



Australian Government

Department of Immigration  
and Citizenship

## Trade Skills Training visa sponsor monitoring

Form

1268

Only the Trade Skills Training (TST) visa sponsor or a person authorised by the TST visa sponsor should complete this form.

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

### Your responsibility as a TST visa sponsor

As a TST visa sponsor, migration law requires that you:

- provide correct information to the Department of Immigration and Citizenship (the department);
- comply with the sponsorship undertakings which you agreed to at the time of lodging your application for sponsorship;
- continue to satisfy the requirements for approval as a TST visa sponsor.

One of the sponsorship undertakings is to cooperate with the department's monitoring. This includes the timely completion and return of this form.

If you do not comply with the department's monitoring requirements, or no longer meet any of the above requirements, it may lead to one or more of the following sanctions:

- barring your business from sponsoring further apprentices under the TST visa for a specified period of time;
- cancellation of your TST visa sponsorship agreement;
- cancellation of the visas of the people you have sponsored.

### Please answer all questions as fully and accurately as possible and attach any requested information

If you have any questions relating to any aspect of the monitoring form, please contact the person listed as the contact officer in the covering letter enclosed with this form.

Please return the completed form within 28 days.

### About the information you give

The information you provide will be used to help assess whether you are meeting your obligations as an approved TST visa sponsor.

The information provided by sponsors, applicants and employers will be disclosed to state and territory government agencies who are responsible for the New Apprenticeship Scheme, for the purposes of assessing the eligibility of the applicant for a TST visa and for other purposes relating to the administration of the Migration Act, including monitoring of compliance with the visa.

It may also be disclosed to agencies, such as the Department of Education, Employment and Workplace Relations and the Australian Taxation Office, that are authorised to receive information relating to employment, law enforcement, taxation, review of decisions and temporary business entry. The form 993i *Safeguarding your personal information* gives details of agencies to which your information might be disclosed. This form is available from the department's website.

### 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.

Electronic communications, unless adequately encrypted, are not secure and may be viewed by others or interfered with. Should you choose to use e-mail, the department will only use your e-mail address for the purpose for which you have provided it. It will not be added to any mailing list and will not be disclosed without your consent.

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.

### 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 Question 33 *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.

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## 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 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.

### 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)

*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*



# Trade Skills Training visa sponsor monitoring

Form

# 1268

**Australian Government**  
**Department of Immigration  
and Citizenship**

## *Part A – Sponsorship undertakings*

All approved sponsors have agreed to meet undertakings in relation to their TST visa sponsored apprentices.

Your organisation has undertaken to do the following in relation to sponsored apprentices including accompanying family members:

- to ensure that any person granted a Subclass 471 (Trade Skills Training) visa on the basis of sponsorship by the sponsor complies with the conditions of the visa;
- to ensure that a person sponsored by the sponsor to be an apprentice is a genuine applicant and genuinely intends to complete an apprenticeship in Australia;
- not to employ a person who would be in breach of the immigration laws of Australia as a result of being so employed;
- to give the department accurate information, as soon as practicable, about:
  - any material change in the sponsor's circumstances; or
  - any matter that may affect the sponsor's ability to carry out sponsorship undertakings mentioned in the migration regulations; or
  - any material change in the circumstances of a visa holder, including changes to the visa holder's accommodation arrangements; or
  - any matter that may affect a visa holder's ability to comply with the conditions to which the visa is subject;
- to notify of any change in a visa holder's location;
- to cooperate with the department's monitoring of:
  - the sponsor; and
  - an employer of an apprentice sponsored by the sponsor; and
  - the workplace of an apprentice sponsored by the sponsor; and
  - a visa holder;
- to ensure that a visa holder maintains health insurance cover in Australia that the Minister for Immigration and Citizenship considers adequate;
- to ensure that a visa holder is accommodated in Australia in accommodation arrangements that the Minister for Immigration and Citizenship considers to be consistent with a reasonable standard of living in Australia;
- to ensure that an apprentice sponsored by the sponsor is employed in accordance with all relevant Commonwealth, state and territory legislation dealing with the employment and working conditions of the apprentice;
- to ensure that the individual or organisation operating the workplace in which an apprentice sponsored by the sponsor is undertaking his or her apprenticeship:
  - has a satisfactory record of compliance with the immigration laws of Australia; and
  - is lawfully and actively operating in Australia; and
  - has a satisfactory record of, or a demonstrated commitment towards, training Australian citizens and Australian permanent residents; and
  - has the capacity to provide the apprenticeship;
- to ensure that:
  - each person sponsored by the sponsor to be an apprentice signs a New Apprenticeship/training contract; and
  - the contract is lodged for registration in accordance with the relevant State or Territory legislation:
    - (a) if the Subclass 471 visa is granted while the applicant is in Australia — within 3 months of the grant of the Subclass 471 visa; or
    - (b) if the person arrives in Australia as the holder of a Subclass 471 visa — within 3 months of the person's arrival in Australia; and
  - a New Apprenticeship/training contract approved under the relevant State or Territory legislation remains in force while the person continues to undertake the apprenticeship;
- to notify the department within 10 days if an apprentice sponsored by the sponsor ceases to be in the employment, or ceases to undertake the apprenticeship, in respect of which the visa is granted.

