



Australian Government

Department of Immigration
and Multicultural Affairs

Employer nomination for a permanent appointment

(Labour Agreement, Regional Headquarters Agreement
or Invest Australia Supported Skills Agreement)

Form

1192

Please ensure that all questions on this form are answered and any requested information attached. The Department of Immigration and Multicultural Affairs (the department) may decide your application on the basis of the information provided in your application form.

Please read these notes carefully before you complete the nomination form.

Note: This nomination form may only be used for PERMANENT entry under a Labour Agreement (LA), Regional Headquarters (RHQ) agreement or Invest Australia Supported Skills (IASS) agreement.

A separate nomination (form 1192) is required for each position you seek to fill.

If your business is nominating **temporary** business entrants under a LA, RHQ agreement or IASS agreement, you should use form 1196 *Sponsoring temporary overseas employees to Australia*.

How to fill in this form

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

If you believe a question does not apply please provide a brief comment on why you believe this to be the case.

Please feel free to provide any additional relevant information to any question on a separate attached sheet which you should sign and date.

Any alterations made before you lodge the form must be initialled and dated.

Lodging the nomination

The nomination should be fully completed (with all supporting documentation attached). It should be completed by the employer or someone over the age of 18 with the legal authority to act on behalf of the employer or business.

Nominations should be lodged at the departmental Business Centre which is managing your company's LA, RHQ agreement or IASS agreement. To be approved, nominations under an LA, RHQ agreement or IASS agreement must meet the requirements of the specific agreement.

A decision on the nomination will be made by the Business Centre on the basis of the information you provide, your circumstances and the legal processing requirements in place when it is lodged.

If you want to change any details after you lodge the nomination, or if you want to withdraw it, please contact the office where you lodged the form.

You should also notify the Business Centre where you lodged the nomination form if your circumstances change (for example, you change address).

What happens then?

You will be advised in writing whether or not your nomination has been approved.

If the position to be filled is an occupation that requires registration or licensing, or is a trade occupation, the nominee's skills will generally need to be assessed by the relevant Australian authority.

Before the visa application can be approved, all applicants for permanent visas – the main applicant, spouse and any dependants (even if they are not included in the visa application and do not intend to migrate) – must be assessed against the health requirement which includes undergoing a medical examination. Character checks are also required.

If your nomination is not approved, you will be advised of the reasons for the decision.

Nominee's visa application

Your nominee should complete visa application form 47ES *Application for employer sponsored migration to Australia*, and pay the visa application charge. This form is available on the department's website

www.immi.gov.au/allforms/pdf/47es.pdf, or from any office of the department.

Your nominee's visa application can be lodged at the same time as, or after your nomination. At the latest, it must be lodged within **6 months** of the approval or your nomination.

To avoid unnecessary delays, your nominee should complete health checks (forms 26 and 160) and seek police clearances (form 47P) before they lodge their visa application.

Your nominee's visa application must be lodged at the same departmental Business Centre as your nomination was lodged, even if your nominee is lodging their visa application from outside Australia.

Note: Nominees already in Australia when they lodge their visa application must be the holder of a valid visa that allows them to apply for a permanent visa in Australia.

What if my nominee fails to meet the visa criteria?

In most cases, if an employer's first choice of a visa applicant for a nominated position fails to meet the regulatory criteria for a visa, it will be possible to recruit someone else without completing a new nomination.

If this does happen, you should contact the Business Centre where you lodged your nomination to check what steps to follow.

Charges

There is no charge for processing any nomination (for permanent entry) lodged under a LA, RHQ agreement or IASS agreement.

To check the application charge, see form 990i *Charges* available from the forms section of the department's website www.immi.gov.au/allforms/pdf/990i.pdf

Continued on the next page ►

About the information you give in this form

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 nomination, and for other purposes relating to the administration of the Migration Act.

The department may disclose information you provide to other government departments or agencies to assist in assessing your application or to ensure Australian laws are complied with.

The information provided might also be disclosed to agencies who are authorised to receive information relating to adoption, border control, business skills, citizenship, education, health assessment, health insurance, health services, law enforcement, payment of pensions and benefits, taxation, review of decisions and registration of migration agents.

