Department of Immigration website.

7. Monitoring/Compliance

Please note that the Department of Immigration and Citizenship undertakes regular monitoring and compliance checks of employers (including site visits) to ensure that all relevant conditions are being met, including obligations in regard to industrial relations. Penalties for breaches of these conditions are substantial.