



Migration (LIN 20/184: Subclass 462 (Work and Holiday) visa – Specified work and areas) Instrument 2020

I, Michelle Pearce, as delegate of the Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs, make this instrument.

Dated 18 August 2020

Michelle Pearce
Acting Senior Executive Service, Band One
Immigration and Community Protection Policy Division
Department of Home Affairs

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Part 1—Preliminary

1 Name

- (1) This instrument is titled *Migration (LIN 20/184: Subclass 462 (Work and Holiday) visa – Specified work and areas) Instrument 2020*.
- (2) This instrument may be cited as LIN 20/184.

2 Commencement

This instrument commences on the day after it is registered on the Federal Register of Legislation.

3 Authority

This instrument is made under regulation 1.15FA of the Regulations.

4 Definitions

Note: A number of expressions used in this instrument are defined in the Regulations, including *ANZSCO* and *specified Subclass 462 work*.

In this instrument:

COVID-19 means the pandemic declared by the World Health Organization on 11 March 2020, caused by the coronavirus COVID-19.

Regulations means the *Migration Regulations 1994*.

Subclass 462 visa means Subclass 462 (Work and Holiday) visa.

5 Repeal

This instrument repeals the *Migration (LIN 20/104: Subclass 462 (Work and Holiday) Visa – Specified Areas of Australia and Kinds of Work) Instrument 2020* (LIN 20/104) (F2020L00223), in accordance with subsection 33(3) of the *Acts Interpretation Act 1901*.

6 Application

- (1) This instrument applies to an application for a Subclass 462 visa made on or after the commencement of this instrument.
- (2) Despite the repeal mentioned in section 5, LIN 20/104 continues to apply to an application for a Subclass 462 visa made and not finally determined immediately before the commencement of this instrument.

Part 2—Specified work and areas

7 Fishing and pearling work and tree farming and felling work

- (1) For regulation 1.15FA of the Regulations, each kind of fishing and pearling work and tree farming and felling work mentioned in the table in Schedule 1 is specified for the purposes of the definition of *specified Subclass 462 work* in regulation 1.03 of the Regulations.
- (2) For regulation 1.15FA of the Regulations, for a State or Territory mentioned in an item in column 1 of table 1 in Schedule 4, each postcode area mentioned in column 2 for the item is specified for the purposes of the definition of *specified Subclass 462 work* in regulation 1.03 of the Regulations for any kind of work specified in subsection (1).

8 Tourism and hospitality work

- (1) For regulation 1.15FA of the Regulations, each kind of tourism and hospitality work mentioned in the table in Schedule 2, is specified for the purposes of the definition of *specified Subclass 462 work* in regulation 1.03 of the Regulations.
- (2) For regulation 1.15FA of the Regulations, for a State or Territory mentioned in an item in column 1 of table 1 in Schedule 4, each postcode area mentioned in column 2 for the item is specified for the purposes of the definition of *specified Subclass 462 work* in regulation 1.03 of the Regulations for any kind of work specified in subsection (1).

9 Plant and animal cultivation work and construction work

- (1) For regulation 1.15FA of the Regulations, each kind of plant and animal cultivation work and construction work mentioned in the table in Schedule 3 is specified for the purposes of the definition of *specified Subclass 462 work* in regulation 1.03 of the Regulations.
- (2) For regulation 1.15FA of the Regulations, for a State or Territory mentioned in an item in column 1 in either table 1 or table 2 in Schedule 4, each postcode area mentioned in column 2 of that table for the item is specified for the purposes of the definition of *specified Subclass 462 work* in regulation 1.03 of the Regulations for any kind of work specified in subsection (1).

10 Bushfire recovery work

- (1) For regulation 1.15FA of the Regulations, bushfire recovery work, including volunteer work, carried out after 31 July 2019, including but not limited to work mentioned in paragraph (a) or (b), is specified for the purposes of the definition of *specified Subclass 462 work* in regulation 1.03 of the Regulations:
 - (a) construction, farming, or any other work in association with recovery or restitution of land, property, farm animals or wildlife;

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- (b) providing support services or assistance to people living, working or volunteering in the affected areas.
 - (2) For regulation 1.15FA of the Regulations, for a State or Territory mentioned in an item in column 1 of table 3 in Schedule 4, the local government area mentioned in column 2 for the item is specified for the purposes of the definition of *specified Subclass 462 work* in regulation 1.03 of the Regulations for any kind of work specified in subsection (1).

