

Migration (IMMI 17/097: Arrangements for Work and Holiday and Working Holiday Visa Applications) Instrument 2017

I, Alex Hawke, Assistant Minister for Immigration and Border Protection, make the following instrument.

Dated 19 September 2017

Alex Hawke

THE HON ALEX HAWKE

Assistant Minister for Immigration and Border Protection

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Migration (IMMI 17/050: Arrangements for Work and Holiday and Working Holiday Visa Applications) Instrument 2017

**Part 1**—**Preliminary**

1 Name

1. This instrument is the *Migration (IMMI 17/097: Arrangements for Work and Holiday and Working Holiday Visa Applications) Instrument 2017*.
2. This instrument may be cited as IMMI 17/097.

2 Commencement

1. Each provision of this instrument specified in Column 1 of the table commences, or is taken to have commenced, in accordance with Column 2 of the table. Any other statement in Column 2 has effect according to its terms.

| Commencement information |
| --- |
| Column 1 | Column 2 | Column 3 |
| Provisions | Commencement | Date/Details |
| The whole of the instrument | 1 October 2017 |  |

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

1. Any information in Column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

 This instrument is made under the following provisions of the Regulations:

1. subregulation 2.07(5);
2. paragraph 1224A(3)(a) of Schedule 1;
3. subparagraph 1224A(3)(b)(iii) of Schedule 1;
4. subitem 1225(5) of Schedule 1;
5. subclause 417.211(2) of Schedule 2;
6. paragraph 462.212(b) of Schedule 2;
7. paragraph 462.221(c) of Schedule 2.

4 Definitions

 In this instrument:

***Regulations*** means the *Migration Regulations 1994*.

5 Schedules

 Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

**Part 2**—**Arrangements for Work and Holiday and Working Holiday Visa Applications**

6 Work and Holiday (Temporary) (Class US) visa

 (1) This section and Schedules 1 and 2 to this instrument specify requirements for making an application for a Work and Holiday (Temporary) (Class US) visa.

 (2) For the purposes of paragraph 1224A(3)(a) of Schedule 1 to the Regulations, the foreign countries that have issued a valid passport that the applicant currently holds, are specified in Column 1 of the table in Schedule 2 to this instrument.

 (3) For the purposes of paragraph 1224A(3)(aa) of Schedule 1 to the Regulations, the addresses for lodging an application are specified in:

 (a) Column C of the table in Schedule 1 to this instrument, corresponding with the applicant’s circumstances set out in Column A of the table in Schedule 1 to this instrument; and

 (b) Column 3 or Column 4 of the table in Schedule 2 to this instrument, where Column C of the table in Schedule 1 to this instrument makes reference to those Columns.

 (4) For the purposes of subitem 1224A(1) of Schedule 1 to the Regulations, the approved forms are specified in Column B of the table in Schedule 1 to this instrument, corresponding with the applicant’s circumstances set out in Column A of the table in Schedule 1 to this instrument.

 (5) For the purposes of subparagraph 1224A(3)(b)(iii) of Schedule 1 to the Regulations, persons who hold a valid passport issued by one of the following foreign countries are a class of persons who are not required to provide evidence of government support for grant of the visa:

 (a) the Peoples Republic of China;

 (b) the United States of America;

 (c) the State of Israel;

 (d) Singapore.

7 Subclass 462 – Work and Holiday

 (1) For the purposes of paragraph 462.221(c) of Schedule 2 to the Regulations, the table in Schedule 2 to this instrument specifies:

 (a) the educational qualifications in Column 2; and

 (b) the corresponding foreign country in Column 1.

 (2) For the purposes of paragraph 462.212(b) of Schedule 2 to the Regulations and 1224A(3)(a) of Schedule 1 to the Regulations, the table in Schedule 2 to this instrument specifies:

 (a) in Column 5 the younger age, if any, that the applicant must be no more than; and

 (b) in Column 1 the corresponding foreign country that issued the passport.

8 Working Holiday (Temporary) (Class TZ) visa

 (1) This section and Schedules 3 and 4 to this instrument specify requirements for making an application for a Working Holiday (Temporary) (Class TZ) visa.

