



## About this form

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 application forms are available from the Department of Immigration and Citizenship (the department) website [www.immi.gov.au/allforms/](http://www.immi.gov.au/allforms/). Forms are available in PDF file format and can be filled in on screen, printed and mailed to the department.

## Who completes this sponsorship application?

This form should be used by a person seeking approval as a sponsor to bring people to work in Australia as superyacht crew members on a Superyacht Crew (subclass 488) visa.

A sponsor may be approved for up to 3 years. There will not be a limit on the number of people you can sponsor while you are an approved sponsor. You can apply to vary (extend) your sponsorship.

It is important to ensure that visa applications are lodged well before the expiry of the sponsor approval as a visa can only be granted when the sponsor approval is valid. If your sponsorship approval period ceases you will need to reapply and be approved as a sponsor to sponsor further visa applicants.

## Sponsorship obligations

### Obligation to cooperate with inspectors

The sponsor must cooperate with inspectors appointed under the *Migration Act 1958* in determining whether:

- a sponsorship obligation is being, or has been, complied with; or
- circumstances, in which the department may take administrative action, exist or have existed (see below).

This obligation starts to apply on the day the sponsorship is approved.

This obligation ends 5 years after the day on which the sponsorship ceases.

### Obligation to keep records

The sponsor must keep records of their compliance with the other obligations. All records must be reproducible and some must be capable of verification by an independent person. For a complete list of the records that must be kept, including the manner in which the records should be kept, see [www.immi.gov.au/skilled/](http://www.immi.gov.au/skilled/)

This obligation starts to apply on the day the sponsorship is approved.

This obligation ends 2 years after the concurrence of the following 2 events:

- the approved sponsorship ceases; and
- there is no sponsored person in relation to the sponsorship.

However, no record need be kept for more than 5 years under this obligation.

## Obligation to provide records and information

The sponsor must provide records or information relating to the administration of sponsorship requested by written notice if the sponsor is required to keep the records or information:

- under a law of the Commonwealth or a state or territory; or
- the obligation to keep records.

The records and information must be provided in the manner, and within the timeframe, requested in the written notice.

This obligation starts to apply on the day the sponsorship is approved.

This obligation ends 2 years after the concurrence of the following 2 events:

- the approved sponsorship ceases; and
- there are no sponsored persons in relation to the sponsorship.

## Obligation to provide information to the department when certain events occur

The sponsor must provide certain information to the department when certain events occur. This information must be provided by registered post or e-mail, to a specified address and within 10 working days of the event occurring. For a complete list of the information and events, see [www.immi.gov.au/skilled/](http://www.immi.gov.au/skilled/)

This obligation starts to apply on the day the sponsorship is approved.

This obligation ends on the day after the concurrence of the following 2 events:

- the approved sponsorship ceases; and
- there are no sponsored persons in relation to the sponsorship.

## Obligation not to recover certain costs from a sponsored person

The sponsor must not recover, or seek to recover, from the sponsored person, all or part of the costs (including migration agent costs):

- in relation to the recruitment of the primary sponsored person;
- in association with becoming or being a sponsor or former approved sponsor.

This obligation starts to apply on the day the sponsorship is approved.

This obligation ends on concurrence of the following 2 events:

- the approved sponsorship ceases; and
- there are no sponsored persons in relation to the sponsorship.

## **Obligation to pay costs incurred by the Commonwealth to locate and remove an unlawful non-citizen**

The sponsor must pay costs incurred by the Commonwealth in locating and/or removing a sponsored person from Australia, if requested by written notice. The sponsor is liable to pay the Commonwealth the difference between the actual costs incurred by the Commonwealth (up to a maximum of AUD10,000) and any amount already paid under the obligation to pay travel costs to enable a sponsored person to leave Australia.

This obligation starts to apply on the day on which the sponsored person becomes an unlawful non-citizen.

This obligation ends 5 years after the sponsored person leaves Australia. However, the sponsor is only liable for costs up to the time the sponsored person leaves Australia.

## **Sanctions for failing to satisfy sponsorship obligations**

If the sponsor fails to satisfy a sponsorship obligation, the Minister may take one or more of the following actions:

### Administrative

- bar the sponsor, for a specified period, from sponsoring more people under the terms of one or more existing approvals as a sponsor for different kinds of visas;
- bar the sponsor, for a specified period, from making future applications for approval as a sponsor in relation to one or more classes of sponsor;
- cancelling one or all of the sponsor's existing approvals as a sponsor;

### Civil

- apply to a Court for a civil penalty order of up to AUD33,000 for a corporation and AUD6,600 for an individual for each failure; or
- issue an infringement notice of up to AUD6,600 for a body corporate and AUD1,320 for an individual for each failure.

