

**GOVERNMENT RESPONSE**  
**to the**  
**JOINT STANDING COMMITTEE ON MIGRATION**  
**'New faces, new places'**  
**REPORT ON REVIEW OF STATE SPECIFIC MIGRATION MECHANISMS**

**May 2002**

Reference	Recommendation	Response
<p>Recommendation 1</p> <p>Paragraph No: 3.40</p> <p>Page 15</p>	<p>The Committee recommends that DIMA re-examine the identification of 'designated areas' in consultation with the States and Territories and establish a realistic set of criteria for areas to be included on the Designated Areas List which would avoid the distortions which currently exist.</p>	<p>Agreed. The Commonwealth/State Working Party on Skilled Migration has previously discussed criteria for determining 'regionality'. No consensus has yet been reached on the matter. At the Working Party meeting in May 2001, members noted the inherent difficulties with defining what constitutes regional Australia for migration purposes and agreed to further consider the definition of regionality through identification of possible alternative indicators. Further consultation with DoTRS and DEWR will also be undertaken on this matter.</p> <p>It should be noted, however, that with proposed reforms to the Regional Established Business in Australia category (REBA), use of the 'designated area' concept will be reduced to a single category where the 'competitive' aspects of designating one area versus another are not significant.</p>
<p>Recommendation 2</p> <p>Paragraph No: .4.12</p> <p>Page 19</p>	<p>The Committee recommends that a specific definition should be devised by DIMA in consultation with the States and Territories to identify the areas covered by RSMS.</p>	<p>Agreed. The areas of responsibility for the gazetted regional certifying bodies (RCBs) define the areas covered by Regional Sponsored Migration Scheme (RSMS). DIMIA, on the advice of RCBs, and in consultation with DoTRS is preparing a list of the areas RCBs cover. The list will be cleared with the relevant State and Territory Governments.</p>
<p>Recommendation 3</p> <p>Paragraph No: .4.12</p> <p>Page 19</p>	<p>The Committee recommends that information concerning expected and current processing times be made readily available, including on the DIMA website.</p>	<p>Agreed. DIMIA will include reference to processing times on its website and ensure certifying bodies are kept informed of any changes to the processing times for RSMS applications.</p>

<p>Recommendation 4 Paragraph No: .4.90 Page 34</p>	<p>The Committee recommends that DIMA ensure that potential employers and migrant employees are aware of the sanctions relating to RSMS employees who do not complete their two-year contract.</p>	<p>Agreed. Since the review, information on the sanctions has been included in the Migration Booklet – Employer Sponsored Migration, the employer nomination form and the 'Application for employer sponsored migration to Australia' form. A leaflet is also now available for regional offices and overseas posts to provide to employers and employees intending to use the RSMS.</p>
<p>Recommendation 5 Paragraph No: .4.103 Page 37</p>	<p>The Committee recommends that the scale of 'exceptional' approvals be continually monitored, and reviewed in 2003 in order to ensure that required standards remain relevant.</p>	<p>Agreed. DIMIA and DEWR will monitor the rate of 'exceptional' appointments and review the concession in 2003.</p>
<p>Recommendation 6 Paragraph No: .4.112 Page 39</p>	<p>The Committee recommends that the use of the Skill Matching Database should be re-examined in 2003.</p>	<p>Agreed. DIMIA in conjunction with the States and Territories is continuously looking at ways of promoting and increasing the entries on the Skill Matching Database (SMD). A number of measures are currently being introduced to increase the entries on the SMD. It would be timely to re-assess the use of the SMD in 2003.</p>

<p>Recommendation 7 Paragraph No: .4.124 Page 42</p>	<p>The Committee recommends that, in its advice to Certifying Bodies, DIMA indicate how labour market testing for RSMS may diverge from the standards for ENS and still be accepted as valid.</p>	<p>Agreed. Following the review, DIMIA has provided guidance to RCBs on labour market testing aspects. This encourages RCBs to use their own local knowledge to determine whether a vacancy needs to be filled from overseas. It notes RCBs should only resort to seeking evidence that an employer is unable to fill the position locally if they are unable to determine by any other means if the vacancy is genuine. The evidence would only be the minimum required in covering the local area and not require advertising in metropolitan newspapers, in a prescriptive way, as is the case under ENS. DEWR will provide further advice to DIMIA to distribute to RCBs on the use of DEWR data relating to labour market issues.</p>
<p>Recommendation 8 Paragraph No: .4.136 Page 45</p>	<p>The Committee recommends that the role of personal contacts in the operation of RSMS should be re-examined in 2003.</p>	<p>Agreed.</p>
<p>Recommendation 9 Paragraph No: .4.141 Page 46</p>	<p>The Committee recommends that DIMA make the employers' training record a consideration in RSMS.</p>	<p>Agreed. DIMIA and DEWR will examine options to incorporate employer training record into the certification process.</p>
<p>Recommendation 10 Paragraph No: .4.144 Page 47</p>	<p>The Committee recommends that a follow-up survey of employees' and employers' performance should be conducted in 2003 to determine whether successful applicants were remaining in regional areas as intended.</p>	<p>Agreed.</p>

