



SCHEDULE 8—VISA CONDITIONS [clause/condition 8101 - clause/condition 8566] - 8101 to 8532

SCHEDULE 8 - VISA CONDITIONS

8101

The holder must not engage in [work in Australia](#).

8102

The holder must not engage in [work in Australia](#) (other than in relation to the holder's course of study or training).

8103

The holder must not undertake work [in Australia](#) without the permission in writing of the Minister, which may be:

- (a) in relation to specified work; or
- (b) for a specified time.

8104

(1) The holder must not engage in work for more than 40 hours a fortnight while the holder is [in Australia](#).

(2) Subject to subclauses (2A) and (2B), if the holder is a [member of the family unit](#) of a person who satisfies the primary criteria for the grant of a [student visa](#) the holder must not engage in work [in Australia](#) until the person who satisfies the primary criteria has commenced a course of study.

(2A) Subclause (2) does not apply to the holder if:

(a) at the time of applying for the visa, the holder held a substantive visa or a bridging visa (the **previous visa**); and

(b) the holder was permitted to work in Australia during the period that the previous visa was in effect.

(2B) Subclause (2) does not apply to the holder if the person who satisfies the primary criteria for the grant of the student visa:

(a) held a substantive visa or a bridging visa (the **previous visa**) at the time of applying for the student visa; and

(b) was permitted to work in Australia during the period that the previous visa was in effect.

(2C) If subclause (2) does not apply to the holder because of subclause (2A) or (2B), then despite subclause (1), the holder may engage in work for more than 40 hours a fortnight:

(a) while the holder is in Australia; and

(b) before the course of study mentioned in subclause (2) commences.

(3) If the course of study mentioned in subclause (2) is for the award of a masters or doctoral degree, then despite subclause (1), the holder may engage in work for more than 40 hours a fortnight while the holder is [in Australia](#).

(3A) If the visa held is a [Subclass 500 \(Student\) visa](#), or a bridging visa granted on the basis of a valid application for a Subclass 500 (Student) visa, this clause applies as if the reference in subclauses (1), (2C) and (3) to 40 hours were instead a reference to 48 hours.

(4) In this clause:

fortnight means the period of 14 days commencing on a Monday.

8105

(1A) Subject to subclause (1B), the holder must not engage in any [work in Australia](#) before the holder's course of study commences.

(1B) Subclause (1A) does not apply to the holder if:

(a) at the time of applying for the visa, the holder held a substantive visa or a bridging visa (the **previous visa**); and

(b) the holder was permitted to work in Australia during the period that the previous visa was in effect.

(1) Subject to subclause (2), the holder must not engage in [work in Australia](#) for more than 40 hours a [fortnight](#) during any fortnight when the holder's course of study or training is in session.

(2) Subclause (1) does not apply:

(a) to [work](#) that was specified as a requirement of the course when the course particulars were entered in the Commonwealth Register of Institutions and Courses for Overseas Students; and

(b) in relation to a student visa granted in relation to a masters degree by research or doctoral degree if the holder has commenced the masters degree by research or doctoral degree.

(2A) If the visa held is a [Subclass 500 \(Student\) visa](#), or a bridging visa granted on the basis of a valid application for a Subclass 500 (Student) visa, this clause applies as if the reference in subclause (1) to 40 hours were instead a reference to 48 hours.

(3) In this clause:

fortnight means the period of 14 days commencing on a Monday.

8106

The holder must engage in [work in Australia](#) only if the work is relevant to the conduct of the business, or performance of the tasks, specified in the visa application.

8107

(1) If the visa is not a visa mentioned in subclause (3) or (4), and was granted to enable the holder to be employed [in Australia](#), the holder must not:

- (a) cease to be employed by the employer in relation to which the visa was granted; or
- (b) work in a position or occupation inconsistent with the position or occupation in relation to which the visa was granted; or
- (c) engage in work for another person or on the holder's own account while undertaking the employment in relation to which the visa was granted.

(2) If the visa is not a visa mentioned in subclause (3) or (4), and subclause (1) does not apply, the holder must not:

- (a) cease to undertake the activity in relation to which the visa was granted; or
- (b) engage in an activity inconsistent with the activity in relation to which the visa was granted; or
- (c) engage in work for another person or on the holder's own account inconsistent with the activity in relation to which the visa was granted.

