

Trades Recognition Australia Temporary Skills Shortage Skills Assessment Program Applicant Guidelines

January 2025

Document particulars

TRIM ID	EDU19/935	File	TSS Skills Assessment Program Applicant Guidelines
Content last updated	December 2024	Document status	Final
Due for review	November 2025		
Point of contact	Trades Recognition Australia		
Approval authority	David Donovan, A/g Assistant Secretary, Trades Recognition Australia		
Date of first approval to publish	1 March 2019		

Note: This is a controlled document in its electronic form only. Paper copies of this document are not controlled and should be checked against the electronic version before use.

With the exception of the Commonwealth Coat of Arms and where otherwise noted, all material presented in this document is provided under a Creative Commons Attribution 3.0 Australia (creativecommons.org/licenses/by/3.0/au) licence.

The details of the relevant licence conditions are available on the Creative Commons website (accessible using the links provided) as is the full legal code for the CC BY 3.0 AU licence (creativecommons.org/licenses/by/3.0/au/legalcode).

The document must be attributed as the TRA Temporary Skills Shortage Skills Assessment Program Applicant Guidelines

Contents

Sec	ction	ion 1. Program Information5				
1.1		Introduction to Trades Recognition Australia				
1.2		Program Objective				
1.3	3	Appli	icant Guidelines 6			
1.4	ļ	How	to Apply6			
:	1.4.1	_	Choose an RTO	7		
-	1.4.2	<u> </u>	Document Requirements	7		
:	1.4.3	3	Documents not in English	7		
1.5	;	Fees	8			
:	1.5.1	_	Fee Refunds	9		
Sec	ction	ı. 2 Pr	ogram Requirements and Processes	9		
2.1		Eligik	oility9			
2.2	2	Docu	ımentary Evidence Assessment9			
2	2.2.1	_	Pathway 1: For applicants who do not have a relevant Australian VET qualification	10		
	2.2.2 dent		Pathway 2: For applicants who have a relevant Australian VET qualification or a current Australian occupational license (without restrictions)			
2	2.2.3	3	Documentary Evidence Assessment Outcome	11		
2.3	}	Tech	nical Skills Assessment			
2	2.3.1	L	Pathway 1: For applicants who do not have a relevant Australian VET qualification	13		
	2.3.2 dent		Pathway 2: For applicants who have a relevant Australian VET qualification or a current Australian occupational license (without restrictions)			
2	2.3.3	3	Technical Skills Assessment Outcome	13		
2.4	ļ	Skills	Assessment Outcome			
2	2.4.1	L	Pathway 1: For applicants who do not have a relevant Australian VET qualification	14		
	2.4.2 dent		Pathway 2: For applicants who have a relevant Australian VET qualification or a current Australian occupational license (without restrictions)	-		
2	2.4.3	3 .	Assessment Timeframes	14		
2.5	;	Revie	ew			
2	2.5.1	_	Review Fee Refunds	15		
2.6	;	Reas	sessment			
Sec	ction	3. Pr	ogram Administration	15		
3.1	•	TRA	Roles and Responsibilities			
3.2	2	RTO	Roles and Responsibilities			
3.3	}	Applicant Roles and Responsibilities				
3.4	ļ	Use o	of Agents or Representatives			

3.5	Privacy	17		
3.5.1	Privacy Information	17		
3.5.2	Collection	18		
3.5.3	Disclosure	18		
3.6	False or Misleading Information	18		
3.7	Relevant Legislation	19		
3.8	Complaints	19		
Sectio	n 4. Contact Details	19		
Sectio	Section 5. Glossary19			
Sectio	Section 6. Acronyms21			
Sectio	ection 7. Document Change History22			

Temporarily Skills Shortage Skills Assessment Program

Section 1. Program Information

1.1 Introduction to Trades Recognition Australia

Trades Recognition Australia (TRA) is a business unit located within the Australian Government Department of Employment and Workplace Relations. It is the relevant skills assessing authority for nominated occupations under the *Migration Regulations 1994*.

TRA skills assessments are intended to ensure that a successful applicant can perform at the required skill level for their nominated occupation. The skills assessments also provide an assurance to government and to the individual that their training and experience is relevant and appropriate for the Australian labour market.

TRA engages Registered Training Organisations (RTOs) to perform aspects of the skills assessment process on its behalf under certain programs. The skills assessments are for non-Australian passport holders who have gained trade skills overseas or in Australia for the purpose of migration and skills recognition.

