



COVID-19 Frequently Asked Questions

Temporary visa measures supporting the agriculture sector

- Agriculture is a critical sector that supplies essential goods to all Australians.
- To support our agriculture sector, the Government has announced temporary visa measures to help with the continuity of essential goods and services in response to COVID-19.
- Flexible arrangements are in place to allow critical workers, including Seasonal Worker Programme and Pacific Labour Scheme participants and Working Holiday Makers, to extend their stay in Australia.
- These temporary arrangements allow critical workers to remain in Australia, continue to support the agriculture sector, and stabilise the workforce in this critical sector.
- Visa conditions for Seasonal Worker Programme and Pacific Labour Scheme workers have been temporarily relaxed and options are available to extend their stay in Australia for up to 12 months to support the agriculture sector.
 - Seasonal Worker Programme workers with visas due to expire can apply for a Temporary Activity (subclass 408) visa in the Australian Government Endorsed Event (AGEE) stream.
 - Pacific Labour Scheme workers with visas due to expire can apply for a new Temporary Work (International Relations) (subclass 403) Pacific Labour scheme stream visa.
 - Workers currently in Australia under these programs are exempt from the requirement to work for a single employer and are able to move between approved employers, allowing flexibility and continued support for the agriculture sector in meeting seasonal workforce demands.
 - Seasonal Worker Programme and Pacific Labour Scheme arrangements, including those relating to employers, have been carried over to the new visa arrangements, continuing the link with the agricultural sector.
- In addition, Working Holiday Makers who are working in critical sectors (eg agriculture and food processing, health, aged and disability care, and childcare) are now exempt from the six month work limitation with one employer and are eligible for a Temporary Activity (subclass 408) visa in the Australian Government Endorsed Event (AGEE) stream.

Meeting public health requirements

- State and Territory governments are responsible for implementing, enforcing and monitoring the health and safety requirements to minimise the spread of COVID-19.
 - State and Territory government must have clear mechanisms in place to enforce self-isolation, impose sanctions where this has not occurred.
 - The Government is working closely with State and Territory governments to ensure these mechanisms are put in place as quickly as possible.
- At the same time, it is critical that this labour force of temporary visa holders is managed to support the ongoing health of regional communities.
 - Visa holders must adhere to all COVID-19 health measures, including social distancing and self-isolation.
 - If visa holders do not follow self-isolation arrangements, their visa may be cancelled on the basis that they present a risk to public health and the Australian community.

- State and Territory border restrictions and quarantine requirements continue to manage the public health risks associated with people moving from cities into agricultural areas.
- State and Territory governments are responsible for arrangements for safe accommodation of temporary visa holders working in agriculture to manage the spread of COVID-19, including quarantine and self-isolation requirements.
- The Department of Home Affairs will accept referrals from State and Territory governments so that visa holders who do not follow public health and quarantine laws can be appropriately considered for visa cancellation, where they pose an unacceptable health risk. All visa holders must comply with the relevant State or Territory government's public health and quarantine laws, according to where the visa holder is located. Information on the laws for each State and Territory can be found at the following links:
 - Australian Capital Territory (ACT) - <https://www.health.act.gov.au/>
 - New South Wales (NSW) – <https://www.health.nsw.gov.au/Pages/default.aspx>
 - Victoria (VIC) - <https://www.dhhs.vic.gov.au/>
 - Queensland (QLD) – <https://www.health.qld.gov.au/>
 - Western Australia (WA) – <https://ww2.health.wa.gov.au/>
 - South Australia (SA) – <https://www.sahealth.sa.gov.au/>
 - Northern Territory (NT) - <https://health.nt.gov.au/>
 - Tasmania (TAS) – <https://dhhs.tas.gov.au/>

1. Time frame, how long are we doing this for?

- These are temporary measures that will be reviewed regularly by Government during the COVID-19 pandemic.
- These measures will continue only as long as deemed necessary by Government in consultation with the agriculture industry.

2. When does this come into effect?

- These temporary measures came into effect on 4 April 2020.

