

Visa and Work Rights Policy

Last updated: 24 March 2019

Policy assigned to: Chief Human Resources Officer

Note: This policy is currently under review due to changes in Department of Immigration and Border Protection regulations. Please refer to the [University website](#) or contact the HR Service Centre for advice: hr.servicecentre@sydney.edu.au

Overview

This policy provides an overview of the visa types available to the University for recruiting international candidates and inviting international professional visitors, as well as the associated conditions, work rights, costs and risks. This policy also provides guidance on determining the best fit visa to suit the purpose and duration of the stay – refer to Table A and B.

Failure to obtain the correct visa or to comply with visa conditions including rights to work may result in serious consequences for both the individual and the University.

Scope

All international prospective or appointed staff members and invited international professional visitors to the University. This policy does not include those visitors arriving as tourists.

Policy

All international prospective or appointed staff members and invited international professional visitors to the University are required to obtain a valid entry permit (visa) before arriving in Australia or commencing employment at the University. The visa type and any associated work rights must be appropriate to the nature of the employment or visit.

References

- [Migration Act 1958](#)
- [Migration Regulations 1994](#)
- [The University of Sydney Enterprise Agreement 2018-2021](#)
- [University of Sydney \(Delegations of Authority - Administrative Functions\) Rule 2016](#)
- [Code of Conduct - Staff and Affiliates](#)
- [Travel Policy](#)
- [Affiliates Policy](#)

Guidelines

Definitions

Affiliate means clinical title holders; adjunct, conjoint and honorary appointees; consultants and contractors to the University; holders of offices in University entities; members of Boards of University Foundations, members of University Committees; and any other persons appointed or engaged by the University to perform duties or functions on its behalf. An affiliate is not a staff member of the University.

Australian Mission means the Australian Embassy, Consulate or High Commission in the visa applicant's country of residence.

Delegated Officer means the person within the Faculty or Administration Unit with approval authority in accordance with the University's Delegations of Authority – Administrative Functions.

Dependants means dependent children who are aged 18 years and under, dependent full-time students aged up to 25 years, dependants who are elderly or over 18 years of age with a disability ie. where the prospective staff member is the primary care giver and the dependants reside with the prospective staff member.

DIBP means the Department of Immigration and Border Protection.

Employment means any paid work performed for the University pursuant to a contract of employment. This may be on a full time, part time or casual basis.

Faculty means faculty or University school

International professional visitor means an invited guest (generally an Academic staff member or PhD enrolled student undergoing further academic training) from overseas requiring a visa who is visiting or will visit the University for the purposes of observing, participating in research or providing temporary services to the University.

Nomination The term Nomination refers to the application the University makes to the Department of Immigration and Border Protection identifying a position to be filled by an overseas candidate.

Primary visa holder means the visa applicant who is sponsored by the University and who is not the dependant of another visa holder.

Principal Officer is a collective reference, for the purposes of this policy, to the Vice-Chancellor and Principal; General Counsel; and University Librarian.

Prospective staff member means a person from overseas who has received, or who is likely to receive, an offer of employment with the University.

Secondary visa holder means the spouse or interdependent partner, and dependent children of the main applicant or (primary) visa holder; dependent children of the main applicant's spouse or interdependent partner; and other dependent relatives of the main applicant, and their spouse.

Staff member means a person employed by the University.

Sponsor means the organisation nominating an overseas candidate to work in Australia.

Subclass means a type of visa as Australian visas are categorized into subclasses.

Visa grant date means the date on which DIBP approves an application for a visa.

Work means duties or an activity that, in Australia, normally attracts remuneration as an employee or independent contractor.

Work rights means rights to receive remuneration for work activities undertaken in Australia, as allowed or

restricted by the visa subclass.

VISA TYPES RELEVANT TO THE UNIVERSITY (Affiliation and Employment)

The appropriate visa type is determined by the intended purpose of a prospective staff member or professional invited visitor to the University, such as to commence employment at the University, give a series of lectures, or undertake research activities.

