

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	Yes/No
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)	
1.5.5	Tax returns	
1.5.6	Business plan (for new business)	
1.5.7	Business bank statements	
1.5.8	Lease agreement	
1.5.9	Contract of sale	
1.5.10	Company or business expansion plan / contract with Australian partner	
1.6	Attestation	
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>	
	Nomination – Common (482 & 186)	
1.7	Applicant’s Employment Contract	
1.7.1	Applicant’s employment contract (including salary and start date after visa grant) · <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>	
1.8	Proof you have a genuine need for a paid employee.	
1.8.1	Detailed organisational structure chart <i>Provide a company organisational chart that:</i>	

	- 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 Specify the nominated occupation title and its corresponding ANZSCO code Include a detailed position description for the nominated role, outlining: - The specific tasks and duties - The day-to-day responsibilities - How the role aligns with the nominated ANZSCO occupation	
1.8.2	A duty statement of the responsibilities of the nominated position <i>(duties should not just be copied from ANZSCO, although they should substantially align with the tasks listed in ANZSCO)</i>	
1.8.3	Position title, ANZSCO code and position description <i>A brief description of the nature of the business and how the nominated position fits within it</i>	
1.8.4	Evidence of vacancy <i>(attrition, new contract, expansion, etc.)</i>	
1.8.5	Evidence business is active and lawfully operating <i>(trust deed, lease, accountant letter, financials)</i>	
1.9	Documents to prove that the business is active and lawfully operating	
1.9.1	ABN/CAN certificates	
1.9.2	Profit and Loss Statement / Annual Report	
1.9.3	Business Plan	
1.9.4	Evidence of employment of staff, training agreements,	
1.9.5	Promotional materials	
1.9.6	A letter of support from the accountant of your business <i>clearly summarizing your organisation’s ability to meet its financial responsibilities. If you need a template, ask us.</i>	
1.9.7	Balance Sheet / Statement of Position	
1.9.8	Tax Return and Assessment Notice	
1.9.9	Business Activity Statements (BAS)	
1.9.10	Bank Statements showing business transactions	
2.0	Caveat (ONLY IF APPLICABLE)	
2.0.1	Detailed position description and explanatory statement (to show caveat inapplicable)	
2.0.2	Menu, website link, floor plan, photographs of business premises.	
2.0.3	Evidence of table service / dine-in volume (for hospitality roles)	
2.0.4	Adverse Information Declaration <i>Declaration about adverse information</i> <i>Template will be provided by Dlegal</i>	
	482 Nomination Specific	
2.1	Employee Identification and Location	

2.1.1	Nominee details (name, DOB, TRN, visa info)	
2.1.2	List of family members accompanying the nominee	
2.2	Annual Market Salary Rate and SAF Levy	
2.2.1	Proof of payment of the Skilling Australians Fund (SAF) levy	
2.2.2	Proof of AMSR <i>(salary surveys, award, or enterprise agreement)</i> <i>(Please see info on AMSR below)</i>	
2.2.3	Statement of nominee’s 457/482 employment history (TRT stream)	
2.2.4	PAYG summaries	
2.2.5	Payslips	
2.2.6	Sponsor change or associated business documentation (if applicable)	
2.3	Proof that ITO applies (Only if applicable)	
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>	
	407 Nomination Specific	
2.4	Volunteer Documents	
2.4.1	Form 1283 and 1284 (for unpaid placements) <i>Please check the disclaimer for more information</i>	
2.5	General Training Arrangements	
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>	
2.5.2	Training plan with skills assessment, timelines, supervisor details	
2.5.3	Statement confirming the nominee has functional English language skills to take part in the training	
2.5.4	Letter from relevant regulatory body confirming registration requirement (if applicable)	
2.5.5	Copies of the nominee’s registration or licence, required for the training	
2.6	Occupational training required for registration	
2.6.1	Nominee’s qualification and CV	
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> • <i>state the nominated training is necessary for the nominee to get registration, membership or licensing to work in the occupation</i> • <i>name the person nominated for the training</i>	
2.7	Occupational training for capacity building overseas	
2.7.1	A copy of the structured workplace-based training program. <i>Please check the disclaimer for more information</i>	
	186 Nomination-specific documents (DE and TRT only)	
2.8	Contribution to the Skilling Australian Fund (SAF)	
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.	