<p>Recommendation 11 Paragraph No: 5.72 Page 68</p>	<p>The Committee recommends that DIMA revise the STNI entry in the <i>General Skilled Migration</i> booklet prior to the next edition.</p>	<p>Agreed. The Booklet has been revised for the March 2002 edition. Apart from revising the STNI entry, a section has been included to promote the categories available for those skilled migrants not meeting the independent category passmark.</p>
<p>Recommendation 12 Paragraph No: 6.51 Page 82</p>	<p>The Committee recommends that a study of SDAS be undertaken in 2003 to determine how well it is meeting its stated objectives.</p>	<p>Agreed. This study could include consultation with regional communities.</p>
<p>Recommendation 13 Paragraph No: 5.72 Page 68</p>	<p>The Committee recommends that DIMA provide settlers who have arrived in Australia and who have indicated their intention to use REBA with information about contacting DIMA and local agencies.</p>	<p>Agreed. The information material currently available will be expanded to cover information on DIMIA business centres and local agencies. DIMIA currently provides successful temporary resident applicants intending to use REBA with information on the visa requirements for REBA. Some State and Territory Governments provide support services to new and prospective business migrants and are now providing more information on these services. DIMIA will encourage this and improve its linkages with the relevant areas of State and Territory Governments.</p>
<p>Recommendation 14 Paragraph No: 7.68 Page 98</p>	<p>The Committee recommends that the operation of REBA, including 'exceptional' approvals, be reviewed during 2003.</p>	<p>Agreed. DIMIA is currently reviewing the business skills categories, including REBA, in consultation with stakeholders including the States/Territories and the Australian Local Government Association.</p>

<p><b>Recommendation 15</b> Paragraph No: 8.14 Page 102</p>	<p>The Committee recommends that DIMA examine the issues raised relating to family businesses and to arrangements for dependent children under REBA and determine whether they could be resolved without compromising Australia's broader migration criteria.</p>	<p>Agreed. DIMIA will examine the issues raised relating to family businesses and to arrangements for dependent children under REBA in the context of Australia's broader migration criteria.</p>
<p><b>Recommendation 16</b> Paragraph No: 8.25 Page 104</p>	<p>The Committee recommends that DIMA examine the option of merging the existing SSMM visas into a single visa class.</p>	<p>Agreed. DIMIA will consider the feasibility of rationalising the existing SSMM visas where possible. However, it should be noted that there are inherent difficulties in merging family, employment and business visas into a single class.</p>
<p><b>Recommendation 17</b> Paragraph No: 9.6 Page 116</p>	<p>The Committee recommends that DIMA pursue means of more active involvement of regional representation in its consultation process.</p>	<p>Agreed. DIMIA, DEWR and DoTRS are liaising over means of increasing regional representation in the consultation process. DIMIA Business Centres will consult with RCBs, and local government and business associations during visits to regional areas. The Australian Local Government Association is involved in the Commonwealth/State Working Party on Skilled Migration.</p>
<p><b>Recommendation 18</b> Paragraph No: 9.33 Page 122</p>	<p>The Committee recommends that DIMA improve its liaison with Area Consultative Committees, the Australian Local Government Association and Regional Certifying Bodies.</p>	<p>Agreed. As part of its promotional activities in regional areas of Australia, DIMIA will be liaising with local government authorities, the RCBs, DEWR and ACCs as well as working with local business organisations.</p>
<p><b>Recommendation 19</b> Paragraph No: 9.42 Page 124</p>	<p>The Committee recommends that DIMA review the content descriptors of its website with the aim of making it more visible to search engines.</p>	<p>Agreed. Following this recommendation, DIMIA has reviewed the content descriptors of its website. This will be reviewed on a monthly basis to monitor the effectiveness of changes.</p>

<p>Recommendation 20 Paragraph No: 9.47 Page 125</p>	<p>The Committee recommends that DIMA review its promotion of SSMM with a view to making access to them more migrant oriented.</p>	<p>Agreed. DIMIA will develop a more comprehensive information package on SSMMs. DIMIA Business Centres are increasing visits to regional areas of Australia. DIMIA is also developing with overseas posts improved promotion of SSMMs offshore.</p>