There are a number of visa options that can be matched to the purpose of the visit and which provide international candidates, guests and prospective staff members with the appropriate permit to enter Australia:

Sponsored Visa Types

1. Visiting Academic

Visiting Academic –Subclass 419

2. Occupational Trainee

Occupational Trainee –Subclass 442

3. Temporary Business (long stay)

Temporary Business long stay –Subclass 457

4. Permanent Residency

Employer Nominated Scheme –Subclass 856 & 121

TABLE A - summarises details of sponsored visa types (refer to page 11). Further information regarding each visa type is provided below.

University Sponsorship Obligations

All visa types listed above have sponsorship obligations. It is the University's responsibility to ensure sponsorship obligations are met. Faculties and Administrative Units must comply with requirements and work with the University's HR Service Centre to ensure that the University meets its sponsorship obligations.

For a list of visa obligations for each sponsored visa subclass please see **Table A**.

Visitor Visa Types

5. Temporary Business (short stay)

- Electronic Travel Authority (ETA) –Subclasses 977 & 956
- eVisitor –Subclass 651
- Temporary Business short stay –Subclass 456

TABLE B - summarises details of these visitor visas and other non-sponsored visa subclasses which may be held by staff members and/or affiliates of the University of Sydney (refer to page 12). Further information is provided below.

SPONSORED VISA TYPES

1. Visiting Academic – Subclass 419

These visas are primarily used for international PhD qualified professional academics invited to visit the University with the purpose of observing or participating in established Australian research projects. The purpose of the visit cannot be to teach or present findings of research conducted overseas.

This visa requires the University to submit a nomination on behalf of the Faculty. Consideration must be given to the benefit the Visiting Academic will bring to the Faculty, prior to the Faculty requesting the University sponsor an individual under this visa subclass.

A Visiting Academic visa can be granted for a period of 12 months, depending on the length of the Australian research project. Secondary visa holders such as family members can accompany the Visiting Academic whilst undertaking the Australian research project.

For all University Sponsorship obligations for Visiting Academic – Subclass 419 please see; **TABLE A** (refer to page 11).

Conditions that apply to visa Subclass 419:

1. **Condition 8103 – No Paid Work**

This visa does not allow a Visiting Academic to be employed. The visa holder must not receive salary in Australia.

2. **Condition 8107 - Affiliation Activities Restriction**

The Visiting Academic must not engage in an activity inconsistent with the activity in relation to which the visa was granted.

3. **Condition 8501 - Health Insurance**

All Visiting Academic – Subclass 419 visa holders are responsible for obtaining and maintaining adequate health insurance for themselves and any accompanying dependants for the period of their stay in Australia.

University Requirements

The University requires the visa holder to provide evidence that adequate health insurance covering themselves and any accompanying dependants have been obtained.

For visa applicants who are eligible to access Medicare through one of Australia's Reciprocal Health Care Agreements, travel insurance will provide adequate health cover for the purpose of obtaining a Visiting Academic – Subclass 419 visa. This insurance must be maintained until Medicare coverage is confirmed.

For further information regarding Health Insurance please see [Health Insurance](#).

Please see [conditions](#) for further information. Additional visa conditions may be imposed. Any additional visa conditions are dependent upon the visa applicant's individual circumstances, the DIBP case officer assigned to the visa application will assess whether any additional conditions are required.

For further information regarding this visa and the University's procedural guidelines please refer to the University website. See: [Visiting Academics](#).

2. Occupational Trainee – Subclass 442

These visas are primarily used for foreign nationals wanting to complete structured and supervised workplace-based training programmes or academic research at the University on a temporary basis. Often training at the University is undertaken as the technical or research component required for completion of a degree in the home country.

Consideration must be given to the benefit the Occupational Trainee will bring to the Faculty or Administrative Unit, prior to the Faculty or Administrative Unit requesting the University sponsor an individual under this visa subclass.

This visa requires the University to submit a nomination on behalf of the Faculty or Administrative Unit. A Faculty or Administrative Unit may nominate an Occupational Trainee if the training would enhance the Occupational Trainee's skills in their present occupation, tertiary studies or field of expertise.