11 Critical COVID-19 work in the healthcare and medical sectors

- (1) For regulation 1.15FA of the Regulations, critical COVID-19 work in the healthcare and medical sectors carried after 31 January 2020, including but not limited to work mentioned in paragraph (a) or (b), is specified for the purposes of the definition of *specified Subclass 462 work* in regulation 1.03 of the Regulations:
 - (a) medical treatment, nursing, contact tracing, testing and research;
 - (b) support services such as cleaning of medical and health care facilities and equipment.
- (2) For regulation 1.15FA of the Regulations, each area within any Australian postcode area is specified for the purposes of the definition of *specified Subclass 462 work* in regulation 1.03 of the Regulations for the kinds of work specified in subsection (1).

Schedule 1—Fishing and pearling work and tree farming and felling work

(See section 7)

Table—Fishing and pearling work and tree farming and felling work		
Item	Column 1 Work category	Column 2 Kinds of work
1	Fishing and pearling work (Agriculture)	(a) conducting operations relating directly to taking or catching fish and other aquatic species; (b) conducting operations relating directly to taking or culturing pearls or pearl shell
2	Tree farming and felling work (Agriculture)	(a) planting or tending trees in a plantation or forest that are intended to be felled; (b) felling trees in a plantation or forest; (c) transporting trees or parts of trees that were felled in a plantation or forest to the place where they are first to be milled or processed, or any other place from which they are to be transported to the place where they are to be milled or processed

Schedule 2—Tourism and hospitality work

(See section 8)

Table—Tourism and hospitality work

Item	Column 1 ANZSCO code	Column 2 Occupation title	Column 3 Alternative title	Column 4 Specialisation and occupation included in this group as provided in ANZSCO
1	141999	Accommodation and Hospitality Managers not elsewhere classified	Not applicable	(a) Backpackers Manager; or (b) Boarding House Manager; or (c) Casino Duty Manager; or (d) Guest House Manager; or (e) Hostel Manager; or (f) Reception Centre Manager
2	139911	Arts Administrator or Manager	Not applicable	(a) Art Gallery Director; or (b) Community Arts Centre Manager; or (c) Cultural Centre Manager
3	431111	Bar Attendant	Bar Steward	Not applicable
4	431911	Bar Useful or Busser	(a) Bar Back; or (b) Glassie	Not applicable
5	431112	Barista	Not applicable	Not applicable
6	141911	Bed and Breakfast Operator	Not applicable	Not applicable
7	452211	Bungy Jump Master	Not applicable	Not applicable
8	141111	Cafe or Restaurant Manager	(a) Food and Beverage Manager; or (b) Restaurateur	(a) Bistro Manager; or (b) Canteen Manager; or (c) Caterer; or (d) Internet Cafe Manager
9	431211	Cafe Worker	(a) Cafe Assistant; or (b) Cafe Attendant	Canteen Attendant
10	141211	Caravan Park and Camping Ground Manager	Not applicable	Not applicable
11	731212	Charter and Tour Bus Driver	Not applicable	Coach Tour Driver
12	731111	Chauffeur	Not applicable	(a) Hire Car Driver; or (b) Limousine Driver

Table—Tourism and hospitality work				
Item	Column 1 ANZSCO code	Column 2 Occupation title	Column 3 Alternative title	Column 4 Specialisation and occupation included in this group as provided in ANZSCO
13	351311	Chef	Not applicable	(a) Chef de Partie; or (b) Commis Chef; or (c) Demi Chef; or (d) Second Chef; or (e) Sous Chef
14	811411	Commercial Housekeeper	Not applicable	Not applicable
15	149311	Conference and Event Organiser	Event Manager	(a) Event Planner; or (b) Exhibition Organiser; or (c) Wedding Coordinator
16	351411	Cook	Not applicable	Not applicable
17	452311	Diving Instructor (Open Water)	Not applicable	(a) Dive Master; or (b) Scuba Instructor; or (c) Snorkelling Instructor; or (d) Surface Supply Breathing Apparatus (SSBA) Instructor
18	431912	Doorperson or Luggage Porter	Not applicable	Not applicable
19	452212	Fishing Guide	Not applicable	(a) Fly Fishing Guide; or (b) Ocean Fishing Guide
20	224212	Gallery or Museum Curator	Not applicable	Not applicable
21	451411	Gallery or Museum Guide	Gallery or Museum Attendant	Not applicable
22	431311	Gaming Worker	Croupier	(a) Casino Gaming Inspector; or (b) Gaming Pit Boss
23	431999	Hospitality Workers not elsewhere classified	Not applicable	(a) Hotel Cellar Hand; or (b) Uniform Room Attendant
24	141311	Hotel or Motel Manager	(a) Hotelier; or (b) Publican	(a) Duty Manager (Hotel); or (b) Resort Manager
25	542113	Hotel or Motel Receptionist	Not applicable	Not applicable