2.9	Proof that you will pay the AMSR	
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.	
	186 Nomination – TRT STREAM SPECIFIC	
3.0	Proof of subclass 457/482 position	
3.0.1	Provide a statement declaring that the nominee satisfied their subclass 457 or subclass 482 requirement that they worked Please check the disclaimer for more information	
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>	
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	
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	
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>	
3.2.1	Documents showing the association between the businesses	
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	
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.	
	494 Nomination Specific Documents	
3.3	Identification of employee and the employment location	
3.4	Evidence to provide the nominee’s: Please check the disclaimer for more information	
3.5	Contract of employment	
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	
3.6	Proof you will pay the Annual Market Salary Rate (AMSR) or that you are exempt Please refer to AMSR evidence info below	
3.6.1	Regional Certifying Body When you nominate someone for a Skilled Employer Sponsored Regional (Provisional) visa (subclass 494) under the Employer Sponsored visa stream, a regional certifying body must assess the annual market salary rate (AMSR) for the nominated position.	
3.7	Proof of your Labour Market Testing (LMT) Please refer to LMT information in disclaimer	
3.8	Proof that the position is genuine	
3.8.1	Detailed organisational structure chart <i>Provide a company organisational chart that:</i> • 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 Specify the nominated occupation title and its corresponding ANZSCO code Include a detailed position description for the nominated role, outlining: - The specific tasks and duties - The day-to-day responsibilities - How the role aligns with the nominated ANZSCO occupation	
3.8.2	A duty statement of the responsibilities of the nominated position (duties should not just be copied from ANZSCO, although they should substantially align with the tasks listed in ANZSCO)	
3.8.3	Position title, ANZSCO code and position description	
3.8.4	A brief description of the nature of the business and how the nominated position fits within it	
	Labour Market Testing (LMT)	
4	Labour Market Testing Please check the disclaimer for more information	
4.1	Recruitment summary and advertisement evidence	
4.2	Copies of all advertisements (Workforce Australia + 2 others)	
4.3	Receipts or invoices for ads and screenshots	
4.4	Evidence of reasons why Australian candidates unsuitable	
4.5	Jobactive or DESE program participation evidence	

DISCLAIMER SCHEDULE

2.4.1 Form 1283 and 1284 (for unpaid placements) (Ignore if not applicable)

The forms should only be completed if you are satisfied that you will not be entering into an employment arrangement with the visa applicant:

- An employment contract can arise even when a person agrees not to be paid wages for the work/training they do
- In cases where a person is actually an employee, they are entitled to pay and conditions under the Fair Work Act.
- You should make independent enquiries and, as appropriate, provide evidence that the proposed unpaid placement is lawful.

5.2.5 Structured workplace-based training program (sc407 only) (Ignore if not applicable)

The training program should include:

- an assessment of the nominated trainee's current level of skill in the identified occupation
- specifically tailored training needs analysis and learning outcomes, including how they will be monitored and assessed
- the tasks to be completed should include timeframes for completion, and show an increase in difficulty and complexity over the course of the training program
- details of all supervisors, trainers and assessors, including their qualifications and experience

3.0.1 Statement of satisfaction

Provide a statement declaring that the nominee satisfied their subclass 457 or subclass 482 requirement that they worked

- if required, full-time in their subclass 457 or subclass 482 visa nominated position
- for the required period

The statement must detail:

- the employment period
- any unpaid leave taken
- any overseas trips for training or work

Also provide:

- PAYG payment summaries for the period of employment
- payslips
- extracts of leave records

3.4 Nominee's details

Evidence to provide the nominee's:

- full name
- date of birth
- Transaction Reference Number (TRN), Application ID or Visa Grant Number for all visas they already hold or have applied for
- the postcode relating to the location of the nominated occupation. The location provided should be where the position is actually going to be performed, not the head office location of the sponsoring company
- names of all known members of the family unit who will accompany them.

3.9 Labour Market Testing (LMT) – Recruitment Summary and Advertising Evidence

Provide a **recruitment summary** together with evidence of the advertisements used for each nominated position.

To satisfy the **Labour Market Testing (LMT)** requirements, the nominated position must have been advertised as follows:

- **At least two advertisements** must be published in Australia and in English.
- The advertisements must have been published **within the four months immediately before the nomination application is lodged**.
- Each advertisement must remain published for **at least four weeks**.
- Employment contract must not start until the 4 weeks has been completed.

Each Advertisement Must Include

Each advertisement must clearly state:

- the **job title or a clear description of the position**;
- the **skills and/or experience required** for the position;
- the **name of the sponsoring business or the recruitment agency** acting on its behalf; and
- the **salary**, where the salary is below **AUD 96,400**. A salary range may be stated.

