



26 July 2024

Committee Secretary  
Senate Legal and Constitutional Affairs Committee  
PO Box 6100  
Parliament House  
Canberra ACT 2600

**Migration Amendment (Strengthening Sponsorship and Nomination Processes)  
Bill 2024 [Provisions]**

To whom it may concern,

Clubs Australia appreciates the opportunity to provide a submission to the Migration Amendment (Strengthening Sponsorship and Nomination Processes) Bill 2024 [Provisions]. Our submission is attached.

Clubs Australia represents over 5,000 clubs across Australia that employ more than 140,000 people. Clubs are not-for-profit, member-owned organisations whose central activity is to provide sporting and recreation infrastructure to their members and the wider community.

The use of the migration system for clubs in Australia is critical to ensuring their ongoing operations. In a recent survey of Clubs Australia members, 96 per cent of respondents indicated that they had relied on skilled migrant labour in their clubs and 100 per cent of respondents agreed that with the ongoing skills shortage they would continue to do so.

Yours sincerely,

Deputy Executive Director  
Clubs Australia



### ***Skills in Demand Visa***

Clubs Australia supports amendments to the Migration Act 1958 to provide the legislative framework for the new temporary visa, the Skills in Demand visa.

Clubs across Australia rely on temporary visas to fill skilled positions, particularly for chefs and cooks, and it is intended that clubs will utilise the Core Skills pathway under the Skills in Demand Visa. This pathway will be underpinned by the core skills occupation list (CSOL), which Jobs and Skills Australia are currently consulting and developing.

Of the member clubs that responded to the Clubs Australia survey, over 96 per cent of clubs advised they had experienced a shortage of chefs and cooks over the last two years. Clubs also provided evidence that they cannot get trade-qualified chefs from anywhere within Australia. It is pivotal that the CSOL provide access to the skilled positions of chefs and cooks for clubs through the new Skills in Demand Visa.

**Clubs Australia supports the amendments to the Migration Act to provide the legislative framework for the Skills in Demand Visa**

### ***Labour Market Testing Validity***

The prolonged time to fill a job through migration is compounded by the requirement to complete labour market testing (LMT). LMT causes unnecessary delays in recruitment in genuine areas of a skills shortage that have already been identified by Jobs and Skills Australia (JSA) and is not fit for purpose.

Clubs Australia supports amendments in the Migration Act to increase the LMT validity period from 4 to 6 months and removing the requirement to advertise positions through Workforce Australia. However, it will be crucial that the Government follow through on its commitment to consider moving away from employer-conducted labour market testing as articulated in the Migration Strategy.

**Clubs Australia supports the initial amendments to the Migration Act relating to LMT testing however notes the importance of the Government continuing to consider removing employer-conducted LMT.**



### *Income Threshold Requirements for Skilled Workers*

Clubs Australia supports that the migration system provides clarity and predictability for migrants and employers, including through fair remuneration to support themselves and their families in Australia. Clubs Australia noted that the Migration Strategy recommended legislating income threshold requirements and annual indexation.

Under the *Registered and Licensed Club Award 2020* (the Award), only a Level 13 position (Level G manager) has a minimum annual salary of \$74,085. No other minimum annual salary under the Award is above the proposed Core Skills Income Threshold of \$73,150, which means that there will be Australian chefs or cooks who are being paid less.

As set out in Clubs Australia's previous submissions on migration, clubs have expressed concerns about their ability to consider the utilisation or continue to be able to afford to employ migrant workers, particularly for regional and smaller clubs. It is important that the Government continue to consider this after the amendment to the Migration Act to legislate income threshold requirements for skilled workers.