

# AUSVEG Visa Overview

The purpose of this document is to show the different visas available to Australian vegetable and potato growers.

For Australian Vegetable and potato growers there are a number of visas that can be used to recruit workers, including:

Visas/ Pathway	Description	Subclass
Temporary Work (short stay specialist) visa	temporary visa, specialist work	400
Temporary Activity visa	temporary visa, specialist work	408
Pacific Australia Labour Mobility Scheme	low and semi skilled work	403
Work and Holiday visas	temporary visa	417, 462
Temporary Skill Shortage visa	temporary employer sponsored skilled visa	482
Temporary Graduate visa	temporary visa	485
Employer Nomination Scheme	permanent employer sponsored skilled visa	186
Skilled Independent visa	permanent visa, point tested	189
Skilled Nominated visa	permanent visa, point tested	190
Industry Labour Agreement	temporary and permanent employer sponsored	482, 186
Designated Area Migration Agreement (DAMA)	temporary and permanent employer sponsored	482, 186 and 494
Skilled Work Regional (Provisional)	provisional visa, points tested	491
Skilled Employer Sponsored Regional (Provisional)	provisional employer sponsored skilled visa	494

Each of these visas cover different skill levels, sponsor requirements, occupations, time frames, participating countries and cost. See below for a breakdown of the core visas and their requirements.

Most of these visas require employers to either be accredited employers or an approved sponsor. More information on accreditation and sponsorship requirements can be found on each of the visa factsheets.

If you are looking for a worker and are not sure what visa to use for their occupation, search all ANZSCO occupations on <https://immihomeaffairs.gov.au/visas/working-in-australia/skill-occupation-list>.

This information is accurate as of 19/04/2023. The information is subject to change frequently, please check the Home Affairs website for details.

## **Skilled Migration Categories**

- **General skilled migration:**
  - No employer sponsor but has relevant skills and attributes.
  - Also includes state and territory nominated visas.
- **Employer sponsored migration:**
  - Includes regional employer sponsored visas granted under a labour agreement.
    - Temporary skill shortage visa (TSS) (subclass 482).
    - Skilled employer sponsored regional (provisional) visa (subclass 494).
    - Employer nomination scheme (ENS) (subclass 186).
- **Business and investment migration:**
  - Encourages successful business people to settle in Australia and develop new businesses.
- **Global and distinguished talent.**
  - For highly skilled and accomplished professionals.

## **Skilled Occupation Lists**

- Short-term skilled occupation lists (STSOL) – 215 occupations.
- Medium and long-term strategic skill list (MLTSSL) – 216 occupations.
- Regional Occupation List (ROL) – 434 occupations.

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## Working Holiday Maker (WHM) Program

The Working Holiday Maker Program allows young adults to have a 12-month holiday in Australia whilst undertaking short-term work and/or study.

There are two subclasses in the WHM Program:

- **Work and Holiday Visa (subclass 462)**
- **Working Holiday Visa (subclass 417)**

There are a few key differences between these visas, including.

- Different partnering countries.
- The 462 visa has an education requirement, but the 417 visa does not.
- The 462 visa also requires letters of support from governments from certain countries and requires a functional level of English.

Workers on their first year WHM visa can undertake work in any industry and location in Australia. To be eligible for a second or third year visa, they must complete either three or six months of 'specified work'. Details on specified work options can be found here: [Specified work for Working Holiday visa \(subclass 417\) \(homeaffairs.gov.au\)](https://www.homeaffairs.gov.au/visas/working-holiday-visa).

Specific work roles in horticulture can include the following:

- harvesting and/or packing of fruit and vegetable crops,
- general maintenance crop work,
- cultivating or propagating plants, fungi or their products or parts,
- immediate processing of plant products.

Worker requirements:

- Must have a passport from an eligible country.
- Must not be accompanied by dependent children.
- Allows visa holders to study for up to 4 months.
- Allows visa holders to travel to and from Australia as many times as they want.

From 19 January 2022, WHMs working in any sector anywhere in Australia may continue to work for the same employer or organisation for longer than six months without requesting permission. This arrangement will be in place until 30 June 2023.

<u>Visa</u>	<u>Cost to employee</u>	<u>Skill Level</u>	<u>Time</u>	<u>Age</u>	<u>Partnering Countries</u>
<b>Work and Holiday Visa (subclass 462)</b>	\$495 (Currently waived)	All skill levels	12-months	Must be 18 to 30 years old.	Argentina, Austria, Chile, China, Czech Republic, Ecuador, Greece, Hungary, Indonesia, Israel, Luxembourg, Malaysia, Peru, Poland, Portugal, San Marino, Singapore, Slovak Republic, Slovenia, Spain, Switzerland, Thailand, Turkey, Uruguay, USA, Vietnam.
<b>Working Holiday Visa (subclass 417)</b>				Must be 18 to 30 years old, except for Canadian, French, and Irish citizens up to 35.	Belgium, Canada, Republic of Cyprus, Denmark, Estonia, Finland, France, Germany, Hong Kong Special Administrative Region of the Peoples Republic of China, Republic of Ireland, Italy, Japan, Republic of Korea, Malta, Netherlands, Norway, Sweden, Taiwan, United Kingdom.