The visa can be granted for a period of up to two years, depending on the length of the training programme. Secondary visa holders such as family members can accompany the Occupational Trainee whilst undertaking the training programme.

For all University Sponsorship obligations for Occupational Trainee – Subclass 442 please see: **TABLE A** (page 11).

Conditions that apply to visa Subclass 442:

1. Condition 8102 - Work Restrictions

Occupational Trainee - Subclass 442 visa holders must not engage in work in Australia (other than in relation to the individuals' course of study or training).

2. Condition 8501 - Health Insurance

All Occupational Trainee - Subclass 442 visa holders are responsible for obtaining and maintaining adequate health insurance for themselves and any accompanying dependants for the period of their stay in Australia.

University Requirements

The University requires the Occupational Trainee to provide evidence that adequate health insurance covering them and any accompanying dependants has been obtained.

For visa applicants who are eligible to access Medicare through one of Australia's Reciprocal Health Care Agreements, travel insurance will provide adequate health cover for the purpose of obtaining an Occupational Trainee – Subclass 442 visa. This insurance must be maintained until Medicare coverage is confirmed.

For further information regarding Health Insurance please see [Health Insurance](#).

Please see [conditions](#) for further information. Additional visa conditions may be imposed. Any additional visa conditions are dependent upon the visa applicant's individual circumstances, the DIBP case officer assigned to the visa application will assess whether any additional conditions are required.

For further information regarding this visa and the University's procedural guidelines please refer to the University website. See: [Occupational Trainees](#).

3. Temporary Business (long stay) – Subclass 457

These visas are primarily used for international skilled overseas workers who are offered employment by the University for up to four years in a specific nominated occupation. A minimum contractual period of 3 months applies.

A Faculty or Administrative Unit may nominate an international candidate for this visa if an Australian citizen or permanent resident cannot be sourced for a position.

Conditions that apply to visa Subclass 457:

1. Condition 8107 Work Rights Restriction

Visa condition 8107 restricts the primary visa holder to work in the nominated position and for the sponsoring organisation (ie. the University) only. The visa holder is not permitted to engage in private consultancy or receive any form of remuneration from any entity that is not related to the University.

For all University Sponsorship obligations for Temporary Business (long stay) - Subclass 457 please see; **TABLE A** (page 11).

2. Condition 8501- Health Insurance

All Temporary Business (long stay) - Subclass 457 visa holders are responsible for obtaining and maintaining adequate health insurance for themselves and any dependants for the period of their stay in Australia.

University Requirements

The University requires the visa holder to provide evidence that adequate health insurance covering themselves and any dependants has been obtained.

For visa applicants who are eligible to access Medicare through one of Australia's Reciprocal Health Care Agreements, travel insurance will provide adequate health cover for the purpose of obtaining a Temporary Business (long stay) – Subclass 457 visa. This insurance must be maintained until Medicare coverage is confirmed.

For further information regarding Health Insurance please see [Health Insurance](#).

Please see [conditions](#) for further information. Additional visa conditions may be imposed. Any additional visa conditions are dependent upon the visa applicant's individual circumstances, the DIBP_case officer assigned to the visa application will assess whether any additional conditions are required.

It is recommended that a staff member or prospective staff member seek taxation advice with respect to any allowances or benefits that may be available to him or her.

Nomination of family members and other dependants for a Subclass 457 visa:

The University's nomination for a Temporary Business (long stay) - Subclass 457 visa can include a spouse or interdependent partner, dependent children of the main visa applicant; or dependent children of the main visa applicant's spouse or interdependent partner.

The University may consider nominating other relatives, however conditions apply. For further information on eligible dependants please see [Secondary applicant eligibility](#) on the DIBP website.

For further information regarding this visa and the University's procedural guidelines please refer to the University website. See: [Temporary Business \(long stay\) Visa](#).

4. Permanent Residency – Subclass 121 (offshore) or Subclass 856 (onshore)

A Faculty or Administrative Unit may nominate a staff member for Permanent Residency. The University retains complete discretion as to determining whether it will or will not nominate an individual for Permanent Residency and is under no obligation to nominate a staff member or prospective staff member for Permanent Residency.

