



Australian Government

Department of Immigration
and Citizenship

Nomination for a long stay activity position

Form
1401N

About this form

Important – Please read this information carefully before you complete the application. Once you have completed the application we strongly advise that you keep a copy for your records.

All relevant questions on this form should be answered and any requested information attached. The Department of Immigration and Citizenship (the department) may decide your application on the basis of the information provided on your application.

All forms are available from the department's website www.immi.gov.au/allforms/

Purpose of the nomination

Nomination is an important part of the sponsorship framework as it provides the link between the sponsor and the nominated person. It is the means by which the sponsor seeks to 'match' the visa applicant to the position or activity to be undertaken in Australia.

The nomination identifies the:

- nominated person and any accompanying family members;
- stream under which the nominated person will be applying (ie. exchange, sport or religious worker);
- work or activity to be undertaken by the nominated person in Australia and the location(s) where this will be carried out;
- skills, experience and background of the nominated person and how they relate to the position or activity; and
- proposed employer(s) in Australia of the nominated person including their location and contact details – please note that if you are not the proposed employer you will need to indicate in your application the relationship between you (as the sponsor) and the proposed employer.

Who should use this form

This form is to be used by organisations, government agencies or foreign government agencies to nominate a person to participate in a staff exchange arrangement, sporting activity (excluding training) or to undertake religious work in Australia.

To nominate an applicant for a Temporary Work (Long Stay Activity) (subclass 401) visa the organisation proposing to sponsor the applicant must be approved as a long stay activity sponsor or have lodged a sponsorship application that has not yet been decided.

Otherwise the organisation may be an approved:

- exchange sponsor;
- sport sponsor;
- religious worker sponsor; or

have lodged a sponsorship application for one of these sponsor classes before 24 November 2012 that has not yet been decided.

Nomination arrangements NOT covered by this form

To nominate a person:

- for long stay temporary business employment in Australia (subclass 457), complete form 1196N *Nominating overseas employees to work temporarily in Australia*.
- to work in the entertainment industry, complete form 1420N *Nomination for an entertainment position*.
- to undertake a training position, complete form 1402N *Nomination for an occupational trainee position*.
- who is a holder of an Exchange (subclass 411) visa, Sport (subclass 421) visa or Religious Worker (subclass 428) visa, complete form 1378 *Nomination for a temporary position*.

Forms 1196N, 1420N, 1402N and 1378 are available from the department's website www.immi.gov.au/allforms/

Nomination streams

Exchange stream

Nominated by a long stay activity sponsor who has a staff exchange agreement in place or an exchange sponsor.

Nominating a person subject to a staff exchange arrangement

The nomination should outline or confirm the following:

- a staff exchange agreement is in place between you and an overseas organisation;
- the proposed position is a skilled occupation;
- the Australian resident who is party to the exchange will have the same position as currently held, or an equivalent position available on the completion of the exchange;
- the experience and qualifications required to undertake the duties of the nominated position; and
- details of the nominated person, and that their experience and qualifications are suitable to perform the duties of the nominated position.

Sport stream

Nominated by a long stay activity sponsor who promotes sport or a sport sponsor.

Nomination requirements are different depending on the employment or activity the nominated person will be undertaking in Australia.

The nomination should outline or confirm the following:

- the experience and qualifications required to undertake the duties of the nominated position; and
- details of the nominated person, and that their experience and qualifications are suitable to perform the duties of the nominated position.

Other information to be provided is different depending on the type of position or activity.

Nominating a competitor in a sporting event

- letter of invitation to participate in the event; and
- evidence of registration in the event to show that the nominated person's entry to the event has been accepted by the event organiser.

Nominating support staff for a competitor in a sporting event

- contractual agreement between the nominated person and the competitor or team.

Nominating a contracted player/coach/instructor

- contract between the employer and the nominated person; and
- letter of endorsement from the relevant Australian national sporting body.

Nominating a judge or adjudicator

Copy of the written invitation or request to engage the nominated person, identifying the events and nominated person's role in the events.

Religious worker stream

Nominated by a long stay activity sponsor who is a religious institution or a religious worker sponsor.

Nominating a religious worker

The nomination should outline or confirm the following:

- the duties and the number of hours per week for each duty;
- details of how the position specifically requires a religious worker and not merely a religious adherent undertaking the duties;
- details about how the duties directly serve the religious institution's religious objectives; and
- details of the nominated person, and that their experience and qualifications are suitable to perform the duties of the nominated position.

Nominating a current subclass 401 visa holder

If you are an approved sponsor and wish to nominate a subclass 401 visa holder, you only need to make a nomination. The person you are nominating will not need to apply for a new visa unless their current visa is about to expire.

You are encouraged to discuss the application with the person you are proposing to sponsor prior to lodgement.

You are also encouraged to keep the nominated person informed of the progress of the application.

Salary or wages

The salary or wages payable to the nominated person in relation to the proposed work are required to be in accordance with Australian employment conditions and awards.

If there is no award, and it is not a volunteer position, the nominated person is to receive at least the Australian minimum wage.

