



Please ensure all questions on this form are answered and all requested information attached.

The Department of Immigration and Citizenship (the department) may decide your application on the basis of the information provided in this application alone.

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

ALL forms are available from the department’s website [www.immi.gov.au/allforms/](http://www.immi.gov.au/allforms/) or from the nearest office of the department.

### Who should use this form?

This form should be used by Australian organisations applying for approval as a Professional Development sponsor.

### How to apply

There are 3 stages to the Professional Development visa:

Step 1 – a Professional Development Agreement must be established between an Australian organisation and an overseas employer;

Step 2 – the Australian organisation obtains approval as a Professional Development Program sponsor; and

Step 3 – visa applications are lodged by approved sponsors.

### Integrity of application

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 application being refused.

### Step 1 – Professional Development Agreement

A Professional Development Agreement is a binding agreement between the Australian organisation and the overseas employer that employs or has nominated the overseas participants<sup>1</sup>. Refer to **Part B** Question 23 on page 6 for a list of items that the agreement must have. A template for a Professional Development Agreement can be provided by sending an e-mail request to [profdev@immi.gov.au](mailto:profdev@immi.gov.au)

<sup>1</sup> ‘Overseas participant’ means:  
(a) a person who holds a subclass 470 (Professional Development) visa; or  
(b) a person:  
(i) who is in Australia; and  
(ii) who does not hold a substantive visa; and  
(iii) whose last substantive visa was a subclass 470 (Professional Development) visa.

### Step 2 – Sponsorship

A Professional Development sponsorship enables Australian organisations to sponsor overseas foreign nationals who are professionals, managers or government officials to undertake professional development training in Australia.

The criteria to be approved as a Professional Development sponsor include that the organisation must:

- be a lawfully established, actively operating organisation in Australia (ie. a corporation, association or government agency);
- have the capacity to provide training (either by itself or via nominated training providers);
- make and have the capacity to comply with sponsorship undertakings;
- provide evidence of a formal Professional Development Agreement with an overseas employer sending the participants; and
- provide a security bond if required.

Sponsorship applicants also have to demonstrate that criteria are met in relation to the overseas employer and the Professional Development Program.

Organisations approved as Professional Development sponsors must lodge Professional Development visa applications on behalf of the visa applicant.

### Undertakings

Sponsors are required to make undertakings in relation to their own behaviour and the conduct of each overseas participant<sup>1</sup> they sponsor. It is important that sponsors carefully assess the genuineness of their nominated visa applicants, closely monitor their conduct in Australia and report any non-compliance or change of circumstances to the department. **Part F** on page 9 lists the undertakings the sponsors must make.

### Sanctions

If an approved Professional Development sponsor breaches a sponsorship undertaking, the department may impose a sanction in accordance with the Migration Act and Regulations. The sanctions include:

1. Barring the sponsor for a specified period from sponsoring more people or from making future applications.
2. Specified amounts may be forfeited from the security bond.
3. Cancelling approval as a sponsor.

### Responses to bars and cancellations

Where a decision is made to impose a bar, a sponsor may:

- apply to the Minister to have the bar waived; and/or
- apply for merits review of the decision by the Migration Review Tribunal.

Where a decision is made to cancel approval as a sponsor, the sponsor may apply for merits review of the decision by the Migration Review Tribunal.

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## Security bond

The department may require a sponsorship applicant to lodge a security bond for each Professional Development Program that it established. The security bond is not required if the sponsor is a Commonwealth department or agency nor if the participants are nationals of an Electronic Travel Authority eligible country. To check if a country is an eligible country, see a list of countries included on the department's website [www.immi.gov.au/visitors/tourist/976/eligibility.htm](http://www.immi.gov.au/visitors/tourist/976/eligibility.htm) and [www.immi.gov.au/skilled/business/956-977/eligibility.htm](http://www.immi.gov.au/skilled/business/956-977/eligibility.htm)

The security bond will be requested after all other checks in respect of the sponsorship application have been obtained. The purpose of the security bond is to:

- encourage the sponsor to carefully pre-assess the genuineness and the intentions of the visa applicant and overseas employer(s); and
- meet the potential costs incurred relating to breaches of undertakings (eg. location, detention and removal costs).

The security bond is AUD15,000 and it may take the form of:

- a bank guarantee/term deposit/bank cheque;
- a cash deposit with the department; or
- a money order.

## Professional Development Program (PDP)

The Australian sponsoring organisation needs to ensure the PDP:

- is designed to enhance the participant's professional/managerial skills in their present occupation;
- is primarily class room based (at least 55 per cent of the program needs to be face to face classroom type instruction); and
- should not exceed 18 months in length.

## Overseas Employer

The sponsor must demonstrate that it has a documented relationship with the overseas employer. The overseas employer must:

- be either a foreign government agency, usually limited to provincial/state level and above, or a reputable lawfully operated business, or a multilateral agency<sup>2</sup>;
- not have any adverse information about its background, taking in to consideration:
  - the previous conduct of visa holders from this organisation;
  - the refusals of previous applicants from this organisation;
  - or
  - other immigration compliance;
- have a demonstrated history of business, relevant to and consistent with the proposed PDP.

