



Australian Government

Department of Immigration
and Multicultural Affairs

Sponsoring temporary overseas employees to Australia

Form

1196

Important

You can also lodge this application on the Department of Immigration and Multicultural Affairs' (the department) website www.immi.gov.au/e Visa/

Before completing this form you should read the detailed information in booklet 11, *Sponsoring a temporary overseas employee to Australia*. All booklets and forms can be found on the department's website www.immi.gov.au/allforms/

Sponsors of medical practitioners can find more information about the entry requirements on the department's website www.immi.gov.au/skilled/

You should also read the following instructions carefully.

Who should use this form?

This form should be used by businesses seeking to sponsor business entrants to work in Australia on a temporary basis (ie. up to 4 years). This form must be completed by someone with legal authority to act on behalf of the business.

What is involved?

There are 2 steps involved in seeking to sponsor a temporary business entrant: *sponsorship* and *nomination*. This form covers both steps.

Businesses which already have a current approval to sponsor temporary business entrants need only complete Part B of this form to nominate a position they wish to fill with a temporary business entrant.

Sponsored persons

Sponsored applicants include the following:

Primary applicant:

The primary applicant is the overseas employee being sponsored to work temporarily in Australia.

Secondary applicants:

• Spouse

A spouse is the person that the primary applicant lives with as their husband or wife. This relationship may be a legal marriage or a de facto/common law relationship which involves members of the opposite sex.

• Interdependent partner

This is usually the primary applicant's same sex partner. They must be in an interdependent relationship, which includes being aged 18 years and over, not closely related by blood or adoption and have a mutual commitment to a shared life to the exclusion of all others. Their relationship must be genuine and continuing.

• Dependent child (under 18 years of age) of the spouse or interdependent partner

A dependent child is the natural, adopted or step-child of the primary applicant, their spouse or interdependent partner where the primary applicant, their spouse or interdependent 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 applicant or their spouse may be considered in the application if:

- they have never married, are widowed, divorced or separated;
- they are usually resident in the applicant's household;
- they rely on the applicant for financial support for their basic needs;
- the applicant has supported them for a substantial period; and
- they rely on the applicant more than any other person or source.

Employers should list the secondary applicants who will accompany the primary visa applicant to, or remain in, Australia at **Part B – Nomination** (Question 48). The sponsorship undertakings (see *Sponsorship undertakings*) will also apply to these applicants.

Sponsorship arrangements covered by this form

Business Sponsorships

Standard Business Sponsorship (SBS) allows employers to sponsor a specified number of temporary business entrants within a 2 year period. Employers must demonstrate to the department that they can satisfy the sponsorship criteria, including their ability to comply with sponsorship undertakings (see page 9), in relation to the approved number of sponsored employees.

A Standard Business Sponsorship is valid for either 2 years or until the approved number of positions are filled, whichever happens earlier. The nomination and visa application must be lodged well before this period expires. If employers wish to sponsor additional entrants, they need to make a new sponsorship application.

Sponsored employees may stay in Australia for the length of the visa validity period – the visa does not expire when the sponsorship expires.

Labour Agreements (LA) are formal agreements between the Commonwealth Government and an employer or industry association, which have generally been negotiated to meet special labour market circumstances that cannot be covered by the standard Business Sponsor arrangements. Businesses who are party to a Labour Agreement are not required to apply for approval as a business sponsor. Such businesses need only complete Part B of this form to nominate a temporary position under their Labour Agreement.

Regional Headquarters (RHQ) agreements are agreements between foreign companies (that choose Australia as their headquarters for their Asia-Pacific operations) and the Commonwealth Government. Foreign companies with a Regional Headquarters agreement in place need only complete Part B of this form to nominate a temporary position under their agreement.

Invest Australia Supported Skills (IASS) agreements replace RHQ's from November 2004.

(Nominations made under an LA or an RHQ/IASS must meet the requirements of the specific agreement to be approved.)

Sponsorship arrangements NOT covered by this form

If you want to nominate a **permanent** position under a Labour Agreement or an RHQ/IASS you should complete form 1192 *Employer nomination for a permanent appointment*.

If you want to sponsor non-business temporary entrants you should complete form 55 *Sponsorship for temporary residence in Australia (non-business)*. All departmental forms are available from the department's website www.immi.gov.au/allforms/

Structure of this form

Step 1: sponsorship

Part A of this form is for businesses applying to be a sponsor of temporary business entrants to work in Australia on a long-stay temporary basis (ie. up to 4 years).