Unpaid work or volunteer position

A nomination for an unpaid position can only be approved where the work or activity to be undertaken would not attract a salary or wage if undertaken by an Australian citizen or Australian permanent resident.

If the nomination relates to a volunteer position the nominated person will receive no remuneration for doing the work or activity other than:

- reimbursement for reasonable expenses incurred by the person in doing the work; and/or
- prize money.

ANZSCO Dictionary

The ANZSCO Dictionary is the Australian and New Zealand Standard Classification of Occupations, as published by the Australian Bureau of Statistics. For more information see www.abs.gov.au

Occupation Code

An Occupation Code is the code used to identify the occupation as defined by the ANZSCO Dictionary or the code used to identify the occupation. For more information see www.abs.gov.au

Who should be included in this nomination?

Nominated primary person

The person you consent to sponsor to work or undertake an activity in a nominated position in Australia.

Secondary person (family members)

- *Partner*
'Partner' means the spouse or de facto partner (including same-sex partner) of the primary person.
- *Dependent child (under 18 years of age)*
A dependent child is the child or step-child of the primary person or their partner where the primary person or their partner has legal responsibility for the child.
- *Dependent child (aged 18 years and over) and other relatives*
Dependent children aged 18 years and over, and other relatives of the primary person or their partner may be considered in the nomination if:
 - they are not currently married, engaged to be married or in a de facto relationship;
 - they are usually resident in the primary person's household;
 - they rely on the primary person for financial support for their basic needs;
 - the primary person has supported them for a substantial period;
 - they rely on the primary person more than any other person or source; and
 - they rely on the primary person as they are incapacitated for work.

All family members who intend to accompany the primary person in Australia must be included in the nomination at Part F.

Family members joining a sponsored primary person in Australia

Family members not listed in this nomination who wish to join the primary person in Australia at a later date are required to provide a letter confirming that you will accept responsibility for them. As the sponsor, you will need to provide this letter to the family member(s) to lodge with their visa application.

Sponsor obligations

The obligations apply to long stay activity sponsors, exchange sponsors, sport sponsors and religious worker sponsors who wish to nominate a person applying for a Temporary Work (Long Stay Activity) (subclass 401) visa.

Obligation to cooperate with inspectors

The sponsor must cooperate with inspectors appointed under the *Migration Act 1958* in determining whether:

- a sponsorship obligation is being, or has been, complied with; or
- circumstances, in which the department may take administrative action, exist or have existed.

This obligation starts to apply on the day the sponsorship is approved.

This obligation ends 5 years after the day on which the approved sponsorship ceases.

For more information see *Other reasons why administrative action may be taken* on page 4.

Obligation to keep records

The sponsor must keep records of their compliance with the obligations. All records must be reproducible and some must be capable of verification by an independent person. For a complete list of the records that must be kept, including the manner in which the records should be kept, see

www.immi.gov.au/skilled/sponsor-obligations-list.htm

This obligation starts to apply on the day the sponsorship is approved.

This obligation ends 2 years after the concurrence of the following 2 events:

- the approved sponsorship ceases; and
- there are no sponsored persons in relation to the sponsorship.

However, no records need be kept for more than 5 years under this obligation.

Obligation to provide records and information

The sponsor must provide records or information relating to the administration of sponsorship requested by written notice if the sponsor is required to keep the records or information:

- under a law of the Commonwealth or a state or territory; or
- the obligation to keep records.

The records and information must be provided in the manner, and within the timeframe, requested in the written notice.

This obligation starts to apply on the day the sponsorship is approved.

This obligation ends 2 years after the concurrence of the following 2 events:

- the approved sponsorship ceases; and
- there are no sponsored persons in relation to the sponsorship.

Obligation to provide information to the department when certain events occur

The sponsor must provide certain information to the department when certain events occur. This information must be provided by registered post or e-mail, to a specified address and within 10 working days of the event occurring.

For a complete list of the information and events see www.immi.gov.au/skilled/sponsor-obligations-list.htm

This obligation starts to apply on the day the sponsorship is approved.

This obligation ends on the day after the concurrence of the following 2 events:

- the approved sponsorship ceases; and
- there are no sponsored persons in relation to the sponsorship.

Obligation not to recover certain costs from a sponsored person

The sponsor must not recover, or seek to recover, from the sponsored person, all or part of the costs (including migration agent costs):

- in relation to the recruitment of the primary sponsored person; or
- in association with becoming or being a sponsor or former approved sponsor.

In addition to the above, if the sponsored person holds, or last held a subclass 401 visa in the religious worker stream, or the secondary person of that sponsored person holds, or last held a subclass 401 visa, the sponsor must not recover, or seek to recover, from the sponsored person, expenditure by the sponsor in relation to financial support of the sponsored person in Australia.

This obligation starts to apply on the day the sponsorship is approved.

This obligation ends on concurrence of the following 2 events:

- the approved sponsorship ceases; and
- there are no sponsored persons in relation to the sponsorship.

Obligation to pay costs incurred by the Commonwealth to locate and remove an unlawful non-citizen

The sponsor must pay costs incurred by the Commonwealth in locating and/or removing a sponsored person from Australia, if requested by written notice. The sponsor is liable to pay the Commonwealth the difference between the actual costs incurred by the Commonwealth (up to a maximum of AUD10,000) and any amount already paid under the *Obligation to pay travel costs to enable sponsored persons to leave Australia* (see page 4).