(3) If the visa is, or the last [substantive visa](#) held by the applicant was, a Subclass 457 (Temporary Work (Skilled)) visa that was granted on the basis that the holder met the requirements of subclause 457.223(2) or (4) (as in force before 18 March 2018):

- (a) the holder:
 - (i) must work only in the occupation listed in the most recently approved nomination for the holder; and
 - (ii) unless the circumstances in subclause (3A) apply:
 - (A) must work only for the party to a [labour agreement](#) or former party to a [labour agreement](#) who nominated the holder in the most recently approved nomination; or

(B) if the [sponsor](#) is, or was, a [standard business sponsor](#) who was lawfully operating a business [in Australia](#) at the time of the [sponsor's](#) approval as a [standard business sponsor](#), or at the time of the last approval of a variation to the [sponsor's](#) term of approval as a [standard business sponsor](#) — must work only in a position in the business of the [sponsor](#) or an [associated entity](#) of the [sponsor](#); or

(C) if the [sponsor](#) is or was a [standard business sponsor](#) who was not lawfully operating a business [in Australia](#), and was lawfully operating a business [outside Australia](#), at the time of the [sponsor's](#) approval as a [standard business sponsor](#), or at the time of the last approval of a variation to the [sponsor's](#) term of approval as a [standard business sponsor](#) — must work only in a position in the business of the [sponsor](#); and

(aa) subject to paragraph (c), the holder must:

(i) if the holder was [outside Australia](#) when the visa was granted—commence work within 90 days after the holder's arrival [in Australia](#); and

(ii) if the holder was [in Australia](#) when the visa was granted—commence work within 90 days after the holder's visa was granted; and

(b) the holder may cease to work in accordance with paragraph (a) for a period, but:

(i) any such period must not exceed 180 consecutive days; and

(ii) the total number of days on which the holder does not work in accordance with paragraph (a) must not exceed 365 during the visa period for the holder's visa; and

(c) if the holder is required to hold a licence, registration or membership that is mandatory to perform the occupation nominated in relation to the holder, in the location where the holder's position is situated—the holder:

(i) must hold the licence, registration or membership while the holder is performing the occupation; and

(ii) if the holder was [outside Australia](#) when the visa was granted—the holder must hold that licence, registration or membership within 90 days after the holder's arrival [in Australia](#); and

(iii) if the holder was [in Australia](#) when the visa was granted—the holder must hold that licence, registration or membership within 90 days after the holder's visa was granted; and

(iv) must notify the Department, in writing as soon as practicable if an application for the licence, registration or membership is refused; and

(v) must comply with each condition or requirement to which the licence, registration or membership is subject; and

(vi) must not engage in work that is inconsistent with the licence, registration or membership, including any conditions or requirements to which the licence, registration or membership is subject; and

(vii) must notify the Department, in writing as soon as practicable if the licence, registration or membership ceases to be in force or is revoked or cancelled.

(3A) For subparagraph For subparagraph (3)(a)(ii), the circumstances are that:

(a) the holder's occupation is specified in an instrument in writing for subparagraph 2.72(10)(e)(ii) or (iii) as in force before 18 March 2018; or

(b) the holder is continuing to work for the [sponsor](#), or the [associated entity](#) of the [sponsor](#), for the purpose of fulfilling a requirement under a law relating to industrial relations and relating to the giving of notice.

(4) If the visa is:

(a) a Subclass 401 (Temporary Work (Long Stay Activity)) visa; or

(b) a Subclass 402 (Training and Research) visa; or

(ba) a Subclass 420 (Temporary Work (Entertainment)) visa;

the holder must not:

(c) cease to engage in the most recently nominated occupation, program or activity in relation to which the holder is identified; or

(d) engage in work or an activity that is inconsistent with the most recently nominated occupation, program or activity in relation to which the holder is identified; or

(e) engage in work or an activity for an employer other than the employer identified in accordance with paragraph 2.72A(7)(a) as in force before 19 November 2016 (subject to subregulation 2.72(8) as in force before that day) in the most recent nomination in which the holder is identified.

(5) If the visa is a Subclass 407 (Training) visa, the holder must not:

(a) cease to engage in the most recently nominated program in relation to which the holder is identified; or

(b) engage in work or an activity that is inconsistent with the most recently nominated program in relation to which the holder is identified; or

(c) engage in work or an activity for an employer other than an employer identified in accordance with paragraph 2.72A(8)(a) (subject to subregulation 2.72A(9)) in the most recent nomination in which the holder is identified.

8108

The holder must not be employed [in Australia](#) by any 1 employer for more than 3 months, without the prior permission in writing of the Secretary.