TRA operates a number of different skills assessment services which are based on an applicant's occupation, evidenced employment experience, country of passport, where they studied and the type of visa they are seeking.

1.2 Program Objective

The objective of the Temporary Skills Shortage (TSS) Skills Assessment Program is to determine whether an applicant can work in Australia at the required skill level for the nominated occupation. This aims to ensure successful applicants can contribute immediately to Australia's skilled workforce.

A skills assessment through the TSS Program is for people who are applying for a TSS visa who work in a nominated occupation and who hold a passport from a nominated country or Special Administrative Region (SAR).

Diagram 1: Provides an overview of the alternative TSS Program Pathways



1.3 Applicant Guidelines

These Guidelines describe the TSS Program and outline the eligibility requirements required when applying for a skills assessment under this Program.

Before commencing an application:

- you must check with the Department of Home Affairs (Home Affairs) (www.homeaffairs.gov.au)
 that your visa pathway requires a skills assessment and that TRA is the correct assessing authority for your nominated occupation
- you must read the eligibility requirements for the TSS Program (refer to section 2 of these Guidelines).

If you do not understand any part of the eligibility requirements, please contact TRA at traenquiries@dewr.gov.au.

These Guidelines do not provide information on visas or points requirements for migration. All enquiries relating to visa and migration requirements must be directed to Home Affairs.

TRA reserves the right to amend these Guidelines as necessary. Information about changes will be documented in the Change History Table in Section 7 and posted as a news item on the <u>TRA website</u>.

1.4 How to Apply

To apply for the TSS Program you must engage with a TRA-approved RTO, register through the <u>TRA Online Portal</u> via the <u>TRA website</u> and make the first payment. You will be asked to create a username and password. Diagram 2 (below) provides an overview of the online application process.

NOTE: Do not apply for a skills assessment online if:

- × you do not have the required documentation, or
- × you are unable or unwilling to travel to an approved assessment venue, should you need to for your assessment
 - Applicants who are unable or unwilling to travel to an approved assessment venue, should they need to, within a nine-week timeframe will have their application withdrawn and any fees already paid will be forfeited.

Diagram 2: TSS Program Application Process



You may nominate a migration agent or representative to act on your behalf during the skills assessment process. To do this you need to complete the 'Agent or Representative' section of the online registration on the <u>TRA Online Portal</u>.

All applications must be 'decision ready' when submitted. This means that:

- ✓ all the mandatory fields in the TRA Online Portal have been completed
- ✓ all the required documents have been uploaded to the RTO
- ✓ the mandatory fee has been paid.

1.4.1 Choose an RTO

You are required to select a TRA-approved RTO to conduct your skills assessment. You can find a suitable RTO through the RTO Finder located on the TRA website by:

- selecting your nominated occupation from the list available
- choosing your TRA-approved RTOs from the list of RTOs
- selecting an RTO.

Once you have selected your RTO you will need to **contact them directly** to discuss both your eligibility and the overall requirements of the skills assessment process, including the expectations and evidence you will have to provide.

Fees for the TSS Program skills assessments are paid to TRA via the <u>TRA Online Portal</u>. However, you will first need to contact your chosen RTO to obtain a unique RTO Assessment Payment Identifier Code for the service you require e.g., documentary evidence assessment, technical assessment, etc.

1.4.2 Document Requirements

RTOs must be able to verify the content and validity of all documents you provide to support your application. Therefore, the following minimum quality control standards apply to documents submitted electronically. Please ensure you have full-colour scans of:

- passport identification page
- qualification/s
- evidence of skills and experience including, but not limited to, training documents, evidence of employment and employment statements
- copies of each document in original language accompanied by a copy of the English translation
- evidence of your payment (payment receipt from TRA).

RTOs can request that you present original documents for verification and will discuss these arrangements and any additional requirements with you.

1.4.3 Documents not in English

If your application documents are not in English, you must also provide an English translation of the documents.

Translating documents in Australia

Acceptable translations of documents in Australia can be obtained from translators accredited with the <u>National Accreditation Authority for Translators and Interpreters (NAATI) website</u>. Translations must include the translator's name, NAATI identification number and accreditation status.

Please check the translator's accreditation by either calling NAATI on +61 2 6260 3035 or asking to see the translator's letter or certificate of accreditation in the language you require.

Translating documents outside Australia

If you have documents that were translated outside Australia, the translator must be approved by the authorities in the country where the translation was made. If you are unsure of the process, contact your nearest Australian Embassy, High Commission or Consulate for advice.

