

SBS and Nomination Checklist – Employer nominated – 482/186 / 494/ 407 (all streams)

IMPORTANT NOTES:

1. CLIENT RESPONSIBILITY FOR ACCURACY OF INFORMATION

1.1 You are responsible for providing documents and information that are **true, correct, complete, and not misleading**.

1.2 This obligation applies to:

- All documents you submit
- All answers provided in forms
- All information provided verbally or in writing

1.3 You must ensure consistency across all documents and forms. Contradictory or incomplete information may adversely affect your application.

2. NO INDEPENDENT VERIFICATION BY THE FIRM

2.1 The Firm relies entirely on the information and documents you provide.

2.2 The Firm does **not** independently verify, investigate, or cross-check:

- The authenticity of documents
- The accuracy of factual claims
- Information provided by third parties

2.3 Legal advice and submissions are prepared strictly on the basis of the material supplied by you.

3. PUBLIC INTEREST CRITERION (PIC) 4020 – FALSE OR MISLEADING INFORMATION

3.1 Your visa application may be refused if you or any member of your family unit:

- Fail to satisfy the Department as to your identity
- Provide bogus documents
- Provide information that is false or misleading

3.2 PIC 4020 may apply to:

- Your current visa application, or
- Any visa application made in the 12 months prior

3.3 Consequences may include:

- A non-grant period of up to **10 years**, or
- A non-grant period of **3 years** in certain circumstances

3.4 These consequences may also apply to members of your family unit.

CHECKLIST

	Document / Evidence required	
1.1	Cost Agreement	
1.2	Protocol Communications & Standard of evidence	
1.3	956 Form – Appointment of a Migration Lawyer 956 Form – Click here to download	
1.4	Business Documents	
1.4.1	ABN Registration certificate/ ARBN Registration Certificate/ Overseas Registration Proof	
1.4.2	ASIC company extract or ASX listing registration (if Applicable)	
1.4.3	Trust / Franchise / Joint Venture documents (if applicable)	
1.5	Business Operation Documents	
1.5.1	Profit and Loss statements	
1.5.2	Annual Report (for established business)	
1.5.3	Letter of support from accountant or financial institution <i>clearly summarizing your organisation’s ability to meet its financial responsibilities. If you need a template, ask us.</i>	
1.5.4	Business Activity Statements (BAS)	<input type="checkbox"/>
1.5.5	Tax returns	<input type="checkbox"/>
1.5.6	Business plan (for new business)	<input type="checkbox"/>
1.5.7	Business bank statements	<input type="checkbox"/>
1.5.8	Lease agreement	<input type="checkbox"/>
1.5.9	Contract of sale	<input type="checkbox"/>
1.5.10	Company or business expansion plan / contract with Australian partner	<input type="checkbox"/>
1.6	Attestation	<input type="checkbox"/>
1.6.1	Written attestation: commitment to employing local labour and non-discrimination <i>You must attest in writing (as part of your application form) that you have a strong record of, or a demonstrated commitment to employing local labour. You must also declare that you will not engage in discriminatory recruitment practices.. If you need a template, ask us.</i>	<input type="checkbox"/>
	Nomination – Common (482 & 186)	<input type="checkbox"/>
1.7	Applicant’s Employment Contract	<input type="checkbox"/>
1.7.1	Applicant’s employment contract (including salary and start date after visa grant) <ul style="list-style-type: none"> · <i>The employer must not select or decide on a successful applicant until after 4 weeks from the first job advertisement. Early selection may indicate the advertising was not genuine.</i> · <i>Employment commencement: The employment contract must state that the position will formally commence only after the visa is granted. (Informal work may occur after the 4-week advertising period but before visa grant.)</i> · <i>Employment terms: The contract must not include any clause that limits or excludes extensions of employment.</i> · <i>Position details: The role must be full-time, ongoing, and available for at least 2 years.</i> 	<input type="checkbox"/>
1.8	Proof you have a genuine need for a paid employee.	<input type="checkbox"/>