## Pacific Australia Labour Mobility Scheme (PALM)

The PALM Scheme allows employers to hire workers from nine Pacific Islands and Timor-Leste when there are not enough domestic workers available.

On 4 April 2022, the Temporary Work (Internal Relations) visa (subclass 403) Pacific Australia Labour Mobility (PALM) stream was introduced. The new PALM scheme visa consolidated and replaced the Seasonal Worker Program (SWP) and Pacific Labour Scheme (PLS) into a single visa scheme. The scheme offers a long-term (up to four years) and seasonal (up to nine months) option.

### To sponsor a Pacific worker, you must demonstrate that you:

- are an eligible business registered and operating in Australia,
- are NOT an individual, sole trader or unincorporated company,
- are an approved employer under the PALM scheme,
- hold a DHA Temporary Activities Sponsorship (TAS).

More information on the obligations and requirements to be an approved employer can be found at [www.palmscheme.gov.au/apply](http://www.palmscheme.gov.au/apply).

<u>Visa</u>	<u>Cost to employee</u>	<u>Cost to employer to participate</u>	<u>Skill Level</u>	<u>Time</u>	<u>Age</u>	<u>Partnering Countries</u>
<b>Seasonal stream</b>	AUD\$315	AUD\$420	Unskilled and low-skilled	Up to nine months	21+	Fiji, Kiribati, Nauru, Papua New Guinea, Samoa, Solomon Islands, Timor-Leste, Tonga, Tuvalu, Vanuatu.
<b>Long-term stream</b>			Low-skilled and semi-skilled	Up to four years		

## Horticulture Industry Labour Agreement (HILA)

The HILA increases access to skilled and semi-skilled migrant workers for the horticulture industry when qualified Australians are unavailable. The HILA has an age cap of 50 years old and provides pathways for permanent residency.

Under the HILA an employer can sponsor workers under the Temporary Skill Shortage (TSS) (subclass 482) visa for a total of 31 approved occupations.

The HILA covers 31 critical occupations in the horticulture industry including:

- Irrigation Designer/ Manager
- Agronomist
- Horticulture Grower
- Protected Cropping Grower
- Horticulture Research & Development Officer
- Mechanical Engineer
- Horticulture Farm Manger
- Quality Assurance Manager
- Biosecurity Officer
- Facility Plant Manager
- Facility Supervisor
- Maintenance Electrician
- Fitter and Welder
- Agricultural Technician
- Mechanic
- Senior Nurseryperson
- Nurseryperson
- Nursery Supervisor
- Truck Driver
- Mobile Plant Operator
- Forklift Driver
- Irrigationist
- Irrigationist Assistant
- Horticulture Section Manager
- Section Supervisor
- Production Horticulture Supervisor
- Machinery Manager
- Machinery Supervisor
- Cold Storage Manager

To use the HILA, growers must be a Standard business sponsor which assesses businesses to ensure they are fit to sponsor an applicant. See more information on becoming a Standard business sponsor here: [Become a sponsor Standard business sponsor \(homeaffairs.gov.au\)](http://homeaffairs.gov.au)

<u>Visa</u>	<u>Cost to employee</u>	<u>Cost to employer</u>	<u>Skill Level</u>	<u>Time</u>	<u>Age</u>	<u>Partnering Countries</u>
HILA	nil	AUD\$420	Skilled and semi-skilled	Up to four years	Up to 50 years of age	All

To see the different skills needed for HILA occupations please see the VETASSESS brochure [here](#).

## Company Specific Labour Agreement (CSLA)

The CSLA is for an employer where:

- A skill isn't covered by an industry labour agreement,
- A Designated Area Migration Agreement (DAMA) or project is not in place,
- The occupation(s) in shortage are not already available under the [standard skilled visa](#) programs – unless a strong and compelling business case has been provided.

Similar to other visas, you must show that the skills cannot be met by Australian workers.

The overseas worker must meet the ANZSCO skill requirements for the occupation and any industry registration or licensing requirements.

Permanent residency pathways are available through the Employer Nomination Scheme Visa (subclass 186). For businesses in regional areas there is also the Skilled Employer Sponsored Regional (Provisional) visa (subclass 494).

The CSLA is a temporary option only. Businesses must show what overseas workers will not be more than one-third of your workforce. Businesses must also show that they have a plan in place to train and employ Australians.

<u>Visa</u>	<u>Cost to employee</u>	<u>Cost to employer</u>	<u>Skill Level</u>	<u>Time</u>	<u>Age</u>	<u>Partnering Countries</u>
CSLA Temporary Skill Shortage Visa (subclass 482)	AUD\$2,770	AUD\$330	1 to 4 (Exceptions for skill level 5 for businesses in category 3 regional areas)	Up to 4 years. Hong Kong passport holders can stay for up to 5 years.	18+	All

## Designated Area Migration Agreement (DAMA)

The DAMA is a labour agreement between the Australian Government and a regional, state, or territory authority. It provides more overseas workers than a standard skilled migration program.

