



## 2ND YEAR VISA EXTENSION REGULATIONS

Work that is eligible for a second Working Holiday visa was changed on 1 July 2008. Eligible work is now referred to as 'specified work' not 'seasonal work'. The specified work definition below applies to:

- visa applications lodged on or after 1 July 2008
- work undertaken at any time while holding a first Working Holiday visa.  
If you were refused a second Working Holiday visa for not meeting the seasonal work requirement, but now meet the specified work requirement you may be able to apply again. However, you would need to pay another visa application charge.

### DEFINITION OF SPECIFIED WORK

Specified work is any type of work described in the list below:

#### Plant and animal cultivation

- cultivating or propagating plants, fungi or their products or parts
- general maintenance crop work
- harvesting and/or packing fruit and vegetable crops
- immediate processing of animal products including shearing, butchery in an abattoir, packing and tanning

Note: Secondary processing of animal products, such as small goods processing and retail butchery is not eligible

- immediate processing of plant products
- maintaining animals for the purpose of selling them or their bodily produce, including natural increase
- manufacturing dairy produce from raw material
- pruning and trimming vines and trees.

#### Fishing and pearling

- conducting operations relating directly to taking or catching fish and other aquatic species
- conducting operations relating directly to taking or culturing pearls or pearl shell.

#### Tree farming and felling

- felling trees in a plantation or forest
- planting or tending trees in a plantation or forest that are intended to be felled
- 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 from which they are to be transported to the place where they are to be milled or processed.

#### Mining

- coal mining
- oil and gas extraction
- metal ore mining
- non-metallic mineral mining and quarrying
- exploration and other mining support services not including secondary activities such as book-keeping, catering and transport.

#### Construction

- building construction
- heavy and civil engineering construction
- construction services including metal wall cladding fixing to buildings, petrol bowser installation, sand blasting or steam cleaning of building exteriors, scaffolding construction, waterproofing of building.

Supporting work, such as book-keeping, in any industry described in the list above does not meet the definition of specified work.

Specified work (over page):

## Does not need to be paid work

**Example:** Work undertaken as a volunteer or through the Willing Workers on Organic Farms (WWOOF) scheme may qualify if the work falls within the specified work definition listed above.

- does not need to be undertaken as a direct employee

**Example:** Work undertaken as a contractor is eligible if it falls within the specified work definition listed above.

- must be described in the list above

### Examples of eligible specified work:

- picking fruits on a farm or orchard
- feeding and herding cattle which are kept for commercial purposes
- constructing a house
- extracting ore on a mine site.

### Examples of ineligible specified work:

- working at a cellar door providing wine tastings
- undertaking an archaeological survey
- working as a caterer or cook on a mine site
- working as an architect or town planner
- working as a cook or cleaner while volunteering through the WWOOF scheme
- helping to construct ships or boats.

## Specified work in disaster affected areas

Construction work can be vital in helping regional disaster zones, such as those affected by flood or bushfire, to rebuild and recover from disaster. Working Holiday visa holders who conduct construction work in eligible regional areas of Australia following disasters can count the work as specified work. This work may be paid or unpaid work.

### Examples of construction work that qualify as specified work include:

- demolition of buildings, trench digging, land clearing and earth moving
- residential and non-residential construction or renovation/repair, including of roads, footpaths, bridges, parking lots, fencing, railways, dams, irrigation systems, sewage and storm water drainage systems.

A full list of eligible construction activities is available from the [Australia Bureau of Statistics website](#).

See: Division E – Construction

## How to calculate specified work

'Three months' means three 'calendar' months or 88 days. Work can be:

- in one block with one business
- or
- in separate blocks with one business or a number of businesses. Blocks of work may be in different kinds of specified work.

One full day of work is defined as having worked a minimum number of standard hours for a particular industry. You cannot count a long day of work as more than one day of specified work. For example, if your industry's standard day is six hours long, working a twelve hour day does not count as two days of specified work.

Full time workers may include weekends in calculating the number of days worked.

Applicants who work part time or on a casual basis can only count the full days actually worked. The shortest period that can be counted is one day of full time work (for any given industry).

Full time workers can count sick days only during periods where they were in paid employment and entitled to sick leave or covered by a workers compensation scheme. In these situations, supporting evidence must be provided by the employer.

Applicants who were prevented from obtaining employment because of injury or seasonal circumstances cannot count any time they were unable to work towards the three month period.

**Example:** Cyclones interrupting harvest activities.

Some possible examples to help clarify the definition of three months of specified work are outlined below.

### Examples of three months

#### Examples that meet the three month requirement

- **Working week**  
You work on a farm for three months for five days each week, where the farmer considers five days a week to be full time work.
- **Shift work**  
You are employed as a miner for three months and under the employment contract you are only required to work every second week, which is the standard full time contract for the industry.

- **Blocks of work**  
You complete 60 days of harvest work, followed by a period of travel for two months. Then you complete another 28 days in construction, bringing the total days worked to 88 days.
- **Sick days**  
You are employed for a three month period but take several days of sick leave during the period.

#### Examples that do not meet the three month requirement

- **Working week**  
Four days a week is considered full time work by the farm, but you only work three days a week for three months.
- **Work done on another visa type**  
You complete three months of specified work during your summer break while on a Student visa.
- **Seasonal circumstances**  
You pick bananas for 80 days on a casual basis, but cannot find more work as there is a cyclone and your first Working Holiday visa ceases.

#### Evidence of specified work

If you apply for a second Working Holiday visa, you will need to provide evidence that you have satisfied the specified work eligibility requirement. Acceptable evidence of specified work (completed while on your first Working Holiday visa) includes original or certified copies of the following:

- payslips
- group certificates
- payment summaries
- tax returns
- employer references
- a completed employment verification form signed by your employer.

See: Form 1263 Working Holiday visa: Employment verification (104KB PDF file)  
<http://www.immi.gov.au/allforms/pdf/1263.pdf>

Note: Providing a completed Form 1263 and additional forms of evidence will allow your application to be assessed more quickly. Please ensure that all information provided is correct. Contacting third parties to verify the claims of applicants for second Working Holiday visas will now be a standard component of second Working Holiday visa application assessments.