

Migration (IMMI 18/102: Arrangements for Work and Holiday and Working Holiday Visa Applications) Instrument 2018

I, Judith O’Neill, Delegate of the Minister for Home Affairs and the Minister for Immigration and Border Protection, make the following instrument.

Dated: 7 June 2018

Judith O’Neill

JUDITH O’NEILL

Senior Executive Service, Band 1, Immigration and Visa Services Division and Delegate of the Minister for Home Affairs and the Minister for Immigration and Border Protection

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Part 1—Preliminary

1 Name

1. This instrument is the *Migration (IMMI 18/102: Arrangements for Work and Holiday and Working Holiday Visa Applications) Instrument 2018*.
2. This instrument may be cited as IMMI 18/102.

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 this instrument | 1 July 2018 |  |

Note: This table relates only to the provisions of this instrument as originally made.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 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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

5 Definitions

In this instrument:

***authorising email*** means an email authorising the applicant to make an application in a different place or a different manner.

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

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 specify the 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 are specified in Column 1 of the table in Schedule 2.

(3) For the purposes of paragraph 1224A(3)(aa) of Schedule 1 to the Regulations, the place and manner for making an application is specified:

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

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

(c) in subsection (3A), where Column C of the table in Schedule 1 allows an officer of the Department to send an authorising email.

(3A) If an officer of the Department has sent an authorising email to the applicant, the applicant may make an application by:

1. using approved form 1208; and
2. attaching a copy of the authorising email; and
3. by the end of the next day after which the authorising email was sent (AEST or AEDST as applicable to the date on which the authorising email was sent) – submitting the application in accordance with the directions in the authorising email.

(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, corresponding with the applicant’s circumstances set out in Column A of the table in Schedule 1.

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

(a) the People’s Republic of China;

(b) the United States of America;

(c) the State of Israel;

(d) Singapore;

(e) Argentina.

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 specifies:

(a) in Column 2, the educational qualifications; and

(b) in Column 1, the corresponding foreign country.

(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 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 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, 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 for making an application is specified:

(a) in Column C of the table in Schedule 3, corresponding with the class of persons set out in Column A of the table in Schedule 3; and

(b) in subsection (3A).

(3A) If an officer of the Department has sent an authorising email to the applicant, the applicant may make an application by:

1. using approved form 1150; and
2. attaching a copy of the authorising email; and
3. by the end of the next day after which the authorising email was sent (AEST or AEDST as applicable to the date on which the authorising email was sent) – submitting the application in accordance with the directions in the authorising email.

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 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)(a) and subparagraph 417.211(2)(b)(ii) of Schedule 2 to the Regulations, the table in Schedule 4 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)

| **Item** | **COLUMN A**  **Applicant’s circumstances** | **COLUMN B**  **Form** | **COLUMN C**  **Place and Manner** |
| --- | --- | --- | --- |
| 1 | An applicant who:   1. is, or has previously been, in Australia as the holder of a Class US (Work and Holiday (Temporary)) visa; and 2. holds a valid passport issued by a foreign country specified in Column 1 of the table in Schedule 2. | 1208 (Internet);  or  If authorised by an officer of the Department: 1208 | Application must be made:   1. as an Internet application; or 2. if an officer of the Department has sent an authorising email to the applicant – in accordance with subsection 6(3A). |
| 2 | An applicant who:   1. is not, and has not previously been, in Australia as the holder of a Class US (Work and Holiday (Temporary)) visa; and 2. holds a valid passport issued by any of the following foreign countries: 3. Argentina; 4. Slovak Republic; 5. Spain; 6. United States of America; 7. Uruguay. | 1208 (Internet);  or  If authorised by an officer of the Department: 1208 | Application must be made:   1. as an Internet application; or 2. if an officer of the Department has sent an authorising email to the applicant – in accordance subsection 6(3A). |
| 3 | An applicant who:   1. is not, and has not previously been, in Australia as the holder of a Class US (Work and Holiday (Temporary)) visa; and 2. holds a valid passport issued by either of the following foreign countries: 3. the People’s Republic of China; 4. Singapore. | 1208 | Application must be made by appointment and in person at an address specified in column 4 of the table in Schedule 2 for the corresponding country. |
| 4 | An applicant:   1. who is not, and has not previously been, in Australia as the holder of a Class US (Work and Holiday (Temporary)) visa; and 2. who holds a valid passport issued by a foreign country specified in Column 1 of the table in Schedule 2; and 3. to whom item 2 of this table does not apply. | 1208 | Applications must be made at the addresses, specified in Column 3 or Column 4 of the table in Schedule 2 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)

