



Migration (LIN 20/182: Subclass 417 (Working Holiday) visa—Specified work and places) Instrument 2020

I, Michelle Pearce, as delegate of the Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs, make this instrument.

Dated: 18 August 2020

Michelle Pearce
Acting Senior Executive Service Band One
Immigration and Community Protection Policy Division
Department of Home Affairs

Contents

Part 1—Preliminary	3
1 Name.....	3
2 Commencement	3
3 Authority.....	3
4 Definitions	3
5 Repeal	3
6 Application	3
Part 2—Specified kinds of work and places for Subclass 417 visa	4
7 Fishing and pearling work, tree farming and felling work, plant and animal cultivation work, construction work and mining work	4
8 Bushfire recovery work.....	5
9 Critical COVID-19 work in the healthcare and medical sectors	7

Part 1—Preliminary

1 Name

- (1) This instrument is titled *Migration (LIN 20/182: Subclass 417 (Working Holiday) visa—Specified work and places) Instrument 2020*.
- (2) This instrument may be cited as LIN 20/182.

2 Commencement

This instrument commences on the day after it is registered on the Federal Register of Legislation.

3 Authority

This instrument is made for the definitions of **regional Australia** and **specified work** in subitem 1225(5) of Schedule 1 to the Regulations.

4 Definitions

In this instrument:

COVID-19 means the pandemic declared by the World Health Organization on 11 March 2020, caused by the coronavirus COVID-19.

Regulations means the *Migration Regulations 1994*.

Subclass 417 visa means a Subclass 417 (Working Holiday) visa.

5 Repeal

This instrument repeals the *Migration (LIN 20/103: Subclass 417 (Working Holiday) Visa—Regional Australia and Specified Work) Instrument 2020* (LIN 20/103) (F2020L00224), in accordance with subsection 33(3) of the *Acts Interpretation Act 1901*.

6 Application

- (1) This instrument applies to an application for a Subclass 417 visa made on or after the commencement of this instrument.
- (2) Despite the repeal mentioned in section 5, LIN 20/103 continues to apply to an application for a Subclass 417 visa made but not finally determined immediately before the commencement of this instrument.

Part 2—Specified kinds of work and places for Subclass 417 visa

7 Fishing and pearling work, tree farming and felling work, plant and animal cultivation work, construction work and mining work

- (1) For the definition of *specified work* in subitem 1225(5) of Schedule 1 to the Regulations, each kind of work mentioned in an item in table 1 is specified.
- (2) For the definition of *regional Australia* in subitem 1225(5) of Schedule 1 to the Regulations, for a State or Territory mentioned in an item in column 1 of table 2, each place occupying a postcode area mentioned in column 2 for the item is specified for any kind of work specified in subsection (1).

Table 1—Specified work

Item	Column 1 Work category	Column 2 Kinds of work
1	Fishing and pearling work (Agriculture)	(a) conducting operations relating directly to taking or catching fish and other aquatic species; (b) conducting operations relating directly to taking or culturing pearls or pearl shell
2	Tree farming and felling work (Agriculture)	(a) planting or tending trees in a plantation or forest that are intended to be felled; (b) felling trees in a plantation or forest; (c) transporting trees or parts of trees that were felled in a plantation or forest to the place where they are first to be milled or processed, or any other place from which they are to be transported to the place where they are to be milled or processed
3	Plant and animal cultivation work (Agriculture)	(a) harvesting and/or packing of fruit and vegetable crops; (b) pruning or trimming vines and trees directly associated with the cultivation and commercial sale of plant produce; (c) general maintenance crop work; (d) cultivating or propagating plants, fungi or their products or parts; (e) immediate processing of plant products; (f) maintaining animals for the purposes of selling them or their bodily produce, including natural increase; (g) immediate processing of animal products including shearing, butchery, packing and tanning, but not including secondary processing; (h) manufacturing dairy produce from raw material

4	Construction work	(a) building construction; (b) heavy and civil engineering construction; (c) land development and site preparation services; (d) building structure services; (e) building installation services; (f) building completion services
5	Mining work	(a) coal mining; (b) oil and gas extraction; (c) metal ore mining; (d) construction material mining; (e) other non-metallic mineral mining and quarrying; (f) exploration; (g) mining support services

Table 2—Places for fishing and pearling work, tree farming and felling work, plant and animal cultivation work, construction work and mining work