Applications for **Permanent Residency - Subclass 121 (offshore) visa** will only be offered to offshore applicants and will be assessed by the University on a case by case basis.

The University will only consider nomination for Permanent Residency - Subclass 121 (offshore) visas in the following circumstances:

1. for competitive recruitment/employee attraction strategies; or
2. when initial permanent residency is required for prospective staff members to apply for research grants and/or other external academic funding.

Permanent Residency visa- Subclass 856 (onshore) is the University's preferred visa subclass and may be offered if the staff member has been working on a temporary basis in Australia, typically as a University sponsored Temporary business long stay - Subclass 457 visa holder. Applicants and all accompanying dependants must be inside Australia at the point of lodgement and when the visa is granted.

Eligibility guidelines:

University and DIBP eligibility guidelines for **Permanent Residency** visas can be found in the table below.

ELIGIBILITY GUIDELINES FOR NOMINATION BY THE UNIVERSITY FOR A PERMANENT RESIDENT VISA SUBCLASSES 121 AND 856		
CRITERIA	ACADEMIC STAFF	PROFESSIONAL STAFF
The staff member must have been employed full time in the nominated position for past 12 months with the University (subclass 856 only)	☑	☑
The staff member has been employed full time (consecutively) for at least two years in the nominated occupation in Australia (subclass 856 only)	EXEMPTIONS MAY APPLY*	☑
The staff member must demonstrate vocational level of English language skills	EXEMPTIONS MAY APPLY*	☑
The staff member demonstrates appropriate skills, experience and qualifications necessary to undertake the position	EXEMPTIONS MAY APPLY*	☑ <i>A separate skills assessment may be required</i>
The position is highly skilled and on the Employer Nomination Scheme skilled occupations list: http://www.immi.gov.au/skilled/sol/	☑	☑
The staff member holds a full-time employment contract	☑ Minimum 3 year full time employment **	☑ Continuous contracts ONLY
The position must pay the minimum annual base salary which is subject to annual review and regulations set by the Minister for Immigration and Border Protection.	☑	☑ <i>Minimum HEO 6</i>
The staff member is under 45 years of age	EXEMPTIONS MAY APPLY*	EXEMPTIONS MAY APPLY*
The staff member must have completed an AP&D or PMD Review (with at least a satisfactory rating) (subclass 856 only)	☑	☑

A letter of recommendation from the reporting Manager must be supplied before the application will be considered. This letter <u>must</u> be endorsed by the Head of Department/ School	☑	☑
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* *DIBP may exempt an applicant in relation to specific criteria depending on an applicant's personal circumstances and their position at the University. The University's HR Service Centre must be consulted in relation to any exemption being sought.*

** *3 years full time employment must be evident from the date of which the 856 visa is granted. The visa grant date is the date the permanent residency status is approved by DIBP.*

Where the individual does not meet the above eligibility guidelines, a final decision as to whether the University will nominate a staff member or prospective staff member for Permanent Residency will be made by a Principal Officer or the Director, Human Resources.

Nomination of family members and other dependants for Permanent Residency:

Where the University has agreed to nominate a staff member or prospective staff member for Permanent Residency, the University may agree to nominate for Permanent Residency any spouse, dependent children of the staff member/prospective staff member, or dependent children of the staff member/prospective staff member's spouse. The University may also consider nominating other relatives, however conditions apply. For further information on eligible dependants please see: [Eligible family members](#) on the DIBP website.

The University must include any secondary applicants at the time of University nomination for Permanent Residency, additional dependants cannot be added at a later date.

For further information regarding this visa and the University's procedural guidelines please refer to the University website. See: [Permanent Residency](#).

VISITOR VISA TYPES (non-sponsored)

5. Temporary Business (short stay) – Subclass 977, 956, 651 or 456

These visas are primarily used for international professional visitors who are invited to the University to attend conferences, seminars, or meetings; present lectures; or perform work as academic consultants. There are three types of temporary short stay visas. The nationality of the visitor will determine which type of visa they are eligible for and how they apply.

