

Index of visa conditions

The following provides a summary of most visa conditions (except entry-related conditions), found in Sch 8 of the Migration Regulations 1994 (Cth) (the Regulations). See Sch 8 for the exact wording of the visa conditions. Entry-related conditions can be found in Schs 2 of the Regulations.

Visa condition	Meaning/effect of visa condition
8101	Must not work. Importantly, work is defined under reg 1.03 of the Regulations to mean “an activity that, in Australia, normally attracts remuneration”.
8102	Must not work unless the work relates to the study or training.
8103	Must not receive a salary without written permission.
8104	Work conditions applicable to the family unit of the Student visa holder (ie secondary visa holders).
8105	Work conditions applicable to primary student visa holder.
8106	Must only engage in work that is relevant to the conduct of the business, or performance of the tasks specified in the visa application.
8107	Must continue to be employed by a particular employer, or to undertake specific activities in Australia, as specified in visa grant. This condition is applicable to holders of the following visas: <ol style="list-style-type: none">subclass 400 (short Stay Specialist);subclass 401 (Temporary Work (Long Stay Activity));subclass 402 (Training and Research);subclass 420 (Temporary Work (Entertainment)); andsubclass 407 (Training);subclass 408 (Temporary Activity); andsubclass 457 (Temporary Work (Skilled)).
8108	Must not be employed by one employer for more than 3 months.
8109	Must not change details of engagements, as specified in the visa application.
8110	Must not: <ol style="list-style-type: none">engage in work in Australia except in the household of the employer, as specified in the visa grant;work in an occupation or position inconsistent with the visa grant;cease to be employed by the employer specified in visa grant, unless (e) applies; orremain in Australia after the permanent departure of their employer.
8111	Must not: <ol style="list-style-type: none">perform work in Australia except in the household of the employer, who is their sponsor; orremain in Australia after the departure of that employer.

- 8112 Must not engage in work that might otherwise be carried out by an Australian citizen or an Australian permanent resident.
- 8113 Must not work in Australia otherwise than as a member of the crew of a non-military ship.
- 8114 Must not work in Australia otherwise than as a member of the crew of a superyacht.
- 8115 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:
- the flight on which the holder leaves Australia;
 - 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:
- the flight on which the holder travels to Australia;
- One flight from the proclaimed airport at which the holder enters Australia to another proclaimed airport; the flight on which the holder leaves Australia;
- one flight from a proclaimed airport to the proclaimed airport from which the holder leaves Australia.
- 8201 Must not engage in any studies or training for more than 3 months while in Australia.
- This condition does not apply to:
- a) subclass 590 (Student Guardian) visa, if the holder is undertaking an English Language Intensive Course for Overseas Students (ELICOS) of less than 20 hours per week.
- This condition also does not apply to:
- a) subclass 602 (Medical Treatment) visas;
 - b) subclass 675 (Medical Treatment (Short Stay)) visas; and
 - c) subclass 685 (Medical Treatment (Long Stay)) visas, provided that the visa holder:
- (i) is under 18;
 - (ii) has experienced a change in circumstances while in Australia; and
 - (iii) 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 Attendance/course progress requirements to be met by student visa holder.
- 8203 Not to undertake or change postgraduate course without prior approval.

- 8204 Not to undertake or change postgraduate course without prior approval.
- 8207 Must not engage in studies or training.
- 8301 After entry to Australia, the visa holder must satisfy the Public Interest Criteria before the visa ceases.
- 8302 After entry to Australia, the family unit must satisfy the Public Interest Criteria before the visa ceases.
- 8303 Must not be involved in activities disruptive to the Australian community, or threaten violence to the Australian community.
- 8401 The holder must report at a time or times and at a place specified by the Minister.
- 8402 The holder must report, within 5 working days of grant, to an immigration office and must report to that office on the first day of every working week thereafter.
- 8501 Must maintain adequate arrangements for health insurance.
- 8502 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 Must enter Australia as the visa holder before a date specified by the Minister.
- 8505 Must continue to live at the address specified by the holder before the grant of the visa.
- 8506 Must notify the Department at least 2 working days before any change of the visa holder's address.
- 8507 Must, within a period specified by the Minister:
 - pay; or
 - make an arrangement satisfactory to the Minister to pay, the costs of the visa holder's detention.
- 8508 Must make a valid application for a visa that can be granted in Australia, within the time specified by the Minister.
- 8509 Within 5 working days after the grant date, the visa holder must:
 - make a valid application for a substantive visa; or
 - show a Department officer a travel ticket to a country, other than Australia, that the Minister is satisfied will allow the holder to enter on their arrival.
- 8510 Within the time specified by the Minister, the holder must:
 - show a Department officer a valid passport; or
 - make an arrangement satisfactory to the Minister, to obtain a passport.
- 8511 Within the time specified by the Minister, the holder must show a Department officer a travel ticket to a country, other than Australia, that the Minister is satisfied will allow the holder to enter on their arrival.
- 8512 Must leave Australia by the date specified by the Minister.