Table—Tourism and hospitality work				
Item	Column 1 ANZSCO code	Column 2 Occupation title	Column 3 Alternative title	Column 4 Specialisation and occupation included in this group as provided in ANZSCO
26	431411	Hotel Service Manager	Hotel Service Supervisor	(a) Front Office Manager (Hotel); or (b) Head Housekeeper; or (c) Head Porter (Hotel); or (d) Hotel Concierge; or (e) Hotel Office Manager
27	452213	Hunting Guide	Not applicable	Not applicable
28	851311	Kitchenhand	Kitchen Steward	(a) Dishwasher; or (b) Pantry Attendant; or (c) Sandwich Hand
29	141411	Licensed Club Manager	Club Licensee	(a) Gaming Manager; or (b) Nightclub Manager
30	452214	Mountain or Glacier Guide	Not applicable	(a) Climbing Guide; or (b) Ski Guide
31	452299	Outdoor Adventure Guides not elsewhere classified	Not applicable	(a) Caving Guide; or (b) Cycle Touring Guide; or (c) Horse Trekking Guide; or (d) Sea Kayaking Guide; or (e) Skydiving Instructor
32	452215	Outdoor Adventure Instructor	Outdoor Adventure Leader	(a) Abseiling Instructor; or (b) Adventure Challenge Instructor; or (c) Hang-gliding Instructor; or (d) Outdoor Education Teacher; or (e) Outdoor Pursuits Instructor; or (f) Paragliding Instructor; or (g) Rock Climbing Instructor
33	731213	Passenger Coach Driver	Not applicable	Not applicable
34	899921	Ticket Collector or Usher	Venue Attendant	(a) Entertainment Usher; or (b) Gatekeeper; or (c) Turnstile Attendant
35	639411	Ticket Seller	Not applicable	(a) Booking Clerk; or (b) Reservations Clerk; or (c) Check-in Agent
36	451412	Tour Guide	(a) Tour Escort; or (b) Tour Leader	Regional Guide

Table—Tourism and hospitality work				
Item	Column 1 ANZSCO code	Column 2 Occupation title	Column 3 Alternative title	Column 4 Specialisation and occupation included in this group as provided in ANZSCO
37	451611	Tourist Information Officer	Tourist Adviser	Not applicable
38	149413	Transport Company Manager	Not applicable	(a) Bus Company Manager; or (b) Car Rental Agency Manager
39	639412	Transport Conductor	Not applicable	Not applicable
40	142116	Travel Agency Manager	Not applicable	Not applicable
42	451799	Travel Attendants not elsewhere classified	Not applicable	Marine Steward
43	451612	Travel Consultant	Travel Agent	(a) Business Travel Consultant; or (b) Domestic Travel Consultant; or (c) International Travel Consultant
44	452216	Trekking Guide	Bushwalking Guide	Not applicable
45	431511	Waiter	Food and Beverage Attendant	(a) Drink Waiter; or (b) Formal Service Waiter; or (c) Silver Service Waiter; or (d) Sommelier; or (e) Wine Steward
46	452217	Whitewater Rafting Guide	Not applicable	Not applicable
47	361114	Zookeeper	Not applicable	Aquarist

Schedule 3—Plant and animal cultivation work and construction work

(See section 9)

Table—Plant and animal cultivation work and construction work		
Item	Column 1 Work category	Column 2 Kinds of work
1	Plant and animal cultivation work (agriculture)	<ul style="list-style-type: none"> (a) harvesting or packing of fruit and vegetable crops; (b) pruning or trimming vines and trees directly associated with the cultivation and commercial sale of plant produce; (c) general maintenance crop work; (d) cultivating or propagating plants, fungi or their products or parts; (e) immediate processing of plant products; (f) maintaining animals for the purposes of selling them or their bodily produce, including natural increase; (g) immediate processing of animal products including shearing, butchery, packing and tanning, but not including secondary processing; (h) manufacturing dairy produce from raw material
2	Construction work	<ul style="list-style-type: none"> (a) building construction; (b) heavy and civil engineering construction; (c) land development and site preparation services; (d) building structure services; (e) building installation services; (f) building completion services

Schedule 4—Areas of Australia

Table 1 Areas of Australia for fishing and pearling work; tree farming and felling work; tourism and hospitality work; plant and animal cultivation work; and construction work