- Electronic Travel Authority(ETA) – Ses 977 or 956
- eVisitor –Subclass 651

Temporary Business (short stay) –Subclass 456 (note: for this visa type a letter of invitation from the University MUST be attached to the visa application).

The University does not apply for these visas on behalf of the individuals concerned nor does it nominate candidates in this category of visa. However, the University will provide an official letter of invitation which can be used to support the application submitted by the individual. This letter must be obtained from the University's HR Service Centre.

Condition 8112 applies to temporary short stay visas:

The visa holder must not engage in work in Australia that might otherwise be carried out by an Australian citizen or permanent resident.

These visas allow international professional visitors to:

1. visit Australia to conduct business, for example: to attend conferences, business negotiations, exploratory visits in conjunction with a holiday; or
2. work for short periods in limited circumstances for a maximum duration of six weeks. Work may be allowed if the employment is one of the following:

- highly specialised in nature and not ongoing;
- an emergency or an urgent situation and not ongoing; and
- in Australia's interest.

For further information regarding visitor visas and the University's procedural guidelines please refer to the University website. See [Temporary Business \(short stay\) Visa](#).

Procedures

1. The Faculty or Administrative Area determines:
 - the purpose and duration of the employment or visit;
 - the most appropriate visa type using Table A or B.
2. Once the most appropriate visa type is identified the Faculty or Administrative Area should:
 - review the detailed procedures located on the University's [Immigration web page](#);
 - contact the University's HR Service Centre for any assistance or advice required, including regarding the invitation or nomination procedures.
3. The visa holder is required to notify both the Faculty or Administrative Area and the University's HR Service Centre once the appropriate visa has been obtained. A copy of the visa must be provided to the HR Service Centre prior to commencing employment with the University or visiting the University.
4. If the visa holder is to be employed by the University, the University's standard employment procedures are to be followed.
5. All visa holders, whether a new staff member commencing employment with the University or visiting the University as a professional visitor, must obtain a University Card. This is a means of identification for University purposes. Cards are issued by the University Card Centre and should be arranged on the first day of attendance at the University.

To obtain a University Card, the visa holder will need to attend Card Services with the following documents:

- offer of employment or letter of invitation;
- an authorised [application form](#); and
- photo identification, eg. passport.

Inquiries as to University Cards should be referred to [University Card Services](#).

6. If, in order to perform the tasks for which they are attending the University, a visa holder is required to have access to the University's computer system or a secure building, please contact the following:
 - for computer or electronic system access please contact the [ICT Helpdesk](#)
 - for secure building access please contact [Security](#)

To obtain access, the period of employment or visit and the form of access required will need to be provided. All system and building access will cease on a specified end date, unless further authorisation has been provided.

Contacts

Any queries with respect to visas or immigration should initially be directed to the University's HR Service Centre in the following ways:

Telephone: **1300 850 484 - Freecall**
+61 2 8627 1300
Email: hr.servicecentre@sydney.edu.au
Address: HR Service Centre
Level 2, 1-3 Ross Street Building (K06)
University of Sydney NSW 2006 Australia

TABLE A
VISAS SPONSORED BY THE UNIVERSITY OF SYDNEY

The following tables illustrates the differences between the various types of visas the University of Sydney (USYD) utilises to engage overseas prospective staff/visitors. This table is a guide only and further detailed information should be sourced from the Department of Immigration & Border Protection (DIBP): <http://www.immi.gov.au>