This obligation starts to apply on the day on which the sponsored person becomes an unlawful non-citizen.

This obligation ends 5 years after the sponsored person leaves Australia. However, the sponsor is only liable for costs up to the time the sponsored person leaves Australia.

Obligation to ensure the primary sponsored person works or participates in the nominated occupation, program or activity

The sponsor must ensure that the primary sponsored person works or participates in the nominated occupation, program or activity. If a sponsor wants to employ or engage a primary sponsored person in a different occupation, program or activity, the sponsor must lodge a new nomination in respect of that occupation, program or activity for the primary sponsored person.

This obligation starts to apply on the day on which the primary sponsored person is granted a visa, unless he or she already holds a visa in which case the obligation starts to apply on the day the sponsor's nomination for the primary sponsored person is approved.

This obligation ends on the day (whichever is the earliest):

- on which a nomination by another sponsor in relation to the primary sponsored person is approved;
- on which the primary sponsored person is granted a substantive visa of a different subclass to the one they last held (if the primary sponsored person is granted another substantive visa of the same type they last held in order to continue to work for the sponsor, the obligation continues); or
- the person has left Australia and the relevant visa (and any subsequent bridging visa) is no longer in effect.

Obligation to secure an offer of a reasonable standard of accommodation – *this obligation applies to a long stay activity sponsor, sport sponsor or religious worker sponsor, when the sponsored person holds a Temporary Work (Long Stay Activity) (subclass 401) visa in the sport stream or in the religious worker stream.*

Where the primary sponsored person is not receiving a salary or wages, the sponsor must secure an offer of a reasonable standard of accommodation for the sponsored persons while they are in Australia. For a guide to what is 'a reasonable standard' see www.immi.gov.au/skilled/sponsor-obligations-list.htm

This obligation starts to apply:

- if the sponsored person holds a subclass 401 visa granted in the sport stream or religious worker stream in relation to a 'volunteer position' and any secondary person of that sponsored person – on the day on which a nomination by the sponsor of an occupation or activity for the primary sponsored person is approved; or
- if the sponsored person does not hold a subclass 401 visa on the day the nomination is approved in relation to a 'volunteer position' – on the day the person is granted a subclass 401 visa in the sport stream or religious worker stream, and any secondary person of that sponsored person.

This obligation ends on the day (whichever is the earliest):

- on which a nomination by another sponsor in relation to the sponsored person is approved;
- on which the sponsored person is granted a substantive visa of a different subclass to the one last held (if the sponsored person is granted another substantive visa of the same type they last held in order to continue to work for the sponsor, the obligation continues); or
- the sponsored person has left Australia and the relevant visa (and any subsequent bridging visa) is no longer in effect.

Obligation to pay travel costs to enable sponsored persons to leave Australia – *this obligation applies to a long stay activity sponsor or religious worker sponsor when the sponsored person holds a Temporary Work (Long Stay Activity) (subclass 401) visa in the religious worker stream.*

The sponsor must pay reasonable and necessary travel costs to enable the sponsored person to leave Australia if the costs have been requested in writing by the department or the sponsored person, and the costs have not already been paid by the sponsor in accordance with this obligation.

The costs will be considered reasonable and necessary provided they:

- include travel from the primary sponsored person's usual place of residence in Australia to the place of departure from Australia;
- include travel from Australia to the country (for which the person holds a passport) specified in the request to pay travel costs;
- are for economy class air travel or, where unavailable, a reasonable equivalent; and
- are paid within 30 days of receiving the request (note, however, the obligation to pay costs continues beyond the 30 days as specified below).

This obligation starts to apply on the day the sponsored person is granted a subclass 401 visa in the religious worker stream or any secondary person of the sponsored person, unless he or she already holds a visa of the same subclass, in which case the obligation starts to apply on the day the nomination for the primary sponsored person is approved.

This obligation ends on the day (whichever is the earliest):

- on which a nomination by another sponsor in relation to the primary sponsored person is approved;
- on which the sponsored person is granted a substantive visa other than a subclass 401 visa in the religious worker stream (if the primary sponsored person is granted another visa of the same subclass in order to continue to work for the sponsor, the obligation continues); or
- the sponsored person has left Australia and the relevant visa (and any subsequent bridging visa) is no longer in effect.

Obligation to make same position available to Australian exchange participants – *this obligation applies to a long stay activity sponsor or exchange sponsor when the sponsored person holds a Temporary Work (Long Stay Activity) (subclass 401) visa in the exchange stream.*

Immediately on completion of the exchange, the sponsor must make available to the Australian citizen or Australian permanent resident who is a participant in the exchange, the same position or equivalent position in Australia that was held by the Australian participant at the time the exchange was entered into.

This obligation starts to apply on the day on which the nomination made by the sponsor in relation to the exchange is approved.

This obligation ends 30 days after completion of the exchange.