## **Other reasons why administrative action may be taken**

There are a number of other circumstances (besides failure to satisfy a sponsorship obligation) in which the administrative actions described in the first 3 dot points above may be taken:

- provision of false or misleading information to the Department of Immigration and Citizenship or the Migration Review Tribunal;
- the sponsor no longer satisfies the criteria for approval as a sponsor or for variation of a term of that approval;
- the sponsor has been found by a court or competent authority to have contravened a Commonwealth, state or territory law;
- a primary sponsored person is found to have contravened a law relating to the licensing, registration or membership required in order to work in the nominated occupation;
- unapproved change to a special program; or
- failure to comply with certain terms of a special program agreement.

## **Monitoring**

If you are approved as a sponsor you must comply with the sponsorship obligations (as outlined above). The department will monitor compliance with the sponsorship obligations and whether associated visa holders are abiding by their visa conditions.

Routine monitoring is conducted from time to time and monitoring may also be initiated based on information provided to the department. This may take place during the approved sponsorship period and for up to 5 years after the sponsorship ceases.

The department conducts monitoring in 3 main ways:

- exchanging information with other Commonwealth, state and territory government agencies, including the Department of Education, Employment and Workplace Relations and the Australian Taxation Office;
- written requests to the sponsor to provide information in accordance with the obligation to provide records and information;
- site visits, usually to the sponsored business premises, with or without notice.

Monitoring may include investigations being conducted by Commonwealth officers called inspectors. Inspectors have certain investigative powers under the *Migration Act 1958*. Failure to cooperate with inspectors is a breach of the sponsorship obligations and the department may take action against the sponsor. For details on the actions the department may take refer to *Sanctions for failing to satisfy sponsorship obligations* in this form.

All written communication about the department's monitoring requirements will be sent directly to you, unless you have authorised another person, including migration agents, to act and receive information on your behalf. The sponsorship obligations (including the obligations to cooperate and provide information to the department) will remain with you as the sponsor even if you have authorised another person to act and receive information on your behalf.

## **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, your application being refused and possibly imposition of one or more of the sanctions listed.

## Lodging the sponsorship application

You should lodge this application at the office of the department in Brisbane for an application to be valid. Applications to be lodged at one of the following addresses:

By mail:

Brisbane Global Processing Centre  
Department of Immigration and Citizenship  
GPO Box 9984  
BRISBANE QLD 4001  
AUSTRALIA

By courier:

Brisbane Global Processing Centre  
Department of Immigration and Citizenship  
299 Adelaide Street  
BRISBANE QLD 4001  
AUSTRALIA

By fax:

(07) 3136 7273

If you want to change any of the information you provided after you lodge this application, or if you want to withdraw it, contact the Brisbane Global Processing Centre

E-mail: [superyacht@immi.gov.au](mailto:superyacht@immi.gov.au)

## Charges

There is no application charge for approval as a Superyacht Crew sponsor.

## What happens after you lodge the sponsorship application?

It is important that you lodge your application with all the documents necessary to assess your application. Lodging a complete application assists case officers in making a fair and complete assessment of your claims and results in faster processing times. You may be asked to provide additional information to enable a decision to be made.

You will be advised in writing whether or not your application has been approved. If your application has not been approved, you will be given a reason for the decision as well as information about your merit review rights.

If you are approved as a Superyacht Crew Sponsor, you should provide a copy of the approval letter to the person you intend to sponsor for a Superyacht Crew visa.

The primary person may lodge a visa application at the same time as, or subsequent to, the approval of your sponsorship arrangement. However, their visa will not be granted until the Superyacht Crew sponsorship is in place.

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

To ensure the integrity of the visa program, the department has a thorough monitoring process to assist in ensuring compliance with all program requirements and all relevant Australian laws.

The department will disclose your information to other Commonwealth, state and territory government departments and agencies for the purposes of administering migration legislation and when it may assist another agency to perform a regulatory function. These departments and agencies include the Fair Work Ombudsman, Department of Education, Employment and Workplace Relations, Australian Taxation Office and Commonwealth, state and territory departments and agencies responsible for health, workplace safety, public safety, industrial relations, law enforcement, taxation, superannuation, fair trading and trade practices legislation.