Overseas translations must be on the organisations letterhead and include an official stamp. The translator's name (all in block letters), signature and contact telephone number must be legibly printed below the signature. This information is required so that the RTO can contact the translator, if necessary, to verify the translated documents.

1.5 Fees

Assessment Service	Fee (GST Excl) \$AUD
Documentary Evidence	\$1,120
Documentary Evidence - Review	\$700
Documentary Evidence - Reassessment	\$450
Technical Interview - Pathway 1	\$2,000
Technical Interview - Pathway 1 - Review	\$700
Technical Interview - Pathway 1 - Reassessment	\$1,000
Technical Interview - Pathway 2	\$900
Technical Interview - Pathway 2 - Review	\$700
Technical Interview - Pathway 2 - Reassessment	\$450
Practical Assessment	\$2,200
Practical Assessment - Review	\$700
Practical Assessment - Reassessment	\$1,100

The fees that TRA charges for skills assessments under its programs are specified in the legislative instrument made under sub regulation 5.40 (1) of the *Migration Regulations 1994* (see: Migration (Fees for assessment of qualifications and experience) Instrument (LIN 23/002) 2023).

The Fee schedules are subject to change. TRA will give reasonable notice of any proposed fee increases or decreases. Notices regarding proposed fee changes will be published on the TRA website and once changes are in effect, will also be published in the relevant program guidelines.

Payment must be made when you complete the online registration and may only be made using a Visa or MasterCard credit/debit card through the <u>TRA online portal</u>. All fees are payable in Australian dollars and instructions on how to pay are provided online when you apply.

After payment, a printable receipt will be displayed on your screen, and a copy will be sent to the email address nominated in your registration. Please retain the email receipt as evidence of payment.

1.5.1 Fee Refunds

Refunds will not be provided should your application be withdrawn after an assessment has commenced.

The circumstances in which TRA will refund a payment are detailed in the <u>TRA Payment and Refund</u> <u>Policy under Policy and Forms on the TRA website</u>.

Section. 2 Program Requirements and Processes

2.1 Eligibility

The nominated occupations, nominated countries and SARs for the TSS Program are listed on the <u>TSS</u> <u>Program page</u> on the TRA website.

Should you choose to travel to a nominated country for assessment, it is your responsibility to ensure the correct visa for that country is obtained prior to your travel to that country.

2.2 Documentary Evidence Assessment

The RTO will advise which documentation must be provided, but you must submit decision-ready documentary evidence of your identity, skills, and employment experience.

For Pathway 1 applicants this will include evidence of your skills and experience if you do not have a relevant Australian qualification.

For Pathway 2 applicants this will include evidence of your skills and experience, and your Australian Vocational Education and Training (VET) qualification or current identified Australian occupational license (without restrictions).

Evidence of part-time employment can be counted towards the employment requirement on a pro-rata basis.

The type of work undertaken must cover a broad range of skills in the nominated occupation. If the evidence indicates that you have the necessary skills and experience relevant to your nominated occupation, you will be invited to participate in a technical assessment with one of the RTO's assessors.

PATHWAY 1

2.2.1 Pathway 1: For applicants who do not have a relevant Australian VET qualification.

In addition to the work experience requirements above, you must demonstrate that you have completed full-time paid employment in your nominated occupation (or an occupation that is directly related to your nominated occupation) based on the following standards:

- Licensed Trade with no formal training six years' work experience
- Licensed Trade with formal training four years' work experience
- Non-licensed trade with no formal training five years' work experience
- Non-licensed trade with formal training three years' work experience

This must include 12 months full-time, paid employment in your nominated occupation in the three years prior to lodging the application.

PATHWAY 2

2.2.2 Pathway 2: For applicants who have a relevant Australian VET qualification or a current, identified Australian occupational license (without restrictions)

In addition to the work experience and documentation described at 2.2, the RTO will advise you which documentation must be provided. You must submit decision-ready documentary evidence of your identity, skills, and employment experience.

This will include an Australian VET qualification or current, identified, Australian occupational license. Refer below for further information.

Australian VET Qualification:

If you are applying with an Australian VET qualification you must demonstrate at least three years' full-time, paid employment in a directly related occupation.

This must include 12 months full-time, paid employment in your nominated occupation in the three years prior to lodging the application.

Note: If you are applying with an Australian VET qualification for the following licensed occupations, the 12 months full-time paid employment in your nominated occupation must be in Australia.