 (2) For the purposes of subitem 1225(1) of Schedule 1 to the Regulations, the approved forms are specified in Column B of the table in Schedule 3 to this instrument, corresponding with the class of persons set out in Column A.

 (3) For the purposes of subitem 1225(3) of Schedule 1 to the Regulations, the place and manner in which an application must be made is specified in Column C of the table in Schedule 3 to this instrument, corresponding with the class of persons set out in Column A of the table in Schedule 3 to this instrument.

9 Subclass 417 - Working Holiday

1. For the purposes of paragraph 417.211(2)(a) of Schedule 2 to the Regulations, the table in Schedule 4 to this instrument specifies:
2. in Column 1 the foreign countries that may issue a working holiday eligible passport; and
3. in Column 2 the conditions a passport must satisfy in order to be a working holiday eligible passport, for the corresponding foreign country in Column 1.
4. For the purposes of paragraph 417.211(2)(b)(ii) of Schedule 2 to the Regulations, the table in Schedule 4 to this instrument specifies:

 (a) in Column 3 the younger age, if any, that the applicant must be no more than; and

 (b) in Column 1 the corresponding foreign country.

Schedule 1— Work and Holiday (Temporary) (Class US) (place, manner and form for making an application)

| **COLUMN A****Applicant’s circumstances** | **COLUMN B****Form** | **COLUMN C****Place and Manner** |
| --- | --- | --- |
| An applicant who holds a valid passport issued by a foreign country specified in Column 1 of the table in Schedule 2 to this instrument who is, or has previously been, in Australia as the holder of a Class US (Work and Holiday (Temporary)) visa. | 1208 or 1208 (Internet) | Applications may be made:* by Internet; OR
* by posting the application (with the correct pre-paid postage) to:

GPO Box 9984Brisbane QLD 4001AUSTRALIA |
| An applicant who holds a valid passport issued by the United States of America who is not, and has not previously been, in Australia as the holder of a Class US (Work and Holiday (Temporary)) visa. | 1208 or 1208 (Internet) | Applications, that are not Internet applications, may be made in any foreign country at a diplomatic, consular or migration office maintained by or on behalf of the Commonwealth outside Australia. |
| An applicant who holds a valid passport issued by the People’s Republic of China or by Singapore who is not, and has not previously been, in Australia as the holder of a Class US (Work and Holiday (Temporary)) visa. | 1208 | Application must be made by appointment and in person at an address specified in column 4 of the table in Schedule 2 to this instrument for the corresponding country. |
| An applicant who holds a valid passport issued by a foreign country specified in Column 1 of the table in Schedule 2 to this instrument who is not, and has not previously been, in Australia as the holder of a Class US (Work and Holiday (Temporary)) visa. | 1208 | Applications must be made at the addresses, specified in Column 3 or Column 4 of the table in Schedule 2 to this instrument for the corresponding foreign country. |

**Schedule 2 – Work and Holiday (Temporary) (Class US) and Subclass 462 (Work and Holiday) Visa (specified countries, educational qualifications and age requirements)**

|   | **COLUMN 1****Foreign Countries** | **COLUMN 2****Educational Qualification the applicant must hold:** | **Place and manner** | **COLUMN 5****Maximum****Age** |
| --- | --- | --- | --- | --- |
| **COLUMN 3****Postal address** | **COLUMN 4****Street address** |
| 1 | Argentina | 1. tertiary qualifications; or

2.   has successfully completed at least two years of undergraduate university study. | Australian Embassy, Buenos Aires, ArgentinaVillanueva 1400Buenos Aires  C1426BMJARGENTINA | Australian Embassy, Buenos Aires, ArgentinaVillanueva 1400Buenos Aires  C1426BMJARGENTINA | 30 |
| 2 | Bangladesh | 1. tertiary qualifications; or