8109

The holder must not change details of times and places of engagements specified in the application to be undertaken [in Australia](#) during the [visa period](#), without the prior permission in writing of the Secretary.

8110

The holder:

(a) must not engage in [work in Australia](#) except in the household of the employer in relation to whom the visa was granted; and

(b) must not work in a position or occupation inconsistent with the position or occupation in relation to which the visa was granted; and

- (c) must not engage in work for another person or on the holder's own account while undertaking the employment in relation to which the visa was granted; and
- (d) must not cease to be employed by the employer in relation to which the visa was granted, unless paragraph (e) applies; and
- (e) except with the written permission of the [Foreign Minister](#), must not [remain in Australia](#) after

the permanent departure of that employer.

8111

The holder must not:

- (a) perform [work in Australia](#) except in the household of the employer who is the holder's [sponsor](#) in relation to the visa; or
- (b) [remain in Australia](#) after the permanent departure of that employer.

8112

The holder must not engage in [work in Australia](#) that might otherwise be carried out by an Australian citizen or an [Australian permanent resident](#).

8113

The holder must not work [in Australia](#) otherwise than as a [member of the crew](#) of a [non-military ship](#).

8114

The holder must not work [in Australia](#) otherwise than as a [member of the crew](#) of a superyacht.

8115

The holder must not work [in Australia](#) other than by engaging in a [business visitor activity](#).

8116

The holder must not work [in Australia](#) other than by engaging in an activity specified in a legislative instrument made by the Minister for this clause.

8117

The holder must not work [in Australia](#) other than as a [member of the crew](#) on either or both of the following:

- (a) the flight on which the holder [leaves Australia](#);
- (b) one flight from a proclaimed airport to the proclaimed airport from which the holder leaves Australia.

8118

The holder must not work [in Australia](#) other than as a [member of the crew](#) on one or more of the following:

- (a) the flight on which the holder travels to Australia;
- (b) one flight from the proclaimed airport at which the holder [enters Australia](#) to another proclaimed airport;
- (c) the flight on which the holder [leaves Australia](#);
- (d) one flight from a proclaimed airport to the proclaimed airport from which the holder [leaves Australia](#).

8201

- (1) While [in Australia](#), the holder must not engage, for more than 3 months, in any studies or training.
- (2) However, subclause (1) does not apply to a visa mentioned in the table.

Item	Visa
1	Subclass 590 (Student Guardian) visa in relation to which the holder is undertaking an ELICOS of less than 20 hours per week
1A	Subclass 602 (Medical Treatment) visa in relation to which the holder: <ul style="list-style-type: none"> (a) is under 18; and (b) has experienced a change in circumstances while in Australia; and (c) has the written permission of the Minister to engage for more than 3 months in any studies or training because of compelling and compassionate circumstances
2	Subclass 675 (Medical Treatment (Short Stay)) visa in relation to which the holder: <ul style="list-style-type: none"> (a) is under 18; and (b) has experienced a change in circumstances while in Australia; and (c) has the written permission of the Minister to engage for more than 3 months in any studies or training because of compelling and compassionate circumstances
3	Subclass 685 (Medical Treatment (Long Stay)) visa in relation to which the holder: <ul style="list-style-type: none"> (a) is under 18; and (b) has experienced a change in circumstances while in Australia; and (c) has the written permission of the Minister to engage for more than 3 months in any studies or training because of compelling and compassionate circumstances

8202

(1) The holder must be enrolled in a full-time [course of study](#) or training if the holder is:

- (a) a [Defence Student](#); or
- (b) a [Foreign Affairs student](#); or
- (c) a [secondary exchange student](#).

(2) A holder not covered by subclause (1):

- (a) must be enrolled in a full-time [registered course](#); and
- (b) subject to subclause (3), must maintain enrolment in a [registered course](#) that, once completed, will provide a qualification from the Australian Qualifications Framework that is at the same level as, or at a higher level than, the [registered course](#) in relation to which the visa was granted; and
- (c) must ensure that neither of the following subparagraphs applies in respect of a [registered course](#) undertaken by the holder:
 - (i) the education provider has certified the holder, for a [registered course](#) undertaken by the holder, as not achieving satisfactory course progress for section 19 of the [Education Services for Overseas Students Act 2000](#) and the relevant standard of the national code made by the [Education Minister](#) under section 33 of that Act;
 - (ii) the education provider has certified the holder, for a [registered course](#) undertaken by the

holder, as not achieving satisfactory course attendance for section 19 of the [Education Services for Overseas Students Act 2000](#) and the relevant standard of the national code made by the [Education Minister](#) under section 33 of that Act.