DAMAs operate under a two-tiered framework covering a specific regional area.

- The first tier is an overarching five-year deed of agreement with the region's representative.
- The second tier comprises of individual labour agreements with employers under the head agreement for that region.

Uses subclass 482 Temporary Skills Shortage (TSS), subclass 494 Skilled Employer Sponsored Regional (Provisional), and subclass 186 Employer Nominated Scheme (ENS) visa programs.

They contain a range of occupations as well as agreed terms and concessions to skilled visa eligibility criteria, as negotiated between parties. There are currently 12 DAMAs in place, see them [here](#) and below:

- Adelaide City Technology and Innovation Advancements, SA.
- East Kimberly, WA.
- Far North Queensland, QLD.
- Goulburn Valley, VIC.
- Great South Coast, VIC.
- NT.
- Orana, NSW.
- Pilbara, WA.
- South Australia Regional, SA.
- Southwest, WA.
- The Goldfields, WA.
- Townsville, QLD.

<u>Visa</u>	<u>Cost to employee</u>	<u>Cost to employer</u>	<u>Skill Level</u>	<u>Time</u>	<u>Age</u>	<u>Partnering Countries</u>
DAMA	SAF levy	Nomination fee	Skilled and Semi-skilled.	Up to 4 years	18+ (Under 45 for the 494)	All

### SESR (Provisional) Subclass 494 compared with TSS Subclass 482

Criteria	Skilled Employer Sponsored Regional (Provisional) (subclass 494) visa	Temporary Skills Shortage (TSS) (subclass 482) Visa
<b>Regional Definition</b>	All of Australia except Sydney, Melbourne and Brisbane	N/A
<b>Visa Application Charge (VAC)</b>	\$4,240 (primary) \$2,120 (secondary, 18 years+) \$1,060 (secondary, <18) \$4,890 (secondary, 18 years+ and has less than Functional English)	ST Stream: \$1,330 (primary & secondary, 18 years+) \$335 (secondary, <18 years) MT Stream: \$2,770 (primary & secondary, 18 years+) \$695 (secondary, <18 years) Sponsorship: \$420; Nomination: \$330
<b>Skilling Australians Fund (SAF) Levy</b>	Small business: \$3,000 flat fee Large business: \$5,000 flat fee	Small Business: \$1,200 per year (4 years = \$4,800) Large Business: \$1,800 per year (4 years = \$7,200)
<b>Labour Market Testing (LMT)</b>	Strict LMT requirements apply	Strict LMT requirements apply
<b>English Language (IELTS or equivalent)</b>	Competent IELTS: at least 6 in each component score	Vocational IELTS 5 ST Stream: overall 5 with at least 4.5 in component scores MT stream: at least 5 in each component score
<b>Work Experience</b>	3 years relevant work experience	2 years relevant work experience
<b>Skills criteria</b>	Mandatory skills assessment, some exemptions apply	Limited requirement for skills assessment
<b>Occupation List</b>	At least 650 occupations	ST stream: 215 occupations MT stream: 293 occupations
<b>Age</b>	Less than 45 years	N/A
<b>Visa stay period</b>	5 years Must complete 3 years living and working in regional Australia on the provisional visa to become eligible for Permanent Residence	ST stream: 2 years with one renewal onshore (unless an international Trade Obligation applies) MT stream: 4 years Eligibility for Permanent Residence after 3 years for the MT stream only
<b>Salary</b>	Must earn at least 53,900 per annum for a minimum of 3 out of 5 years to become eligible for Permanent Residence	Must earn at least \$53,900

This information is accurate as of 19/04/2023.



## Temporary Skill Shortage Visa (subclass 482)

The TSS lets an employer sponsor a suitably skilled worker to fill a position they can't find a suitably skilled Australian to fill.

There are three streams:

- Short-term stream
- Medium-term stream
- Labour agreement stream
- Subsequent entrant (for family members of subclass 457 and TSS visa holders).

The medium and long-term streams have pathways to permanent residency.

Employees in the short-term stream can now apply to stay permanently if they were in Australia for at least a year during the pandemic. Their employer can sponsor them to stay permanently through the Employer Nomination Scheme (subclass 186) under the Temporary Residence Transition (TRT) stream.

The current list of eligible skilled occupations can be found at

<https://immihomeaffairs.gov.au/visas/working-in-australia/skill-occupation-list#>.

<u>Visa</u>	<u>Cost to employee</u>	<u>Cost to employer to participate</u>	<u>Skill Level</u>	<u>Time</u>	<u>Age</u>	<u>Partnering Countries</u>
Short-term stream	AUD\$1,330	AUD\$330	Skilled	2 years or up to 4 if an International Trade Obligation applies. Hong Kong passport holders can stay up to 5 years.	-	All
Medium-term stream	AUD\$2,770	AUD\$330	Skilled	Up to 4 years. Hong Kong passport holders can stay up to 5 years.	-	All
Labour agreement scheme	AUD\$2,770	AUD\$330	Skilled	Max 4 years. Hong Kong passport holders can stay up to 5 years.	-	All