## Part B – Trade Skills Training visa sponsor details

**1** Registered trading name


**2** Australian Business Number (ABN)

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**3** Client ID number

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**4** Current street address (where you are located)

POSTCODE

**5** Postal address  
*(If the same as your street address, write 'AS ABOVE')*

POSTCODE

**6** Contact officer's name

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**7** Telephone number

( AREA CODE )
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**8** Do you agree to the department communicating with you by fax, e-mail or other electronic means?

No  All communication will be sent to your postal address

Yes  Give e-mail address and/or fax number

Fax number

( AREA CODE )
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E-mail address

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**9** When approving your organisation as a TST visa sponsor, your organisation satisfied the following criteria:

- it is lawfully and actively operating in Australia;
- it has a satisfactory record of compliance with the immigration laws of Australia;
- nothing adverse is known to the department about the organisation;
- it has the capacity to provide, or to arrange apprenticeships for, the number of people sponsored as apprentices;
- if an employer of one or more apprentices — that there is a satisfactory record of, or a demonstrated commitment towards, training Australian citizens and Australian permanent residents;
- it intends to and is capable of complying with the sponsorship undertakings mentioned in Part A of this form.

Does your organisation still meet these criteria?

No  Give details


Yes  **Note:** The department may seek evidence of this

**10** Since receiving TST visa sponsorship approval, has there been any significant changes with regards to the:

- ownership of the organisation? No  Yes
- primary purpose or activity performed by the organisation? No  Yes

If you answered 'Yes' to any of these questions, give details


**11** Since being approved as a TST visa sponsor, has your organisation, or any principal of your organisation been:

- subject to sponsorship cancellation or the imposition of sponsorship or nomination bars; or
- subject to bankruptcy or liquidation proceedings (external administration); or
- found to be in breach of workplace relations laws?

No

Yes  Give details


**12** Is your organisation, or any principal of your organisation, currently awaiting the outcome of any proceedings mentioned at Question 11?

No

Yes  Give details


## Part C – Your organisations' sponsored overseas apprentices

- 13** Has a New Apprenticeship Scheme training contract been:
- signed by each of your TST visa sponsored apprentices; and
  - registered in accordance with State/Territory legislation?

No  Please specify reasons


Yes  Please provide a certified copy of each registered contract

- 14** During the past 12 months, have there been any significant changes in regard to any of your organisations' TST visa sponsored apprentices, such as:
- ceased employment as part of a New Apprenticeship Scheme arrangement; or
  - been granted another visa; or
  - left Australia permanently?