VISA NAME	Visiting Academics	Occupational Trainees	Temporary Business (Long Stay)	Permanent Residency
VISA SUBCLASS	419	442	457	121/856
WHO IS ELIGIBLE?	PHD qualified, professional academics invited to observe or participate in established research projects.	Any person invited to complete structured & supervised work-place training program or academic research.	Any skilled person who is directly employed by USYD.	Any highly skilled person directly employed by USYD in a full-time capacity with a contract of employment of at least 3 years.
PERIOD OF STAY?	Maximum 12 months	Student visa holders = 12 mths Overseas students & professionals = 2 years	3 months up to 4 years	Ongoing
WORK RIGHTS?	✗	✓ (Restricted to work directly related to the training programme)	✓ (Restricted to Letter of Offer)	✓
ACCOMPANYING DEPENDANTS (I.E. SPOUSE)?	✓	✓	✓	✓
WORK RIGHTS OF ACCOMPANYING DEPENDANTS (I.E. SPOUSE)?	✓	✓ (Restricted to 20hrs p/wk)	✓	✓
VISA PROCESSING TIME?*	3- 5 months	3 - 5 months	8 - 12 weeks	6 - 8 months
COSTS? **	Nomination \$165 Visa application \$305	Nomination \$165 Visa application \$305	Nomination \$80 Visa application \$305	Nomination \$520 Visa application (121) = \$1,995 Visa application (856) = \$2,960***
INVITATION/ SPONSORSHIP REQUIRED?	Letter of affiliation	Letter of affiliation	Letter of offer/ employment contract	Letter of offer (3 year employment contract from the date of visa grant)
HEALTH INSURANCE?	Must have adequate health insurance to enable grant of visa	Must have adequate health insurance to enable grant of visa	Must have non-resident health insurance to lodge visa	Not required
VISA REQUIREMENTS?	<ul style="list-style-type: none"> The University must submit a nomination application; The nominee must have their visa granted before commencement; Academics should continue to be employed by their home institution whilst in Australia; Visiting Academics must be observing or collaborate on an established research project at the University of Sydney, the purpose of the visit cannot be to teach or present findings of research conducted overseas; Must be able to demonstrate a record of employment as a professional academic; & <input type="checkbox"/> Allowances/reimbursements for travel, food, accommodation cannot 	<ul style="list-style-type: none"> The University must submit a nomination application; The nominee must have their visa granted before commencement; The nominee's proposed training with the University of Sydney must meet the requirements of one of the following streams (please click on the link for further information); Stream 1: Occupational training required for registration Stream 2: Structured training to enhance skills in an eligible occupation 	<ul style="list-style-type: none"> The University must submit a nomination application; The nominee must have their visa granted before commencement; Must be a full-time position (HEO 6+); <input type="checkbox"/> Must not work in a position different to that nominated in the application; & A minimum salary level applies 	<ul style="list-style-type: none"> The University must submit a nomination application; Must be a full-time position (HEO 6+); All Professional staff and Academic staff (Level A) may be required to obtain an independent skills assessment; English language skills apply; & Professional membership (where required) must be current

	be paid through payroll; • Maximum living support of \$20,000 per annum (or pro-rated equivalent)	Stream 3: Workplace-based training for capacity building overseas		
Obligations	Sponsor Visa Holder Accompanied Dependants	Sponsor Trainee	Employer Employee	Employer Employee

* Visa processing times are subject to change by the Department of Immigration and Border Protection (DIBP)

** Costs effective from 01/07/2011. For further information regarding visa charges, please go to: <http://www.immi.gov.au/allforms/990i/visa-charges.htm>

*** Additional visa application charges may occur – please refer to: <http://www.immi.gov.au/allforms/990i/employer-sponsored-permanent.htm>