Item	Column 1 State or Territory	Column 2 Postcodes
1	New South Wales	2311 to 2312; 2328 to 2411; 2420 to 2490; 2536 to 2551; 2575 to 2594; 2618 to 2739; 2787 to 2898
2	Victoria	3139; 3211 to 3334; 3340 to 3424; 3430 to 3649; 3658 to 3749; 3753; 3756; 3758; 3762; 3764; 3778 to 3781; 3783; 3797; 3799; 3810 to 3909; 3921 to 3925; 3945 to 3974; 3979; 3981 to 3996
3	Queensland	4124 to 4125; 4133; 4211; 4270 to 4272; 4275; 4280; 4285; 4287; 4307 to 4499; 4510; 4512; 4515 to 4519; 4522 to 4899
4	Western Australia	6041 to 6044; 6055 to 6056; 6069; 6076; 6083 to 6084; 6111; 6121 to 6126; 6200 to 6799
5	South Australia	All postcodes
6	Tasmania	All postcodes
7	Northern Territory	All postcodes
8	Norfolk Island	All postcodes

8 Bushfire recovery work

- (1) For the definition of *specified work* in subitem 1225(5) of Schedule 1 to the Regulations, bushfire recovery work, including volunteer work, carried out after 31 July 2019, including but not limited to work mentioned in paragraph (a) or (b), is specified:

- (a) construction, farming, or any other work in association with recovery or restitution of land, property, farm animals or wildlife;
- (b) providing support services or assistance to people living, working or volunteering in the affected areas.
- (2) For the definition of *regional Australia* in subitem 1225(5) of Schedule 1 to the Regulations, for a State or Territory mentioned in an item in column 1 of the following table, the local government area mentioned in column 2 for the item is specified for the kinds of work specified in subsection (1).

Bushfire affected areas for bushfire recovery work to be carried out		
Item	Column 1 State or Territory	Column 2 Local government areas
1	New South Wales	Armidale, Ballina, Bega Valley, Bellingen, Blue Mountains, Byron, Central Coast, Cessnock, Clarence Valley, Coffs Harbour, Cootamundra-Gundagai, Eurobodalla, Glen Innes Severn, Goulburn Mulwaree, Gwydir, Greater Hume, Hawkesbury, Inverell, Kempsey, Ku-ring-gai, Kyogle, Lake Macquarie, Lismore, Lithgow, Mid Coast, Mid-Western, Muswellbrook, Nambucca, Narrabri, Oberon, Penrith, Port Macquarie-Hastings, Queanbeyan-Palerang, Richmond Valley, Shoalhaven, Singleton, Snowy Monaro, Snowy Valleys, Sutherland, Tamworth, Tenterfield, Tweed, Upper Hunter, Upper Lachlan, Uralla, Walcha, Wagga Wagga, Wingecarribee, Wollondilly
2	Victoria	Alpine, Ararat, Ballarat, East Gippsland, Falls Creek, Glenelg, Golden Plains, Greater Bendigo, Indigo, Mansfield, Mount Buller, Mount Hotham, Mount Stirling, Moyne, Northern Grampians, Pyrenees, Southern Grampians, Strathbogie, Towong, Wangaratta, Wellington, Wodonga
3	Queensland	Bundaberg, Gladstone, Gold Coast, Gympie, Ipswich, Livingstone, Lockyer Valley, Noosa, Redland, Scenic Rim, Somerset, Southern Downs, Sunshine Coast, Toowoomba
4	South Australia	Adelaide Hills, Coorong, Kangaroo Island, Kingston, Lower Eyre Peninsula, Mid Murray, Mount Barker, Murray Bridge, Playford, Southern Mallee and Yorke Peninsula
5	Tasmania	Break O'Day, Central Highlands and Southern Midlands
6	Australian Capital Territory	All areas of the Australian Capital Territory

9 Critical COVID-19 work in the healthcare and medical sectors

- (1) For the definition of *specified work* in subitem 1225(5) of Schedule 1 to the Regulations, critical COVID-19 work in the healthcare and medical sectors, carried out after 31 January 2020, including but not limited to work mentioned in paragraph (a) or (b), is specified:
 - (a) medical treatment, nursing, contact tracing, testing and research;
 - (b) support services such as cleaning of medical and health care facilities and equipment.
- (2) For the definition of *regional Australia* in subitem 1225(5) of Schedule 1 to the Regulations, each place occupying any Australian postcode area is specified for the kinds of work specified in subsection (1).