Sanctions for failing to satisfy sponsorship obligations

If the sponsor fails to satisfy a sponsorship obligation, the Minister may take one or more of the following actions:

Administrative

- bar the sponsor, for a specified period, from sponsoring more people under the terms of one or more existing approvals as a sponsor for different kinds of visas;
- bar the sponsor, for a specified period, from making future applications for approval as a sponsor in relation to one or more classes of sponsor;
- cancel one or all of the sponsor's existing approvals as a sponsor.

Civil

- apply to a Court for a civil penalty order of up to AUD33,000 for a corporation and AUD6,600 for an individual for each failure; or
- issue an infringement notice of up to AUD6,600 for a body corporate and AUD1,320 for an individual for each failure.

Other reasons why administrative action may be taken

There are a number of other circumstances (besides failure to satisfy a sponsorship obligation) in which the administrative actions described above may be taken:

- provision of false or misleading information to the department or the Migration Review Tribunal;
- the sponsor no longer satisfies the criteria for approval as a sponsor or for variation of a term of that approval;
- the sponsor has been found by a court or competent authority to have contravened a Commonwealth, state or territory law;
- a primary sponsored person is found to have contravened a law relating to the licensing, registration or membership required in order to work in the nominated occupation.

Monitoring

If you are approved as a sponsor you must comply with the *Sponsorship obligations* (as outlined on pages 2–4). The department will monitor compliance with the sponsorship obligations and whether associated visa holders are abiding by their visa conditions.

Routine monitoring is conducted from time to time and may also be initiated based on information provided to the department. This may take place during the approved sponsorship period and for up to 5 years after the sponsorship ceases.

The department conducts monitoring in 3 main ways:

- exchanging information with other Commonwealth, state and territory government agencies, including the Department of Education, Employment and Workplace Relations and the Australian Taxation Office;
- written requests to the sponsor to provide information in accordance with the obligation to provide records and information; and
- site visits, usually to the sponsored business premises, with or without notice.

Monitoring may include investigations being conducted by Commonwealth officers called inspectors. Inspectors have certain investigative powers under the *Migration Act 1958*. Failure to cooperate with inspectors is a breach of the sponsorship obligations and the department may take action against the sponsor. For details on the actions the department may take, refer to *Sanctions for failing to satisfy sponsorship obligations* on page 4.

All written communication about the department's monitoring requirements will be sent directly to you, unless you have authorised another person, including migration agents, to act and receive information on your behalf. The sponsorship obligations (including the obligations to cooperate and provide information to the department) will remain with you as the sponsor even if you have authorised another person to act and receive information on your behalf.

Integrity of the nomination

The department is committed to maintaining the integrity of the visa and citizenship programs. If you provide us with fraudulent documents or claims, this may result in processing delays and/or your application being refused. Providing false or misleading information, documents or statements to an officer is a serious offence, with a maximum penalty of 10 years imprisonment or 1,000 penalty units, or both.

How to apply

You will need a separate nomination for each position you are seeking to fill except where you intend to nominate a team of sports people entering into a sporting event. You can include these people in the one nomination by attaching a list of the nominees and their details. However, a separate fee will apply to each nominated position.

If you are nominating a person as support staff under the Sport stream you will need to complete a separate nomination for each position to be filled.

Step 1 – How to fill in this form

The form is available as a PDF and can be filled in on screen, printed and mailed to the department or you can print a copy and use a black or blue pen, write neatly in English using BLOCK LETTERS.

If you need more space to answer questions or wish to provide additional relevant information, give details at Part L or attach a signed and dated sheet with the details.

You will need to identify the stream for which the nominated person will be applying (ie. exchange, sport or religious worker stream).

Use the *Document checklist* at Part J to make sure you have answered all the questions and provided everything required.

Any alterations made on the form must be dated and initialled.

Step 2 – Check if a nomination fee is required

Not all nominations attract a fee, but when a prescribed fee is applicable, the nomination will not be valid unless payment has been received.

A nomination fee is not required if the nominated activity is listed in a Legislative Instrument.

If a nomination fee is required, payment **must** accompany the nomination. Payment of the fee does not guarantee approval of the nomination and is generally not refundable.

Fees may be subject to adjustment at any time.

To check the nomination fee, see form 990i *Charges* available from the department's website www.immi.gov.au/allforms/990i.htm or check with the nearest office of the department.

Method of payment

To make a payment, please pay by credit card, debit card, bank cheque or money order made payable to the Department of Immigration and Citizenship. Debit card and credit card are the preferred methods of payment.

Step 3 – Lodge your nomination

The nomination must be made before the visa application.

The nomination can be made in person, by a representative or sent by mail.

The nomination should be lodged at one of the following addresses:

Mail address:

Department of Immigration and Citizenship
GPO Box 9984
SYDNEY NSW 2001

Street addresses:

Sydney City Office
Department of Immigration and Citizenship
26 Lee Street (near Railway Square)
SYDNEY NSW 2000

or

Parramatta Office
Department of Immigration and Citizenship
9 Wentworth Street
PARRAMATTA NSW 2150

What happens next?

It is important that you make the nomination with all the documents necessary for assessment. Lodging a complete nomination assists case officers in making a fair and complete assessment of your claims and results in faster processing times. You may be asked to provide additional information to enable a decision to be made.