TABLE B
VISAS NOT SPONSORED BY THE UNIVERSITY OF SYDNEY

VISA NAME	Electronic Travel Authority (ETA)/ eVisitor*****	Temporary Business (Short Stay)	Working Holiday / Work and Holiday	Skilled Graduate (Temporary)	Student
VISA SUBCLASS	977/ 651	456	417/ 462	485	573/ 574
WHO IS ELIGIBLE?	Business people invited to visit the University for short periods such as seminars, conferences & presentations.	Business people not eligible to apply for the ETA/eVisitor.	Individuals aged between 18-30 years old from the Working Holiday Program (417/462) can undertake incidental work.	Overseas students under 45 years of age, who have eligible qualification(s) as a result of at least two (2) years study in Australia, completed in the last six (6) months	To study in Australia.
PERIOD OF STAY?	Maximum 3 months	Maximum 3 months	Maximum 12 months	Maximum 18 months	Normally granted for the period of proposed study.
WORK RIGHTS?	✓ Restricted to 6 wks only	✓ Restricted to 6 wks only	✓ Limited to 6 months with USYD	✓	✓ Limited to 20hrs p/wk. during semester (Unlimited during breaks)
ACCOMPANYING DEPENDANTS (I.E. SPOUSE)?	✓	✓	✗	✓	✓
WORK RIGHTS OF ACCOMPANYING DEPENDANTS (I.E. SPOUSE)?	✗	✗	N/A	✓	✓ Restricted to 20hrs p/wk. (Unlimited for spouse completing MA & PhD)
VISA PROCESSING TIME?*	Instant response	4 - 12 weeks	Up to 21 days	5-8 months	2 - 12 weeks
COSTS?**	\$0 \$20 Application fee for ETA	\$120	\$270	\$270	\$565
INVITATION/ SPONSORSHIP REQUIRED?	Invitation required	Invitation required	✗	✗	✗
PRIVATE HEALTH INSURANCE?	Recommended – Travel Insurance	Recommended – Travel Insurance	Recommended – Travel Insurance	Recommended	Must have Overseas Student Health Cover (OSHC)
VISA REQUIREMENTS?	<ul style="list-style-type: none"> Work must be highly specialised and not ongoing; Must not engage in work that can be undertaken by an Australian citizen or permanent resident; & Not permitted to undertake acting, musical performance or commercial filmmaking 	<ul style="list-style-type: none"> Work must be highly specialised and not ongoing; Must not engage in work that can be undertaken by an Australian citizen or permanent resident; Cannot undertake formal study or training that leads to a primary, secondary or higher education qualification; & Not permitted to undertake acting, musical performance or commercial filmmaking 	<ul style="list-style-type: none"> The visa holder may only be employed for up to 6 months with any one employer. Extension of this time period can occur only in limited circumstances. 	✗	<ul style="list-style-type: none"> Must be enrolled and attending the course of study; Must maintain OSHC; & Must not engage in work for more than 20 hours per week when course is in session.
Obligations	Visa holder	Visa Holder Accompanied Dependent	Visa Holder	✗	Varies according to countries of passport and level of course****

* Visa processing times are subject to change by the Department of Immigration and Border Protection (DIBP)

** Costs effective from 01/07/2011. For further information regarding visa charges, please go to: <http://www.immi.gov.au/allforms/990/visa-charges.htm>

*** Additional visa application charges may occur – please refer to: <http://www.immi.gov.au/allforms/990/employer-sponsored-permanent.htm>

**** Refer to link to select appropriate Assessment level <http://www.immi.gov.au/students/students/chooser>

**** Tourist Visa ([Subclass 676](#)) allows either a single or multiple entry to Australia for a stay period of up to three, six or 12 months.

Administration

1. Background

The Visa and Work Rights policy was developed following a review of recruitment and pre-employment procedures in 2008.

The policy was reviewed and updated in 2011 to clarify visa and residency conditions and sponsorship requirements.

References to the University of Sydney (Delegations of Authority – Administrative Functions) Rule 2016 were updated in June 2017.

Amendments relating to organisational design changes were made in June 2017

This policy was updated to reference the Enterprise Agreement 2018-2021.

2. Management Responsibility

Vice-Chancellor and Principal

3. Implementation Responsibility

4. Chief Human Resources Officer

5. Dates

Approval (version 1)	16/10/2009
Effect	16/10/2009
Review	2010-2011
Approval (version 2)	2/08/2011
Effect	2/08/2011
Senate Changes to remove DV-C(Reg)	23/03/2019
Effective	24/03/2019

6. Approval

Version 1	Dr Michael Spence
Version 2	Dr Michael Spence
Version 3	Senate 23/03/2019

7. Signatures

Approved by:

Name

Dr Michael Spence

Position

Vice-Chancellor & Principal

Date

2 August 2011