3. What industries does this apply to?

- These temporary measures ensure the continuity of workers to deliver critical services in the agriculture sector, most importantly the delivery of food supplies to all Australians.
- The Government will continue to consult with business as the COVID-19 situation develops to determine whether similar measures are needed for other critical sectors.

4. How do I access these temporary measures?

- The Temporary Activity (subclass 408) Australian Government Endorsed Event (AGEE) stream visa is being utilised to manage the extraordinary circumstances that have arisen due to COVID-19.
 - This visa does not have a visa application charge (VAC) during the COVID-19 pandemic.
- Employer arrangements similar to the Seasonal Worker Programme and Pacific Labour Stream also apply to the subclass 408 visa. The arrangement is designed to offer an option to those individuals with visas expiring in the near future, to apply for another visa to extend their stay, where no other visa option is available.
- A waiver of certain visa conditions allows temporary visa holders to work more in key sectors affected by the COVID-19 pandemic.

- Not all temporary visas are expiring now – valid visas remain in force and are not affected by the closure of borders.
- More information is available on the Department of Home of Affairs website at: <https://covid19.homeaffairs.gov.au/>.

5. What conditions or changes have been made to the Seasonal Worker Programme or Pacific Labour Scheme to enable those workers to move more readily to where they are needed?

- The Seasonal Worker Programme and the Pacific Labour Scheme visas have a condition that requires visa holders to work for one approved / endorsed employer, unless otherwise approved.
- During the COVID-19 period, workers currently in Australia under these programs are exempt from the requirement to work for a single employer and are able to move between approved employers. This allows flexibility and continued support for the agriculture sector in meeting seasonal workforce demands.
- Existing arrangements continue for seasonal workers employed by approved employers in the pilot regions of Sunraysia, Goulburn/Murray, Riverina and Wimmera-Mallee, which commenced on 1 January 2020.

6. How will self-isolation be enforced?

- State and Territory governments are responsible for implementing, enforcing and monitoring the health and safety requirements to minimise the spread of COVID-19.
- It is essential that State and Territory governments have in place clear mechanisms to enforce self-isolation, impose sanctions where this has not occurred and support farmers to source suitable accommodation where necessary.
- The Government is working closely with State and Territory governments to ensure that enforcement and sanction mechanisms are put in place as quickly as possible.

Seasonal Worker Programme

Visa Holders

7. I am unable to return to my home country due to COVID-19 border restrictions. Can I extend my current visa to stay in Australia?

- It is not possible to extend your visa or apply for a new Temporary Work (International Relations) (subclass 403) Seasonal Worker Programme stream visa in Australia.
- You must apply for a new visa before your current visa expires. You may be eligible to be granted a bridging visa that will allow you to remain lawfully in Australia until a decision is made on your visa application.
- The Australian Government has announced temporary visa measures to assist temporary visa holders currently in Australia working in the agricultural sector, who are currently unable to return to their home country, to extend their stay in Australia.
- You can apply for the Temporary Activity (subclass 408) Australian Government Endorsed Event (AGEE) stream visa.
 - This visa does not have a visa application charge (VAC) during the COVID-19 pandemic event.
 - Employer arrangements similar to the Seasonal Worker Programme also apply to the subclass 408 visa.

- This visa allows you to remain lawfully in Australia, and continue working, should you wish to do so, until it is safe and practicable for you to return to your home country.
- Further information is available on the Department of Home Affairs website at: <https://covid19.homeaffairs.gov.au/> and <https://immi.homeaffairs.gov.au/visas/getting-a-visa/visa-listing/temporary-activity-408/australian-government-endorsed-events>.

8. I am unable to return to my home country due to COVID-19 border restrictions. Can I work for another employer while I wait to return home?