The information form 993i *Safeguarding your personal information*, available from offices of the department, gives details of agencies to which your information might be disclosed.

Authorisation of a person to receive written communications

You may authorise another person to receive all written communications about your application with the department. To do this, you will need to complete **Part E Options for receiving written communications** and **Part F Authorised recipient details** in this form. The authorised recipient will need to sign at **Part F**. You can only appoint one authorised recipient at any time.

If you nominate an authorised recipient the department will send to that person any written communications relating to your application that would otherwise have been sent to you. You will be taken to have received any documents sent to that person as if they had been sent to you.

If you decide to change the authorised recipient that you have nominated after you have lodged your application, you must promptly advise the department in writing of the details of that person. You may use form 1231 *Appointment of authorised recipient* for this purpose.

Authorisation of migration agent to act on your behalf

If you have a migration agent acting on your behalf in relation to your application, you need to complete **Part E Options for receiving written communications** and **Part G Migration agent details**. The migration agent will need to sign at **Part G**.

Appointing a migration agent to act on your behalf includes authorising the department to send to that agent any written communication about your application that would otherwise have been sent to you. You will be taken to have received any documents sent to that agent as if they had been sent to you.

When you provide details of the migration agent, please make sure you give the agent's 7-digit migration agent registration number (MARN) and the agent's full name.

If you change your migration agent or end his/her appointment after you have lodged this application, you must promptly advise the department by using form 956 *Appointment of a migration agent*, which is available on the department's website or from your migration agent. You should also notify the agent of this, preferably in writing.

Using a migration agent

You are not required to use a migration agent. However, if you intend to use a migration agent you are advised to use a registered migration agent.

Under Australian law, anyone who uses knowledge of migration procedures to offer immigration assistance to a person wishing to obtain a visa to enter or remain in Australia must be registered.

A list of registered migration agents is available from the Migration Agents Registration Authority (MARA) website www.themara.com.au

You can contact the MARA at:

PO Box Q1551
QVB NSW 1230
AUSTRALIA

Telephone: 61 2 9299 5446

Fax: 61 2 9299 8448

E-mail: themara@themara.com.au

Registered migration agents are bound by the Migration Agents Code of Conduct and generally charge for their services. The MARA investigates complaints against registered migration agents and may take disciplinary action against them. If you have a concern about a registered migration agent, you should contact the MARA. You can also download a copy of the complaint form from the MARA website.

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 Commonwealth 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 the form to indicate their consent to this form of communication.

Further information

For more information on LA's and IASS agreements, you may consult the department's website

www.immi.gov.au/skilled/skilled-workers/la/ and
www.immi.gov.au/skilled/skilled-workers/iass/

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.



**Employer nomination for a
 permanent appointment**
**(Labour Agreement, Regional Headquarters Agreement
 or Invest Australia Supported Skills Agreement)**

- 1** This nomination is for (*tick one box*):
 Labour Agreement (LA)
 OR
 Regional Headquarters (RHQ) agreement
 OR
 Invest Australia Supported Skills (IASS) agreement

Part A – Details of the nominating business

- 2a** Business name (*if a registered company*)
- 2b** Trading name
- 3** Australian Business Number (ABN)
- 4** Australian Company Number (ACN)
- 5** Australian Registered Body Number (ARBN) *if applicable*
- 6** Postal address

 POSTCODE
- 7** Business street address
(If the same as your postal address, write 'AS ABOVE')

 POSTCODE

- 8** Contact officer for enquiries
- Name
- Office hours telephone number (AREA CODE)

- 9** Do you agree to the department communicating with you by fax, e-mail or other electronic means?
 No
 Yes Give details
- Fax number (AREA CODE)
- E-mail address

- 10** Please provide details of the LA, RHQ agreement or IASS agreement
 Name and agreement number
- 11** Which departmental Business Centre is managing this LA, RHQ agreement or IASS agreement? (the nomination should be lodged at this Business Centre)
- 12** Have you previously nominated anyone under this LA, RHQ or IASS?
 No
 Yes How many nominations have been approved under this LA, RHQ agreement or IASS agreement? (if known)

Part B – Details of the position to be filled

- 13** Job title
- 14** Occupation

 Australian Standard Classification of Occupation (ASCO) code (*if known*)
- 15** What is the position's base annual salary (excluding mandatory superannuation benefits)? AUD
- 16** What is the position's total remuneration package (per annum)? AUD
- 17** Street address where the person will be employed

 POSTCODE

Continued on the next page ►

18 Describe the main duties of the position

19 List the qualifications and skills required to satisfactorily perform the duties of the position

20 Is this position full-time (35 hours per week or more)?

Note: Nomination of any position that is not full-time cannot be approved.

