

## LATEST CHANGES FOR WORKING HOLIDAY VISAS

The government has decided to make changes to the Working Holiday Visa (Subclass 417) including:

Increasing the work limitation with each employer from 3 to 6 months.

Increasing the study/training limitation from 3 to 4 months

Expanding the definition of seasonal work

Changes apply only to Working Holiday visas applications lodged on or after 1 July 2006

### WHO WILL BE AFFECTED?

For Visa applications lodged or approved before 1 July 2006, the work limitation will automatically be extended from three months to six months with each employer. There is no need to make an application to the department for a work visa extension, the changes start on 1 July 2006. Visa holders can check the right to work extension through the Entitlement Verification Inline system from 1 July. Study Limitation will not be extended for visas application lodged before 1 July 2006. Seasonal work completed before 1 July 2006 in the industries listed below may be counted toward the three months of seasonal work in regional Australia. Requirement for Working Holiday visa applications lodged on or after 1 July 2006.

### Expanded Definition of Seasonal Work

- picking fruit, nuts and other crops
- pruning and trimming vines and trees
- general maintenance crop work
- immediate processing of plant products
- other work associated with packing or transporting the harvest
- cultivating or propagating plants, fungi or their products or parts
- maintaining animals for the purpose of selling them or their bodily produce, including natural increase
- immediate processing of animal products including shearing, butchery, packing and tanning
- manufacturing dairy produce from raw material
- conducting operations relating directly to taking or catching fish and other aquatic species
- conducting operations relating directly to taking or culturing pearls or pearl shell
- planting or tending trees in a plantation or forest that are intended to be felled
- felling trees in a plantation or forest, or
- 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 from which they are to be transported to the place where they are to be milled or processed.

## LATEST CHANGES FOR SUBCLASS 457 (BUSINESS LONG STAY)

There have been some important changes to probably the most used temporary working visa (Subclass 457) in Australia from 1 July 2006 the Federal government has decided to increase the minimum salary for employees under a 457 visa and restrict the working hours to 38 per week. The minimum salary (for employees other than those in the Computer Industry) will now be as follows:

<b>Major Capital Cities and Metropolitan Area</b>	<b>\$41,850</b>
<b>Regional Areas</b>	<b>\$37,665</b>

### **Who will not be affected?**

Overseas business sponsors

Sponsors party to a labour agreement

Sponsor applying as service sellers or persons accorded certain privileges and immunities,  
or

Nominated salary levels are above the 1 July 2006 level

### **Who will be affected?**

Sponsors whose nomination was approved prior to 1st July but where the salary level is less than the required level from 1 July 2006 or is based on a working week greater than 38 hours. No further 457 Visa will be granted unless the nominated salary level and working hours.

Nominations prior to 1 July 2006 but no decision has been made on the nomination and the nomination is based on a lower level and hours than required from 1 July

**DIMA will be contacting all clients impacted by the changes. Clients will receive a letter advising them about the changes and inviting to agree the salary level or/and working hours. From the date of the document, you will have 79 calendar days to indicate if you agree or not to offer a higher salary.**