- In ordinary circumstances, a condition of your visa is to remain working for your sponsoring employer for the duration of your visa, unless written approval is obtained from the Department of Home Affairs.
- Seasonal Worker Programme and the Pacific Labour Scheme visas have a condition that requires visa holders to work for one approved / endorsed employer, unless otherwise approved.
 - During the COVID-19 period, workers currently in Australia under these programs are exempt from the requirement to work for a single employer and are able to move between approved employers. This allows flexibility and continued support for the agriculture sector in meeting seasonal workforce demands.
 - Workers and employers are required to advise the Department of Home Affairs and Department of Education, Skills and Employment regarding any change in approved employer, as per existing arrangements.
- If your visa has ceased, the Australian Government has announced temporary visa measures to assist temporary visa holders currently in Australia, who are unable to currently return to their home country, to extend their stay in Australia.
- You can apply for the Temporary Activity (subclass 408) Australian Government Endorsed Event (AGEE) stream visa.
 - This visa does not have a visa application charge (VAC) during the COVID-19 pandemic.
 - Employer sponsorship arrangements similar to the Seasonal Worker Programme also apply to the subclass 408 visa.
 - This visa allows you to remain lawfully in Australia, and continue working, should you wish to do so, until it is safe and practicable for you to return to your home country.
- Further information is available on the Department of Home Affairs website at: <https://immi.homeaffairs.gov.au/visas/getting-a-visa/visa-listing/temporary-activity-408/australian-government-endorsed-events>.

9. Do I need to meet quarantine requirements? I have only travelled between states/territories?

- Yes – all visa holders must adhere to all COVID-19 health measures, including social distancing and self-isolation.
- State and Territory governments are responsible for arrangements for safe accommodation of temporary visa holders working in agriculture to manage the spread of COVID-19. This includes quarantine and self-isolation requirements.
 - Visa holders must follow all instructions provided by the State or Territory in which they are working.

Employers

10. Due to the COVID-19 border restrictions, seasonal workers are unable to travel to Australia at present. What other options are available to access workers to address labour needs?

- In response to the current COVID-19 pandemic, the Australian Government has announced temporary measures to assist temporary visa holders currently in Australia, including Seasonal Worker Programme participants, who are unable to currently return to their home country, to extend their stay in Australia, and enable flexibility in changing approved employers where required.
 - Under these temporary measures, current approved employers may wish to employ Seasonal Worker Programme participants who have finished employment with their current approved employer, but who are unable to return to their home country.
 - Approved employers, like any employer, may also wish to employ Temporary Activity (subclass 408) Australian Government Endorsed Event (AGEE) stream visa holders.
 - This visa has a nil visa application charge (VAC) for the COVID-19 pandemic event.
 - Employer sponsorship arrangements similar to the Seasonal Worker Programme also apply to the subclass 408 visa.
 - These temporary measures are not intended to prevent the recruitment of Australians to undertake this work.
 - Before seeking access to seasonal workers under the Seasonal Worker Programme, approved employers must first try to recruit Australians.
- Where Australian workers are unavailable, employers can also seek seasonal labour through the Working Holiday Maker program.
 - Working Holiday Makers who are working in critical sectors (eg agriculture, aged or health care) are now exempt from the six month work limitation with one employer and eligible for a Temporary Activity (subclass 408) visa in the Australian Government Endorsed Event (AGEE) stream.
- Employers are still required to first try to recruit Australians and abide by all relevant Australian workplace laws. Overseas workers have the same rights under Australian workplace law as all other employees.
- These temporary measures will be in place for a timeframe that allows relevant critical industries to bridge the gap between their immediate needs and the time to recruit, train and on-board Australians.
 - The Department of Home Affairs is working with the Department of Education, Skills and Employment to ensure Australians are prioritised for future job opportunities.

11. I am not an approved employer under the Seasonal Worker Programme. Can I employ seasonal workers during this COVID-19 period?

- Currently, only organisations approved by the Australian Government can recruit seasonal workers under the Seasonal Worker Programme.
 - Information about the Seasonal Worker Programme is available at: <https://www.employment.gov.au/seasonal-worker-programme>.
- Where Australian workers are unavailable, employers can seek seasonal labour through the Working Holiday Maker program.

- Working Holiday Makers who are working in critical sectors (eg agriculture, aged or health care) are now exempt from the six month work limitation with one employer and eligible for a Temporary Activity (subclass 408) visa in the Australian Government Endorsed Event (AGEE) stream.