Who can apply for sponsorship?

Australian Businesses

To apply for approval as a Business Sponsor businesses must be legally established and actively engaged in business activities in Australia and be the direct employer of temporary business entrants they intend to sponsor.

Overseas Businesses

Businesses that have no operating base or representation in Australia, and who are not party to an RHQ or IASS agreement, may still be able to send overseas personnel to Australia if they meet the 2 year Standard Business Sponsor criteria. Overseas businesses should lodge the completed sponsorship and nomination sections of this form (Part A and Part B) at an Australian mission overseas.

Sponsorship undertakings

Businesses applying for Business Sponsor status must give an undertaking to meet certain responsibilities in relation to each temporary business entrant being sponsored. The sponsor's undertakings also extend to secondary visa applicants.

The undertakings are listed on **page 9** of this form. The department must be satisfied that the business is able to meet these sponsorship undertakings in relation to all those it has sponsored.

Further information about the sponsorship undertakings is available from the department's website www.immi.gov.au/skilled/

Monitoring of sponsorship undertakings

To ensure that the sponsorship undertakings are being met, the department will require sponsors to provide monitoring information, including employment records. The department may also undertake site visits to ensure compliance with undertakings. Monitoring may be expected to commence within 9 to 12 months after approval of the sponsorship. Monitoring may include a site visit by officers of the department.

If a business sponsor:

- fails to provide information requested during monitoring;
- does not fulfil sponsorship undertakings; or
- provides incorrect information to the department;

then the department may:

- bar the business from sponsoring or nominating employees for a specified period of time;
- cancel the business sponsorship agreement; and/or
- cancel the visas of employees the business has sponsored.

Step 2: nomination

Part B of this form is for businesses to nominate a position they wish to fill with a temporary business entrant. A separate nomination application must be made for each position you are seeking to fill as the direct employer of the position. Additional forms are available from the department's website www.immi.gov.au/allforms/

Alternatively, you may photocopy Part B as many times as required and attach to this form.

Skill and salary threshold

Minimum skill and salary requirements apply to positions nominated to be filled by temporary business entrants.

The minimum salary requirement is based on the gross salary paid to the visa entrant for a 38 hour, standard working week. The nominated salary and working conditions must be in line with Australian laws and meet any award salary level. Employees may seek or be offered non-salary benefits above the minimum salary level. These benefits could include packaging items such as superannuation, accommodation allowances, bonuses, commissions, shares, meals or vehicles as allowable under relevant laws; however these items cannot be deducted from the minimum salary level.

Skill and/or salary levels are subject to revision without notice. Before lodging your nomination application, please check the current gazetted skill and salary thresholds, available on the department's website www.immi.gov.au/skilled/

Exemptions to skill and salary threshold

Lower minimum skill and/or minimum salary levels may be considered if the nominated position is located in a defined regional or low population growth area of Australia. Businesses nominating a position in a regional or low population growth area of Australia who wish to apply for lower minimum skill and/or minimum salary levels must seek certification of the nomination by a **Regional Certifying Body (RCB)**. These are State/Territory bodies based in regional Australia.

A list of regional certifying bodies is available from the department's website www.immi.gov.au/skills/

The skill threshold and salary threshold may not apply to positions which are part of an approved Labour Agreement or Regional Headquarters agreement.

Charges and method of payment

There is a charge for businesses applying for approval as a Business Sponsor. A separate charge is applicable for each nomination made under a Business Sponsor arrangement.

There is a charge for each nomination application under a Labour Agreement that was made after 1 July 2003, or under a current Standard Business Sponsorship (SBS).

There is no charge for processing any nomination application lodged under a Regional Headquarters agreement (RHQ) or an Invest Australia Supported Skills (IASS) agreement, a Labour Agreement (LA) that was made before 1 July 2003, or a current Pre-Qualified Business Sponsorship (PQBS).

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

Part J of this form provides assistance for calculating the charge payable for your application. There is also a space to enter your credit card details should you wish to pay by credit card.

Payment of the charge **must** accompany your application. Payment does not guarantee approval of the application, and is generally not refundable. If you nominate one or more positions **before** your application for business sponsor status has been approved, and your application for business sponsor status is subsequently refused, the charge(s) which you have paid in respect of your nomination(s) will be refunded to you.

