

Working holiday subclass 417 visa (updated Nov 2019)

This visa is for young people who want to holiday and work in Australia for up to a year. The purpose of the visa is to encourage cultural exchange and closer ties between Australia and eligible countries.

This visa allows the visa holder to:

- enter Australia within 12 months of the date of the grant of the visa;
- stay in Australia for up to 12 months;
- work in Australia for up to 12 months with any one employer;
- study for up to four months. Four months means 17 weeks of actual study. Holidays and orientation periods do not count but weekends, public holidays and non-teaching periods prior to exam periods are counted
- leave and re-enter Australia any number of times while the visa is valid.

Key points

- Maximum of 12 months' work with any one employer but can be extended to allow for return to a previous employer;
- Age restrictions 18 years to 30 years. Canadian and Irish citizens 18 years to 35 years

Eligibility requirements

The Applicant must:

- be a genuine visitor who wants to have a holiday in Australia;
- be aged between 18 and 30 years of age (Canadian, French and Irish citizens 35 years) inclusive at the time of application;
- not be accompanied by dependent children;
- hold a passport from an **eligible country** (see below) preferably valid for at least 6 months;
- be outside Australia when the application is made (except applicants for a second and third Working Holiday Visa who CAN apply whilst in Australia);
- not have previously entered Australia on a 462 Work and Holiday Visa;
- not have entered Australia previously on a 417 Working Holiday Visa – except applications for a Second or Third Working Holiday Visa (see below);
- have sufficient funds – (generally \$5,000.00 AUD);
- have funds for a return or onward ticket to depart Australia (or an actual ticket);
- meet Australia's **health requirements** (see below);
- meet Australia's **character requirement** (see below);

- Sign the Australian Values Statement that confirms you will respect the Australian way of life and obey Australian laws.

Eligible countries are as follows: Belgium; Canada; Republic of Cyprus; Denmark; Estonia; Finland; France; Germany; Hong Kong Special Administrative Region (HKSAR) of the People's Republic of China; Republic of Ireland; Italy; Japan; Republic of Korea; Malta; Netherlands; Norway; Sweden; Taiwan; and United Kingdom.

What are the Health requirements?

Applicants and dependent family members must meet certain health requirements. The health examinations required depend on personal circumstances, including the period of stay, country of citizenship, time spent in another country during the last five years and intended activities in Australia. The results of health examinations are generally valid for 12 months. This process can be undertaken before lodgment of the visa application.

For further information on health requirements, visit <https://immi.homeaffairs.gov.au/help-support/meeting-our-requirements/health>

What are the Character requirements?

Applicants must meet certain character requirements and provide a police certificate from each country they have lived in for 12 months or more during the past 10 years after they turned 16 years of age. This also applies to all dependent family members in the application who are older than 18 years of age. For further information about character requirements, visit <https://immi.homeaffairs.gov.au/help-support/meeting-our-requirements/character>

Second Working Holiday Visa

Eligibility requirements for a second working holiday visa

The applicant must have;

- complied with all the conditions on the first Working Holiday visa;
- not previously held more than one Working Holiday visa;
- have completed **three months** (see below) of work in a **specified field or industry** (see below); in a **designated area of regional Australia** (see below) while on the first Working Holiday visa.

Specified field or industry includes:

- maintaining animals for the purpose of selling them or their bodily produce, including natural increase – (includes the dairy industry)

Note: Maintaining animals for tourism or recreational purposes is not eligible.

- immediate processing of animal products including shearing, butchery in an abattoir, packing and tanning;

Note: Secondary processing of animal products, such as small goods processing and retail butchery is not eligible;

- manufacturing dairy produce from raw material.

Specified field or industry also includes work in the fishing and pearling industry, tree planting and felling, mining and construction industries. For further information regarding these industries, visit

<https://immi.homeaffairs.gov.au/visas/getting-a-visa/visa-listing/work-holiday-417/specified-work>

Designated areas of regional Australia are as follows

State	Post code
New South Wales (most areas except the greater Sydney area, Newcastle, the Central Coast and Wollongong)	2311 to 2312 2328 to 2411 2420 to 2490 2536 to 2551 2575 to 2594 2618 to 2739 2787 to 2898
Queensland (most areas except the greater Brisbane area and the Gold Coast)	4124 to 4125 4133 4211 4270 to 4272 4275 4280 4285 4287 4307 to 4499 4510 4512 4515 to 4519 4522 to 4899
Victoria (most areas except the greater Melbourne area)	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
Western Australia (most areas except Perth and surrounding areas)	6041 to 6044 6055 to 6056 6069 6083 to 6084 6111 6121 to 6126 6200 to 6799
South Australia	Entire State

Tasmania	Entire State
Northern Territory	Entire Territory

What does three months mean?

'Three months' of specified work means a period equivalent to three 'calendar months', which is taken to be a minimum period of 88 calendar days, including weekends or equivalent rest days during the period of employment.