- Electrician (General)
- Electrician (Special Class)

Australian occupational license

If you are applying with a current identified Australian occupational license (not subject to restrictions) for the following licensed occupations, you will need to demonstrate at least three years full-time, paid employment in this licensed occupation. This must include 12 months full-time paid employment in your nominated licensed occupation in Australia or New Zealand:

- Electrician (General)
- Electrician (Special Class)

For holders of a current, identified Australian occupational license (with no restrictions) who require a skills assessment outcome for migration purposes, you will need to undertake a Pathway 2 assessment through an RTO.

However, a successful Pathway 2 assessment does not result in the award of a Certificate III.

If you wish to be assessed for a Certificate III Australian VET qualification, you should approach an RTO for a Recognition of Prior Learning (RPL) assessment. RTO details are available on www.training.gov.au.

2.2.3 Documentary Evidence Assessment Outcome

If the documentary evidence provided indicates you have the necessary skills and experience relevant to your nominated occupation, you will be invited to participate in a technical assessment with one of the RTO's assessors.

If the documentary evidence does not sufficiently demonstrate skills and experience relevant to your nominated occupation, the RTO will forward a recommendation to TRA that you be found unsuccessful. Following TRA's review of the RTO recommendation, the RTO will notify you of the outcome. If you have an unsuccessful outcome confirmed, the RTO will advise you of any identified skill gaps and options for reassessment or review.

2.3 Technical Skills Assessment

If you are found to be successful at the documentary evidence assessment stage, you will be required to participate in a technical assessment of your skills and knowledge, conducted by a qualified assessor who will also be a qualified tradesperson in your nominated occupation.

The assessor will focus on collecting evidence to determine if you are capable of undertaking the full range of tasks expected of a tradesperson in Australia for your nominated occupation.

This will involve a technical interview of skills and gathering evidence from nominated employers or other referees, which may include documentary, oral, pictorial and/or video evidence.

Before you apply for the Technical Skills Assessment, you are advised to speak directly with your nominated TRA-approved RTO about their technical assessment methods - including the venue locations to which you may have to travel. For the technical interview components, if the TRA-approved RTO deems it appropriate, the technical interview can be done online with an invigilator.

In order for a technical interview to be held with an applicant attending online, applicants must meet the minimum requirements, detailed below:

- All online technical interviews must be conducted either on a laptop, notebook or desktop computer (smartphones and tablets will not be accepted) connected to a stable internet connection.
- The internet connection must deliver a minimum of 10 Mbps download and 5 Mbps upload speed
- All technical assessments will be conducted in English without assistance. Interpreters are not permitted.

If an online technical interview fails (e.g., due to an unstable internet connection), then the applicant must attend an approved assessment venue **in person** to continue their technical interview and any other remaining components of the technical skills assessment, noting this may not be in the same country where the applicant lives. If the applicant refuses to comply with the request to attend an approved assessment venue, their application will be withdrawn by TRA and the technical interview payment will be forfeited.

The RTO will discuss the assessment requirements with you before conducting the assessment and you will need to agree that you can meet these requirements before you make a payment.

Before you can start your technical skills assessment, you must make a payment for the technical interview through the <u>TRA Online Portal</u>. Your RTO will issue you with a payment identification code that you can use to make the payment. You will be able to log into the <u>TRA Online Portal</u> using the username and password you created when making the documentary evidence assessment.

PATHWAY 1

2.3.1 Pathway 1: For applicants who do not have a relevant Australian VET qualification

The assessor will focus on collecting evidence to determine if you meet the requirements of the relevant VET qualification in the Australian Training Package for your nominated occupation. This will involve a technical interview and may involve a practical demonstration of skills and gathering evidence from any nominated employers or other referees.

If you are applying for one of the licensed occupations of Electrician (General) or Electrician (Special Class), a practical demonstration of your skills is compulsory (referred to as a 'practical assessment').

PATHWAY 2

2.3.2 Pathway 2: For applicants who have a relevant Australian VET qualification or a current, identified Australian occupational license (without restrictions)

The assessor will focus on collecting evidence to determine your capability of undertaking the full range of tasks expected of a tradesperson in Australia for your nominated occupation.

This will involve a technical interview of skills and gathering evidence from nominated employers or other referees.

2.3.3 Technical Skills Assessment Outcome

Once your technical assessment is complete, the RTO will forward either a successful or unsuccessful recommendation to TRA to make the final decision. Following TRA's final decision on the RTO recommendation, the RTO will notify you of your outcome and issue you with the final documentation.