Method of payment

In Australia

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

Outside Australia

Before making a payment outside Australia, please check with the Australian Government office where you intend to lodge your application as to what methods of payment they can accept.

How to fill in this form

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

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

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

All questions must be fully answered.

What happens next?

Your application will be considered and you may be asked to provide additional information to enable a decision to be made.

You will be advised in writing whether your sponsorship and/or nomination applications have been approved. In the case of sponsorship approval, the advice will specify the maximum number of positions which can be nominated.

If your sponsorship and/or nomination have been approved, you should provide a copy of the approval letter to your nominee (visa applicant) together with a job description or duty statement of the position and necessary skills required, and the contract or letter of employment setting out the salary and any other payment arrangements.

Your nominee may lodge the visa application at the same time as, or subsequent to, the approval of your sponsorship and/or nomination. Your nominee will need to demonstrate that they have the skills and/or experience to perform the duties of the nominated position and will be required to provide a copy of the employment offer, showing their salary and conditions, when they apply for the visa.

If your sponsorship and/or nomination have not been approved you will be given a reason for the decision as well as information about your review rights.

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

The department may disclose information you provide to other government agencies to assist in assessing applications 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 regulation of migration agents.

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 might be disclosed. Form 993i is also available from the department's website www.immi.gov.au/allforms/

Authorisation of a person to only receive written communications

You may authorise another person to only receive all written communications about your application with the department. That person will be known as your authorised recipient. To do this you will need to complete **Part D Options for receiving written communications** and **Part F Authorised recipient details** in this form. The authorised recipient will need to sign at **Part G**. You can only appoint one authorised recipient at any time. The department will communicate with the most recently appointed authorised recipient.

The department is required under section 494D of the *Migration Act 1958* (the Act) to send your authorised recipient any written communications relating to your application that would otherwise have been sent to you. The department will only send your authorised recipient information which you are entitled to receive. For example, if you are a visa applicant and have a sponsor, your authorised recipient will not receive personal information about your sponsor, unless your sponsor also appointed the same authorised recipient.

If you decide to change your nominated authorised recipient, after you have lodged this application, you must promptly advise the department in writing. You may use form 1231 *Appointment of authorised recipient* for this purpose **OR** form 922 *Notification of address or change of address for Business skills visa holders*, if you are a Business visa holder.

Authorisation of a 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 D Options for receiving written communications** and **Part H Agent details**. The migration agent will need to sign at **Part I**.

Appointing a migration agent to act on your behalf includes authorising the department to:

- discuss your application with the agent and seek further information from them; and
- send your agent written communications about your application that would otherwise have been sent to you.

Note: Your migration agent will be your authorised recipient for written communication under section 494D of the Act and you will be taken to have received any documents sent to them.

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

The department will communicate with your agent about your application, including your personal information such as health, police checks, financial viability and personal relationships. If your agent authorises it (see **Part I**) this communication may take place by e-mail.

The department will only send to your agent information which you are entitled to receive. For example, if you are a visa applicant and have a sponsor, your agent will not receive personal information about your sponsor, unless your sponsor has also appointed the same agent.

In some situations, the department's staff will need to speak with you directly, rather than your migration agent – for example, if you are applying for a visa the department may interview you. In some situations, the department's staff will also send documents to you directly (eg. passport) instead of to your agent, but it will inform your agent that it has done so.

If you have appointed a migration agent to act for you, you are still responsible for the accuracy of information and supporting documentation that you give to your agent so that your agent can provide it to the department.

When you provide the details of your migration agent please make sure you include their 7-digit:

- migration agent registration number (if they are a registered migration agent); or
- offshore agent ID number (if they have been allocated one by the department).

Note: Agents who operate overseas do not need to be registered. They may however, have been allocated an ID number by the department.

Using a migration agent

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 in the lawful best interests of their clients and act professionally.

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:

E-mail: themara@themara.com.au

PO Box Q1551
QVB NSW 1230
AUSTRALIA

Telephone: 61 2 9299 5446

Fax: 61 2 9299 8448

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. A copy of the complaint form is available from the MARA website.

Restrictions on giving immigration assistance

In Australia, anyone (including a lawyer) who uses knowledge of migration procedure to offer immigration assistance to a visa or cancellation review applicant, sponsor or nominator, must be registered, unless exempted from registration requirements by law. There are serious criminal penalties under Part 3 of the Act for breaching the law – including possible imprisonment if the unregistered person asks for, or receives, a fee or reward for their services.