You will be advised in writing whether or not the nomination has been approved. If the nomination has not been approved, you will be given a reason for the decision as well as information about your review rights.

To allow the nominated person to make their visa application you will need to provide that person with a copy of the *Nomination approval letter* or if the nomination has not yet been decided, the *Nomination application acknowledgement of receipt letter*.

Immigration assistance

A person gives immigration assistance to you if he or she uses, or claims to use, his or her knowledge or experience in migration procedure to assist you with your visa application, request for ministerial intervention, cancellation review application, sponsorship or nomination.

In Australia a person may only lawfully give immigration assistance if he or she is a registered migration agent or is exempt from being registered. Only registered migration agents may receive a fee or reward for providing immigration assistance.

If an unregistered person in Australia, who is not exempt from registration, gives you immigration assistance they are committing a criminal offence and may be prosecuted.

Migration agents in Australia

Migration agents in Australia must be registered with the Office of the Migration Agents Registration Authority (Office of the MARA) unless they are exempt from registration.

Migration agents outside Australia

Migration agents who operate outside Australia do not have to be registered. The department may give some overseas agents an ID number. This number does not mean that they are registered.

Note: Some Australian registered migration agents operate overseas.

Migration agent information

A migration agent is someone who can:

- advise you on the visa that may best suit you;
- tell you the documents you need to submit with your application;
- help you fill in the application and submit it; and
- communicate with the department on your behalf.

If you appoint a migration agent, the department will assume that your migration agent will be your authorised recipient, unless you indicate otherwise.

Your migration agent will be the person with whom the department will discuss your application and from whom it will seek further information when required.

You are not required to use a migration agent. However, if you use a migration agent, the department encourages you to use a registered migration agent. Registered agents are bound by the Migration Agents Code of Conduct, which requires them to act professionally in their clients' lawful best interests.

Information on migration agents, including a list of registered migration agents, is available on the Office of the MARA website www.mara.gov.au

You can also access information about migration agents on the department's website www.immi.gov.au

Exempt persons

The following people do not have to be a registered migration agent in order to provide immigration assistance, but they must not charge a fee for their service:

- a close family member (spouse, de facto partner, child, parent, brother or sister);
- a member of parliament or their staff;
- an official whose duties include providing immigration assistance (eg. a Legal Aid provider);
- a member of a diplomatic mission, consular post or international organisation.

Appointing a migration agent/exempt person

To appoint a migration agent/exempt person you should complete Part H *Options for receiving written communications*.

Your migration agent/exempt person should complete form 956 *Advice by a migration agent/exempt person of providing immigration assistance*.

Form 956 is available from the department's website www.immi.gov.au/allforms/

Options for receiving written communications

If you do not appoint a migration agent/exempt person you may still authorise another person, in writing, to receive written communications on your behalf. This person is called the authorised recipient.

Authorised recipient information

All written communication about your application will be sent to your authorised recipient, unless you indicate that you wish to have health and/or character information sent directly to you.

The department will communicate with the most recently appointed authorised recipient as you may only appoint one authorised recipient at any time for a particular application.

You will be taken to have received any documents sent to that person as if they had been sent to you.

To appoint an authorised recipient you should complete:

- Part H *Options for receiving written communications*; and
- form 956A *Appointment or withdrawal of an authorised recipient*.

Note: Migration agents/exempt persons do not need to complete form 956A.

Form 956A is available from the department's website www.immi.gov.au/allforms/

Consent to communicate electronically

The department may use a range of means to communicate with you. However, electronic means such as fax or e-mail will only be used if you indicate your agreement to receiving communication in this way.

To process your application the department may need to communicate with you about sensitive information, for example, health, police checks, financial viability and personal relationships. Electronic communications, unless adequately encrypted, are not secure and may be viewed by others or interfered with.

If you agree to the department communicating with you by electronic means, the details you provide will only be used by the department for the purpose for which you have provided them, unless there is a legal obligation or necessity to use them for another purpose, or you have consented to use for another purpose. They will not be added to any mailing list.

The Australian Government accepts no responsibility for the security or integrity of any information sent to the department over the internet or by other electronic means.

If you authorise another person to receive documents on your behalf and they wish to be contacted electronically, their signature is required on form 956 or 956A to indicate their consent to this form of communication.

Note: Electronic communication is the fastest means of communication available and the department prefers to communicate electronically because this results in faster processing.

About the information you give

The department is authorised to collect information provided on this form under Part 2 of the *Migration Act 1958* 'Control of Arrival and Presence of Non-Citizens'. Information provided will be used for assessing your sponsorship application, and for other purposes relating to the administration of the Migration Act.

To ensure the integrity of the visa program, the department has a thorough monitoring process to assist in ensuring compliance with all program requirements and all relevant Australian laws.

The department will disclose your information to other Commonwealth, state and territory government departments and agencies for the purposes of administering migration legislation, and when it may assist another agency to perform a regulatory function. The departments and agencies include the Fair Work Ombudsman, Department of Foreign Affairs and Trade, Department of Education, Employment and Workplace Relations, Australian Taxation Office and Commonwealth, state and territory departments and agencies responsible for health, workplace safety, public safety, industrial relations, law enforcement, taxation, superannuation, fair trading and trade practices legislation.