You will have met the standards set by TRA under the TSS Program if:

- all evidence you have provided can be verified by the RTO as meeting the requirements for a successful skills assessment
- you successfully met the requirements of the technical assessment
- TRA agrees with the RTO's recommendation for a successful outcome.

2.4 Skills Assessment Outcome

PATHWAY 1

2.4.1 Pathway 1: For applicants who do not have a relevant Australian VET qualification

Successful applicants in the non-licensed occupations will be awarded the relevant Australian VET qualification.

Successful applicants in the licensed occupations will be issued with an Offshore Technical Skills Record (OTSR). The OTSR is sufficient evidence to apply for a provisional licence with Australian state and territory licensing authorities.

For OTSR holders who wish to progress to a current, identified Australian occupational licence, and be awarded the relevant Australian VET qualification, Australian context gap training and a period of supervised employment will be required. The gap training covers Australian-specific knowledge such as workplace health and safety regulations, codes of practice and other Australian Standards. For further information refer to the <u>Licensing page</u> on the <u>TRA website</u>.

If successful, you will receive an outcome letter which can be presented to Home Affairs with your visa application.

If unsuccessful, the RTO will provide you with the outcome documentation, including information about any identified skill gaps.

PATHWAY 2

2.4.2 Pathway 2: For applicants who have a relevant Australian VET qualification or a current, identified Australian occupational license (without restrictions)

If successful, you will receive a skilled migration outcome letter which can be presented to Home Affairs with your visa application.

If unsuccessful, the RTO will provide you with the outcome documentation, including information about any identified skill gaps.

2.4.3 Assessment Timeframes

The RTO can advise how long the assessment process will take. Typically, an assessment will be completed within nine weeks from the date of submitting the required 'decision-ready' documentary evidence.

If an assessment is delayed because you have not provided the necessary documentation and subsequently do not provide it within five business days of being asked, the application shall be assessed without the documentation, or withdrawn.

Your application should not be submitted unless you are ready to complete the entire process. Assessments are unable to be paused once they commence, without an exceptional reason.

2.5 Review

If you disagree with an assessment outcome, you may lodge an application (including additional evidence) for an assessment review with the RTO that conducted your skills assessment within 7 (seven) business days of receiving the outcome letter. To start the review process, you must first pay the review fee to TRA via the TRA Online Portal using your existing username and password.

2.5.1 Review Fee Refunds

An applicant is eligible for a refund of the review fee when an assessment outcome is overturned based solely on the evidence provided in the original application.

An applicant is not eligible for a refund of the review fee where the assessment outcome is overturned based on any additional evidence provided.

2.6 Reassessment

If your original skills assessment identified skills gaps and you have since undertaken training and/or additional employment to address the gaps, you may lodge an application for a reassessment with the RTO that conducted your skills assessment. Reassessment applications must be lodged within 12 months of receiving the original skills assessment outcome letter. To start the reassessment process, you must first pay the reassessment fee to TRA via the <u>TRA Online Portal</u> using your existing username and password. Please note that eligibility extends to only one reassessment per assessment stage.

Section 3. Program Administration

3.1 TRA Roles and Responsibilities

TRA is responsible for:

- considering the RTO recommendation and making the final decision on an applicant's skills assessment outcome
- ensuring the objectives of the Program are met
- Providing up-to-date information about Program processes and procedures
- contract management and monitoring of RTOs
- responding to enquiries about the Program
- developing TRA operational Program policy and advice
- accepting Program payments
- developing and maintaining an appropriate IT system to support the Program
- liaising with Home Affairs and relevant stakeholders regarding the Program
- responding to complaints that cannot otherwise be dealt with by the RTOs
- managing Program evaluations
- undertaking compliance and investigative measures as required.

3.2 RTO Roles and Responsibilities

The roles and responsibilities of TRA-approved RTOs delivering the assessment services include (but are not limited to):