2.   has successfully completed at least two years of undergraduate university study. | Australian High CommissionThe Visa Office184 Gulshan Avenue, Gulshan-2Dhaka  1212  BANGLADESH  | Australian High CommissionThe Visa Office184 Gulshan Avenue, Gulshan-2Dhaka  1212  BANGLADESHORVFS Bangladesh Pvt, LtdAustralia VFS Visa Application CentreZN Tower, 1st floor, Plot # 2Road 8, Block SW(1), Gulshan AvenueDhaka  1212  BANGLADESH | 30 |
| 3 | Chile | 1. tertiary qualification; or

2.   has satisfactorily completed, or have been approved to undertake a third year of undergraduate university study. | Australian Embassy, Santiago de ChileIsidora Goyenechea 3621 Torre – B, Piso 12Las CondesSANTIAGO DE CHILE | Australian Embassy, Santiago de ChileIsidora Goyenechea 3621 Torre – B, Piso 12Las CondesSANTIAGO DE CHILE | 30 |
| 4 | Hungary | 1. tertiary qualifications; or

2.   has successfully completed at least two years of undergraduate university study. | Australian Embassy, Berlin, Germany Visa Office Wallstrasse 76-79 D-10179 Berlin, GERMANY | Not applicable | 30 |
| 5 | Indonesia | 1. tertiary qualifications; or