To meet the three months' specified work requirement the overseas worker must actually work for the same number of days that a full-time employee in that role and industry would normally work in a three month (88 calendar day) period.

You cannot count a long day of work as more than one day of specified work. For example, if the industry's standard day is five hours long, working a 10-hour day does not count as two days of specified work.

Public holidays and sick days are only counted if they are paid days off.

This can be worked in a variety of ways, for example:

- working five days a week for a continuous period of three calendar months, including on a piecework rate agreement; or
- working less than five days a week over a period longer than three calendar months, including on a piecework rate agreement;
- working multiple short periods of work in any combination of full time, part time or a piecework rate work, which add up to the equivalent of five days a week over three calendar months.

The three-month period does not have to be worked in one block or with one employer.

The work can be spread over the period of the stay in Australia. The overseas worker can also work for longer than the required minimum of three months.

The specified subclass 417 work requirement cannot be worked in a total period of less than three calendar months.

What does "in that role and industry" mean in practice for the dairy industry?

One single day of work is considered to be the normal number of hours per day or shift that is considered standard practice in the industry and role in which you are employed.

In the dairy industry there are a variety of roster situations which can be considered standard practice due to the 24/7 nature of the industry with early morning and late afternoon work.

The following example is taken from the department of Home Affairs website:

Example:

Maria works on a dairy farm milking and other duties. Maria makes an agreement with her employer to work five days a week (Wednesday to Sunday) from 4am to 7am and 1pm to 4pm each working day (a total of six working hours per day) for 88 days or for six months. These hours are considered normal for this role and Maria is paid the correct legal wage. Maria can count every day of work towards the 88 day or six month specified work requirement, which she meets.

Note: The second working holiday visa permits the visa holder to return to work for a further 12 months with an employer they worked for previously on the first working holiday visa if they wish to.

This visa allows the holder to do the following:

If the Applicant is already in Australia on a Working Holiday visa and has been granted a second Working Holiday visa, they can:

- stay in Australia for up to 24 months from the date they entered Australia on their first Working Holiday visa;
- leave and re-enter Australia any number of times while the visa is valid.

If they are in Australia but do not hold a current Working Holiday visa, they can:

- stay in Australia for 12 months from the date the second Working Holiday visa is granted;
- leave and re-enter Australia any number of times while the visa is valid.

If they are outside Australia, they can:

- travel to Australia at any time in the 12 months from the date the second Working Holiday visa is granted (this cannot be extended or deferred);
- stay in Australia for 12 months from the date they first enter Australia on the second Working Holiday visa;
- leave and re-enter Australia any number of times while the visa is valid.

Third Working Holiday Visa

As of 1 July 2019 Applicants who have previously held a Second Working Holiday Visa can apply for a Third Working Holiday Visa.

This visa allows the Applicant to work for up to 12 months if the work is in plant and animal cultivation (includes dairy farming) if they have worked for **six months** in specified 462 work (see above **Specified field or industry**) while on the Second Working Holiday Visa.

The visa also allows for up to 4 months' study.

Eligibility requirements

The Applicant must hold or have previously held a Second Working Holiday Visa and have complied with all of the conditions of the Second Working Holiday Visa. The **Eligibility requirements** above continue to apply.

What does six months mean?

'Six months' of specified work is taken to mean a period equivalent to the six shortest 'calendar months' of the year, that is, a minimum period of 179 calendar days, *including* weekends or equivalent rest days during your period of employment.

To meet the six months' specified work requirement the overseas worker must complete the same number of normal work days or shifts that a full-time employee in that role and industry would normally work in a six month (179 calendar day) period.

You cannot count a long day of work as more than one day of specified work. For example, if the industry's standard day is five hours long, working a 10-hour day does not count as two days of specified work.

This can be worked in in a variety of ways, for example:

- working five days a week for a continuous period of six calendar months, including on a piecework rate agreement; or
- working less than five days a week over a period longer than six calendar months, including on a piecework rate agreement;
- working multiple short periods of work in any combination of full time, part time or on a piecework rate, which add up to the equivalent of five days a week over six calendar months.

The six months of specified work does not have to be completed all in one go, or all with one employer.

The work may be spread over the period of the stay in Australia.

The overseas worker can also undertake specified work for longer than the required minimum of six months.

The six months of specified work cannot be completed in less than six months.

See above for further detail regarding the definition of in that role and industry.

Application

First Working holiday visa

The applicant must be outside Australia when the application is made and the decision to grant the visa is made.

Second Working Holiday visa:

If the application is made in Australia, the applicant must be in Australia when the visa is granted.

If the application is made outside Australia, the applicant must be outside Australia when the visa is granted.

Third Working Holiday Visa

If the application is made in Australia, the applicant must be in Australia when the visa is granted.

If the application is made outside Australia, the applicant must be outside Australia when the visa is granted.

For further information and an application form,

<https://immi.homeaffairs.gov.au/visas/getting-a-visa/visa-listing/work-holiday-417>