(See sections 7, 8, 9)

Table 1—fishing and pearling work; tree farming and felling work; tourism and hospitality work; plant and animal cultivation work; and construction work

Item	Column 1 State or Territory	Column 2 Postcode area
1	Queensland	4472; 4478; 4481; 4482; 4680; 4694; 4695; 4697; 4699 to 4707; 4709 to 4714; 4717; 4720 to 4728; 4730 to 4733; 4735 to 4746; 4750; 4751; 4753; 4754; 4756; 4757; 4798 to 4812; 4814 to 4825; 4828 to 4830; 4849; 4850; 4852; 4854 to 4856; 4858 to 4861; 4865; 4868 to 4888; 4890 to 4892; 4895
2	Western Australia	0872; 6537; 6642; 6646; 6701; 6705; 6707; 6710 to 6714; 6716; 6718; 6720 to 6722; 6725; 6726; 6728; 6740; 6743; 6751; 6753; 6754; 6758; 6760; 6762; 6765; 6770
3	Northern Territory	All postcodes in the Northern Territory

Table 2 Additional areas of Australia for plant and animal cultivation work; and construction work

(See section 9)

Table 2— plant and animal cultivation work; and construction work

Item	Column 1 State or Territory	Column 2 Postcode area
1	New South Wales	2311 to 2312; 2328 to 2411; 2420 to 2490; 2536 to 2551; 2575 to 2594; 2618 to 2739; 2787 to 2898
2	Victoria	3139; 3211 to 3334; 3340 to 3424; 3430 to 3649; 3658 to 3749; 3753; 3756; 3758; 3762; 3764; 3778 to 3781; 3783; 3797; 3799; 3810 to 3909; 3921 to 3925; 3945 to 3974; 3979; 3981 to 3996
3	Queensland	4124 to 4125; 4133; 4211; 4270 to 4272; 4275; 4280; 4285; 4287; 4307 to 4499; 4510; 4512; 4515 to 4519; 4522 to 4899
4	Western Australia	6041 to 6044; 6055 to 6056; 6069; 6076; 6083 to 6084; 6111; 6121 to 6126; 6200 to 6799
5	South Australia	All postcodes in South Australia

Table 2— plant and animal cultivation work; and construction work

Item	Column 1 State or Territory	Column 2 Postcode area
6	Tasmania	All postcodes in Tasmania
7	Northern Territory	All postcodes in the Northern Territory
8	Norfolk Island	All postcodes in Norfolk Island

Table 3 Areas of Australia for bushfire recovery work

(See section 10)

Table 3—bushfire recovery work

Item	Column 1 State or Territory	Column 2 Local government areas
1	New South Wales	Armidale, Ballina, Bega Valley, Bellingen, Blue Mountains, Byron, Central Coast, Cessnock, Clarence Valley, Coffs Harbour, Cootamundra-Gundagai, Eurobodalla, Glen Innes Severn, Goulburn Mulwaree, Gwydir, Greater Hume, Hawkesbury, Inverell, Kempsey, Ku-ring-gai, Kyogle, Lake Macquarie, Lismore, Lithgow, Mid Coast, Mid-Western, Muswellbrook, Nambucca, Narrabri, Oberon, Penrith, Port Macquarie-Hastings, Queanbeyan-Palerang, Richmond Valley, Shoalhaven, Singleton, Snowy Monaro, Snowy Valleys, Sutherland, Tamworth, Tenterfield, Tweed, Upper Hunter, Upper Lachlan, Uralla, Walcha, Wagga Wagga, Wingecarribee, Wollondilly
2	Victoria	Alpine, Ararat, Ballarat, East Gippsland, Falls Creek, Glenelg, Golden Plains, Greater Bendigo, Indigo, Mansfield, Mount Buller, Mount Hotham, Mount Stirling, Moyne, Northern Grampians, Pyrenees, Southern Grampians, Strathbogie, Towong, Wangaratta, Wellington, Wodonga
3	Queensland	Bundaberg, Gladstone, Gold Coast, Gympie, Ipswich, Livingstone, Lockyer Valley, Noosa, Redland, Scenic Rim, Somerset, Southern Downs, Sunshine Coast, Toowoomba
4	South Australia	Adelaide Hills, Coorong, Kangaroo Island, Kingston, Lower Eyre Peninsula, Mid Murray, Mount Barker, Murray Bridge, Playford, Southern Mallee and Yorke Peninsula
5	Tasmania	Break O'Day, Central Highlands and Southern Midlands
6	Australian Capital Territory	All areas of the Australian Capital Territory