No

Yes  Give details below

Name of sponsored apprentice (as it appears in passport)	Date of birth			Nature of the change	Date of change		
	DAY	MONTH	YEAR		DAY	MONTH	YEAR
	/	/			/	/	
	/	/			/	/	
	/	/			/	/	
	/	/			/	/	
	/	/			/	/	

- 15** Provide details of the remuneration paid to all of your organisations' TST visa sponsored apprentices during the past 12 months.  
**Please provide 4 recent payslips and the most recent PAYG Payment Summary as evidence of salary paid.**  
**Where this is not available, you may provide bank statements as evidence of salary paid.**

Name of sponsored apprentice	Date of birth			Employer's business name	Hours per week	Base salary	Total remuneration package
	DAY	MONTH	YEAR				
	/	/		Trade			
	/	/		Trade			
	/	/		Trade			
	/	/		Trade			
	/	/		Trade			

**16** Please provide the address(es) of the premises where the TST visa sponsored apprentices usually work

Name of sponsored apprentice	Employer's business name	Worksite address
		POSTCODE
		POSTCODE
		POSTCODE
		POSTCODE
		POSTCODE

**17** Are all your TST visa sponsored apprentices employed in accordance with Australian industrial relations laws, Australian levels of remuneration and Australian conditions of employment?

No

Yes  **Note:** The department may seek evidence of this

**18** Are tax installments and superannuation contributions made in respect of all TST visa sponsored apprentices?

No  Please specify reasons


Yes  **Note:** The department may seek evidence of this

**19** Do all of your TST visa sponsored apprentices hold current health insurance cover?

No  Please specify reasons


Yes  **Note:** The department may seek evidence of this

**20** Please provide details of accommodation arrangements for each of your TST visa sponsored apprentices

Name of sponsored apprentice	Brief description of accommodation arrangements eg. shared 3 bedroom house	Weekly rental contribution paid by this sponsored apprentice

## Part D – Training

- 21** How many Australian workers do you employ (include Australian citizens, permanent residents and New Zealand citizens)?
- Note:** If your organisation employs more than 50 staff, your nearest estimate will do.
- Of this total, how many are:
- (a) professionals;
  - (b) tradepersons;
  - (c) recent Australian university graduates with less than 2 years 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?

- 22** How many of your employees hold a temporary visa?
- Of this total, how many are:
- (a) TST visa sponsored apprentices;
  - (b) overseas students;
  - (c) working holiday makers;
  - (d) other?

- 23** Of the employees recruited by your organisation during the last 12 months, how many were:
- (a) Australian citizens or permanent residents or New Zealand citizens;
  - (b) temporary visa holders?

- 24** What was your gross expenditure on wages and salaries for the most recent financial year?

- 25** What was your expenditure on training your Australian employees (ie. Australian citizens and permanent residents) for the most recent financial year?

**Note:** 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 pre-determined plan and format.

- 26** Please give an outline of the training you provided to your Australian employees in the past 12 months.

**Note:** The department may seek evidence of this.


- 27** What are your organisation's future training plans for your Australian employees?


Continued on the next page ►

## Part E – Sponsor’s declaration

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

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

Signature of authorised officer\*

Date  /  /

Full name (BLOCK LETTERS)

Position in the organisation

Telephone number

( AREA CODE )

\*This form must be signed by someone with legal authority to act on behalf of the TST visa sponsor.

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

## Part F – Assistance with this form

**29** Did you receive assistance in completing this form?

No  ▶ Go to Question 33

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  (  ) (  )

Mobile/cell

**30** Is the person an agent registered with the Migration Agents Registration Authority (MARA)?

No

Yes  ▶ Go to Question 33

**31** Is the person/agent in Australia?

No  ▶ Go to Question 33

Yes

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

No

Yes

## Part G – Options for receiving written communications

**33** 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.

**OR**

Authorised recipient

**OR**

Migration agent  ▶

**OR**

Agent exempt from registration

You must complete form 956 *Appointment of a migration agent or exempt agent or other authorised recipient* and attach it to this application form. Form 956 is available from the department’s website [www.immi.gov.au](http://www.immi.gov.au)