2.   has successfully completed at least two years of undergraduate university study. | Australian Embassy, Jakarta, IndonesiaJalan H. R. Rasuna SaidKav C15-16 (Kuningan)Jakarta Selatan  12940  INDONESIA | Australian Embassy, Jakarta, IndonesiaJalan H. R. Rasuna SaidKav C15-16 (Kuningan)Jakarta Selatan  12940  INDONESIA | 30 |
| 6 | The State of Israel | 1.   secondary school qualifications; and 2.   have completed military service or are legally exempt from military service. | Australian EmbassyPO Box 29108Tel Aviv 61290Israel | Australian EmbassyDiscount Bank TowerLevel 2823 Yehuda Halevi St (Corner Herzl St)Tel Aviv 65136Israel | 30 |
| 7 | Kingdom of Thailand | Diploma or Degree. | Australian Embassy, Bangkok, Thailand37 South Sathorn RoadBangkok,  10120,  THAILAND | Australian Embassy, Bangkok, Thailand37 South Sathorn RoadBangkok, 10120, THAILAND | 30 |
| 8 | Luxembourg | 1.   tertiary qualifications; or 2.   has successfully completed at least two years of undergraduate university study. | Australian Embassy, Berlin, Germany Visa Office Wallstrasse 76-79 D-10179 Berlin, GERMANY | Not applicable | 30 |
| 9 | Malaysia | 1.   tertiary qualifications; or 2.   has successfully completed at least two years of undergraduate university study. | Australian High CommissionPO Box 10921Kuala Lumpur,  MALAYSIA,  50730 | Australian High Commission6 Jalan Yap Kwan SengKuala Lumpur,  50450,  MALAYSIAORAustralia VFS Visa Application CentreSuite 19.06 19th Floor, Wisma MCA163 Jalan Ampang,Kuala Lumpur,  50450,  MALAYSIA | 30 |
| 10 | People’s Republic of China | 1.   tertiary qualifications; or2.   has successfully completed at least two years of undergraduate university study. | Not applicable | Application must be made by appointment and in person at one of the following addresses:Australian Visa Application Centre – BeijingRoom D, E, F, G, H, I, 21st FloorOriental Kenzo PlazaNo. 48 Dongzhimenwai StreetDongcheng District, Beijing, CHINA 100027ORAustralian Visa Application Centre – Guangzhou Unit 02, 29/F HM Tower, No. 3, Jinsui RoadZhujiang New Town, Tianhe District,Guangzhou,CHINA 510623ORAustralian Visa Application Centre – Shanghai 2nd Floor, Jiushi Business BuildingNo. 213 SichuanMiddle Road,Huangpu District, Shanghai,CHINA 200002ORAustralian Visa Application Centre – ChengduRoom 2-2, 2/F,No. 11-15, Section 4, South Renmin Road,Wuhou District, Chengdu City, Sichuan Province, CHINA 610041 | 30 |
| 11 | Peru | 1. tertiary qualifications; or 2. has successfully completed at least two years of undergraduate university study. | Australian EmbassySantiago de ChileIsidora Goyenechea3621 Torre – B, Piso 12Las CondesSANTIAGO DE CHILE | Australian Embassy, Santiago de ChileIsidora Goyenechea 3621 Torre – B, Piso 12Las CondesSANTIAGO DE CHILE | 30 |
| 12 | Poland | 1.   tertiary qualifications; or 2.   has successfully completed at least two years of undergraduate university study. | Australian Embassy, Berlin, GermanyVisa OfficeWallstrasse 76-79D-10179  Berlin  GERMANY | Not applicable | 30 |
| 13 | Portugal  | 1.   tertiary qualifications; or2.   has successfully completed at least two years of undergraduate university study. | Australian Embassy, Berlin, GermanyVisa OfficeWallstrasse 76-79D-10179  Berlin  GERMANY | Not applicable | 30 |
| 14 | Republic of Turkey | 1.   tertiary qualifications; or 2.   has satisfactorily completed at least two years of undergraduate university study | Australian Embassy, Ankara, TurkeyPK 32,Cankaya 06552Ankara  TURKEY  | Australian Embassy, Ankara, TurkeyMNG Building Ugur Mumcu Caddesi 88, 7th FloorGaziosmanpasa Ankara 06700  TURKEY | 30 |
| 15 | San Marino | 1.   tertiary qualifications; or 2.   has successfully completed at least two years of undergraduate university study | Australian Embassy, Berlin, Germany Visa Office Wallstrasse 76-79 D-10179 Berlin, GERMANY | Not applicable | 30 |
| 16 | Singapore | 1. tertiary qualifications; or2. has successfully completed at least two years of undergraduate university study. | Not applicable | Application must be made by appointment and in person at the following address: Australian Visa Application Centre – Singapore135 Cecil Street, #08-01 MYP Plaza,Singapore 069536 | 30 |
| 17 | Slovak Republic | 1.   tertiary qualifications; or 2.   has satisfactorily completed at least two years of undergraduate university study | Australian Embassy, Berlin, GermanyVisa OfficeWallstrasse 76-79D-10179 Berlin, GERMANY | Not applicable  | 30 |
| 18 | Slovenia | 1.   tertiary qualifications; or 2.   has successfully completed at least two years of undergraduate university study | Australian Embassy, Berlin, Germany Visa Office Wallstrasse 76-79 D-10179 Berlin, GERMANY | Not applicable | 30 |
| 19 | Spain | 1.   tertiary qualifications; or 2.   has satisfactorily completed at least two years of undergraduate university study. | Australian Embassy, Berlin, GermanyVisa OfficeWallstrasse 76-79D-10179  Berlin, GERMANY | Not applicable | 30 |
| 20 | United States of America | Secondary school qualifications. | For forms which are not Internet forms: applications may be made in any foreign country at a diplomatic, consular or migration office maintained by or on behalf of the Commonwealth outside Australia. | For forms which are not Internet forms:applications may be made in any foreign country at a diplomatic, consular or migration office maintained by or on behalf of the Commonwealth outside Australia. | 30 |
| 21 | Uruguay | 1.   tertiary qualifications; or 2.   has successfully completed at least two years of undergraduate university study. | Australian Embassy, Buenos Aires, ArgentinaVillanueva 1400Buenos Aires  C1426BMJARGENTINA | Australian Embassy, Buenos Aires, ArgentinaVillanueva 1400Buenos Aires  C1426BMJARGENTINA | 30 |
| 22 | Vietnam | 1.   tertiary qualifications; or2.   has successfully completed at least two years of undergraduate university study | Not applicable | AVAC Visa Application CentreGelex Tower 3rd Floor, 52 Le Dai Hanh Street,Le Dai Hanh Ward, Hai Ba Trung District,Ha Noi, VIETNAM OR  AVAC Visa Application Centre 5th Floor, Resco Tower, 94-96 Nguyen Du StreetBen Nghe Ward, District 1Ho Chi Minh City, VIETNAM OR  AVAC Visa Application Centre 6th ACB Building, 218 Bach Dang Street Phuoc Ninh Ward, Hai Chau District Danang City, VIETNAM  OR  Australian Embassy, Ha Noi, VietnamVisa & Immigration Section Level 1 Australian Embassy8 Dao Tan StreetBa Dinh DistrictHa Noi, VIETNAM | 30 |

