



Who should use this form?

This form is for people intending to participate in an unpaid placement on either the Special Program (subclass 416) visa or the Occupational Trainee (subclass 442) visa.

Australian organisations providing occupational training or a special program to foreign nationals who will not be paid are required to complete this form to indicate an understanding of the basis of the appointment and an understanding of the relevant industrial laws. This acknowledgement is in addition to the sponsorship obligations and other sponsorship requirements.

Approval of form 1378 *Nomination for a temporary resident position* (applicable to Occupational Trainee visa applicants) or approval of a special program does not imply that the training, remuneration or other arrangements meet the requirements of other Australian laws and requirements, such as the laws relating to industrial relations.

Note: A person is considered as unpaid where they will receive no remuneration for doing the work or activity other than:

- reimbursement of reasonable expenses incurred in doing the work or activity; or
- prize money or an allowance.

Please contact the **Workplace Infoline of the Commonwealth Workplace Authority on 1300 363 264** for advice about your industrial relations obligations to ensure your proposed program is consistent with Australian law.

This form must be signed by a person who is authorised to make the acknowledgement on behalf of the organisation.

Acknowledgement

On behalf of

Name of organisation

I acknowledge that:

- Our organisation proposes to engage the person named below as an occupational trainee or special program participant for the specified period nominated;

Name of visa applicant

Period of placement

MONTHS	WEEKS
/	

- the proposed workplace-based training or special program placement is designed to assist the visa applicant to provide a cultural/social experience and/or to develop skills relevant to their tertiary education, current occupation or field of study, and it will involve the observation of tasks performed by our employees (or host employees) or the performance of tasks under close supervision of our employees (or host employees);

- there is no intention on the part of our organisation or the visa applicant to create an employment relationship as recognised under the law of Australia;
- it has been explained to the visa applicant that the placement is unpaid;
- our organisation understands its obligations under Australian industrial relations laws if the visa applicant becomes an employee;
- our organisation has made independent enquiries and as appropriate obtained independent legal advice about the proposed unpaid placement;
- our organisation understands that workplace relations laws make it unlawful to employ an employee and not pay them, and that penalties may be imposed against any employer who breaches these laws;
- in considering this visa application, the Department of Immigration and Citizenship (the department) has not endorsed the proposed placement as meeting the requirements of Australia's workplace relations laws; and
- our organisation agrees to cooperate with officers of the department and other Commonwealth agencies in monitoring and interviewing

Full name (block letters)

Position held

Name of organisation

Signature of sponsor

Date

DAY	MONTH	YEAR
/	/	

Note: If you are:

- a Special Program sponsor, please provide a completed form 1284 to the participant to enable them to lodge the form with the associated form 147 *Application for a temporary residence visa (non-business)*; or
- an Occupational Trainee visa sponsor, please lodge a completed form 1284 and a completed form 1283 *Unpaid placement – visa application* with form 1378 *Nomination for a temporary resident position*.