



Sponsorship for migration to Australia

Form
40

If you are considering sponsoring a relative under the Skilled — Australian sponsored or Skilled — Regional sponsored subclasses, you should read the *General skilled migration* booklet.

If you are satisfied you are eligible to sponsor a relative, you should continue reading these instructions.

Who can sponsor?

In all cases the sponsor must be an Australian citizen, permanent resident or eligible New Zealand citizen aged 18 years or more who lives in Australia.

However, if you wish to sponsor one of the following persons you must have been resident in Australia for a reasonable period, usually two years:

- ♦ a parent
- ♦ an aged dependent relative
- ♦ a remaining relative.

There are also special arrangements for minors wishing to sponsor their spouse, prospective spouse or parents. For more information on these arrangements, contact an office of the Department of Immigration and Multicultural Affairs (DIMA).

How to sponsor your relative

Complete this form and send it to the person you are sponsoring. Ask them to contact the Australian mission in the country in which they live (or nearest to where they live) to get an immigration application form.

When you send this form to your relative, it is important that you tell them that the immigration application form, and the required charge (or evidence that you have paid the charge in Australia) must be lodged together.

Assurance of support

If your relative is applying for a Skilled — Australian sponsored or Skilled — Regional sponsored visa, a *Required assurance of support* (form 28) must be lodged with the application. The sponsor and the assurer need not be the same person. For further information see the *General skilled migration* booklet.

If your relative is in one of the following categories, you should be aware that you, or another person, will later on need to lodge a form 28 *Required assurance of support*, (see form 990i *Charges* for information on payments associated with visa applications and assurances of support) before their application can be finalised:

- ♦ your parent
- ♦ an aged relative dependent on you
- ♦ your remaining brother, sister or adult child outside Australia
- ♦ an orphaned unmarried relative under 18 years of age (Note: Assurance of support bonds are not required for orphaned unmarried relatives under 18)
- ♦ a carer.

Where an assurance of support is mandatory and there are dependants, a bond will apply to dependants who are 18 years or over at the time of application.

For other classes of visa the assurance of support is not mandatory but may be requested where a decision maker assesses that a person included in the application may become a charge on the social welfare budget.

Skilled — Regional sponsored subclass

Details of the criteria applying to this subclass are in the *General skilled migration* booklet. If you live in a designated area of Australia and you believe that you and your sponsored overseas relative meet all the conditions for this subclass then you will need to complete Part I of this form. (A list of designated areas is on the back of this page.)

Part I lists the documentation you will need to provide to support your claim that you have lived in a designated area of Australia for 1 year or more. There is also a table to help you work out if you have enough evidence to satisfy the decision maker that you meet this requirement.

What documents do you need?

The Australian mission will need proof of your relationship to your relative.

It will help your relative's application if you send with this form any documents which confirm the relationship. For example, if you are sponsoring your brother or sister, you should send a certified copy of your full birth certificate showing details of your parents.

If you have changed your name since birth (for example through marriage), you should also provide evidence of this.

You will also need to send evidence of your permanent resident status in Australia or proof that you are an eligible New Zealand citizen*. An Australian citizen will need to send a certified true copy of their citizenship certificate or, if Australian-born, a full certified copy of their birth certificate. If you are unsure about the documents needed to do this, contact the nearest DIMA office.

If your relative wishes to be considered against the requirements of the regional linked subclass, you will need to provide documents to prove that you have lived in a designated area for 1 year or more at the time sponsorship is signed.

If you are sending copies of documents they will need to be certified as true copies of the original by a justice of the peace, commissioner for declarations or a person authorised to witness statutory declarations.

***Note:** An eligible New Zealand citizen is one who holds a special category visa, is usually resident in Australia and who would have met certain health and character requirements on last entry to Australia.

Continued overleaf 

Two-year wait for social security payments

New migrants to Australia have to wait two years before they can get most social security payments, including unemployment benefits, sickness allowance, austudy income support payments for students and a number of other payments. The two year wait starts from the date of arrival in Australia or the date of grant of a permanent visa, whichever is the later. It is therefore very important that you understand that migrants are expected to support themselves and their immediate family members from their own resources and from the support they receive from sponsors.

Sponsors should talk to their relatives about the costs of living in Australia and work out how much assistance their relatives might need. Sponsors should think carefully about whether they are able and willing to provide this support before undertaking the sponsorship.