- (3) A holder is taken to satisfy the requirement set out in paragraph (2)(b) if the holder:
- (a) is enrolled in a [course](#) at the Australian Qualifications Framework level 10; and
 - (b) changes their enrolment to a [course](#) at the Australian Qualifications Framework level 9.

8203

The holder must not change his or her course of study, or thesis or research topic, unless approval is given by the Minister after the Minister has obtained an assessment from the competent Australian authorities that the holder is not likely to be directly or indirectly a risk to Australian national security.

8204

The holder must not undertake or change a course of study or research, or thesis or research topic, for:

- (a) a graduate certificate, a graduate diploma, a master's degree or a doctorate; or
- (b) any bridging course required as a prerequisite to a course of study or research for a master's degree or a doctorate;

unless approval is given by the Minister after the Minister has obtained an assessment from the competent Australian authorities that the holder is not likely to be directly or indirectly a risk to Australian national security.

8207

The holder must not engage in any studies or training [in Australia](#).

8208

- (1) The holder must not undertake critical technology related study unless:
- (a) the Minister is satisfied that there is not an unreasonable risk of an unwanted transfer of critical technology by the holder; and
 - (b) the Minister has approved in writing the holder undertaking that critical technology related study.
- (2) Subclause (1) does not apply in relation to the intended course of study, or activities related to study in Australia, evidenced in the holder's visa application.
- (3) In this clause:

critical technology related study means:

- (a) a postgraduate research course within the meaning of clause 500.111 of Schedule 2 that relates to critical technology; or
- (b) a bridging course required as a prerequisite to a course mentioned in paragraph (a); or
- (c) a thesis or research topic that:
 - (i) is for a postgraduate research course within the meaning of clause 500.111 of Schedule 2; and
 - (ii) relates to critical technology.

8301

After [entry](#) to Australia, the holder must satisfy relevant [public interest criteria](#) before the visa ceases.

8302

After [entry](#) to Australia, all relevant [members of the family unit](#) must satisfy the relevant [public interest criteria](#) before the visa ceases.

8303

The holder must not become involved in activities disruptive to, or violence threatening harm to, the Australian community or a group within the Australian community.

8401

The holder must report:

- (a) at the time or times; and
 - (b) at a place or in a manner;
- specified , orally or in writing by the Minister from time to time.

8402

The holder must report:

- (a) within 5 working days of grant, to an office of [Immigration](#); and
- (b) to that office on the first working day of every week after reporting under paragraph (a).

8501

The holder must maintain adequate arrangements for health insurance while the holder is [in Australia](#).

8502

The holder of the visa must not [enter Australia](#) before the [entry](#) to Australia of a person specified in the visa.

8503

The holder will not, after [entering Australia](#), be entitled to be granted a [substantive visa](#), other than a [protection visa](#), while the holder [remains in Australia](#).

8504

The holder must [enter Australia](#) as the holder of the visa to which the condition applies before a date specified by the Minister.

8505

The holder must continue to live at the address specified by the holder before grant of the visa.

8506

The holder must notify [Immigration](#) at least 2 working days in advance of any change in the holder's address.

8507

The holder must, within the period specified by the Minister for the purpose:

- (a) pay; or
- (b) make an arrangement that is satisfactory to the Minister to pay;

the costs (within the meaning of [Division 10](#) of Part 2 of the Act) of the holder's detention.

8508

The holder must make a [valid application](#) for a visa of a class that can be granted in [Australia](#), within the time specified by the Minister for the purpose.

Note: For the meaning of [valid application](#) see [s46](#) of the Act. Broadly, a [valid application](#) is one that is formally in order for consideration, not necessarily one that can be granted.

8509

Within 5 working days after the date of grant, the holder must:

- (a) make a [valid application](#) for a [substantive visa](#); or
- (b) show an officer a [ticket](#) for travel to a country other than Australia that the Minister is satisfied will allow the holder to [enter](#) on his or her arrival.

8510

Within the time specified by the Minister for the purpose, the holder must, either:

- (a) show an officer a [passport](#) that is in force; or
- (b) make an arrangement satisfactory to the Minister to obtain a [passport](#).

8511

Within the time specified by the Minister for the purpose, the holder must, show an officer a [ticket](#) for travel to a country other than Australia that the Minister is satisfied will allow the holder to [enter](#) on his or her arrival.

8512

The holder must [leave Australia](#) by the date specified by the Minister for the purpose.

