



Employer Sponsored Visa Application

Initial Checklist



EMPLOYEE/VISA APPLICANT

For the Visa Applicant and any family members to be included on the visa application.

IDENTITY DOCUMENTS



- Passport
- Birth Certificate
- Drivers licence
- National ID cards (if applicable)
- Change of name documents – Marriage Certificate/Deed Poll

IMMIGRATION HISTORY



- Any previous Visa Grant notices and/or any visa refusal notifications.
- Penal clearance certificates - for each country, including Australia (Australian Federal Police National Police Clearance – Code 33), where you and any accompanying family unit members over the age of 16 have resided for more than twelve months in the past ten (10) years;

Australia - <https://afpnationalpolicechecks.converga.com.au/>

Overseas - <https://www.homeaffairs.gov.au/about/contact/offices-locations>

EDUCATION/QUALIFICATIONS



- Up to date and detailed Resume
- Copies of all formal qualifications
- Evidence of any professional memberships/Registrations/Licencing
- Evidence of English Language Capacity
- Proposed Contract of Employment.
- Employment references from previous roles of a similar nature (signed and on company letterhead)
- Payslips
- Taxation records evidencing work experience

NB. If you are including a spouse or de-facto partner as an additional applicant in your application, you will also need to provide evidence in support of that relationship.

EMPLOYER/SPONSOR

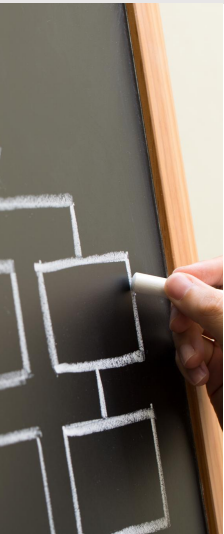
COMPANY IDENTIFICATION DOCUMENTS



- Certificate of Registration of a Company
- ASIC Company Extract
- Record of Registration for Business Name
- Company Statement – Extract of Particulars
- Evidence of company incorporation (if relevant).
- Details of any Trusts and copies of relevant Trust Deeds under which the company and directors operate.



COMPANY OPERATIONS EVIDENCE



- Evidence such as lease agreements, evidence of the employment of staff, invoices, contract/service level agreements, publicity material and/or any other evidence which is reasonably obtainable and demonstrates active trading of the entity in Australia.
- An up to date organisational chart with details of all employees, their job titles, employment statuses (for example, full-time/part-time/casual) and Australian residence status.
- A letter from the company accountants commenting on the business' fiscal viability, along with commentary on the ability to support the proposed employee's salary for the duration of their proposed stay in Australia.
- Copies of the company's audited business accounts including all tax return material, Annual Profit and Loss Reports, Business Activity Statements and Balance Sheets for the last 5 financial years.



COMPANY'S NEED FOR THE POSITION AND TO FILL THE ROLE



- A proposed Contract of Employment
- A detailed Position Description
- A detailed genuine need statement - which includes a description of the business, how this position/role fits within the business and explaining why the position/role is genuinely required from a day-to-day operations, fiscal and growth, perspective.
- A statement detailing any attempts by the business to fill the position locally and/or with an Australian worker, including comments on whether or not they were successful in these attempts and why, as well as evidence to support those claims (such as any advertising and responses received).
- Proof that the proposed salary is the annual market salary rate, such as copies of the relevant award, salary surveys and similar job advertisements.



NB: For some visa types Labour Market Testing ('LMT') is required. There are also occupation caveats for certain occupations. It is advisable to do your research by checking the Federal Register of Legislation.

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<https://www.legislation.gov.au/Details/F2019C00853> as it is occupation, application and situation specific.

FURTHER USEFUL INFORMATION

Employee/Primary Visa Applicant: The overseas national who is being sponsored/nominated to fill a position within an Australian business/company.

Other/Secondary Applicants: The spouse/de-facto partner and/or children of the Primary Applicant who meet the secondary criteria for this application.

As the Primary Applicant, in gathering the evidence, try and think about putting together all and any evidence that you can find in order to demonstrate that you are suitably educated, skilled and experienced to be able to fulfill the requirements of the sponsored/nominated occupation - the above list is by no means exhaustive and is by no means fully representative of all evidence a particular situation might require.

In certain cases, Primary Applicants may be required to obtain a positive skills assessment with the relevant Australian authoritative body for the specific nominated occupation.

Employer/Sponsor/Nominator: Suitable business/company proposing to nominate an overseas worker for employment purposes on a full-time basis (unless otherwise approved).

It is essential for any proposed Employer/Sponsor/Nominator to establish whether there is anything in their immigration or business history which might preclude them from becoming an approved sponsor. If a sponsorship limitation or exclusion affects you, it is sensible to obtain legal advice.

As the Employer/Sponsor/Nominator, in gathering the evidence, try and think about putting together all and any evidence that you can find in order to demonstrate that the position within the business/company is a genuine one and that there is a genuine need to fill that position with an overseas worker and that the nominated overseas worker is the most suitable person for that position.

Your evidence/supporting documentation must always be true and accurate. It is considered fraud if it is not so and you may be prosecuted.

Don't forget to provide certified and officially translated versions of any documents outlined above, if the originals are in a language other than English.

Bonus Offer

You may find the following link useful in terms of obtaining certified copies of your documents where required.

<https://www.timpsonimmigration.com.au/can-certify-copies-documents/>

If you would like any further help please send us an email:
enquiries@timpsonimmigration.com.au