



**uniting  
church**  
in Australia,  
Synod of NSW & ACT

# **Sponsorship of Foreign Religious Workers Subclass 401 Temporary Work (Long Stay Activity) visa**

<b>Title</b>	Sponsorship of Foreign Religious Workers Subclass 401 Temporary Work (Long Stay Activity) visa
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## 1. Preamble

The Uniting Church in Australia (UCA) believes that Christians in Australia are called to bear witness to a unity of faith and life in Christ which transcends cultural and economic, national and racial boundaries.

To this end, the UCA seeks to be open to the possibility that the church will grow and be renewed in thought and attitudes as a multicultural church through relationships with partner churches, especially in Asia and the Pacific. The UCA welcomes ministers from partner churches to bear witness to Jesus Christ and to share with the UCA in commitment to God's mission in a rapidly changing, increasingly multicultural world.

The participation and ministry to ministers from partner churches and other denominations takes place within a framework comprising:

- The particular requirements of Australian immigration legislation, noting that these requirements are subject to change and amendment from time to time;
- The status of the Synod of NSW and the ACT as a recognized sponsor that meets Department of Immigration and Border Protection ("DIBP") requirements; and
- The Regulations of the Uniting Church in Australia. The particular Regulations that cover the Admission of Ministers from Other Denominations are found at 2.5 in the 2012 Edition. These Regulations limit the placement of ministers from other denominations to three (3) years during which period, ministers are expected to complete all the requirements to be admitted as a Minister of the UCA.

For the purposes of this policy, ordained ministers from other denominations and partner churches are referred to as 'foreign religious workers' to reflect the terminology of the immigration legislation.

## 2. Introduction

Under prevailing immigration legislation, any entitlement to sponsor foreign religious workers to work in Australia under the subclass 401 visa pathway is restricted to The Uniting Church of Australia Synod of NSW & the ACT.

The Synod of NSW and the ACT is the ONLY organisation within the bounds of the Synod that holds this entitlement.

**Individual Uniting Church organisations cannot sponsor foreign religious workers under any circumstances.**

**Placements involving sponsored foreign religious workers cannot commence until after the sponsored foreign worker has received formal written notification from DIBP that their application for a subclass 401 visa has been approved.**

## 3. Policy

Synod approval for the sponsorship of foreign religious workers under the subclass 401 visa will only be given in exceptional circumstances and each request will be considered on its merits.

Nominations and visa applications for the sponsorship of foreign religious workers will only be accepted for consideration by the Synod where the:

- Applicant is an ordained Minister of Religion whose ordination is recognised by the Assembly; and
- Advisory Committee on Ministerial Placements ("ACOMP") determines that it is absolutely necessary for an ordained Minister of Religion from a foreign country to occupy the specific placement; and

- Application is in accordance with prevailing Immigration Law.

All nominations and applications for the sponsorship of foreign religious workers within the Synod will be applied for under the name of *“The Uniting Church in Australia Synod of NSW and the ACT ABN 82 492 408 686”* and will be:

- centrally managed by Uniting Resources; and
- applied for through the Synod’s designated external immigration representative.

The individual Uniting Church organisation (e.g. congregation or agency) will be financially responsible for meeting all costs associated with the payment of stipend allowances to foreign religious workers sponsored by the Synod.

However to ensure compliance with DIBP requirements, the processing of these payments to sponsored foreign religious workers will be undertaken centrally by Synod Payroll Bureau Service operated by Uniting Resources.

Where a sponsored religious worker requires a new subclass 401 visa, prior Synod approval will be required and the application for a new subclass 401 visa will be centrally managed by Uniting Resources.

Requests for a new subclass 401 visa must be submitted to Uniting Resources at least six (6) months before the current visa is due to expire.

The Synod will only consider sponsoring a subclass 401 visa holder for permanent residence through the Employer Nomination Scheme in exceptional circumstances and each case will be judged upon its individual merits.

Where a sponsored worker meets DIBP requirements for permanent residency and the Synod agrees to sponsor the employee for permanent residency under the Employer Nomination Scheme, all costs associated with the application will be the sole responsibility of the individual sponsored foreign worker and the Uniting Church organisation directly engaging the foreign worker

**Individual Uniting Church organisations are not permitted to sponsor foreign religious workers for permanent residency under any circumstances.**

All costs associated with the sponsorship of a foreign religious worker will be borne by the congregation in which the worker is placed. Costs include, but are not limited to costs incurred by the:

- Synod in its role as the sponsor of religious workers ,including costs associated with the engagement of the Synod’s external immigration representative: and
- Religious worker being sponsored, and
- DIBP fees

## 4. Procedure

Once ACOMP has determined that a placement may be filled by an ordained Minister of Religion from a foreign country; and the Synod has approved the sponsorship of a foreign religious worker; the affected Uniting Church organisation will, within seven (7) days of the decision occurring, contact the Risk & Compliance Section of Uniting Resources to progress the sponsorship nomination and application.

The affected Uniting Church organisation will provide the following information to Uniting Resources:

- minutes from the relevant ACOMP meeting endorsing the placement of the ordained Minister from a foreign country; and
- the duration of the placement; and
- details of the ordained minister and any dependents that will be accompanying the minister to their placement; and

- details of the authorised person designated from within the affected Uniting Church organisation who will be responsible for managing the sponsorship process throughout the placement. ("**authorised person**")

The authorised person will be responsible for ensuring that all requisite documentation necessary to progress an application to sponsor, is provided to Uniting Resources in the timeframes specified by Uniting Resources. Any failure to comply with these timeframes will result in the delay or cancellation of the sponsorship application.

Uniting Resources will commence the nomination and visa application process through the Synod's designated external immigration representative.

Once the nomination and visa applications have been granted by DIBP, the placement of the sponsored foreign religious worker can commence.

The authorised person will be responsible for making all the necessary arrangements to ensure that the sponsored worker is included in and paid through the Synod Payroll Bureau Service operated by Uniting Resources.

## **5. Further Information**

Contact Risk and Compliance - Uniting Resources on 8267 4365 or e-mail [vickir@nsw.uca.org.au](mailto:vickir@nsw.uca.org.au)