- meeting their obligations under the VET Quality Framework
- confirming an applicant's identity throughout the assessment process e.g. initially at the documentary evidence assessment stage, again at the Technical Assessment phase
- assessing the evidence an applicant provides in accordance with the RTO's documented processes and procedures
- ensuring applicants provide all required documentation and pay all assessment fees
 - Where an applicant fails to provide required documentation or pay a fee within a reasonable timeframe, the nominated RTO will either complete the assessment without documentation or recommend to TRA that the application be withdrawn.
- scheduling skills assessments within two business days of a payment being made
- determining if an online technical interview and the proposed location of the applicant is appropriate
- managing non-attendance for assessment
 - If an applicant does not attend a pre-organised assessment without providing reasonable notice in advance, and do not have an unavoidable reason for missing the assessment meeting, the nominated RTO will recommend to TRA that the application be assessed as unsuccessful
- making a recommendation to TRA about each applicant's outcome
- notifying the applicant of the skills assessment outcome including issuing the appropriate documentation
- liaising directly with the applicant in response to enquiries, acknowledging applications received, managing the assessment and review processes, and complaint handling
- meeting at least twice annually with an RTO-Advisory Group (if required), consisting of the RTO, regulator, employer and employee group, and skills services organisations (SSOs) representatives, to confer on the skills assessment process, quality assurance, industry changes and integrity matters (if applicable).

3.3 Applicant Roles and Responsibilities

As an applicant to the TSS Program you must:

- only apply if you are able and willing to travel to an approved assessment venue within the nine-week timeframe should you need to
- ensure all documentary evidence submitted to the RTO is complete and decision ready, and where additional documents are required, these are provided within five business days
- accurately and honestly complete the required skills assessment application and declaration forms issued by the RTO conducting the skills assessment
- provide authentic and current documentary evidence to the RTO to enable the skills assessment to be conducted
- actively participate in the skills assessment process as advised by the RTO
 - If you do not attend a pre-organised assessment without providing reasonable notice in advance, and do not have an unavoidable reason for missing the assessment meeting, the nominated RTO will recommend to TRA that the application be assessed as unsuccessful.

- pay all skills assessment fees to TRA
 - If an applicant fails to pay a fee within five business days, the nominated RTO will recommend to TRA that the application be withdrawn from the assessment process.
 Previously paid fees will not be refunded.
- lodge, or intend to lodge, an application with Home Affairs for a skilled migration visa (excluding subclass 485 visa).

3.4 Use of Agents or Representatives

TRA will not correspond with, or speak to, another person on your behalf about your assessment without your written approval.

You may nominate a migration agent or representative to act on your behalf during the skills assessment process. You do this by completing the 'Agent or Representative' section of the <u>TRA Online</u> <u>Portal</u>.

A *Nomination of a Migration Agent or Representative Form* must be completed and submitted to TRA if you change a migration agent or representative. Information provided on the form will replace any previous migration agent or representative details held on your TRA file. This form is located under <u>Forms & Policy on the TRA website</u>. You can email the completed form to <u>traenquiries@dewr.gov.au</u>.

For more information about the use of migration agents in Australia, visit the Home Affairs website.

3.5 Privacy

The collection, use and disclosure of personal information by TRA is subject to the *Privacy Act 1988* (Privacy Act). Schedule 1 of the Privacy Act contains the Australian Privacy Principles (APPs), which prescribe the rules for handling personal information.

The Privacy Act defines 'personal information' as:

'information or an opinion about an identified individual, or an individual who is reasonably identifiable:

- (a) whether the information or opinion is true or not; and
- (b) whether the information or opinion is recorded in a material form or not'.

3.5.1 Privacy Information

Under the APPs, the Department is required to have a clearly expressed and up-to-date policy about the way the Department manages personal information. This policy contains information about how you may access the personal information the Department holds about you, and how you may correct any inaccuracies in that information. We will correct your personal information if it is inaccurate (subject to restrictions on such access/alteration of records under the applicable provisions of any law of the Commonwealth).

This policy also includes information as to how you may make a complaint about a possible breach of the APPs, and how the Department will respond to such a complaint.

A copy of the Department's privacy policy is available on the **Department's Privacy website**.

More information about the Privacy Act, including a copy of the full text of the APPs, can be obtained from the Office of the Australian Information Commissioner's website.

3.5.2 Collection

TRA collects personal information from you for the purposes of:

- processing and assessing your application for a skills assessment or review, under any of the TRA programs, as the relevant assessing authority for skilled occupations as specified in the Instruments made under the Migration Regulations 1994
- confirming authorisation by an applicant of his or her representative or migration agent, and to provide details to that representative or migration agent
- allowing you to make payment of fees to TRA so you can lodge an application
- allowing TRA to confirm payment and process refunds, as applicable
- conducting investigations and ensuring compliance with relevant laws, Awards or Standards
- ensuring compliance with the <u>Commonwealth Fraud and Corruption Control Framework (2024)</u>
 through the investigation of fraud and corruption, including the implementation of fraud and corruption prevention strategies.