- 8513 Must notify the Department of their address within 5 working days of visa grant.
- 8514 During the period of visa grant there must be no material change in circumstances on the basis of which the visa was granted.
- 8515 Must not marry or enter into a de facto relationship before entering Australia.
- 8516 Must continue to be a person who would meet the primary or secondary criteria, as the case requires, for the grant of the visa.
- 8517 Must maintain adequate arrangements for the education of any of their school-age dependents, who are in Australia for more than 3 months as the holder of a Student visa.
- 8518 Adequate arrangements must be maintained for the education of the holder while they are in Australia.
- 8519 Must enter into the marriage in relation to which the visa was granted, within the period of the visa.
- 8520 The holder of 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 period of the visa.
- 8522 Must leave Australia no later than the time of departure of the person:
- who has satisfied the primary criteria; and
 - of whose family unit the holder is a member.
- 8523 Each person who:
- is a member of the family unit of the holder (being a spouse, de facto partner or unmarried child of the holder who has not turned 18);
 - has satisfied the secondary criteria; and
 - holds a Student visa because of paragraphs (a) and (b),
- must leave Australia not later than the time of departure of the holder.
- 8525 Must leave Australia by a specified means of transport on a specified day or within a specified period.
- 8526 Must notify the Secretary in writing:
- no earlier than 7 days before the visa ceases; and
 - no later than the day it ceases,
- 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 Must be free from tuberculosis at the time of travel to, and entry into, Australia.
- 8528 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 After entering Australia, the holder must undergo:
- a medical examination, to be carried out by approved persons; and
 - a chest x-ray examination conducted by a qualified radiologist.

This does not apply to:

- (i) persons under 11 years of age;
- (ii) persons that are pregnant;
- (iii) persons who have already been examined for tuberculosis by a chest clinic officer employed by a health authority of a state or territory; and
- (iv) persons who have signed an undertaking for the professional supervision of a health authority in a state or territory and to undergo any necessary treatment; and
- (v) persons whom the Minister is satisfied should not be required to undergo a chest x-ray examination at this time.

8530 Must not deviate from the organised tour referred to in cl 600.252 of Sch 2.

8531 Must not remain in Australia after the end of the period of stay permitted by the visa.

8532 If the student is under 18 and is not a Foreign Affairs student or a Defence student:

1. they must stay in Australia with a person who is:
 - a) a parent or person who has custody; or
 - b) a relative nominated by a parent or person who has custody, that is over 21 and of good character; or
2. the education provider must approve of accommodation and welfare arrangements and the student must not enter Australia before those arrangements commence.

In the case of a Foreign Affairs student or a Defence student:

- a. the accommodation, support and general welfare arrangements must have been approved by the Foreign Affairs or Defence Minister; and
- b. the student must not enter Australia before the day those arrangements are to commence.

8533 The student must:

- a) inform their education provider of their residential address within 7 days of arriving in Australia and must notify the provider of any change in address within 7 days of that change occurring; and
- b) notify their education provider of any change in education provider within 7 days of receiving a certificate of enrolment from the new provider or if this is not available, evidence that they have been enrolled with a new education provider.

8534 No further stay. Holder cannot be granted a substantive visa other than a Protection visa, a Subclass 485 (Temporary Graduate) or a Subclass 590 (Student Guardian) visa.