It is possible to involve more than one overseas employer under the same PDP.

## Step 3 – Professional Development visa applications

Once the sponsorship is approved, the Australian organisation may sponsor visa applicants to undertake the approved PDP.

Visa applicants must:

- be:
  - employed by an overseas business; or
  - employed/nominated by a foreign government department or agency; or
  - employed/nominated by a multilateral agency<sup>2</sup>;
- have managerial or other professional skills relevant to the PDP;
- meet general health and character requirements; and
- be outside Australia at the time they apply for and are granted the visa.

## Charges

When applying for sponsorship approval, you will be required to pay a prescribed charge when you lodge the application unless you are an Australian Government department or agency. The application is invalid without payment of the charge. Payment of the charge does not guarantee an approval of the sponsorship and is generally not refundable.

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, see form 990i *Charges* available from the department's website [www.immi.gov.au/allforms/990i.htm](http://www.immi.gov.au/allforms/990i.htm) or check with the nearest office of the department.

## 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 Citizenship. 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 and currencies they can accept and to whom the payment should be made payable.

<sup>2</sup> 'Multilateral agency' means an agency in which at least 3 national governments participate (eg. United Nations, World Bank).

## Applying for approval as a sponsor

Australian organisations need to lodge a completed and signed form 1226 *Application for approval as a Professional Development sponsor*.

The completed form, together with the appropriate application charge (unless an Australian Government department or agency) and any relevant additional information requested in this form, can be lodged at one of the following addresses:

By courier:

Hobart Professional Development visa Processing Centre  
Level 14  
188 Collins Street  
HOBART TAS 7000

By mail:

Hobart Professional Development visa Processing Centre  
PO Box 1623  
HOBART TAS 7000

By fax: (03) 6220 4029

To meet the requirements of lodging a valid application, when applying by fax the appropriate application charge must be paid by credit card. This can be done by completing the payment details on page 8 of this form.

You will be advised in writing whether your sponsorship application has been approved. If approved, the department will provide you with a unique PDP code that you are to quote when lodging sponsored visa applications. If your sponsorship application is not approved, you will be given the reason for the decision, as well as information about your review rights.

Once the sponsorship application is approved, you may sponsor visa applicants employed by an overseas business or employed/nominated by a foreign government agency or employed/nominated by a multilateral agency to undertake the approved PDP. There is no limit on the number of valid sponsorship approvals an organisation may hold concurrently or the number of overseas participants who may be sponsored under each sponsorship approval.

A sponsorship approval will be valid for a maximum of 3 years, or the duration of the agreement between the sponsor and the overseas employer (whichever is shorter).

Should you wish to sponsor people to undertake different PDPs, a new sponsorship approval will be required to cover each PDP. Material changes to approved PDPs will also require a new sponsorship approval.

## 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 D *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, exempt agent or authorised recipient can do please read the sections below.

To change or end the appointment of your migration agent, 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.

## Authorisation of a migration agent to act on behalf of the sponsor

A migration agent is someone who can:

- advise you on visas and sponsorship;
- tell you the documents you need to submit with your sponsorship application;
- help you fill in the sponsorship application and submit it;
- receive written communications about your sponsorship application with the department; and
- discuss your sponsorship application with the department.

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.

To change or end the appointment of your migration agent 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*.

## Immigration assistance

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.

**Sponsors of applicants for Professional Development visas are exempt from the requirements to be registered as a migration agent in order to assist applicants in relation to Professional Development visas.**

## Migration agents in Australia

Migration agents in Australia must be registered with the Migration Agents Registration Authority (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.

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## 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 Migration Agents Registration Authority (MARA) website [www.themara.com.au](http://www.themara.com.au)

You can also access information about migration agents on the department's website [www.immi.gov.au](http://www.immi.gov.au)

## 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'.

The information provided will be used for assessing your eligibility to be a Professional Development sponsor and for other purposes relating to the administration of the Migration Act.

The information provided will be disclosed to agencies who are authorised to receive information relating to border control, employment conditions, education, health assessment, health insurance, health services, law enforcement, review of decisions and registration of migration agents.

Information may also be disclosed to the following parties:

- AusAID and the Department of Education, Employment and Workplace Relations (DEEWR) to assist those seeking to undertake training in Australia;
- DEEWR to monitor educational institutions' compliance with the *Education Services for Overseas Students Act 2000*;
- DEEWR to determine any impact of a proposed workplace component on the Australian labour market.

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 offices of the department, gives details of agencies to which your personal information might be disclosed.

## 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 receive communication in this way.

To process your application, the department may need to communicate with you about sensitive information, for example, financial viability. 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.

## Professional Development visa Helpdesk

For clarification on matters related to the Professional Development visa e-mail your enquiries to [profdev@immi.gov.au](mailto:profdev@immi.gov.au)

*Home page* **[www.immi.gov.au](http://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

## Part A – Sponsorship applicant's details

**1** Company name (if a registered company) and trading name. Otherwise provide details of the organisation in Australia.