Pacific Labour Scheme

12. My work contract has ended, my visa is about to expire and I am unable to return to my home country due to COVID-19 border restrictions. Can I extend my current visa to stay in Australia?

- It is possible to apply for a new Temporary Work (International Relations) (subclass 403) visa in the Pacific Labour stream in Australia, where you and your employer are endorsed by the Department of Foreign Affairs and Trade to participate in the scheme.
- The application can be made online via the Department of Home Affairs online lodgement portal, ImmiAccount.

13. I am unable to return to my home country due to COVID-19 border restrictions. Can I work for another employer while I wait to return home?

- In ordinary circumstances, a condition of your visa is to remain working for your sponsoring employer for the duration of your visa, unless written approval is obtained from the Department of Home Affairs.
 - During the COVID-19 period, workers currently in Australia under the Pacific Labour Scheme are exempt from the requirement to work for a single employer and are able to move between approved employers. This allows flexibility and continued support for the agriculture sector in meeting seasonal workforce demands.
 - Workers and employers are required to advise the Department of Home Affairs and Department of Foreign Affairs and Trade regarding any change in approved employer, as per existing arrangements.
- It is possible to apply for a new Temporary Work (International Relations) (subclass 403) visa in the Pacific Labour stream in Australia, where you and your new employer are endorsed by the Department of Foreign Affairs and Trade to participate in the scheme.
- The application can be made online via the Department of Home Affairs online lodgement portal, ImmiAccount.

Employers

14. I am an approved employer under the Pacific Labour Scheme. Due to the COVID-19 border restrictions, Pacific workers are unable to travel to Australia at present. What other options are available to access workers to address labour needs?

- In response to the current COVID-19 pandemic, the Australian Government has announced temporary measures to assist Pacific Labour Scheme participants, who are unable to currently return to their home country, to extend their stay in Australia, and enable flexibility in changing approved employers where required.
 - Under these temporary measures, current approved employers may wish to employ Pacific Labour Scheme participants who have finished employment with their current approved employer, but who are unable to return to their home country.

- Approved employers, like any employer, may also wish to employ Temporary Activity (subclass 408) Australian Government Endorsed Event (AGEE) stream visa holders (from 4 April 2020).
- These temporary measures are not intended to prevent the recruitment of Australians to undertake this work.
- Before seeking access to workers under the Pacific Labour Scheme, approved employers must first try to recruit Australians.
- Where Australian workers are unavailable, employers can seek seasonal labour through the Working Holiday Maker program.
 - Working Holiday Makers who are working in critical sectors (eg agriculture, aged or health care) are now exempt from the six month work limitation with one employer and eligible for a Temporary Activity (subclass 408) visa in the Australian Government Endorsed Event (AGEE) stream.
- Employers are still required to first try to recruit Australians and to abide by all relevant Australian workplace laws. Overseas workers have the same rights under Australian workplace law as all other employees.
- These temporary measures will be in place for a timeframe that allows relevant critical industries to bridge the gap between their immediate needs and the time to recruit, train and on-board Australians.
 - The Department of Home Affairs is working with the Department of Education, Skills and Employment to ensure Australians are prioritised for future job opportunities.

15. I am not an approved employer under the Pacific Labour Scheme. Can I employ Pacific Labour Scheme participants during this COVID-19 period?

- Currently, only organisations approved by the Australian Government can recruit Pacific Labour Scheme participants. Information about the Pacific Labour Scheme is available at: <http://dfat.gov.au/labourmobility>.
- Where Australian workers are unavailable, employers can address temporary workforce needs through the Working Holiday Maker program.
 - Working Holiday Makers who are working in critical sectors (eg agriculture, aged or health care) are now exempt from the six month work limitation with one employer and eligible for a Temporary Activity (subclass 408) visa in the Australian Government Endorsed Event (AGEE) stream.

Working Holiday Maker program

Visa Holders

16. I am unable to return to my home country due to COVID-19 border restrictions. Can I extend my current visa to stay in Australia?