Using an agent exempted from registration

Certain people, such as officials, parliamentarians, diplomats, close family members (ie. only your spouse, child, adopted child, parent, brother or sister), sponsors and nominators, are able to provide you with immigration assistance as long as they do not ask or receive a fee or reward. If you wish to appoint an 'exempted agent', you must complete form 956 *Appointment of a migration agent* and attach it to this application form.

Applications for multiple visas

If you are a secondary applicant and you wish to appoint a different migration agent to the primary applicant, you must fill out a separate form 956 *Appointment of a migration agent*, or advise the department in writing. Otherwise, the agent appointed by the primary applicant will have the authority to act for all persons included in the application.

Notification of giving immigration assistance

Under section 312A of the Act, a registered agent has a duty to notify the department when lodging an application on behalf of a client, or within 28 days of commencing to act on behalf of a visa applicant. This notification can be done, by completing, and your agent signing, the relevant sections of this application form.

Consent to communicate electronically

The department may use a range of methods to communicate with you. Electronic means such as fax or e-mail will only be used if you indicate your agreement to receiving communication in this way. The department may also contact people by mail, telephone or in person. However, if you have an e-mail address, this may speed up communication (see **Part E**).

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 without your consent.

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 (see **Part G**).

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.

15 Will the business named at Question 5 be paying the salary of all temporary business entrants sponsored?

No

Yes

Please explain who will be paying the salary of the sponsored temporary business entrants and your relationship with that business

16 Do your business activities include recruitment or labour hire activities?

No

Yes Is there an intermediary between you and the end user?

No

Yes

17 Which industry sector is the business operating in? (*Tick one box only*)

Where the business operates in more than one industry sector select the sector which most closely matches the primary activity of the business.

A – Agriculture, Forestry and Fishing

B – Mining

C – Manufacturing

D – Electricity, Gas and Water Supply

E – Construction

F – Wholesale Trade

G – Retail Trade

H – Accommodation, Cafes and Restaurants

I – Transport and Storage

J – Communication Services

K – Finance and Insurance

L – Property and Business Services

M – Government Administration and Defence

N – Education

O – Health and Community Services

P – Cultural and Recreational Services

Q – Personal and Other Services

Note: The industry sectors listed above are taken from the **Australia and New Zealand Standard Industrial Classification (ANZSIC)**.

ANZSIC is the standard classification used in Australia and New Zealand for the collection, compilation and publication of statistics by industry.

18 What is the annual turnover for your business for the most recent full financial year?

AUD

Please attach supporting evidence if required at Question 30

19 How will Australia benefit from your business sponsoring temporary business entrants? (*You may tick one or more boxes*)

• Employment for Australian citizens or permanent residents

• Expansion of Australian trade in goods or services

• Improvement of business links with international markets

• Competitiveness within the sectors of the Australian economy

Please provide details

20 Has your business, or any principal of your business been:

• subject to sponsorship cancellation or the imposition of sponsorship or nomination bars;

• subject to bankruptcy or liquidation proceedings; or

• found to be in breach of workplace relations laws?

No

Yes Give details

21 Is your business, or any principal of your business, currently awaiting the outcome of any proceedings mentioned at Question 20?

No

Yes Give details

Applicants **MUST** complete:

• Questions 22 to 28 requesting training details

OR

• Question 29 requesting new technology/business skills details

OR

• both

Details of training

Please provide the following information in relation to your business operations in Australia. (If your business does not yet have an operating base or representation in Australia and is applying as an overseas business, go to Question 31.)

Employment

- 22** How many of your employees are Australian citizens or permanent residents?
- 23** How many of your employees hold a temporary visa?
- Of this total, how many are:
- (a) temporary business visa holders
- (b) overseas students
- (c) working holiday makers
- (d) other

Training

- 24** How many of your Australian citizen and permanent resident employees are:
- (a) professionals
- (b) tradepersons
- (c) recent Australian university graduates with less than 2 year's work experience
- (d) apprentices employed under a training agreement or contract of training
- (e) other trainees employed under a training agreement or contract of training
- 25** What is your gross expenditure on wages and salaries for the most recent financial year?
- 26** What was your expenditure on training Australian citizens or permanent residents for the most recent financial year?
Include paid study leave, accredited training courses, reimbursement of study-related costs, employment of designated training officers and the cost of in-house training which follows a predetermined plan and format.