**2** How long has the company been operating?

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**3** Australian Business Number (ABN)

**4** Australian Company Number (ACN) 



  
if appropriate

**5** Australian Registered Body Number (ARBN) 



  
if appropriate

**6** Postal address

POSTCODE

**7** Street address

POSTCODE

**8** Contact officer for enquiries

Contact name

Telephone number

**9** Do you agree to the department communicating with you by fax, e-mail or other electronic means?

No

Yes  Provide details

Fax number

E-mail address

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

**10** Have you or any of your organisation's close business associates previously been refused an application to have a sponsorship approved?

No

Yes  Provide details


**Note:** The term 'close business associates' includes office holders and managers within the organisation

**11** Have you or any of your organisation's close business associates previously sponsored visa applicants for a Professional Development visa whose application has been refused?

No

Yes  Provide details


**12** Have you or any of your organisation's close business associates previously had a sanction imposed on you as a Professional Development sponsor?

No

Yes  Provide details


**13** Provide information to demonstrate your organisation's capacity to deliver training programs. Attach supporting documents if required


**14** Provide information that demonstrates your organisation's capacity to meet the sponsorship undertakings, including evidence that your organisation can fulfil the financial obligations of being a sponsor. Attach supporting documents if required








## Part F – Sponsorship applicant’s declaration

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

31 I, (your name)

am duly authorised by (name of sponsorship applicant)

- to apply on its behalf for approval as an approved Professional Development sponsor; and
- to make sponsorship undertakings on its behalf.

I declare the details on this form are complete, true and correct.

I make the following undertakings:

- to ensure that the participant costs of an overseas participant are met, while the overseas participant is the holder of the subclass 470 (Professional Development) visa; and
- to ensure that an overseas participant complies with the conditions to which the overseas participant’s visa is subject; and
- to ensure that an overseas participant complies with the immigration laws of Australia; and
- to comply with its responsibilities under the immigration laws of Australia; and
- to ensure that an overseas participant’s standard of living (including the overseas participant’s accommodation) while the overseas participant is the holder of a subclass 470 (Professional Development) visa is consistent with a reasonable standard of living in Australia; and
- to give the Secretary accurate information, as soon as practicable, about:
  - any material change in the approved Professional Development sponsor’s circumstances; or
  - any matter that may affect the approved Professional Development sponsor’s ability to carry out the undertakings mentioned in this regulation; or
  - any material change in an overseas participant’s circumstances; or
  - any matter that may affect an overseas participant’s ability to comply with the conditions to which the overseas participant’s visa is subject; and
- not to make a material change to the Professional Development Program for an overseas participant unless the Secretary has approved the change in writing; and
- to give officers reasonable access, at reasonable times, to premises at which the approved Professional Development sponsor provides, or will provide, a Professional Development Program, for the purpose of assessing:
  - the approved Professional Development sponsor’s compliance with the Act and these Regulations in relation to the approved Professional Development sponsor’s sponsorship, the Program and any overseas participant; and
  - an overseas participant’s compliance with the conditions to which the overseas participant’s visa is subject; and
- to co-operate with the department’s monitoring of the approved Professional Development sponsor and of an overseas participant sponsored by the sponsor; and
- not to employ a non-citizen who does not hold a visa permitting the non-citizen to work (whether for reward or otherwise); and
- not to employ a non-citizen in breach of a visa condition restricting the work that the non-citizen may perform in Australia; and
- to pay all medical or hospital expenses for the overseas participant arising from treatment administered in a public hospital (other than expenses that are met by health insurance or reciprocal health care arrangements); and

- to pay to the Commonwealth an amount equal to all costs incurred by the Commonwealth in relation to an overseas participant. These costs include:
  - locating the overseas participant;
  - detaining the overseas participant;
  - removing the overseas participant from Australia;
  - processing an application for a protection visa made by the overseas participant; and
- to replace any amount of bond that has been forfeited, within the time requested.

**Note:** The maximum amount that a sponsor will be liable for in relation to locating and detaining an overseas participant is capped at AUD10,000 for each overseas participant.

### Enforceability of undertakings

I acknowledge and accept that the undertakings I have made are enforceable for the periods set out below.

- Undertaking (l) – remains enforceable until: the time when the expenses are paid.
- Undertakings (m) and (n) – are enforceable until: the time when the amount is paid.
- Undertakings (c), (d), (f)iii, (h), (i), (j) and (k) – are enforceable until: if the sponsor ceases to be an approved sponsor of the sponsored person and the sponsored person ceases to hold a subclass 470 (Professional Development) visa for which he or she was sponsored – the time when the person ceases to be an overseas participant.
- Undertakings (a), (b), (e), (f)i, (f)ii, (f)iv and (g) – are enforceable until: if the sponsor ceases to be an approved sponsor of the sponsored person and the sponsored person ceases to hold a subclass 470 (Professional Development) visa for which he or she was sponsored – the time when the sponsored person ceases to hold the subclass 470 (Professional Development) visa.

Signature of duly authorised person

Date 

DAY	MONTH	YEAR
/	/	

Full name (BLOCK LETTERS)

Name of organisation

Position in the organisation

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