- You can apply for a further WHM visa if you have undertaken specified work for three months on your first WHM visa or six months on your second WHM visa.
- The following industries and areas are approved as specified work for subclass 417 (Working Holiday) visa holders:
 - plant and animal cultivation in regional Australia;
 - fishing and pearling in regional Australia;
 - tree farming and felling in regional Australia;

- mining in regional Australia;
 - construction in regional Australia; and
 - bushfire recovery work in declared bushfire affected areas only, carried out after 31 July 2019.
- The following industries and areas are approved as specified work for subclass 462 (Work and Holiday) visa holders:
 - plant and animal cultivation in northern Australia and other specified areas of regional Australia;
 - fishing and pearling in northern Australia only;
 - tree farming and felling in northern Australia only;
 - tourism and hospitality in northern Australia only;
 - construction in northern Australia and other specified areas of regional Australia; and
 - bushfire recovery work in declared bushfire affected areas only, carried out after 31 July 2019.
 - You must apply for a new visa before your current visa expires. You may be eligible to be granted a bridging visa that will keep you lawful until a decision is made on your visa application.

17. Can I count work in critical sectors in response to COVID-19 as ‘specified work’ for the purpose of applying for a second or third WHM visa?

- Existing arrangements for specified work will remain in place.
- However, the Australian Government has announced temporary measures to assist WHMs working in the agricultural sector who are not eligible to apply for a further WHM visa.
- WHMs working in the agricultural sector, who are unable to return to their home country can apply for the Temporary Activity (subclass 408) Australian Government Endorsed Event (AGEE) stream visa. This also applies to those working in other critical sectors such as health, aged and disability care and childcare.
 - This visa allows you to remain lawfully in Australia, and continue working, should you wish to do so, until it is safe and practicable for you to return to your home country.
- Further information is available on the Department of Home Affairs website at: <https://immi.homeaffairs.gov.au/visas/getting-a-visa/visa-listing/temporary-activity-408/australian-government-endorsed-events>.

18. As a WHM working in the agricultural sector, can I keep working for the same employer for longer than six months?

- Yes, WHMs working in the agricultural sector are already taken to have permission from the Department to work for longer than six months with the same employer.
- Further information is available at: <https://immi.homeaffairs.gov.au/visas/already-have-a-visa/check-visa-details-and-conditions/waivers-and-permissions/work-longer-than-6-months>

19. I have applied for my second or third WHM visa. Can I keep working while I am waiting for a decision on my application?

- While your new application is being processed, a bridging visa will come into effect which generally carries the same conditions as your previous visa, including in relation to work

rights. You and your employer can check Visa Entitlement Verification Online (VEVO) at any time to confirm your work rights.

20. Due to COVID-19, I couldn't complete the specified work I need to apply for my second or third WHM visa. Can I extend my visa to give me more time to look for work?

- If you have not completed the three or six months of specified work required to apply for a second or third WHM visa, you should apply for another visa to remain lawfully in Australia until you are able to depart.
- If you are working in the agricultural sector and are unable to return to your home country, you can apply for the Temporary Activity (subclass 408) Australian Government Endorsed Event (AGEE) stream visa. This also applies to those working in other critical sectors such as health, aged and disability care and childcare.
 - This visa allows you to remain lawfully in Australia, and continue working, should you wish to do so, until it is safe and practicable for you to return to your home country.

Employers

21. Due to the COVID-19 border restrictions, WHMs are unable to travel to Australia at present. What other options are available to access workers to address labour needs?

- In response to the current COVID-19 pandemic, the Australian Government has announced temporary measures to assist temporary visa holders currently in Australia, including WHMs, who are currently unable to return to their home country, to extend their stay in Australia.
 - WHMs are already able to work for the same employer in the agricultural sector for up to 12 months, rather than the usual six month limitation for other sectors;
 - If a WHM working in the agricultural sector is not eligible for a further WHM visa and is unable to return to their home country, they can apply Temporary Activity (subclass 408) Australian Government Endorsed Event (AGEE) stream visa holders to continue working in the agricultural sector. This also applies to those working in other critical sectors such as health, aged and disability care and childcare.
- Employers are still required to first try to recruit Australians and abide by all relevant Australian workplace laws. Overseas workers have the same rights under Australian workplace law as all other employees.