

LIN 21/019

Migration (Arrangements for Work and Holiday (Subclass 462) Visa Applications) Instrument (LIN 21/019) 2021

I, Jodie Bjerregaard, as delegate of the Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs, make this instrument under the following provisions of the *Migration Regulations 1994* (the ***Regulations***):

(a) subregulation 2.07(5);

(b) paragraph 1224A(3)(a) of Schedule 1;

(c) subparagraph 1224A(3)(b)(iii) of Schedule 1;

(d) paragraph 462.221(c) of Schedule 2.

Dated 24 February 2021

Jodie Bjerregaard

Senior Executive Service Band 1

Immigration Programs Division

Department of Home Affairs

1 Name

 This instrument is the Migration (Arrangements for Work and Holiday (Subclass 462) Visa Applications) Instrument (*LIN 21/019) 2021*.

2 Commencement

 This instrument commences on 1 March 2021.

3 Definitions

 In this instrument:

***authorising email*** means an email sent by an officer of the Department, authorising an applicant to make an application using an alternative form, in an alternative place or in an alternative manner.

4 Arrangements for Work and Holiday visas

 (1) For subregulation 2.07(5) of the Regulations, an application by an applicant mentioned in an item of the table in Schedule 1 must be made:

(a) for subitem 1224A(1) of Schedule 1 to the Regulations, using the form mentioned for the item; and

(b) for paragraph 1224A(3)(aa) of Schedule 1 to the Regulations, in the place and manner mentioned for the item.

 (2) For paragraph 1224A(3)(a) of Schedule 1 to the Regulations:

(a) the applicant must hold a valid passport issued by any of the following foreign countries; and

(b) for each foreign country, the applicant must be aged no more than 30.

| Foreign country  |
| --- |
| Argentina |
| Austria |
| Chile |
| China, People’s Republic of |
| Czech Republic |
| Ecuador |
| Greece |
| Hungary |
| Indonesia |
| Israel |
| Luxembourg |
| Malaysia |
| Peru |
| Poland |
| Portugal |
| San Marino |
| Singapore |
| Slovak Republic |
| Slovenia |
| Spain |
| Thailand |
| Turkey |
| United States of America |
| Uruguay |
| Vietnam |

 (3) For subparagraph 1224A(3)(b)(iii) of Schedule 1 to the Regulations, applicants who hold a valid passport issued by any of the following countries are specified:

| Foreign country  |
| --- |
| Argentina |
| Austria |
| Chile |
| China, People’s Republic of |
| Czech Republic |
| Ecuador |
| Greece |
| Hungary |
| Israel |
| Portugal |
| Singapore |
| Slovak Republic |
| Spain |
| United States of America |
| Vietnam |

*Note* If an applicant falls within the class specified by subsection (3), they are not required under subparagraph 1224A(3)(b)(iii) to provide evidence that the applicant has government support for the grant of the visa.

5 Educational qualifications

 For paragraph 462.221(c) of Schedule 2 to the Regulations, the educational qualification mentioned in an item of the table in Schedule 2 is specified for applicants from the foreign country mentioned for the item.

6 Repeal

 *Migration (LIN 19/184: Arrangements for Work and Holiday Visa Applications) Instrument 2019* (F2019L00918) is repealed.

Schedule 1 Approved form, place and manner

|  |  |  |  |
| --- | --- | --- | --- |
| Item | Applicant  | Approved form  | Place and manner  |
| 1 | Applicant who:(a) is, or has previously been, in Australia as the holder of a Work and Holiday (Temporary) (Class US) visa; and(b) holds a valid passport issued by a foreign country mentioned in paragraph 4(2)(a) | (a) 1208 (Internet); or(b) if the applicant has received an authorising email—1208 | (a) internet application; or (b) for applicants that received an authorising email, by:(i) attaching a copy of the authorising email to form 1208; and (ii) submitting the application in accordance with the directions in the authorising email by the end of the next day after the authorising email was sent |
| 2 | Applicant who:(a) is not, and has not previously been, in Australia as the holder of a Work and Holiday (Temporary) (Class US) visa; and(b) holds a valid passport issued by a foreign country mentioned in paragraph 4(2)(a), except for the People’s Republic of China |
| 3 | Applicant who:(a) is not, and has not previously been, in Australia as the holder of a Work and Holiday (Temporary) (Class US) visa; and(b) holds a valid passport issued by the People’s Republic of China | 1208 | By appointment and in person at an Australian Visa Application Centre in: (a) Beijing; or(b) Chengdu; or(c) Guangzhou; or (d) Shanghai. |

Schedule 2 Educational qualifications

| Item | Applicant  | Educational qualifications  |
| --- | --- | --- |
| 1 | Argentina | (a) tertiary qualifications; or(b) successful completion of at least 2 years of undergraduate university study |
| 2 | Austria | (a) tertiary qualifications; or(b) successful completion of at least 2 years of higher education  |
| 3 | Chile | (a) tertiary qualifications; or (b) satisfactory completion of, or approval to undertake, a third year of undergraduate university study |
| 4 | China, People’s Republic of | (a) tertiary qualifications; or(b) successful completion of at least 2 years of undergraduate university study |
| 5 | Czech Republic | (a) successful completion of at least 2 years of tertiary education |
| 6 | Ecuador | (a) tertiary qualifications; or(b) successful completion of at least 2 years of higher education study |
| 7 | Greece | (a) tertiary qualifications; or(b) successful completion of at least 2 years of undergraduate university study |
| 8 | Hungary | (a) tertiary qualifications; or(b) successful completion of at least 2 years of undergraduate university study |
| 9 | Indonesia | (a) tertiary qualifications; or(b) successful completion of at least 2 years of undergraduate university study |
| 10 | Israel | (a) secondary school qualifications; and(b) completion of military service or a legal exemption from completing military service |
| 11 | Luxembourg | (a) tertiary qualifications; or(b) successful completion of at least 2 years of undergraduate university study |
| 12 | Malaysia | (a) tertiary qualifications; or(b) successful completion of at least 2 years of undergraduate university study |
| 13 | Peru | (a) tertiary qualifications; or(b) successful completion of at least 2 years of undergraduate university study |
| 14 | Poland | (a) tertiary qualifications; or(b) successful completion of at least 2 years of undergraduate university study |
| 15 | Portugal | (a) tertiary qualifications; or(b) successful completion of at least 2 years of undergraduate university study |
| 16 | San Marino | (a) tertiary qualifications; or(b) successful completion of at least 2 years of undergraduate university study |
| 17 | Singapore | (a) qualifications considered to be at tertiary level in Singapore; or(b) successful completion of the equivalent of 2 years full-time tertiary study  |
| 18 | Slovak Republic | (a) tertiary qualifications; or(b) successful completion of at least 2 years of undergraduate university study |
| 19 | Slovenia | (a) tertiary qualifications; or(b) successful completion of at least 2 years of undergraduate university study |
| 20 | Spain | (a) successful completion of at least 2 years higher education |
| 21 | Thailand | (a) tertiary qualifications  |
| 22 | Turkey | (a) tertiary qualifications; or(b) satisfactory completion of at least 2 years of undergraduate university study |
| 23 | United States of America | (a) secondary school qualifications |
| 24 | Uruguay | (a) tertiary qualifications; or(b) successful completion of at least 2 years of undergraduate university study |
| 25 | Vietnam | (a) tertiary qualifications; or(b) successful completion of at least 2 years of undergraduate university study |