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 will be disclosed. Form 993i is also available from the department's website [www.immi.gov.au/allforms/](http://www.immi.gov.au/allforms/)

## 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.

## 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.

Information on migration agents, including a list of registered migration agents, is available on the Office of the MARA website [www.mara.gov.au](http://www.mara.gov.au)

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

## Exempt persons

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 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.

## Appointing a migration agent/exempt person

To appoint a migration agent/exempt person you should complete Part D *Options for receiving written communications*.

Your migration agent/exempt person should complete form 956 *Advice by a migration agent/exempt person of providing immigration assistance*.

Form 956 is available from the department's website [www.immi.gov.au/allforms/](http://www.immi.gov.au/allforms/)

## Options for receiving written communications

If you do not appoint a migration agent/exempt person you may still authorise another person, in writing, to receive written communications on your behalf. This person is called the authorised recipient.

## Authorised recipient information

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.

You will be taken to have received any documents sent to that person as if they had been sent to you.

To appoint an authorised recipient you should complete:

- Part D *Options for receiving written communications*; and
- form 956A *Appointment or withdrawal of an authorised recipient*.

**Note:** Migration agents/exempt persons do not need to complete form 956A.

Form 956A is available from the department's website [www.immi.gov.au/allforms/](http://www.immi.gov.au/allforms/)

## 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.

If you authorise another person to receive documents on your behalf and they wish to be contacted electronically, their signature is required on form 956 or 956A to indicate their consent to this form of communication.

**Note:** Electronic communication is the fastest means of communication available and the department prefers to communicate electronically because this results in faster processing.

*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

**1** Have you previously been, or are you currently approved as a class of sponsor?

No

Yes  Sponsor class

Approval date

Sponsorship Application ID number

The Sponsorship Application ID number can be found on the approval letter from the department.

**2** Are you seeking to vary your sponsorship? (ie. extend the validity of your sponsorship)

No

Yes

**3** Have you previously been refused an application to have a sponsorship approved?

No

Yes  Give details

**4** Have you, or your organisation, or any principal of the organisation, in the last 3 years:

- been found guilty by a court of an offence under a Commonwealth, state or territory law (a law\*);
- been found by a competent authority to have acted in contravention of a law;
- been the subject of administrative action (including being warned) by a competent authority for possible contravention of a law;
- been under investigation, subject to disciplinary action or legal proceedings in relation to an alleged contravention of a law;
- become insolvent?

*\* A law mentioned above refers to a law relating to the following only: discrimination, immigration, industrial relations, occupational health and safety, people smuggling and related offences, slavery, sexual servitude and deceptive recruitment, taxation, terrorism and trafficking in persons and debt bondage.*

No

Yes  Give details

**5** Is the organisation, or any principal of the organisation or individual, currently awaiting the outcome of any proceedings mentioned at Question 4?

No

Yes  Give details

**6** Is there any other adverse information relating to your suitability to sponsor overseas workers?

No

Yes  Give details



## Part D – Options for receiving written communications

**20** All written communications about this application should be sent to:  
(Tick one box only)

Myself

**OR**

Authorised recipient  ▶ You should complete form 956A *Appointment or withdrawal of an authorised recipient*

**OR**

Migration agent  ▶ Your migration agent/exempt person should complete form 956 *Advice by a migration agent/exempt person of providing immigration assistance*

**OR**

Exempt person

## Part E – Document checklist

**21** Attach the following documents to this application. You should provide 'certified copies' of original documentation. Documents not in English must be accompanied by accredited English translations.

Tick  when completed

For each Superyacht:	
• Registration papers; <b>and</b>	<input type="checkbox"/>
• Superyacht survey; <b>or</b>	<input type="checkbox"/>
• Insurance papers	
If a captain is applying to be the sponsor:	
• proof of employment as a captain	<input type="checkbox"/>

## Part F – Sponsorship applicant's declaration

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

**22** Have you read and understood your obligations, see *Sponsorship obligations* on pages 1 and 2?

No

Yes

**23** I understand the sponsorship obligations and other sponsorship requirements and understand that I/the organisation is bound by the sponsorship obligations and other sponsorship requirements with respect to all primary persons that I/the organisation consents to sponsor in writing.

No

Yes

**24** I declare that 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 )

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