You should ensure that the person you are sponsoring reads information form 1105i *Supporting yourself in Australia* or the 'Living in Australia' section of the *General skilled migration* booklet, which provides more information on the two year wait, including information on exemptions for some people. It also provides information on the cost of living in Australia.

Your sponsorship undertaking

The undertaking you must sign in Part J of this form states that you agree to provide adequate accommodation and financial assistance as required to meet your relative's reasonable living needs during their first 2 years in Australia. This includes providing financial and other support such as child care that will enable your relatives to attend appropriate English language classes. By signing the undertaking you also agree to provide information and advice to help your relative settle in Australia. This information and advice should include telling your relative about employment in Australia.

Your relative and their spouse and adult dependants, should assess their own employment prospects in Australia, whether or not they intend to work immediately on arrival.

It is important that your relative, their spouse and their adult dependants understand that a good standard of spoken and written English is essential if they want to work in Australia. Without these skills it will be very difficult for them to gain employment at a level equal to their job skills and qualifications.

How to fill in this form

- ♦ Print clearly using a pen.
- ♦ Answer all questions truthfully and completely.
- ♦ Tick the appropriate box for your answer or write your answer in the space provided.
- ♦ If a question is not applicable write 'N/A'.
- ♦ If there is not enough space on the form to answer any questions in full, please attach additional sheets of paper with the details.

About the information you give in this form

DIMA 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 you provide will be used to assess your eligibility to meet the sponsor/sponsorship requirements and any other migration requirements that you and/or the person you are sponsoring must meet as set down in the Migration Regulations.

In addition, the information you provide may also be used for other purposes relating to the administration of the Migration Act, for example, to assist migrants with settling in Australia or for ensuring compliance with the Migration Act.

The information provided might also be disclosed to agencies who are authorised to receive information relating to adoption, citizenship, education, health assessment, health insurance, health services, law enforcement, payment of pensions and benefits, taxation and review of decisions.

The information form 993i *Safeguarding your personal information*, available from DIMA offices, gives details of agencies to which your information might be disclosed.

DESIGNATED AREAS

This table sets out the designated areas by postcode. If your address comes within the post code ranges listed below, then you live in a designated area.

New South Wales

2311-2312, 2328-2333, 2336-2490,
2535-2551, 2575-2739, 2787-2898
(Entire State except Sydney,
Wollongong and Newcastle)

Queensland

4350-4499, 4600-4899
(Entire State except urban Brisbane,
Sunshine Coast and Gold Coast)

Western Australia

6200-6799
(Entire State except Perth metropolitan region)

Victoria

Entire State

South Australia

Entire State

Northern Territory

Entire Territory

Tasmania

Entire State

Australian Capital Territory

Entire Territory

Warning

Giving false or misleading information may be subject to penalties under the *Migration Act 1958* which provides for a penalty of two years imprisonment for a person who sponsors their spouse or de facto spouse and does not intend, at the time of application, to live permanently with them in a genuine and continuing marital relationship.



Sponsorship for migration to Australia

1 How many people are included in this application?Adults Children **Part A - About the person you are sponsoring****2 Surname****3 Given names****4 Date of birth**

DAY MONTH YEAR

5 SexMale ☐Female ☐**6 Current residential address**

Postcode **7 Address for correspondence**
(if different from their residential address)

Postcode **8 Relationship to you**Spouse (including de facto) ☐ ☐ > Go directly to
Prospective spouse ☐ Part CParent ☐Brother/sister ☐Unmarried dependent child ☐Adult child ☐Nephew/niece ☐First cousin ☐(for Skilled — Regional
sponsored subclass only) ☐Grandchild
(for Skilled — Regional
sponsored subclass only) ☐Other ☐ > Please specify**9 Have you previously sponsored/nominated a brother, sister, or child as a remaining relative?**
(includes any other current sponsorship/nominations not recorded previously)No ☐Yes ☐ > Provide details in Part E**10 Marital status of your relative** (tick more than one if appropriate)Now married ☐De facto relationship ☐Engaged ☐Never married ☐Divorced ☐Separated ☐Widowed ☐

> Go to Part B

> Go directly to Part D

Part B - About your relative's spouse**11 Surname****12 Given names****13 Date of birth**