3.5.3 Disclosure

TRA may give some or all of the information it collects from you or third parties to Home Affairs, the Administrative Review Tribunal, the Australian Federal Police, your employer/s, your supervisor/s, your nominated agent or representative, the organisations that issued your qualifications, TRA-approved RTOs, agencies providing advice to TRA on qualifications, the Australian Skills Quality Authority, the Reserve Bank of Australia, contractors, the Fair Work Ombudsman and other Australian and state/territory government agencies.

TRA may disclose your personal information to these entities for the reasons listed above in the collection section.

Personal information collected by TRA will not be disclosed to any other third party without your consent, except where authorised or required by law.

3.6 False or Misleading Information

You are responsible for ensuring the accuracy and validity of all information provided to TRA.

TRA will take reasonable steps to verify the validity of all information supplied throughout the OSAP skills assessment. However, if at a later date TRA believes that information previously supplied for an application with a successful outcome may be false or misleading, TRA may undertake a further investigation and/or write to you notifying you of TRA's intention to revoke the outcome and seeking your comment. TRA may also invite you to undergo a reassessment of your evidence, experience, and skills. No fees will be charged for a reassessment of this type.

If you do not participate in a reassessment or respond to TRA's notice, TRA may conclude that the information previously supplied is false or misleading, and that in reliance on that information TRA has incorrectly assessed an application as successful. If so, TRA may write to you to advise the assessment is no longer considered successful and advise Home Affairs accordingly.

If TRA decides to revoke your assessment in these circumstances, you will not be eligible to a right of review under clause 2.5 of these Guidelines.

If you participate in a reassessment and disagree with the outcome, you will be eligible to a right of

review under clause 2.5 of these Guidelines.

Where TRA considers false or misleading information has been provided to it in support of an application, TRA may also refer these instances to the appropriate authorities for investigation.

Note: Penalties may apply under the *Crimes Act 1914* and the *Criminal Code Act 1995* for making false or misleading statements and providing false or misleading information or documents.

3.7 Relevant Legislation

TRA is the designated relevant assessing authority for a range of trade and associate professional occupations under the <u>Migration Regulations 1994</u>.

Under <u>Sub regulation 2.26B (2) of the Migration Regulations 1994</u>, TRA sets the standards against which a person's skills are assessed.

3.8 Complaints

Complaints about breaches of privacy should be referred to:

Privacy Officer
Legal Services
Department of Employment and Workplace Relations
GPO Box 9880
CANBERRA ACT 2601
AUSTRALIA

Email: privacy@dewr.gov.au

Section 4. Contact Details

Enquiries traenquiries@dewr.gov.au

Website <u>www.tradesrecognitionaustralia.gov.au</u>

Section 5. Glossary

Term used in Guidelines	Definition
Applicant	A person who submits an application to the TSS Program
Australian Training Package	A set of nationally endorsed Standards and qualifications developed by industry to ensure quality training outcomes to meet current and emerging vocational skill needs
Current, identified Australian occupational license	The registration, certificate or other form of authorisation required under law to perform work that has been issued by the appropriate Australian licensing authority and is relevant to the nominated occupation
Decision ready	All documents requested by the TRA-approved RTO are provided when an application is lodged and conform to the format requested. Employment statements conform to the requirements set out in Section 3.3.

Term used in Guidelines	Definition	
Department of Employment and Workplace Relations	The Department of Employment and Workplace Relations contributes to Australia's economic prosperity and social wellbeing by enabling access to quality skills, training and employment to support Australians find secure work in fair, productive and safe workplaces	
Department of Home Affairs	Home Affairs has responsibility for administering the <i>Migration Act</i> 1958 and associated Regulations.	
	Home Affairs works in conjunction with the Department of Employment and Workplace Relations to deliver skilled trades/technical people and professionals to Australia through the skilled migration program.	
Licensed occupations	The occupations of Electrician (General) and Electrician (Special Class)	
Migration agent	In Australia, people who want to provide immigration assistance must be registered with the Office of the Migration Agents Registration Authority.	
	A registered migration agent can use their knowledge of Australia's migration procedures to offer advice or assistance to a person wishing to obtain a visa to enter or remain in Australia. They can also assist people who are nominating or sponsoring prospective visa applicants.	
Countries/Special Administrative Regions (SARs) and regions	One of the countries/SARs and/or regions listed on the Offshore Skills Assessment Program (OSAR) page on the TRA website.	
Nominated occupation	An applicants nominated occupation as provided in the application for a skills assessment	
	One of the occupations on the OSAP Program page on the TRA website.	
Offshore Technical Skills Record (OTSR)	The document that is issued when an applicant in a licensed occupation has been found to have partially met the technical competencies to be awarded a Certificate III Australian VET qualification. An OTSR holder can apply for a provisional license to work in their occupation in Australia.	
	To be awarded the VET qualification for a licensed occupation, the OTSR holder must complete Australian context gap training and a period of supervised employment in Australia in their nominated occupation.	
RTO Assessment Payment Identifier Code	A unique code provided to each applicant by their chosen RTO to enable them to select the correct payment in the TRA Online Portal	
Reassessment	A request to re-examine whether an applicant has addressed skill gaps identified in their original skills assessment	
Review	A request to re-examine an application when the applicant does not agree with an unsuccessful assessment outcome	
Skills assessment	The process of collecting evidence and making judgments on whether an individual can work to the standard expected in an Australian	