The collection, access, storage, use and disclosure by the department of the information you provide in this form is governed by the *Privacy Act 1988* and, in particular, by the 11 Information Privacy Principles. The information form 993i *Safeguarding your personal information*, available from the department's offices, gives details of agencies to which your personal information will be disclosed. Form 993i is also available from the department's website

www.immi.gov.au/allforms/

Home page

www.immi.gov.au

General enquiry line

Telephone **131 881** during business hours in Australia to speak to an operator (recorded information available outside these hours).
If you are outside Australia, please contact your nearest Australian mission.

Please keep these information pages for your reference

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Please use a pen, and write neatly in English using BLOCK LETTERS.

Tick where applicable

Part A – General information

1 Are you approved, or have you made an application for approval as:

- a long stay activity sponsor
- an exchange sponsor
- a sport sponsor; or
- a religious worker sponsor?

No **Important** – You will need to complete form 1401S
Application for approval as a long stay activity sponsor to
 allow the nomination to be decided

Yes Sponsor name

Organisation name

Approval date

DAY MONTH YEAR

Sponsor class

Sponsorship application ID number (if known)

Note: Sponsorship ID number can be found on the *Sponsor approval letter* or on the *Sponsor application acknowledgement of receipt letter* from the department.
 Attach a copy of the letter, see Part J – Document checklist.

2 Note: The Nomination fee will not be required for this application if the nominated activity is listed in a Legislative Instrument.

Do you declare that the nominated position(s) have been approved under the definition of a class of persons specified in a Legislative Instrument?

No

Yes

Part B – Organisation details

3 Legal registered name

4 Trading name

5 Registration type

Australian Business Number (ABN)

Australian Company Number (ACN) *(if applicable)*

Australian Registered Body Number (ARBN) *(if applicable)*

Australian Stock Exchange Code (ASX Code) *(if applicable)*

Certificate of Incorporation *(if applicable)*

6 Contact person in the organisation for enquiries about this application

Family name

Given names

Position

Telephone number

 (AREA CODE)

Mobile/cell

7 Do you agree to the department communicating with you by e-mail and/or fax?

This may include receiving notification of the outcome of this application.

Note: We can communicate about this application more quickly using e-mail and/or fax.

No

Yes Give details

E-mail address

Fax number

 (AREA CODE)

Part C – Nominated position details

- 8** What nomination stream does this position relate to?
For further information see *Nomination streams* on pages 1 and 2.

Exchange stream ► Go to Question 9

Sport stream ► Go to Question 14

Religious worker stream ► Go to Question 22

Exchange stream

- 9** Is there a staff exchange agreement in place with an overseas organisation?

No

Yes ► Name of the overseas organisation party to staff exchange agreement

Attach a letter from both the overseas organisation and your organisation, see Part J – Document checklist.

- 10** Give details of the skilled position to be undertaken with the organisation in Australia

Responsibilities

Main duties

Other information about the position

If insufficient space, give details at Part L

- 11** Give details of the Australian resident who has been selected under the staff exchange agreement

Family name

Given names

Telephone number (AREA CODE)

- 12** Give details of the proposed employment that the Australian resident will undertake for the overseas organisation

Period of employment

Date from DAY MONTH YEAR to DAY MONTH YEAR

Job title

Main duties

- 13** Describe how the staff exchange will benefit both the nominated person and the Australian resident identified in the arrangement

►► Go to Part D

Sport stream

- 14** The nominated person is:

a competitor entered into an event ► Go to Question 15

assisting a competitor/team ► Go to Question 16

a contracted player, coach or instructor ► Go to Question 18

a judge or adjudicator ► Go to Question 21

15 Give details of event(s) the nominated person has entered

1. Name of event

Date event will be held

Date from to

Role in event

2. Name of event

Date event will be held

Date from to

Role in event

If insufficient space, give details at Part L

Attach a copy of the nominated person's registration, see Part J – Document checklist.

▶▶ Go to Part D

16 The nominated person will be appointed or employed under a contractual arrangement to assist a:

Competitor ▶ Give details of the competitor

Family name

Given names

Is the competitor an Australian citizen or Australian permanent resident?

No Yes

OR

Team ▶ Name of foreign team

Attach a copy of the contractual arrangement, see Part J – Document checklist.

17 Give details of how the nominated person will be assisting the competitor/team

Role

Duties

▶▶ Go to Part D

18 Name of the Australian sporting team or organisation that the nominated person has entered into a contractual arrangement with to be a player, coach or instructor

Attach a copy of the contract, see Part J – Document checklist.

19 Describe how the arrangement will be of benefit to the sport in Australia

20 Does the nominated person have an established reputation in the field of sport?

No

Yes ▶ *Attach a letter of endorsement, see Part J – Document checklist.*

▶▶ Go to Part D

21 Give details of the itinerary, listing the engagements as a judge or adjudicator to be undertaken by the nominated person

1. Venue

Period of engagement

Date from to

2. Venue

Period of engagement

Date from to

If insufficient space, give details at Part L

Attach formal invitation, see Part J – Document checklist.

