

## EMPLOY OUTSIDE THE SQUARE- SPONSORING STAFF FROM OVERSEAS

The Business Long Stay (457 visa) sponsorship scheme is a valuable tool for employers finding difficulty in filling skills shortages within their Australian businesses by enabling them to place overseas nationals for periods up to four years.

The process involves three steps:

1. approval of the company as a **Business Sponsor**
2. **Nomination** of the activity to be undertaken
3. approval of the **Visa** application

Companies seeking to become a **Business Sponsor** will provide the Department of Immigration with details of their activities, financial standing, training record, introduction of new technology if applicable and statement of what benefit will accrue through the sponsorship.

As a sponsorship is valid for two years, companies can nominate the number of positions it wishes to fill with overseas nationals during this period.

The **nominated position** should fall within the broad list of occupations available for sponsorship covering managers, professionals, associate professionals and trades. Minimum salary thresholds apply: \$43 440 or \$59 480 for IT positions for a 38 hour week calculated on the gross salary and exclusive of any other benefit.

Each nominee will lodge a **Visa Application**, evidencing his or her skills relevant to the nominated position, English language ability and good health and character.

**Aspire Australia** – a professional migration consultancy - can assist both employers and visa applicants (whether in Australia or overseas) through this process, saving you time and effort, and leaving you to get on with your core business activities.

**CALL US TODAY** on 9956 6011 or **EMAIL US** at [visas@aspireaustralia.com.au](mailto:visas@aspireaustralia.com.au) to discuss how sponsoring international staff can help your business.

## FAQ

*How long will the sponsorship application process take?*

A well documented application for sponsorship approval, once lodged electronically with the Department of Immigration, may take between one and eight weeks to process.

The nomination(s) may also be lodged at the same time as the sponsorship and the visa application can then be lodged at any time.

*How many people can we sponsor?*

A sponsorship is valid for a period of two years. A company may seek approval for an unlimited number of positions, however it must provide evidence of having the financial capacity to support the proposed number of nominees (in terms of salary, superannuation, etc).

*What are the employer's obligations?*

A sponsor must give undertakings including the following:

- to ensure that the cost of return travel by a sponsored person is met
- to pay all medical or hospital expenses for a sponsored person arising from treatment administered in a public hospital. This risk may be offset by ensuring the nominee has appropriate health insurance.
- to notify Immigration, within 5 working days after a sponsored person ceases to be in the sponsor's employment
- to comply with relevant laws relating to workplace relations
- to ensure that a sponsored person holds any licence, registration or membership that is mandatory for the person's occupation
- to pay the nominee at least the relevant gazetted minimum salary
- to make any required superannuation contributions
- to deduct tax instalments, and make payments of tax, in relation to the visa holder

*What are the nominee's responsibilities?*

The nominee must work in the nominated position and obey all lawful directions of the employer.

*If the nominee's application is delayed, how can s/he meet the proposed start date?*

Where possible, applications should be lodged well in advance of proposed start dates.

In cases where the start date is approaching, there may be other options available to temporarily fill a skills shortage such as a Business Short Stay visa. This option should be discussed with your legal adviser first, as it is not appropriate in all cases.

For specific advice regarding eligibility to apply for sponsorship approval or any other matters related to sponsoring under the Business Long Stay visa scheme,

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