

Filipino Migrants Forum

ARE YOU REQUIRED TO LODGE A *DISCRETIONARY* ASSURANCE OF SUPPORT (AOS)?

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There are two types of Assurances of Support, namely, *Mandatory* and *Discretionary* Assurances. A *mandatory* assurance is one where the prescribed criteria for the particular subclass of visa under the Migration Regulations state that an assurance of support **must** be lodged. This is normally required in sponsored skilled migration. A *discretionary* assurance is one where the prescribed criteria for the visa allow the decision maker to decide whether an assurance is needed. The decision to require an Assurance of Support from a visa applicant rests with the Department of Immigration & Multicultural & Indigenous Affairs (DIMIA). Its authority is based on the prescribed criteria for visa subclass.

When might a Discretionary assurance be requested?

The determination of whether an assurance of support should be requested is based on the applicant's skills, education, employment history, English language ability and age. It will be requested if the decision maker in DIMIA reasonably believes that the visa applicant who needs to satisfy primary criteria is likely to need any of the social security allowances that are recoverable under the AoS Scheme. These allowances include: job search allowance, newstart allowance, special benefit, widow allowance, partner allowance, parenting allowance, youth training allowance, PP (partnered) allowance, mature age allowance, youth allowance, an austudy payment and crisis payment.

Which visa subclasses are subject to discretionary assurances of support?

The relevant visa subclasses include: Spouse, Child, Interdependency, Orphan Relative, Regional Sponsored Migration scheme, Labour Agreement, Employer Nomination, Distinguished Talent, Skill Matching., Skilled - Independent, Skilled - State/Territory-nominated Independent, Prospective Spouse, Spouse (Provisional), Interdependency (Provisional), Skilled - Independent Regional (Provisional), Prospective Marriage Spouse, Close Ties, Skilled - Onshore Independent New Zealand Citizen and Skilled - Independent Overseas Student.

What is the role of Centerlink?

The responsibility for assessing AoS applications (including lodgment of any AoS bond) is with the Centrelink. Once notification of the need for an assurance is received from DIMIA then all arrangements regarding AoS forms, lodgment and assessment of the suitability of assurers must be made by the sponsor/assurer with Centrelink who will advise both DIMIA and the assurer of the outcome.