

COVID-19 - Temporary visa holders changes announced

Temporary visa holders changes announced

On Saturday 4 April 2020 the Government announced several changes to temporary visa holder arrangements during the coronavirus pandemic. While citizens, permanent residents and many New Zealanders have access to unconditional work rights and government payments (including the new JobKeeper and JobSeeker payments), temporary visa holders do not.

The Government restated that it has always been an expectation that temporary visa holders are able to support themselves while in Australia.

Changes are geared toward enabling temporary visa holders to remain in key industries, such as health, aged and disability care, agriculture and food processing.

The following new measures will apply to the major classes of temporary visa holders. The situation will be reviewed periodically, further changes will be made if required.

Visitor visa holders

There are 203,000 international visitors in Australia, typically on a visa lasting three months or less. The Government has said that International tourists should return to their home country as quickly as possible, particularly those without family support. Thousands are already doing this, others should follow their lead.

International students

There are 565,000 international students in Australia, mainly studying in the higher education or vocational education sector. Students are encouraged to rely on family support, part-time work where available and their own savings to sustain themselves in Australia. As part of their visa application, international students have had to demonstrate that they can support themselves completely in their first year.

Students who have been here longer than 12 months who find themselves in financial hardship will be able to access their Australian superannuation. The Government will undertake further engagement with the international education sector who already provide some financial support for international students facing hardship.

The Government will also be flexible in cases where Coronavirus has prevented international students meeting their visa conditions (such as not being able attend classes). International students are able to work up to 40 hours per fortnight.

International students working in aged care and as nurses have had these hours extended to support these critical sectors. International students working in the major supermarkets had also had these hours extended to help get stock on shelves during the high demand. From 1 May, their hours will return to the maximum 40 hours a fortnight as more Australians are being recruited into these roles.

New Zealanders on 444 visas

New Zealanders and Australians have reciprocal arrangements whereby we can each stay and work in each other's country. There are more than 672,000 New Zealanders in Australia on a subclass 444 visa.

New Zealanders who are on 444 visas and arrived before 26 February 2001 will have access to welfare payments and the JobKeeper payment. 444 visa holders who arrived after 2001 have access to the JobKeeper payment.

Those who have lived in Australia for 10 years or more have access to JobSeeker payments for six months.

New Zealanders should consider returning to New Zealand if they are unable to support themselves through these provisions, work or family support.

Temporary Skilled visa holders

There are around 139,000 temporary skilled visa holders, on either a 2 year or 4 year visa. They were provided the visa to fill a skills shortage a shortage that may still be present when the crisis has passed. Consequently, those visa holders who have been stood down, but not laid off, will maintain their visa validity and businesses will have the opportunity to extend their visa as per normal arrangements.

Businesses will also be able to reduce the hours of the visa holder without the person being in breach of their visa condition. These visa holders will also be able to access up to \$10,000 of their superannuation this financial year.

The Government has said that visa holders who have been laid off due to coronavirus should leave the country in line with existing visa conditions if they are unable to secure a new sponsor.

However, should a 4-year visa holder be re-employed after the coronavirus pandemic, their time already spent in Australia will count towards their permanent residency skilled work experience requirements.

Working holiday makers supporting critical sectors

There are about 118,000 people in Australia on a Working Holiday visa (or backpacker visa) a visa which provides conditional work rights. To support the critical sectors of health, aged and disability care, agriculture and food processing, and childcare, some limited flexibility will be provided. In particular, working holiday makers who are working in these critical sectors will be exempt from the six month work limitation with the one employer and eligible for a further visa to keep working in these critical sectors if their current visa is due to expire in the next six months. In general, working holiday makers that do not have the confidence to sustain themselves over the next six months should make arrangements to leave the country.

There are another 185,000 other temporary visa holders in Australia, about half of them temporary graduate visa holders. They will also be able to access their Australian superannuation if needed for support.

Further announcements will be made with the Deputy Prime Minister and Agriculture Minister in relation to supporting the agricultural sector, including the operation of the Seasonal Worker Program and Pacific Labour Scheme.

The Government's media release outlining all the changes announced today is available via: <https://minister.homeaffairs.gov.au/davidcoleman/Pages/Coronavirus-and-Temporary-Visa-holders.aspx>