- 27** Please provide details of your business/organisation's training strategy, listing its aims and how you achieve them (you should also include any involvement in government or industry training schemes)

- 28** What are your business' training plans in respect of your Australian employees in the next 2 years?

Continued on the next page ►

New technology/business skills

- 29** Will your business introduce, utilise or create new or improved technology or business skills?

New or improved technology or business skills generally means 'leading edge' technology or skills that are not readily available in Australia. The new or improved technology or business skills should be a significant implementation which will add to the efficiency, competitiveness or profitability of the business.

No

Yes Describe the new or improved technology or business skills your business will introduce, utilise or create

Document checklist

- 30** You may provide supporting documents to demonstrate that your business/organisation satisfies the sponsorship requirements such as:

- training plan and/or strategy
- evidence of training expenditure
- other documents that support your application

Your business/organisation **may** also need to provide evidence of its financial status.

You may not need to provide details of the financial status of your business/organisation if it:

- operates in the Government Administration industry sector (ie. your business/organisation is an Australian Commonwealth, State, Territory or Local Government organisation, a Government Business Enterprise, or a Statutory Authority/Agency); or
- is listed on the Australian Stock Exchange (ASX) and you have provided an ASX Code at Question 10; or
- has more than 20 full-time employees, has satisfactorily sponsored 457 visa holders previously, and is listed with the Australian Securities and Investments Commission (ASIC), and you have provided an ABN and/or ACN/ARBN at Questions 7, and 8 or 9.

In any other instance your business/organisation **may** need to provide the following documentation:

- a letter of support from a chartered accountant, CPA, PNA, FPNA or reputable financial institution that clearly summarises your business' ability to meet its financial responsibilities specified in the sponsor's undertakings for the number of persons sought.

If you do not choose to provide a letter of support, you **may** need to provide details of your business' financial status such as:

- bank statements;
- balance sheets/profit and loss statements;
- relevant extracts from your business plan including cash flow projections;
- contracts;
- lease agreements;
- statements concerning the source of any funds.

Sponsor's undertakings

- 31** The business must agree to meet certain sponsorship undertakings in relation to overseas employees. The department must be satisfied that the business is able to meet these sponsorship undertakings in relation to all those it has sponsored, including secondary applicants.

Should the business fail to comply with these undertakings the department may take action to:

- bar the business, for a specified period, from nominating a person or activity in relation to a temporary visa;
- bar the business from sponsoring more people under the terms of all or specified existing sponsorship approvals;
- bar the business, for a specified period, from making further applications for approval as a sponsor for all or specified kinds of temporary visas;
- cancel the business's approval as a sponsor for all or specified kinds of temporary visas;
- cancel the visas of those it has sponsored; and/or
- take any failure to comply with these undertakings into account in assessing any future sponsorship applications made by the business or by any other business operated by the same principals.

The term of approval as a standard business sponsor will cease upon the earlier of the following:

- at the end of 28 days after the business notifies Immigration that the sponsored person has ceased to be in the business's employment;
- if the sponsored person ceases to hold the visa for which he or she was sponsored – when the person leaves Australia or is granted another substantive visa.

Responsibility for the undertakings will commence on the grant of the visa to the sponsored person.

Responsibility for the undertakings will cease when the term of approval as a sponsor ceases, or when the sponsored person ceases to hold the visa for which he or she was sponsored, unless otherwise notified below.

The undertakings are as follows:

The business undertakes to do the following in relation to sponsored persons:

- ensure that the cost of return travel by a sponsored person is met;
- not to employ a person who would be in breach of the immigration laws of Australia as a result of being employed;
- comply with its responsibilities under the immigration laws of Australia;
- notify Immigration of:
 - any change in circumstances that may affect the business's capacity to honour its sponsorship undertakings; or
 - any change to the information that contributed to the business's ability to be approved as a sponsor or the approval of a nomination;
- cooperate with the department's monitoring of the business or of any sponsored persons;
 - this undertaking continues until the earlier of the following:
 - if the sponsored person ceases to hold the visa for which he or she was sponsored, the earlier of the time when the person leaves Australia and the time when the person is granted a substantive visa; and
 - the time when the sponsor ceases to be an approved sponsor of the sponsored person;
- notify Immigration within 5 working days after a sponsored person ceases to be in the business's employment;
- comply with laws relating to workplace relations that are applicable to the business and any workplace agreement that the business may enter into with a sponsored person;
- ensure that a sponsored person holds any licence, registration or membership that is mandatory for the performance of work by the person;