DAY MONTH YEAR

14 SexMale ☐Female ☐**15 Current residential address**

Postcode

Now go directly to Part D

Part C - About your relationship
(if you are sponsoring your spouse, de facto spouse, prospective spouse)**NOTE: You are required to inform the Department if your relationship ends before your partner's application to migrate is decided.****16 Are you legally married?**No ☐Yes ☐ > Date of marriage

DAY MONTH YEAR

Place of marriage

17 Are you sponsoring a de facto spouse?No ☐Yes ☐ > Date this relationship commenced DAY MONTH YEAR**18 Are you sponsoring a prospective spouse?**No ☐Yes ☐ > Are you and your prospective spouse both free to marry? No ☐ Yes ☐Have you met your prospective spouse personally? No ☐ Yes ☐

When and where do you intend to marry?

19 Do you and your partner intend to maintain a lasting marital relationship?No ☐ Yes ☐**20 Was your relationship/marriage contrived solely to enable your partner to enter Australia?**No ☐ Yes ☐**21 Have you previously sponsored a spouse, de facto spouse, prospective spouse?**No ☐Yes ☐ > How many times?

Provide the following details for EACH time you have sponsored/nominated.
If you do not have enough space, provide details on an additional sheet of paper and attach it to this form.

Date of sponsorship/nomination DAY MONTH YEAR

Relationship to you (spouse, de facto spouse, prospective spouse)

Name of overseas post/Australian office where sponsorship or nomination was made

Date relationship ended DAY MONTH YEAR

How relationship ended (death, divorce, separation, did not marry [for prospective spouse only])

Date of sponsorship/nomination DAY MONTH YEAR

Relationship to you (spouse, de facto spouse, prospective spouse)

Name of overseas post/Australian office where sponsorship or nomination was made

Date relationship ended DAY MONTH YEAR

How relationship ended (death, divorce, separation, did not marry [for prospective spouse only])

Date of sponsorship/nomination DAY MONTH YEAR

Relationship to you (spouse, de facto spouse, prospective spouse)

Name of overseas post/Australian office where sponsorship or nomination was made

Date relationship ended DAY MONTH YEAR

How relationship ended (death, divorce, separation, did not marry [for prospective spouse only])

Part D - About your relative's family unit**22 List here all dependent family members of your relative who are included in this sponsorship**Given names Sex Male ☐ Female ☐Date of birth (DAY/MONTH/YEAR) Given names Sex Male ☐ Female ☐Date of birth (DAY/MONTH/YEAR) Given names Sex Male ☐ Female ☐Date of birth (DAY/MONTH/YEAR) Given names Sex Male ☐ Female ☐Date of birth (DAY/MONTH/YEAR)

Given names

Sex Male ☐ Female ☐

Date of birth (DAY/MONTH/YEAR)

Given names

Sex Male ☐ Female ☐

Date of birth (DAY/MONTH/YEAR)

Part E - About the person/s you previously sponsored/nominated as a remaining relative

23 How many times have you previously sponsored/nominated a person as a remaining relative?

Provide the following details for EACH time you have sponsored/nominated:
If you do not have enough space, provide details on additional sheet of paper and attach it to this form.

(i) The person you sponsored/nominated

Surname

Given names

Date of birth DAY MONTH YEAR

Sex Male ☐ Female ☐

(ii) Relationship to you
(brother, sister, child, other)

(iii) Date of sponsorship/nomination DAY MONTH YEAR

(iv) Name of overseas post/Australian office where sponsorship/nomination was made

(v) Was the visa granted to the person you sponsored/nominated?

No ☐ DAY MONTH YEAR

Yes ☐ > Provide date

Part F - About you

24 Surname

25 Given names

26 Date of birth (DAY/MONTH/YEAR)

27 Sex Male ☐ Female ☐

28 Country of birth

29 Citizenship

30 Date of arrival in Australia DAY MONTH YEAR

31 Date of permanent residence
(if different from date of arrival) DAY MONTH YEAR

32 Date you got Australian citizenship
(if applicable) DAY MONTH YEAR

33 Have you previously been granted a visa on the basis of being a remaining relative?

No ☐

Yes ☐ > Provide date DAY MONTH YEAR

34 Your residential address

Postcode

If your residential address is not in Australia, please attach a statement at the end of this form on how you will meet your sponsorship obligations.