8535 No further stay. Holder cannot be granted a substantive visa, other than a Protection visa or a Student visa.

8536 Must not discontinue or deviate from the professional development program.

- 8537
1. While the nominating student is in Australia, the holder must reside in Australia.
 2. While the holder is in Australia, the holder must:
 - (a) stay with the nominating student; and
 - (b) provide appropriate accommodation, support and provide for the general welfare of the nominating student.
- 8538
- If the holder leaves Australia without the nominating student, the holder must give the Minister evidence that:
- a) there are compelling or compassionate reasons for doing so;
 - b) the holder has made alternative accommodation, support and general welfare arrangements for the nominating student until the holder's return to Australia; and
 - c) if the nominating student is under 18, these arrangements are approved by the education provider.
- 8539
- Must live, study and work only in a part of Australia the postcode of which was specified in the relevant Gazette Notice at the time the visa was approved or if the holder has held more than one visa subject to this condition, when the first visa was granted.
- 8540
- Will not be entitled to be granted a visa other than a Protection visa or a subclass 462 (Work and Holiday) visa, while the holder remains in Australia.
- 8541
- Must do everything possible to facilitate their removal from Australia and must not attempt to obstruct efforts to arrange and effect their removal from Australia.
- 8542
- Must make themselves available for removal from Australia in accordance with instructions given to the holder by the Department for the purpose of that removal.
- 8543
- Must attend at a specified place and date in order to facilitate efforts to arrange and effect his/her removal from Australia.
- 8547
- Must not be employed by any one employer for more than 6 months.
- 8548
- Must not engage in any studies or training for more than 4 months.
- 8549
- Must live, study and work only in a designated area (as defined under reg 1.03) in the state or territory in which:
- a) the holder's sponsor lived when the holder was first granted; or
 - b) if the holder has held more than one visa subject to this condition, when the first visa was granted.
- For Norfolk Island residents: For a visa granted on the basis of satisfaction of cl 159.214 or 159.311 of Sch 2, while the holder is in Australia, the holder must live, study and work only in Norfolk Island, apart from any period during the whole of which the visa holder:
- has not turned 25; and
 - is a dependent child of a person who is ordinarily resident in Norfolk Island; and

- lives elsewhere in Australia for the purpose of study; and
- meets the requirements mentioned in condition 8105 (which relates to students engaging in work).

Note: Condition 8105 is not imposed on the visa

8550	Must notify the Minister no less than 2 working days before a change occurs, of any change/s to the holder's personal details, including a change to their:
	<ol style="list-style-type: none"> name; address; phone number; email; online profile; or user name.
8551	Must obtain the Minister's approval before taking up employment in occupations: <ol style="list-style-type: none"> that involve the use of, or access to, chemicals of security concern; in the aviation or maritime industries; at facilities that handle security-sensitive biological agents, or occupations of a similar kind.
8552	Must notify the Minister of any change in employment details, no less than 2 working days before the change is to occur.
8553	Must not become involved in activities that are prejudicial to security (within the meaning of <u>s 4</u> of the Australian Security Intelligence Organisation Act 1979).
8554	Must not acquire weapons, explosives, material or documentation that provides instruction on the use of weapons or explosives.
8555	Must obtain the Minister's approval before undertaking flight training, flying an aircraft, or activities of a similar kind.
8556	Must not communicate or associate with certain prescribed entities and organisations.
8557	Must hold the complying investment, complying significant investment or complying premium investment for the whole of the visa period.
8558	Must not stay in Australia for more than 12 months in any period of 18 months.
8559	Must not enter the country by reference to which the holder or member of the family unit of another holder, was found to be a person to whom Australia has protection obligations, unless the Minister has approved the entry in writing.
8560	Must obtain the Minister's approval before acquiring chemicals of security concern.
8561	If the holder is directed by the Minister to attend an interview that relates to the holder's visa (including an interview with the Australian Security Intelligence Organisation) (ASIO), the holder must comply with the direction.

- 8562 Must not take up employment in occupations that involve the use of, or access to, weapons, explosives or occupations of a similar kind.
- 8563 Must not undertake activities:
- a) using or accessing weapons or explosives;
 - b) participating in training in the use of weapons or explosives;
 - c) possessing or accessing material or documentation that provides instruction on the use of weapons or explosives,
- or activities of a similar kind.
- 8564 Must not engage in criminal conduct.
- 8565 Holder must notify the Department of any changes in the holder's residential address within 28 days after the change occurs.
- 8566 If the person to whom the visa has been granted has signed a code of behaviour that is in effect for the visa, the holder must not breach the code.
- 8570 The holder must not:
- (a) enter a country by reference to which:
 - o the holder was found to be a person in respect of whom Australia has protection obligations; or
 - o for a member of the family unit of another holder — the other holder was found to be a person in respect of whom Australia has protection obligations; or
 - (b) enter any other country unless:
 - o the Minister is satisfied that there are compassionate or compelling circumstances justifying the entry; and
 - o the Minister has approved the entry in writing.
- 8571 Holder must maintain an ongoing relationship with the nominating State/Territory Government agency, or the State/Territory Government in which the agency is or was located.
- 8572 If requested in writing by the Minister, the holder must undergo a medical assessment carried out by:
- o a medical officer of the Commonwealth;
 - o a medical practitioner approved by the Minister;
 - o a medical practitioner employed by an organisation approved by the Minister.
- 8573 The holder must not stay in Australia for more than 12 months in any period of 24 months.
- 8575 The holder must not stay in Australia for more than 7 months in any period of 12 months.
- 8576 The holder must not stay in Australia for more than 10 months in any period of 12 months.
- 8577 Work conditions applicable to subclass 403 visa holders under the Seasonal

Workers Program stream or Pacific Labour Scheme stream.

8607

Work conditions applicable to the subclass 482 visa.