1.8.1	<p>Detailed organisational structure chart</p> <p><i>Provide a company organisational chart that:</i></p> <ul style="list-style-type: none"> • Shows all positions within the organisation • Includes the position titles for each role • Identifies the names of current position holders • Specifies the visa or residency status of each position holder • Clearly illustrates where the nominated position sits within the organisational structure <p><i>Specify the nominated occupation title and its corresponding ANZSCO code</i></p> <p>Include a detailed position description for the nominated role, outlining:</p> <ul style="list-style-type: none"> • The specific tasks and duties • The day-to-day responsibilities • How the role aligns with the nominated ANZSCO occupation 	<input type="checkbox"/>
1.8.2	<p>A duty statement of the responsibilities of the nominated position</p> <p><i>(duties should not just be copied from ANZSCO, although they should substantially align with the tasks listed in ANZSCO)</i></p>	<input type="checkbox"/>
1.8.3	<p>Position title, ANZSCO code and position description</p> <p><i>A brief description of the nature of the business and how the nominated position fits within it</i></p>	<input type="checkbox"/>
1.8.4	<p>Evidence of vacancy</p> <p><i>(attrition, new contract, expansion, etc.)</i></p>	<input type="checkbox"/>
1.8.5	<p>Evidence business is active and lawfully operating</p> <p><i>(trust deed, lease, accountant letter, financials)</i></p>	<input type="checkbox"/>
1.9	Documents to prove that the business is active and lawfully operating	<input type="checkbox"/>
1.9.1	ABN/CAN certificates	<input type="checkbox"/>
1.9.2	Profit and Loss Statement / Annual Report	<input type="checkbox"/>
1.9.3	Business Plan	<input type="checkbox"/>
1.9.4	Evidence of employment of staff, training agreements,	<input type="checkbox"/>
1.9.5	Promotional materials	<input type="checkbox"/>
1.9.6	<p>A letter of support from the accountant of your business</p> <p><i>clearly summarizing your organisation's ability to meet its financial responsibilities. If you need a template, ask us.</i></p>	<input type="checkbox"/>
1.9.7	Balance Sheet / Statement of Position	<input type="checkbox"/>
1.9.8	Tax Return and Assessment Notice	<input type="checkbox"/>
1.9.9	Business Activity Statements (BAS)	<input type="checkbox"/>
1.9.10	Bank Statements showing business transactions	<input type="checkbox"/>
2.0	Caveat (ONLY IF APPLICABLE)	<input type="checkbox"/>
2.0.1	Detailed position description and explanatory statement (to show caveat inapplicable)	<input type="checkbox"/>
2.0.2	Menu, website link, floor plan, photographs of business premises.	<input type="checkbox"/>
2.0.3	Evidence of table service / dine-in volume (for hospitality roles)	<input type="checkbox"/>
2.0.4	Adverse Information Declaration	<input type="checkbox"/>

	<i>Declaration about adverse information</i> <i>Template will be provided by Dlegal</i>	
	482 Nomination Specific	<input type="checkbox"/>
2.1	Employee Identification and Location	<input type="checkbox"/>
2.1.1	Nominee details (name, DOB, TRN, visa info)	<input type="checkbox"/>
2.1.2	List of family members accompanying the nominee	<input type="checkbox"/>
2.1.3	Proof of AMSR compliance/salary determination method	<input type="checkbox"/>
2.1.4	Evidence of equivalent Australian worker pay or industrial award details	<input type="checkbox"/>
2.1.5	Proof of ITO exemption (passport, citizenship, company link evidence)	<input type="checkbox"/>
2.2	Annual Market Salary Rate and SAF Levy	<input type="checkbox"/>
2.2.1	Proof of payment of the Skilling Australians Fund (SAF) levy	<input type="checkbox"/>
2.2.2	Proof of AMSR <i>(salary surveys, award, or enterprise agreement)</i> <i>(Please see info on AMSR below)</i>	<input type="checkbox"/>
2.2.3	Statement of nominee's 457/482 employment history (TRT stream)	<input type="checkbox"/>
2.2.4	PAYG summaries	<input type="checkbox"/>
2.2.5	Payslips	<input type="checkbox"/>
2.2.6	Sponsor change or associated business documentation (if applicable)	<input type="checkbox"/>
2.3	Proof that ITO applies (Only if applicable)	<input type="checkbox"/>
2.3.1	If you believe that testing the labour market is inconsistent with an ITO, provide documents showing us that your nominee is one of the below: <i>Citizens and permanent residents of selected countries – Check with us.</i>	<input type="checkbox"/>
	407 Nomination Specific	<input type="checkbox"/>
2.4	Volunteer Documents	<input type="checkbox"/>
2.4.1	Form 1283 and 1284 (for unpaid placements) <i>Please check the disclaimer for more information</i>	<input type="checkbox"/>
2.5	General Training Arrangements	<input type="checkbox"/>
2.5.1	Training contract or agreement (with pay details if employed) <i>Require details of all periods and places of training. This includes on-the-job training, classroom-based training and supervised work activities</i>	<input type="checkbox"/>
2.5.2	Training plan with skills assessment, timelines, supervisor details	<input type="checkbox"/>
2.5.3	Statement confirming the nominee has functional English language skills to take part in the training	<input type="checkbox"/>
2.5.4	Letter from relevant regulatory body confirming registration requirement (if applicable)	<input type="checkbox"/>
2.5.5	Copies of the nominee's registration or licence, required for the training	<input type="checkbox"/>
2.6	Occupational training required for registration	<input type="checkbox"/>
2.6.1	Nominee's qualification and CV	<input type="checkbox"/>
2.6.2	Letter from the relevant regulatory body for the occupation in Australia or the nominee's home country. <i>This letter must :</i> <ul style="list-style-type: none">state the nominated training is necessary for the nominee to get registration, membership or licensing to work in the occupation	<input type="checkbox"/>