Acceptable Advertising Platforms

Advertising must be undertaken through an acceptable national recruitment platform, such as:

- a prominent national recruitment website;
- an industry-specific recruitment website with national reach;
- national print media;
- national radio; or
- the sponsoring business's own website, where the sponsor is an **accredited sponsor**.

Advertising conducted solely through **social media or general classified websites** is not sufficient.

A sponsor may authorise a recruitment agency or other third party to conduct the advertising on its behalf.

Evidence to Be Provided

At the time of lodging the nomination, provide:

- copies or screenshots of **at least two compliant advertisements**;
- evidence showing the **dates each advertisement was published and remained active**;
- evidence that applications were accepted for the required period; and

a **recruitment summary** outlining the advertising undertaken, applications received, candidates considered and the outcome of the recruitment process.

AMSR INFORMATION

Provide evidence that you will pay:

- the **Annual Market Salary Rate (AMSR)** for the nominated position; and
- guaranteed annual earnings of at least **AUD 79,423 (excluding non-monetary benefits)**, being the **Core Skills Income Threshold (CSIT)** applicable to nomination applications lodged on or after **1 July 2026**;
- or
- the employee **annual earnings of AUD 250,000 or more**.

The visa programs cannot be used to reduce operating costs. Overseas workers must have employment arrangements similar to those of local workers. If you propose to pay the nominee less than the AMSR, the nomination will likely be refused.

If the overseas worker will be paid an annual salary less than AUD 250,000, you must show that:

1. You have determined the **AMSR** correctly.
2. The overseas worker will not be paid less than the **AMSR** (that is, less than an Australian worker would be paid).
3. Both the AMSR and the guaranteed annual earnings for the overseas worker (excluding any non-monetary benefits in both cases) are **no less than the Core Skills Income Threshold (CSIT)**.
4. The conditions of employment are not less favourable than those applying to Australian citizens or permanent residents.

01. Core Skills Income Threshold (CSIT)

For **nomination applications**, the applicable CSIT is:

- **AUD 79,423** for applications lodged on and between **1 July 2026 and 30 June 2027**.
- **AUD 76,515** for applications lodged on and between **1 July 2025 and 30 June 2026**.
- **AUD 73,150** for applications lodged on and between **7 December 2024 and 30 June 2025**.

For a nomination subject to the CSIT requirements, both the **Annual Market Salary Rate (AMSR)** for the nominated occupation and the **guaranteed annual earnings** to be paid to the nominee must be at least the applicable CSIT. Where the AMSR is higher than the CSIT, the nominee must be paid at least the AMSR.

The CSIT does **not include non-monetary benefits**, such as accommodation or the provision of a motor vehicle. Any such benefits must be provided **in addition to** the remuneration required to satisfy the applicable CSIT and AMSR requirements.

02. Determining the AMSR

The **Annual Market Salary Rate (AMSR)** is determined by considering:

- what an equivalent Australian worker is paid
- enterprise agreements or industrial awards
- Job Outlook information
- job advertisements from the last 6 months in the same location
- remuneration surveys or advice from unions or employer associations

Pathway 1: Where there is an equivalent Australian worker

The AMSR is what you are paying this worker.

If the worker's salary is based on an enterprise agreement or industrial award, provide:

the name of the agreement or award as recorded by the Fair Work Commission (where applicable), and

- the salary level or occupation group that applies to the nomination.

If there is no relevant agreement or award, or you are paying your Australian employees above the award rate, provide:

- copies of relevant employment contracts, and
- payslips for this employee.

⚠ An Australian worker who is more or less experienced than the nominee and does similar work at a different pay grade is not considered equivalent to the nominee.

If you intend to pay the nominated overseas worker less than the equivalent Australian worker, the nomination will be refused. If you provide only generic market salary data or salary surveys, the nomination will also be refused.

Pathway 2: Where there is no equivalent worker but there is an enterprise agreement or industrial award

Provide:

- the name of the agreement or award as recorded by the Fair Work Commission (where applicable), and
- the salary level or occupation group that applies to the nomination.

Pathway 3: Where there is no equivalent worker and no agreement, or award

You must determine and show how you calculated the AMSR.

Relevant evidence may include at least two of the following:

- Job Outlook information
- advertisements from the last six months for equivalent positions in the same location (e.g. state, urban vs regional area)
- remuneration surveys completed by a reputable organisation
- written advice from unions or employer associations