No

Yes

21 Will your business be paying the nominee's salary?

No Yes

Part C – Details of the nominee (visa applicant) and accompanying family unit members

22 Full name of nominee/visa applicant (if known)

Family name

Given names

23 Nominee's date of birth

24 Nominee's residential address

POSTCODE

25 Nominee's telephone numbers

Office hours

COUNTRY CODE	AREA CODE	NUMBER
()	()	

After hours

()	()	
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26 Will the nominee be accompanied by any family unit members?

Not known

No

Yes ► Please provide details of these dependants

1. Name

Date of birth

Relationship to nominee

2. Name

Date of birth

Relationship to nominee

3. Name

Date of birth

Relationship to nominee

4. Name

Date of birth

Relationship to nominee

(Attach further names if necessary)

Part D – Assistance with this form

- 27** Did you receive assistance in completing this form?
- No ▶ Go to Part E
- Yes ▶ Please give details of the person who assisted you
- Family name (*not a business or company name*)
- Given names
- Address

 POSTCODE
- 28** Is the person a registered migration agent?
- No
- Yes ▶ Go to Part E
- 29** Did you pay the person and/or give a gift for this assistance?
- No
- Yes ▶ How much did you pay?
- AUD AND/OR
- What kind of gift did you give? (*eg. jewellery*)
- Value of gift (*approximately*)
AUD

Part E – Options for receiving written communications

- 30** All written communications about this application should be sent to:
(Tick one box only)
- Myself ▶ All written communications will be sent to the address for communications that you have provided in this form. Go to Part H
- Migration agent ▶ Go to Part G
- Authorised recipient ▶ This is a person authorised to receive written communications other than a migration agent. All written communications that would otherwise have been sent to you in relation to this application will be sent to that person.

Part F – Authorised recipient details

Note: Do NOT complete this section if you are a migration agent, go to Part G

- 31** Provide the name and address of the person who is authorised on your behalf to receive all written communications about this application.
- Title: Mr Mrs Miss Ms Other
- Family name
- Given names
- Authorised recipient's postal address

 POSTCODE
- 32** As the authorised recipient named on this form, do you agree to the department communicating with you by fax, e-mail or other electronic means?
- No
- Yes ▶ Give details
- Fax number
COUNTRY CODE AREA CODE NUMBER
() ()
- E-mail address
- Note:** If this application is refused, you will be notified in writing
- 33** I understand and accept that I am the person authorised by the applicant to receive all written communications about this application.
- Signature of authorised recipient**
- Date
DAY MONTH YEAR
/ /

▶▶ Now go to Part H

Continued on the next page ▶

Part G – Migration agent details

- 34** Provide the details requested below about the migration agent who is authorised to act on your behalf and to receive all written communications about this application.

Migration Agent Registration
Number (MARN) 7 DIGITS

:	:	:	:	:
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Title: Mr Mrs Miss Ms Other

Family name

Given names

Business or
company name

Postal address

POSTCODE

Telephone
number

COUNTRY CODE	AREA CODE	NUMBER
()	()	

- 35** As the migration agent named on this form, do you agree to the department communicating with you by fax, e-mail or other electronic means?

No

Yes Give details

Fax number

COUNTRY CODE	AREA CODE	NUMBER
()	()	

E-mail address

Note: If this application is refused, you will be notified by mail

- 36** I understand and accept that I am the person appointed by the applicant to receive all written communications and act as his/her migration agent.

**Signature of
migration
agent**

Date

DAY	MONTH	YEAR

Part H – Nominator's declaration

- 37** I declare the details provided on this form are correct.

**Signature of
authorised
officer**

Date

DAY	MONTH	YEAR

Full name (*block letters*)

Position in the business