Schedule 3— Working Holiday (Temporary) (Class TZ) (place, manner and form for making an application)

| **COLUMN A****Class of Persons** | **COLUMN B****Form** | **COLUMN C****Place and Manner** |
| --- | --- | --- |
| The applicant:* is, or has previously been, in Australia as the holder of a Class TZ (Working Holiday) (Temporary)) visa; and
* is the holder of a valid passport issued by a foreign country specified in Column 1 of the table in Schedule 4 to this instrument; and
* subject to the conditions, if any, specified in Column 2 of the table in Schedule 4 to this instrument for the corresponding country.
 | 1150; or 1150E  | Applications may be made:* by Internet; OR
* by posting the application (with the correct pre-paid postage) to:

PO Box 1269CAIRNS QLD 4870AUSTRALIA |
| The applicant:* is not, and has not previously been, in Australia as the holder of a Class TZ (Working Holiday) (Temporary)) visa; and
* is the holder of a valid passport which is issued by a foreign country specified in Column 1 of the table in Schedule 4 to this instrument; and
* subject to the conditions, if any, specified in Column 2 of the table in Schedule 4 to this instrument.
 | 1150; or1150E  | Applications may be made:* by Internet; OR
* in any foreign country at a diplomatic, consular or migration office maintained by or on behalf of the Commonwealth outside Australia
 |

Schedule 4— Working Holiday (Temporary) (Class TZ) and Subclass 417 (Working Holiday) Visa (countries, conditions and age requirements)

|  |  |  |  |
| --- | --- | --- | --- |
|  | **COLUMN 1****Foreign Countries** | **COLUMN 2****Conditions** | **COLUMN 3****Maximum Age**  |
| 1 | Belgium | Passport must indicate that the applicant is a national of Belgium | 30 |
| 2 | Canada | Passport must indicate that the applicant is a national of Canada | 30 |
| 3 | Denmark | Passport must indicate that the applicant is a national of Denmark | 30 |
| 4 | Finland | Passport must indicate that the applicant is a national of Finland | 30 |
| 5 | France | Passport must indicate that the applicant is a national of France | 30 |
| 6 | Italy | Passport must indicate that the applicant is a national of Italy | 30 |
| 7 | Norway | Passport must indicate that the applicant is a national of Norway | 30 |
| 8 | Sweden | Passport must indicate that the applicant is a national of Sweden | 30 |
| 9 | The Netherlands | Passport must indicate that the applicant is a national of The Netherlands | 30 |
| 10 | The Republic of Ireland | Passport must indicate that the applicant is a national of the Republic of Ireland | 30 |
| 11 | The United Kingdom of Great Britain and Northern Ireland | Passport must indicate that the applicant’s nationality is British Citizen or British National (Overseas) | 30 |
| 12 | Estonia | Passport must indicate that the applicant is a national of Estonia | 30 |
| 13 | Germany | Passport must indicate that the applicant is a national of Germany | 30 |
| 14 | Japan | Passport must indicate that the applicant is a national of Japan | 30 |
| 15 | Malta | Passport must indicate that the applicant is a national of Malta | 30 |
| 16 | Hong Kong Special Administrative Region, People’s Republic of China | Nil | 30 |
| 17 | The Republic of Cyprus | Passport must indicate that the applicant is a national of the Republic of Cyprus | 30 |
| 18 | The Republic of Korea | Passport must indicate that the applicant is a national of the Republic of Korea | 30 |
| 19 | Passports issued by the authorities of Taiwan  | Passport must not purport to be an official or diplomatic passport | 30 |

Schedule 5 – Repeals

Migration (IMMI 17/050: Arrangements for Work and Holiday and Working Holiday Visa Applications) Instrument 2017

1 The whole of the instrument

Repeal the instrument.