8513

The holder must notify [Immigration](#) of his or her residential address within 5 working days of grant.

8514

During the [visa period](#) of the visa, there must be no material change in the circumstances on the basis of which it was granted.

8515

The holder of the visa must not marry or enter into a [de facto relationship](#) before [entering Australia](#).

8516

The holder must continue to be a person who would satisfy the primary or secondary criteria, as the case requires, for the grant of the visa.

8517

The holder must maintain adequate arrangements for the education of any [school-age dependant](#) of the holder who is [in Australia](#) for more than 3 months as the holder of a [student visa](#) (as a person who has satisfied the secondary criteria).

8518

Adequate arrangements must be maintained for the education of the holder while he or she is [in Australia](#).

8519

The holder must enter into the marriage in relation to which the visa was granted within the visa period of the visa.

8520

The relevant person who holds a [Subclass 300 visa](#) on the basis of having satisfied the primary criteria must enter into the marriage in relation to which that visa was granted within the visa period of that visa.

8522

The holder must [leave Australia](#) not later than the time of departure of the person:

- (a) who has satisfied the primary criteria; and
- (b) [of whose family unit the holder is a member](#).

8523

Each person who:

(a) is a [member of the family unit](#) of the holder (being a [spouse](#) or [de facto partner](#) of the holder or an unmarried [child](#) of the holder who has not turned 18); and

(b) has satisfied the secondary criteria; and

(c) holds a [student visa](#) because of paragraphs (a) and (b);

must [leave Australia](#) not later than the time of departure of the holder.

8525

The holder must [leave Australia](#) by a specified means of transport on a specified day or within a specified period.

8526

The holder must notify the Secretary in writing, not earlier than 7 days before the day the visa ceases to be in effect, and not later than that day, of the holder's place of residence [in Australia](#) by posting the notification to the Central Office of [Immigration](#) in the Australian Capital Territory.

8527

The holder must be free from tuberculosis at the time of travel to, and [entry](#) into, Australia.

8528

The holder must not have one or more criminal convictions, for which the sentence or sentences (whether served or not) are for a total period of 12 months duration or more, at the time of travel to, and [entry](#) into, Australia.

8529

The holder must, after [entering Australia](#):

(a) undergo a medical examination carried out by:

- (i) a [Commonwealth Medical Officer](#); or
- (ii) a medical practitioner approved by the Minister; or
- (iii) a medical practitioner employed by an organisation approved by the Minister; and

(b) undergo a chest x-ray examination conducted by a medical practitioner who is qualified as a radiologist [in Australia](#), unless the holder:

- (i) is under 11 years of age and is not a person in respect of whom a [Commonwealth Medical Officer](#) has requested such an examination; or
- (ii) is a person:
 - (A) who is confirmed by a [Commonwealth Medical Officer](#) to be pregnant; and

(B) who has been examined for tuberculosis by a chest clinic officer employed by a health authority of a State or Territory; and

(C) who has signed an undertaking to place herself under the professional supervision of a health authority in a State or Territory and to undergo any necessary treatment; and

(D) whom the Minister is satisfied should not be required to undergo a chest x-ray examination at this time.

8530

The holder must not deviate from the organised tour referred to in clause [600.252](#) of Schedule 2.

8531

The holder must not [remain in Australia](#) after the end of the period of stay permitted by the visa.

8532

If the holder has not turned 18:

(a) the holder must stay [in Australia](#) with a person who is:

(i) a [parent](#) of the holder or a person who has [custody](#) of the holder; or

(ii) a [relative](#) of the holder who:

(A) is nominated by a [parent](#) of the holder or a person who has [custody](#) of the holder; and

(B) has turned 21; and

(C) is of good character; or

(b) the arrangements for the holder's accommodation, support and general welfare must be approved by the [education provider](#) for the course to which the holder's visa relates, and the holder must not [enter Australia](#) before the day nominated by the [education provider](#) as the day on which those arrangements are to commence; or

(c) in the case that the holder is a [Defence Student](#)—both:

(i) the arrangements for the holder's accommodation, support and general welfare must be approved by the [Defence Minister](#); and

(ii) the holder must not [enter Australia](#) before the day those arrangements are to commence; or

(d) in the case that the holder is a [Foreign Affairs student](#)—both:

(i) the arrangements for the holder's accommodation, support and general welfare must be approved by the [Foreign Minister](#); and

(ii) the holder must not [enter Australia](#) before the day those arrangements are to commence.

[LEGEND Comment - For amendment history, please see [Table of Amendments](#)]

