



Please ensure that all questions on this form are 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 in the nomination.

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

Note: This nomination form may only be used for PERMANENT entry under a Labour Agreement (LA) 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 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.

Integrity of nomination

The department is committed to maintaining the integrity of the visa and citizenship programs. Please be aware that if you provide us with fraudulent documents or claims, this may result in processing delays and possibly your nomination being refused.

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 Centre of Excellence which is managing your company's LA or IASS agreement. To be approved, nominations under an LA or IASS agreement must meet the requirements of the specific agreement.

A decision on the nomination will be made by the Centre of Excellence 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 Centre of Excellence 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 or de facto partner 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.

To avoid unnecessary delays, your nominee should complete health checks (forms 26 and 160) and seek a penal clearance before they lodge their visa application. More information on penal clearances is available from the department's website www.immi.gov.au/allforms/

Your nominee's visa application must be lodged at the same Centre of Excellence 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 Centre of Excellence where you lodged your nomination to check what steps to follow.

Charges

There is no charge for nominations (for permanent entry) lodged under a LA or IASS agreement.

Fees may be subject to adjustment at any time. Visa Application Charges may be subject to adjustment on 1 July each year. This may increase the cost of a visa.

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

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 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.

Options for receiving written communications

You may authorise another person to receive all communications, both written and electronic, about your application with the department. You will be taken to have received any documents sent to that person as if they had been sent to you.

To do this you will need to complete Part E *Options for receiving written communications* and form 956 *Appointment of a migration agent or exempt agent or other authorised recipient*. For an explanation of what a migration agent or exempt agent or authorised recipient can do please read the sections below.

To change or end the appointment of your migration agent or exempt agent or authorised recipient you must promptly advise the department in writing. You can do this by using form 956 *Appointment of a migration agent or exempt agent or other authorised recipient*.

Authorised recipient information

An authorised recipient is someone you appoint to receive written communications about your application with the department.

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.

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.

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.

Exempt agents

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 sponsor or nominator for this visa application;
- 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.

Further information on migration agents

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

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

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.

Further information

For more information on LA's, you may consult the department's website www.immi.gov.au/skilled/skilled-workers/la/

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



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

Tick where applicable

- 1** This nomination is for – *select one only*:
- _____ Labour Agreement (LA)
- _____ 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 or IASS agreement
 Name and agreement number

- 11** Which Centre of Excellence is managing this LA or IASS agreement?
 (the nomination should be lodged at this Centre of Excellence)

- 12** Have you previously nominated anyone under this LA or IASS?
 No
 Yes ► How many nominations have been approved under this LA 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