	• name the person nominated for the training	
2.7	Occupational training for capacity building overseas	<input type="checkbox"/>
2.7.1	A copy of the structured workplace-based training program. <i>Please check the disclaimer for more information</i>	<input type="checkbox"/>
	186 Nomination-specific documents (DE and TRT only)	<input type="checkbox"/>
2.8	Contribution to the Skilling Australian Fund (SAF)	<input type="checkbox"/>
2.8.1	Evidence to show if the employer has paid the nomination training contribution charge referred to as the Skilling Australians Fund (SAF) levy.	<input type="checkbox"/>
2.9	Proof that you will pay the AMSR	<input type="checkbox"/>
2.9.1	If the applicant earns less than AUD250,000 per year, prove you will pay the employee the annual market salary rate (AMSR) for their occupation.	<input type="checkbox"/>
	186 Nomination – TRT STREAM SPECIFIC	<input type="checkbox"/>
3.0	Proof of subclass 457/482 position	<input type="checkbox"/>
3.0.1	Provide a statement declaring that the nominee satisfied their subclass 457 or subclass 482 requirement that they worked <i>Please check the disclaimer for more information</i>	<input type="checkbox"/>
3.1	Sponsor Change Documents <i>If there was a change to the 457 or TSS sponsoring business, show that the nominee worked for the same employer, in the same role and in the same location for the whole 2-year period.</i>	<input type="checkbox"/>
3.1.1	Relevant documents relating to the sale, takeover or restructure of the business which clearly demonstrate that the nominee can be considered as having worked for the same employer	<input type="checkbox"/>
3.1.2	Contracts, PAYG payment summaries and evidence of the nominee's reporting lines to evidence that the nominee has worked in the same role and location	<input type="checkbox"/>
3.2	Associated Business <i>If the nominee worked for an associated business, show that they worked for the same employer in the same role and in the same location for the period that they worked.</i>	<input type="checkbox"/>
3.2.1	Documents showing the association between the businesses	<input type="checkbox"/>
3.2.2	Relevant documents relating to the associated business, which clearly shows that the nominee can be considered as having worked for the same employer	<input type="checkbox"/>
3.2.3	Contracts, PAYG payment summaries and evidence of the nominee's reporting lines to show the nominee has worked in the same role and location.	<input type="checkbox"/>
	494 Nomination Specific Documents	<input type="checkbox"/>
3.3	Identification of employee and the employment location	<input type="checkbox"/>
3.4	Evidence to provide the nominee's: <i>Please check the disclaimer for more information</i>	<input type="checkbox"/>
3.5	Contract of employment	<input type="checkbox"/>
3.5.1	A copy of the employment contract signed and dated by both parties, unless the occupation is exempt in accordance with the legislative instrument	<input type="checkbox"/>
3.6	Proof you will pay the Annual Market Salary Rate (AMSR) or that you are exempt <i>Please refer to AMSR evidence info below</i>	<input type="checkbox"/>
3.7	Proof of your Labour Market Testing (LMT) <i>Please refer to LMT table below</i>	<input type="checkbox"/>

3.8	Proof that the position is genuine	<input type="checkbox"/>
3.8.1	<p>Detailed organisational structure chart</p> <p><i>Provide a company organisational chart that:</i></p> <ul style="list-style-type: none"> • Shows all positions within the organisation • Includes the position titles for each role • Identifies the names of current position holders • Specifies the visa or residency status of each position holder • Clearly illustrates where the nominated position sits within the organisational structure <p><i>Specify the nominated occupation title and its corresponding ANZSCO code</i></p> <p>Include a detailed position description for the nominated role, outlining:</p> <ul style="list-style-type: none"> • The specific tasks and duties • The day-to-day responsibilities • How the role aligns with the nominated ANZSCO occupation 	<input type="checkbox"/>
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3.8.3	Position title, ANZSCO code and position description	<input type="checkbox"/>
3.8.4	A brief description of the nature of the business and how the nominated position fits within it	<input type="checkbox"/>
	Labour Market Testing (LMT)	<input type="checkbox"/>
3.9	Labour Market Testing	<input type="checkbox"/>
	<i>Please check the disclaimer for more information</i>	
3.9.1	Recruitment summary and advertisement evidence	<input type="checkbox"/>
3.9.2	Copies of all advertisements (Workforce Australia + 2 others)	<input type="checkbox"/>
3.9.3	Receipts or invoices for ads and screenshots	<input type="checkbox"/>
3.9.4	Evidence of reasons why Australian candidates unsuitable	<input type="checkbox"/>
3.9.4	Jobactive or DESE program participation evidence	<input type="checkbox"/>

DISCLAIMER SCHEDULE

By submitting this, I confirm that all relevant evidence and specifically the evidence ticked in this checklist has been provided and place start the assessment process to finalize the application.