- ensure that, if there is a gazetted minimum salary in force in relation to the nominated position occupied by the sponsored person, the person will be paid at least that salary;
- ensure that, if it is a term of the approval of the nomination of a position that a sponsored person must be employed in a particular location, the business will notify Immigration of any change in the location which would affect the nomination approval;
- pay all medical or hospital expenses for a sponsored person arising from treatment administered in a public hospital (other than expenses that are met by health insurance or reciprocal health care arrangements):
 - this undertaking continues until any such expenses are paid;
- make any superannuation contributions required for a sponsored person while the sponsored person is in the business's employment;
- deduct tax instalments, and make payments of tax, while the sponsored person is in the business's employment;
- pay the Commonwealth an amount equal to all costs incurred by the Commonwealth in relation to a sponsored person:
 - these costs may include those relating to locating and detaining the sponsored person, removing the sponsored person from Australia and processing any application for a protection visa made by a sponsored person;
 - this undertaking continues until all such costs are paid.

I confirm the Business Sponsor's acceptance of these undertakings in respect of all its sponsored persons.

Signature of authorised officer*

DAY MONTH YEAR

Date

Full name (block letters)

Position in the business

*Form must be signed by someone with legal authority to act on behalf of the business.

Sponsor's declaration

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

Signature of authorised officer*

DAY MONTH YEAR

Date

Full name (block letters)

Position in the business

*Form must be signed by someone with legal authority to act on behalf of the business.

If you wish to pay the charge for this application for approval as a Business Sponsor by credit card please provide credit card details in the space provided at Part J of this form.

37 Describe the qualifications, essential skills, employment experience and registrations/licenses required to be held by the nominee (*attach sheets if necessary*)

Qualifications

Essential skills

Employment experience (include number of years experience required)

Registration/Licensing requirements (*if applicable*)

38 How many hours per week will the occupant of this position work?

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

No **▶**
Yes

Give details

40 What is the proposed period of employment?

YEARS	MONTHS
-------	--------

If the position is only vacant for a specific date period, please provide:

From

DAY	MONTH	YEAR
-----	-------	------

 To

DAY	MONTH	YEAR
-----	-------	------

Note: If specific dates are not provided the stay date of any visa granted will be calculated from the date of grant, based on the stated proposed period of employment.

41 Is this an intra-company transfer?

(An intra-company transfer involves a transfer of an employee from one office of a company to another office of the same company in Australia)

No
Yes **▶** Give information on the nature of the transfer

42 If the position is in a regional or low population growth area in Australia, are you seeking exemption from the minimum:

- skill level? No Yes **▶** Please provide details of why a waiver should be considered
- salary level? No Yes **▶**

Note: Where exemption is sought the relevant Regional Certifying Body (RCB) must complete the certification on page 13.

43 Are details of the nominee/visa applicant known at this time?

No **▶** Go to Question 49
Yes

44 Full name of nominee/visa applicant who will be covered by the sponsor's undertakings (listed on page 9)

Family name

Given names

45 Nominee's date of birth

DAY	MONTH	YEAR
-----	-------	------

Continued on the next page **▶**

Sponsor's/Nominator's declaration

46 Nominee's residential address

POSTCODE

47 Nominee's contact details

Office hours (AREA CODE)

After hours (AREA CODE)

48 Will the nominee be accompanied by any secondary applicants? (see *Sponsored persons* on page 1)

Not known

No

Yes Give details of all persons who will be covered by the sponsor's undertakings (listed on page 9)

1. Family name

Given names

DAY MONTH YEAR
Date of birth

2. Family name

Given names

DAY MONTH YEAR
Date of birth

3. Family name

Given names

DAY MONTH YEAR
Date of birth

4. Family name

Given names

DAY MONTH YEAR
Date of birth

Note: If more than 4, attach a separate sheet with details

49 I declare the details provided on this form are correct.

Signature of authorised officer*

--

DAY MONTH YEAR
Date

Full name (*block letters*)

--

Position in the business

--

Office hours telephone

(AREA CODE)

E-mail address

--

*Form must be signed by someone with legal authority to act on behalf of the business.

Certification by approved body

To be completed by the relevant Regional Certifying Body (RCB) for employers seeking exemption from the minimum skill and salary levels. The relevant RCB is one which has coverage of the area in which the proposed nominee will work.