| **Item** | **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. | Not applicable | Not applicable | 30 |
| 2 | Austria | 1. tertiary qualifications; or 2. has successfully completed at least two years of undergraduate university study | Australian Embassy  Visa Office  Wallstrasse 76-79  D-10179 Berlin  GERMANY | Not applicable | 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,  Isidora Goyenechea  3621 Torre – B,  Piso 12  Las Condes  SANTIAGO DE CHILE | Australian Embassy,  Isidora Goyenechea  3621 Torre – B, Piso 12  Las Condes  SANTIAGO DE CHILE | 30 |
| 4 | Czech Republic | 1. tertiary qualifications; or 2. has successfully completed at least two years of undergraduate university study | Australian Embassy  Visa Office  Wallstrasse 76-79  D-10179 Berlin  GERMANY | Not applicable | 30 |
| 5 | Hungary | 1. tertiary qualifications; or   2.   has successfully completed at least two years of undergraduate university study. | Australian Embassy  Visa Office  Wallstrasse 76-79  D-10179 Berlin  GERMANY | Not applicable | 30 |
| 6 | Indonesia | 1. tertiary qualifications; or   2.   has successfully completed at least two years of undergraduate university study. | Australian Embassy,  Jalan H. R. Rasuna Said  Kav C15-16 (Kuningan)  Jakarta Selatan  12940  INDONESIA | Australian Embassy,  Jalan H. R. Rasuna Said  Kav C15-16 (Kuningan)  Jakarta Selatan  12940  INDONESIA | 30 |
| 7 | The State of Israel | 1.   secondary school qualifications; and  2.   have completed military service or are legally exempt from military service. | Australian Embassy  Visa Office  Wallstrasse 76-79  D-10179 Berlin  GERMANY | Not applicable | 30 |
| 8 | Luxembourg | 1.   tertiary qualifications; or  2.   has successfully completed at least two years of undergraduate university study. | Australian Embassy  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 Commission  PO Box 10921 Kuala Lumpur,  MALAYSIA,  50730 | Australian High Commission 6 Jalan Yap Kwan Seng Kuala Lumpur,  50450,  MALAYSIA  OR  Australia VFS Visa Application Centre  Suite 19.06 19th Floor, Wisma MCA  163 Jalan Ampang,  Kuala Lumpur,  50450,  MALAYSIA | 30 |
| 10 | People’s Republic of China | 1.   tertiary qualifications; or  2.   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 –  Beijing  Room D, E, F, G, H, I,  21st Floor  Oriental Kenzo Plaza  No. 48  Dongzhimenwai Street  Dongcheng District,  Beijing,  CHINA 100027  OR  Australian Visa  Application Centre –  Guangzhou  Unit 02, 29/F  HM Tower,  No. 3, Jinsui Road  Zhujiang New Town,  Tianhe District,  Guangzhou,  CHINA 510623  OR  Australian Visa  Application Centre –  Shanghai  2nd Floor, Jiushi  Business Building  No. 213 Sichuan  Middle Road,  Huangpu District,  Shanghai,  CHINA 200002  OR  Australian Visa  Application Centre –  Chengdu  Room 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 Embassy  Isidora Goyenechea  3621 Torre – B,  Piso 12  Las Condes  SANTIAGO DE CHILE | Australian Embassy,  Isidora Goyenechea  3621 Torre – B,  Piso 12  Las Condes  SANTIAGO DE CHILE | 30 |
| 12 | Poland | 1.   tertiary qualifications; or  2.   has successfully completed at least two years of undergraduate university study. | Australian Embassy  Visa Office  Wallstrasse 76-79  D-10179 Berlin  GERMANY | Not applicable | 30 |
| 13 | Portugal | 1.   tertiary qualifications; or  2.   has successfully completed at least two years of undergraduate university study. | Australian Embassy  Visa Office  Wallstrasse 76-79  D-10179 Berlin  GERMANY | Not applicable | 30 |
| 14 | San Marino | 1.   tertiary qualifications; or  2.   has successfully completed at least two years of undergraduate university study | Australian Embassy  Visa Office  Wallstrasse 76-79  D-10179 Berlin  GERMANY | Not applicable | 30 |
| 15 | Singapore | 1. tertiary qualifications; or  2. 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 – Singapore  135 Cecil Street, #08-01 MYP Plaza,  Singapore 069536 | 30 |
| 16 | Slovak Republic | 1.   tertiary qualifications; or  2.   has satisfactorily completed at least two years of undergraduate university study | Not applicable | Not applicable | 30 |
| 17 | Slovenia | 1.   tertiary qualifications; or  2.   has successfully completed at least two years of undergraduate university study | Australian Embassy  Visa Office  Wallstrasse 76-79  D-10179 Berlin  GERMANY | Not applicable | 30 |
| 18 | Spain | 1.   tertiary qualifications; or  2.   has satisfactorily completed at least two years of undergraduate university study. | Not applicable | Not applicable | 30 |
| 19 | Thailand, Kingdom of | Diploma or Degree. | Australian Embassy,  37 South Sathorn Road  Bangkok,  10120,  THAILAND | Australian Embassy,  37 South Sathorn Road  Bangkok, 10120, THAILAND | 30 |
| 20 | Republic of Turkey | 1.   tertiary qualifications; or  2.   has satisfactorily completed at least two years of undergraduate university study | Australian Embassy,  PK 32, Cankaya 06552 Ankara  TURKEY | Australian Embassy, MNG Building  Ugur Mumcu Caddesi 88, 7th Floor Gaziosmanpasa  Ankara 06700  TURKEY | 30 |
| 21 | United States of America | Secondary school qualifications. | Not applicable | Not applicable | 30 |
| 22 | Uruguay | 1.   tertiary qualifications; or  2.   has successfully completed at least two years of undergraduate university study. | Not applicable | Not applicable | 30 |
| 23 | Vietnam | 1.   tertiary qualifications; or  2.   has successfully completed at least two years of undergraduate university study | Not applicable | AVAC Visa Application Centre  Gelex 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 Street  Ben Nghe Ward, District 1  Ho 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,  Visa & Immigration Section  Level 1 Australian Embassy  8 Dao Tan Street  Ba Dinh District  Ha Noi, VIETNAM | 30 |

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

| **Item** | **COLUMN A**  **Class of Persons** | **COLUMN B**  **Form** | **COLUMN C**  **Place and Manner** |
| --- | --- | --- | --- |
| 1 | All applicants | 1150 (Internet)  or  If authorised by an officer of the Department:  1150 | Application must be made:   1. as an Internet application; or   (b) if an officer of the Department has sent an authorising email to the applicant – in accordance with subsection 8(3A). |

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

| **Item** | **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 18/023: Arrangements for Work and Holiday and Working Holiday Visa Applications) Instrument 2018 [F2018C00212]

1 The whole of the instrument

Repeal the instrument.