35 Address for correspondence
(if different from your residential address)

Postcode

36 Your telephone number/s

COUNTRY CODE AREA CODE NUMBER
During office hours () ()

COUNTRY CODE AREA CODE NUMBER
Outside office hours () ()

37 Your facsimile number COUNTRY CODE AREA CODE NUMBER
() ()

38 Your e-mail address

39 Do you want all correspondence about this application sent to any other person (such as an agent or lawyer) in addition to yourself?

No ☐ Yes ☐ > Provide name and address

COUNTRY CODE AREA CODE NUMBER
Telephone number () ()

COUNTRY CODE AREA CODE NUMBER
Facsimile number () ()

E-mail address

40 Do you agree to DIMA contacting you, or a person you have nominated at Question 39, by using electronic communication such as e-mail?

No ☐ Yes ☐

41 Marital status (tick more than one if appropriate)

- Now married ☐
- De facto relationship ☐
- Engaged ☐
- Never married ☐
- Divorced ☐
- Separated ☐
- Widowed ☐

42 Occupation

43 Provide the name of your employers and dates of employment, for the last 2 years

Employer

From (DAY/MONTH/YEAR)

To (DAY/MONTH/YEAR)

Employer

From (DAY/MONTH/YEAR)

To (DAY/MONTH/YEAR)

Employer

From (DAY/MONTH/YEAR)

To (DAY/MONTH/YEAR)

44 Have you received job search, newstart, parenting, partner, youth training, widow allowances or special benefit during the last 2 years?

No ☐

Yes ☐ > Provide dates

From (DAY/MONTH/YEAR)

To (DAY/MONTH/YEAR)

From (DAY/MONTH/YEAR)

To (DAY/MONTH/YEAR)

From (DAY/MONTH/YEAR)

To (DAY/MONTH/YEAR)

45 If you are normally dependent on your spouse's income, provide the name of your spouse's employers and dates of employment, for the last 2 years

Employer

From (DAY/MONTH/YEAR)

To (DAY/MONTH/YEAR)

Employer

From (DAY/MONTH/YEAR)

To (DAY/MONTH/YEAR)

Employer

From (DAY/MONTH/YEAR)

To (DAY/MONTH/YEAR)

46 If you are normally dependent on your spouse's income, has your spouse received job search, newstart, parenting, partner, youth training, widow allowances or special benefit during the last 2 years?

No ☐

Yes ☐ > Provide dates

From (DAY/MONTH/YEAR)

To (DAY/MONTH/YEAR)

From (DAY/MONTH/YEAR)

To (DAY/MONTH/YEAR)

From (DAY/MONTH/YEAR)

To (DAY/MONTH/YEAR)

47 Are you currently receiving any other form of social security payment or pension or Austudy income support payment (including any benefits received from a country outside Australia)?

No ☐ Yes ☐ > Provide details

48 Have you lived in any other town or city over the last 2 years other than the one you are living in now?

No ☐

Yes ☐ > Provide details

City/town

Postcode

From (DAY/MONTH/YEAR)

To (DAY/MONTH/YEAR)

City/town

Postcode

From (DAY/MONTH/YEAR)

To (DAY/MONTH/YEAR)

City/town

Postcode

From (DAY/MONTH/YEAR)

To (DAY/MONTH/YEAR)

Part G - About your family

49 Do you have any dependants?

No ☐

Yes ☐ > Are they children or other dependants?

Children ☐ > How many?

Other ☐ > Specify e.g. retired parents in Australia or overseas

Part H - About your home

50 Type of dwelling

House ☐

Flat ☐

Other ☐ > Specify

51 How many bedrooms does the dwelling have?

52 How many people live in the dwelling?

53 What is the relationship of these people to you?

Child ☐

Parent ☐

Spouse ☐

De facto spouse ☐

Sibling ☐

Other ☐ > Specify

54 Is the dwelling

Rented ☐

Owned ☐

Being purchased ☐

Other ☐ > Specify

57 If your relatives are approved for migration and you need to help them with accommodation when they arrive in Australia, will they live with you?

No ☐ > What accommodation do you propose for your sponsored relatives?

Yes ☐

Part I - Your previous sponsorships

58 Have you or your spouse lodged any other sponsorship (other than the sponsorships you have recorded in Part C) or signed an assurance of support?

No ☐

Yes ☐ > Attach a statement showing the relationship of the person you have sponsored or assured and the dates of lodgement of sponsorships (including any current sponsorship) or assurances.