50 As a body approved by the Minister for Immigration and Multicultural Affairs (by Gazette Notice) for the purposes of the Temporary Business (subclass 457) programme, it is certified that:

- the tasks of the nominated activity correspond to the tasks of an occupation specified in a Gazette Notice made for the purposes of regulation 1.20GA;
- the position is a genuine, full-time position that is necessary to the operation of the sponsor's business;
- the position cannot reasonably be filled locally;
- the amount of payment is specified in the nomination and that amount is not less than the:
 - level of remuneration provided for under relevant Australian legislation and awards; and
 - gazetted minimum salary level that applied at the time of nomination; and
- the working conditions of the nominee will be no less favourable than working conditions provided for under relevant Australian legislation and awards.

Signature of authorised RCB representative

Date DAY MONTH YEAR

Full name of representative of certifying body

Name of certifying body

Contact address of certifying body

 POSTCODE

Telephone (AREA CODE)

Fax number (AREA CODE)

Stamp of certifying body

Part C – Assistance with this form

51 Did you receive assistance in completing this form?

No ▶ Go to Part D

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 phone

52 Is your agent registered with the Migration Agents Registration Authority (MARA)?

No

Yes ▶ Go to Part D

53 Is your agent in Australia?

No ▶ Go to Part D

Yes

54 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 D – Options for receiving written communications

- 55 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 E
- Australian registered migration agent
OR
Offshore agent Go to Part H
- Agent exempted from registration You must complete form 956 *Appointment of a migration agent* and attach it to this application form. Go to Part J
- Authorised recipient This is a person authorised to only receive written communications. All written communications that would otherwise have been sent to you in relation to this application will be sent to that person.

- 56 Do you want the authorised person to receive health and/or character information about you and your secondary applicants, that may arise, or be revealed, in the course of this application (for example, requests for medical investigation, other health information about you, or the results of criminal history checks)?
- No Go to Part F
Yes

Part E – Options for receiving electronic communications

- 57 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
- Signature of applicant
- Date DAY MONTH YEAR
/ /

▶▶ Now go to Part J

Part F – Authorised recipient details

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

- 58 Provide details 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
- Telephone number or daytime contact COUNTRY CODE AREA CODE NUMBER
() ()
- Office hours
- Mobile phone

Part G – Authorised recipient consent

- 59 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
- 60 I understand and accept that I am the person appointed by the applicant to receive all written communications.
- Signature of authorised recipient
- Date DAY MONTH YEAR
/ /

▶▶ Now go to Part J

Part J – Payment details

There is a charge for an application for approval as a Standard Business Sponsor (SBS). There is also a separate charge for each nomination application made under a Standard Business Sponsorship (SBS) arrangement.

There is a charge for each nomination made under a Labour Agreement (LA) that commenced after 1 July 2003.

There is no charge for processing any nomination lodged under a Regional Headquarters (RHQ) agreement, an Invest Australia Supported Skills (IASS) agreement, a Labour Agreement (LA) that commenced before 1 July 2003, or a current Pre Qualified Business Sponsor (PQBS) agreement.

Current charges are detailed on form 990i *Charges*, available on the department's website at www.immi.gov.au/allforms/

Payment of the charge **must** accompany your application. Payment does not guarantee approval of the application, and is not refundable.

You can use this section, and form 990i, to calculate the charge for this application.

65 Are you applying for approval as a Standard Business Sponsor (SBS) – Part A of this form?

No

Yes Amount payable

66 Are you nominating a position to be filled by an overseas employee (Part B of this form)?

No

Yes How many nominations

Amount payable per nomination

Total amount for nominations

Total amount payable overall

Payment details

67 How will you pay your application charge?

Note: If applying in Australia, debit card or credit card are the preferred methods of payment. If applying outside Australia, please check with the Australian Government office where you intend to lodge your application as to what methods of payment they can accept.

Bank cheque

Money order

Debit card

Credit card Give details below

Payment by (tick one box)

MasterCard <input type="checkbox"/> Diners Club <input type="checkbox"/> American Express <input type="checkbox"/> JCB <input type="checkbox"/> Visa <input type="checkbox"/>	Australian Dollars <input type="text" value="AUD"/>
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Credit card number

Expiry date /

Cardholder's name

Telephone number

Address

Signature of cardholder

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