



## UNDERSTANDING WORK-RELATED VISA CONDITIONS FOR TSS 482 VISA HOLDERS

Does your business currently sponsor or wish to sponsor Subclass 482 TSS Visa holders? Did you know that under the *Migration Amendment (Strengthening Employer Compliance) Act 2024* (Cth) from 1 July 2024, employers must not coerce, unduly influence or pressure a non Australian citizen visa holder to work in breach of a work-related visa condition? Here's some of the visa conditions that apply to TSS 482 Visa Holders.

### Condition 8607 - Must Only Work in Nominated Occupation

This is a mandatory condition for the primary TSS 482 Visa holder (ie, the employee). Under the condition, they:

- Must only work in the occupation nominated in their TSS 482 Visa application
- Must start work within 90 days of either arriving in Australia (if granted offshore) or the visa grant date (if granted onshore)
- Can only work\*:
  - For the sponsor that nominated them or an associated entity (for Medium or Short-term stream Visa holders whose sponsor is an Australian business)
  - For the sponsor that nominated them (for Medium or Short-term stream Visa holders whose sponsor is an overseas business)
  - For the sponsor that nominated them (Labour agreement stream only)\*Some occupations may be exempt.
- If it is mandatory to have a licence, registration or membership to perform the nominated work:
  - It must continue to be held and work cannot be carried out without it
  - It must be held within 90 days of either arriving in Australia (if visa is granted offshore) or the visa grant date (if visa is granted onshore)
  - The Department of Home Affairs must be notified in writing as soon as possible if it is refused, ends, cancelled or revoked
- From 1 July 2024, changes in the *Migration Amendment (Work Related Visa Conditions) 2024* (Cth) provide TSS 482 Visa holders a maximum 180 consecutive days (an increase from 60 days) to cease work and seek an alternative sponsoring employer or depart Australia.
  - During this time, the visa holder can work for other employers and in occupations other than what was granted for their visa.
  - The total period of time a visa holder can cease to work during their visa period must not exceed 365 days. Conditions apply.



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### Condition 8501 - Maintain Adequate Health Insurance

This is a mandatory condition that applies to all TSS 482 Visa holders.

It ensures visa holders have and maintain adequate health insurance during their stay in Australia.

### Condition 8303 - Not Be Disruptive

This is a discretionary condition that may be applied by the decision maker for a person's TSS 482 Visa.

Under this condition, a visa holder must not engage in activities disruptive to, or violence threatening harm to, the Australian community or a group within the Australian community.

### Condition 8107 - Work Limitations

In some instances, a TSS 482 Visa holder may have certain work limitations attached to their visa under Condition 8107.

## SEEKING ADVICE AS AN EMPLOYER OF VISA HOLDERS

Interstaff assist organisations to remain compliant with visa and sponsorship obligations in various ways, such as:

- Visa checks to advise of work rights
- Eligibility assessments to advise of visa options and PR pathways
- Advice and re-assessments regarding changes in an employee's core duties
- Training to review sponsorship obligations
- Support in developing plans to ensure relevant changes are identified and reported to the Department of Home Affairs as per sponsorship obligations

**[Contact Interstaff's Registered Migration Agents and Immigration Lawyers here](#)** to find out more.

*This content is intended to provide a general guide to the subject matter. Specialist advice should be sought for your specific circumstances.*