Part J - Skilled - Regional sponsored - residence in a designated area

55 Do you currently live in a designated area?

Note: Designated areas are listed on page 2 of this form.

No ☐ > Go to Part K

Yes ☐

56 Have you lived in the designated area for at least 1 year at the time you lodge this sponsorship?

No ☐ > Go to Part K

Yes ☐ > Your relative may also be eligible for consideration under the regional linked subclass.

For your relative to be considered under the Skilled — Regional sponsored subclass, you will need to provide evidence that you:

- a) now live in a designated area, and
- b) have lived there for at least 1 year.

A You must provide at least 4 of the documents listed below to show that you now live in a designated area. Tick the documents you are supplying.	B One of these 4 documents must show that you have lived in the designated area for at least one year. Tick the document you are providing that shows you have lived in the designated area for at least 1 year.
<input type="checkbox"/> Rental agreement showing your current address	<input type="checkbox"/> The agreement must be dated 1 year or more before sponsorship is signed and be accompanied by evidence of ongoing rental payments for the same address
<input type="checkbox"/> Drivers licence showing your current address	<input type="checkbox"/> The licence must be issued at least 1 year before sponsorship is signed
<input type="checkbox"/> Letter from your employer confirming your employment	<input type="checkbox"/> The letter must have been issued within the last month, and confirm continuous employment with a starting date 1 year or more before sponsorship is signed

Continued overleaf 

<input type="checkbox"/> Correspondence from Federal or State Government agency or instrumentality	<input type="checkbox"/> The letter must bear your current address and be dated 1 year or more before sponsorship is signed
<input type="checkbox"/> Electoral Commission notice	<input type="checkbox"/> The notice must bear your current address and be dated 1 year or more before sponsorship is signed
<input type="checkbox"/> Letter from school confirming enrolment of children	<input type="checkbox"/> The letter must have been issued within the last month and confirm continuous school attendance with a starting date 1 year or more before sponsorship is signed
<input type="checkbox"/> Vehicle registration papers	<input type="checkbox"/> The papers must be dated 1 year or more before sponsorship is signed
<input type="checkbox"/> Gas or power bills	<input type="checkbox"/> The accounts must show continuous sequence of invoices and/or receipts commencing 1 year or more before sponsorship is signed
<input type="checkbox"/> Telephone accounts	<input type="checkbox"/> The accounts must show continuous sequence of invoices and/or receipts commencing 1 year or more before sponsorship is signed
<input type="checkbox"/> Bank statements	<input type="checkbox"/> The accounts must show the same name and address for the continuous period commencing 1 year or more before sponsorship is signed
<input type="checkbox"/> Home purchase agreement showing your current address	
<input type="checkbox"/> Other - You may attach other items of documentation which confirm your place of residence	

Please note: If the documents which you provide are in the name of your spouse, you should also provide certified evidence of your marital relationship.

Part K - Your sponsorship undertaking

59 *I agree:*

- *to provide information and advice to help my relatives settle in Australia*
- *to ensure that adequate accommodation is available for my relatives on arrival in Australia or, if necessary, to provide accommodation for up to 2 years from arrival in Australia*
- *to provide financial assistance as required to meet their reasonable living needs for up to 2 years from arrival in Australia, if necessary*
- *to provide support as required to enable them to attend appropriate English language courses.*

I am aware that any person who provides false or misleading information or who deceives or misleads or who presents a forged document to an Australian Government official may be prosecuted.

I am aware that if false or incorrect information is given on this form, the application of the person(s) I am sponsoring may be refused, and/or any visa granted to that person may be liable to cancellation.

I authorise the Department of Social Security to give information about me, relevant to my offer to provide this sponsorship, to the Department of Immigration and Multicultural Affairs.

Signature of sponsor

Date (DAY/MONTH/YEAR)

Part L - Your spouse's approval

If you are sponsoring a relative other than a spouse and you are currently married or living in a de facto relationship, your spouse must complete this part.

60 *I give my consent to the above arrangements and agree to support my spouse in fulfilling the responsibilities of the sponsorship.*

I authorise the Department of Social Security to give information about me, relevant to my spouse's offer to provide this sponsorship, to the Department of Immigration and Multicultural Affairs.

Signature of spouse

Date (DAY/MONTH/YEAR)