

CHECKLIST FOR RCB ASSESSMENT OF REGIONAL SKILLED MIGRATION SCHEME SUBCLASS 187

The following must occur in order for the nomination to be assessed:

- Completed Form 1404 – <http://www.immi.gov.au/allforms/pdf/1404.pdf>
- Non – refundable service fee of \$550 (incl. GST)
- Completed copy of this form – must include a mark next to the appropriate evidence included
- Application submitted electronically
- Location of employment situated in RDA Hunter’s regional area range

This document provides a GUIDE ONLY of types of evidence that should be included for a RSMS application. Further evidence may be required where necessary and assessment is not restricted to the documentation below. The onus is on the business to provide adequate information for the Regional Certifying Body (RCB) to assess the nomination.

1. ***The terms and conditions of employment applicable to the position will be no less favourable than the terms and conditions that are provided to, or would be provided to, an Australia citizen or Australian permanent resident for performing work in the person’s workplace at the same location.***
 - A letter of offer or employment contract for the nominated applicant
 - Must include: salary, entitlements and other conditions offered to employees.

Accompanied by the following where applicable:

- Enterprise agreement
 - www.fairwork.gov.au
- Award
 - www.fairwork.gov.au
- Common law contracts
- Employment contract for an equivalent Australian worker, employed at the same workplace

If there is no equivalent Australian employee:

- Abstract from ABS for average industry wage
 - www.abs.gov.au
- Statistics for occupation from job outlook
 - <http://joboutlook.gov.au/pages/default.aspx>

2. *There is a genuine need for the nominator to employ a paid employee to work in the position under the nominator's direct control*

Vacancy in regular ongoing business activity of the nominating employer

- Detailed organisational chart
 - Must include number of Australian citizen's, Permanent Resident's or temporary visa holders.
- Position description
 - Must highlight how the position is consistent with the ongoing needs of the business.
- Evidence that the position previously existed
 - Must explain how the position became available. Eg. Occupied by temporary resident or vacant through attrition.
- Evidence the nominated position is under the direct control of the nominator
- Evidence the nominator directly operates the business in which the nominated position exists.

Additional requirements for diversifying and start-up businesses

- Evidence showing the business has been actively operating for at least 12 months before lodging an application
- Business plan
 - Must include financial budgets, highlighting expenses and anticipated revenues
- Evidence of market research
- Evidence of availability of funds
 - Including own funds, loans and bank accounts
- Evidence of purchase of plant and equipment

3. *The position cannot be filled by an Australian citizen or an Australian permanent resident who is living in the same local area where the nominated position exists.*

- Completed domestic summary recruitment form
 - Copies of original advertisement and receipts of recruitment effort
 - Responses to the advertisement
 - Please note: the DIBP has insisted we do not request nor accept resumes and personal information of other individuals. To do so would exceed our roles as RCBs and I refer you to the migration regulation 5.19(4)(h)(ii)(F) for confirmation.
 - Explanation why the nominated applicant was chosen
 - Advertisements must be placed on the below website for minimum of two weeks and all correspondence included
 - <http://www.jobsearch.gov.au>
- Regional Development Australia Hunter ▪ Suite 3/24 Beaumont Street ▪ Hamilton NSW 2303 ▪ P 0249408355 ▪ E rsms@rdahunter.org.au