▶▶ Go to Part D

Religious worker stream

22 Give details of how the position in Australia directly serves the religious objectives of the religious institution

23 Give details of the position to be undertaken with the religious institution in Australia

Responsibilities

Main duties and the number of hours spent on each duty

Duties	Number of hours

Other information about the position

If insufficient space, give details at Part L

Part D – Details of the position

24 Give details of the position

Occupation

Name of the occupation as it appears in the ANZSCO Dictionary (if applicable). For further information see *Occupation Code* on page 2.

The position is: Full-time Part-time

Number of hours per week

25 Give the nominated person's proposed period of employment or activity

Date from

DAY	MONTH	YEAR

 to

DAY	MONTH	YEAR

26 Give the nominated person's proposed period of stay in Australia

Date from

DAY	MONTH	YEAR

 to

DAY	MONTH	YEAR

27 Street address where the employment or activity will take place

Note: A street address is required as a post office box address cannot be accepted.

1.

POSTCODE

2.

POSTCODE

If more than 2 addresses, give details at Part L

28 Will you be engaging the nominated person as an employee of your organisation?

No Explain the nature of the relationship between you and the nominated person

If insufficient space, give details at Part L

Yes

Attach evidence of the employment arrangement, see Part J – Document checklist.

29 Will the nominated person be employed or engaged in Australia by any other organisation?

No

Yes ► Give details

Name of organisation or individual

Name of contact officer

Australian Business Number (ABN)

Australian Company Number (ACN) *(if applicable)*

Business address

POSTCODE

Office hours telephone

Give details of the arrangement you have with the organisation or individual for the employment or engagement of the nominated person, including the number of hours per week they will spend with the organisation or individual

If insufficient space, give details at Part L

30 Who will be paying the nominated person's salary?

For further information see *Salary or wages* on page 2.

Nominee will not be paid ► Go to Question 31

You or your organisation ► Go to Question 32

Another organisation ► Give details of the organisation

Name of organisation

Australian Business Number (ABN) *(if applicable)*

►► Go to Question 32

31 Will the nominated person be undertaking a volunteer position?

For further information see *Unpaid work or volunteer position* on page 2.

No

Yes ► Give details

If insufficient space, give details at Part L

►► Go to Question 34

32 What will be the nominated person's gross salary per annum excluding any payment of allowances such as superannuation, accommodation, meals etc?

AUD

33 How often will the nominated person be paid?

Weekly

Monthly

Annually

34 Will the nominated person receive remuneration for undertaking the employment or activity in Australia?

No

Yes ► What does the remuneration package include?

Monetary value (AUD)

Accommodation ► AUD

Meal allowance ► AUD

Other living allowance ► AUD

Travel allowance ► AUD

Commissions, shares and/or bonuses ► AUD

Other packaged items or benefits (including, but not limited to, cars, phones, laptop computers, airline club memberships, medical cover, child care, clothing allowances) ► AUD

Give all relevant details

If insufficient space, give details at Part L

Part H – Qualifications, skills and experience

- 35** Describe the relevant qualifications, skills, employment experience and registrations/licenses required to be held by the nominated person

List relevant qualifications/academic merit

List relevant skills

Describe relevant experience

Registration/Licensing/Professional membership requirements
(if applicable)

If insufficient space, give details at Part L

Attach a copy of the person's relevant qualifications and experience, see Part J – Document checklist.

Part F – Details of nominated person and family members

Nominated person

- 36** Is the nominated person already a holder of a subclass 401, 411, 421 or 428 visa?

No

Yes

- 37** Give the following details exactly as they appear in the nominated person's passport

Family name

Given names

Sex

Male Female

DAY MONTH YEAR

Date of birth

Passport number

Country of passport

Attach a certified copy of the page from the passport, see Part J – Document checklist.

- 38** Place of birth

Town/city

State/province

Country

- 39** Current residential address

Note: A street address is required as a post office box address cannot be accepted.

POSTCODE

Country

- 40** Contact telephone numbers

COUNTRY CODE AREA CODE

Office hours

() ()

After hours

() ()

Mobile/cell

Family members

- 41** Are there any family members who will accompany the nominated person to Australia or join the nominated person in Australia at a later date?

No ► Go to Part G

Yes

42 Give details of ALL family members accompanying the nominated person to Australia or joining the nominated person in Australia at a later date

Enter the following details exactly as they appear in their passport.

1. Family name

Given names

Sex Male Female

Date of birth DAY MONTH YEAR

Relationship to the nominated person

Passport number

Country of passport

2. Family name

Given names

Sex Male Female

Date of birth DAY MONTH YEAR

Relationship to the nominated person

Passport number

Country of passport

3. Family name

Given names

Sex Male Female

Date of birth DAY MONTH YEAR

Relationship to the nominated person

Passport number

Country of passport

4. Family name

Given names

Sex Male Female

Date of birth DAY MONTH YEAR

Relationship to the nominated person

Passport number

Country of passport

If more than 4 family members, give details at Part L
 Attach certified copies of the page from the passports,
 see Part J – Document checklist.