Term used in Guidelines	Definition
	workplace
Special Administrative Region (SAR)	One of the SARs listed on the <u>TSS Program page</u> on the TRA website
Temporary Skill Shortage visa	A visa for skilled workers from outside Australia who have been sponsored and nominated by a business to work in Australia on a temporary basis. More information can be found at the Home Affairs website .
Trades Recognition Australia (TRA)	The assessing authority that provides skills assessment services for people with trade skills gained overseas and in Australia for the purpose of migration and skills recognition
TRA-approved Registered Training Organisation (RTO)	An RTO approved by TRA to assist with the delivery of skills assessments for the TSS Program. They also issue nationally recognised qualifications in accordance with the VET Quality Framework.
Vocational Education Training (VET) qualification	A certificate, relating to an Australian VET course, given to a person confirming they have achieved learning outcomes and competencies that satisfy the requirements of a qualification

Section 6. Acronyms

Acronym	Meaning	
APPs	Australian Privacy Principles	
NAATI	National Accreditation Authority for Translators and Interpreters	
OSAP	Offshore Skills Assessment Program	
OTSR	Offshore Technical Skills Record	
RPL	Recognition of Prior Learning	
RTO	Registered Training Organisation	
SAR	Special Administrative Region	
SSOs	Skills Services Organisations	
TRA	Trades Recognition Australia	
TSS	Temporary Skills Shortage	
VET	Vocational Education and Training	

Section 7. Document Change History

Version	Date published	Summary of change	Authorised by
1.0	March 2019	TRA	Dr Richard Chadwick
			Branch Manager
			Tuition Assurance Taskforce
			and Trades Recognition
			Australia
2.0	May 2021	Changes reflect the new TRA	Jane Hayden
		Assessment Review Policy	Assistant Secretary
			Trades Recognition Australia
3.0	July 2021	Changes reflect the new TRA Online	Jane Hayden
		Portal URL	Assistant Secretary
			Trades Recognition Australia
4.0	November 2021	Changes to reflect the additional	Jane Hayden
		employment requirement for	Assistant Secretary
		licenced trades.	Trades Recognition Australia
5.0	July 2022	Updates to reflect the recent Government changes including department name and brand changes as TRA transitions to the new Department of Employment and Workplace Relations.	Michael Peterson A/g Director Trades Recognition Australia
6.0	November 2022	Updated to include additional obligations for RTOs and Applicants	Jane Hayden Assistant Secretary Trades Recognition Australia
7.0	April 2023	Updated to reflect new fees and minor clarifications of the Program Requirements and Processes, and mandatory reassessment conditions.	Jennifer Roberts Director Migration Skills Assessments
10.0	September 2023	Updated to reflect mandatory reassessment requirements and availability of online technical assessments until 30 June 2024.	Jennifer Roberts Director Migration Skills Assessments
11.0	April 2024	Updated to reflect Commonwealth Fraud Control Framework (2017)	Jennifer Roberts Director Migration Skills Assessments
12.0	May 2024	Minor update to Legislative Instrument for fees.	Michael Peterson A/g Director Migration Skills Assessments
13.0	July 2024	Updated to reflect the Commonwealth Fraud and Corruption Control Framework (2024).	Michael Peterson A/g Director Migration Skills Assessments

V	ersion	Date published	Summary of change	Authorised by
14	4.0	January 2025	Update to reflect recent name change of Tribunal to Administrative Review Tribunal.	Michael Peterson A/g Director Trades Recognition Australia