Part G – Assistance with this form

43 Did you receive assistance in completing this form?

No ▶ Go to Part H

Yes ▶ Please give details of the person who assisted you

Title: Mr Mrs Miss Ms Other

Family name

Given names

Address

POSTCODE

Telephone number or daytime contact

Office hours COUNTRY CODE AREA CODE NUMBER
 () ()

Mobile/cell

44 Is the person an agent registered with the Office of the Migration Agents Registration Authority (Office of the MARA)?

No

Yes ▶ Go to Part H

45 Is the person/agent in Australia?

No ▶ Go to Part H

Yes

46 Did you pay the person/agent and/or give a gift for this assistance?

No

Yes

Part H – Options for receiving written communications

47 All written communications about this application should be sent to:
 (Tick one box only)

Myself

OR

Authorised recipient ▶ You should complete form 956A *Appointment or withdrawal of an authorised recipient*

OR

Migration agent ▶ Your migration agent/exempt person should complete form 956 *Advice by a migration agent/exempt person of providing immigration assistance*

OR

Exempt person

Part I – Payment details

48 How will you pay your application charge?

Note: In Australia, debit card or credit card are the preferred methods of payment. Debit cards cannot be used for applications lodged by mail.

- Bank cheque ▶ Please make payable to:
Department of Immigration and Citizenship
- Money order ▶
- Debit card ▶ Cannot be used for applications lodged by mail
- Credit card ▶ Give details below

Payment by *(tick one box)*

Australian Dollars

MasterCard <input type="checkbox"/>	Diners Club <input type="checkbox"/>	<input style="width: 100px; height: 20px;" type="text" value="AUD"/>
American Express <input type="checkbox"/>	JCB <input type="checkbox"/>	
Visa <input type="checkbox"/>		

Credit card number

: :

Expiry date MONTH YEAR

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/

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/

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/

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Cardholder's name

--

Telephone number COUNTRY CODE AREA CODE NUMBER

()	()	()	()	
-----	-----	-----	-----	--

Address

--

POSTCODE

Signature of cardholder

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Credit card information will be used for charge paying purposes only.

Part J – Document checklist

49 Attach the following documents (where relevant) to this application. You should provide certified copies of original documentation. Documents not in English must be accompanied by accredited English translations. Refer to the question to see if you need to attach the document.

Tick when completed

Common documents

Question	Document	Attached?
1	The <i>Sponsor approval letter</i> or, if the sponsorship application has not been finalised, the <i>Sponsor application acknowledgement of receipt letter</i>	<input type="checkbox"/>
28	Evidence of the employment arrangement with the nominated person showing: <ul style="list-style-type: none"> • direct employment relationship; • that you intend to supply the services of the nominated person to another organisation by a contract of service; or • other employment arrangement. 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
37	Certified copy of the nominated person's passport page showing the photo and details for the nominated person	<input type="checkbox"/>
42	Certified copy of the family member's passport page showing the photo and details for each family member included in this application	<input type="checkbox"/>
47	If authorising another person, provide either: <ul style="list-style-type: none"> • completed form 956 <i>Advice by a migration agent/exempt person of providing immigration assistance</i>; or • completed form 956A <i>Appointment or withdrawal of an authorised recipient</i>. 	<input type="checkbox"/> <input type="checkbox"/>

Stream documents – Exchange stream

9	Letter from both the overseas organisation and your organisation or written agreement providing: <ul style="list-style-type: none"> • purpose of the staff exchange; • duration of the staff exchange; • benefit of the staff exchange to both participants; • name of the nominated person and Australian resident participant in the staff exchange; and • details of the nominated position in the Australian organisation. 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
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Stream documents – Sport stream

15	The nominated person's registration in the event(s)	<input type="checkbox"/>
16	The contractual arrangement between the competitor/team and support staff	<input type="checkbox"/>
18	The contract between the sponsor and nominated person in relation to the nominated employment or activity	<input type="checkbox"/>
20	Letter of endorsement from the relevant Australian national sporting body	<input type="checkbox"/>
21	The formal invitation to the nominated person to judge or adjudicate at a show or competition in Australia	<input type="checkbox"/>

Stream documents – Religious worker stream

Question	Document	Attached?
35	Evidence of the nominated person's relevant qualifications and experience	<input type="checkbox"/>

Part K – Sponsor declaration

50 WARNING: Giving false or misleading information is a serious offence.

I declare that I:

- have read and understood the information provided to me in this application.
- have provided complete and correct information in every detail on this application, and on any attachments to it.
- understand that if I give false or misleading information, the application may be refused.
- will inform the Department of Immigration and Citizenship in writing immediately as they become aware of a change in circumstances (including change of address) or if there is any change relating to information they have provided on or with this application, while it is being considered.
- have read and understand the sponsorship obligations and other sponsorship requirements and understand that I/the organisation is bound by the sponsorship obligations and other sponsorship requirements with respect to all primary and secondary persons that I/the organisation consent in writing to sponsor.

Signature of authorised officer

Date

DAY	MONTH	YEAR

Full name (block letters)

Position in the business

Office hours telephone

(AREA CODE)

We strongly advise that you keep a copy of your application and all attachments for your records.

