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AUSTRALIA’S WORKING HOLIDAY VISA SUBCLASS 417: CULTURAL EXCHANGE OR AN EXTENSION AND ADAPTATION OF PREFERENTIAL IMMIGRATION POLICY?

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ABSTRACT

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The Australian state’s present day borders are controlled and protected by a universal visa system in which all non-citizens must be in possession of a categorical visa before entry and while staying within the country; anyone without a visa is illegally within the state and subject to detention or removal. Amongst the visa categories offered by the Australian government that allow foreigners to dwell legally within the state is the Working Holiday Visa Subclass 417. This subclass visa is only available to citizens of Belgium, Canada, Republic of Cyprus, Denmark, Estonia, Finland, France, Germany, Hong Kong, Republic of Ireland, Italy, Japan, Republic of Korea, Malta, Netherlands, Norway, Sweden, Taiwan and the United Kingdom. This visa offers citizens of these countries, if meeting certain requirements, the opportunity to live and work within Australia for a maximum period of 24 months. The Australian government offers a similar type visa to the citizens of Bangladesh, Chile, Indonesia, Malaysia, Thailand, Turkey, and the United States of America; the Work And Holiday Visa Subclass 462. This visa offers the citizens of these countries, if meeting certain requirements, the opportunity to live and work within Australia for a maximum period of 12 months. However, certain requirements to obtain this visa are not applied to the similar category Subclass 417 applicants, namely a language proficiency requirement.
The object of this thesis study is to examine why there are two separate subclasses within the working holiday category offered by the Australian government in which different distinct groups of countries belong to, are subjected to different eligibility requirements, and are allotted different lengths of time in Australia. To conduct my analysis of these two subclass visa policies, I have applied sociological and anthropological theory and studies about nation-state formation and administration to the current qualifications and eligibility of these visas, which are deemed as official immigration policy in practice and described on official Australian government web pages. Historical accounts of past immigration policy have been accessed from the National Archives of Australia to demonstrate that preferential treatment toward certain desired immigrants has existed through much of Australia’s development into a nation-state and to draw a connection between current cases of preferential treatment within the Working Holiday Maker Program - the collective title for both visas under scrutiny.

My analysis will show that the offering of temporary work and living rights to citizens of particular European and Asian countries which are eligible for the Working Holiday Visa Subclass 417, in comparison to citizens of those countries eligible for the Work and Holiday Visa Subclass 462, is evidence of preferential treatment, and therefore Australian government policy, which is reminiscent of preferential policy that was practiced in the past. Despite claims that these visas are offered under the guise of promoting cultural understanding and good will between nations, this is merely a case of the state enacting policies that allow it to influence population demographics that offer less obstacles of administration to the government and foster perceived national identity.
# TABLE OF CONTENTS

1. INTRODUCTION ...................................................................................................................1
   1.1 Interest ............................................................................................................................2
   1.2 Research Questions and Presentation ...........................................................................3

2. THEORETICAL CONCEPTS OF NATION STATE FORMATION AND ADMINISTRATION ..............................................................................................................5
   2.1 Centralization of Control and Simplification of Administration ................................5
   2.2 Language as a Tool of the State ..................................................................................11
   2.3 National Identity & Immigrants ..................................................................................16

3. AUSTRALIAN IMMIGRATION HISTORY, BORDER CONTROL, AND IDENTITY ...............................................................................................................................21
   3.1 The White Australia Policy ............................................................................................21
   3.2 World War II and After ..............................................................................................24
   3.3 The Australian Visa System .......................................................................................27
   3.4 Australian Identity .......................................................................................................30

4. WORKING HOLIDAYS IN AUSTRALIA .....................................................................33
   4.1 The Working Holiday Maker Program .........................................................................33
   4.2 The Working Holiday Visa Subclass 417 ...................................................................35
   4.3 The Work And Holiday Visa Subclass 462 ................................................................38

5. DIFFERENCES IN WORKING HOLIDAY SUBCLASSES ........................................42
   5.1 Letter of Support ..........................................................................................................42
   5.2 Language Requirement ...............................................................................................43
   5.3 Education Requirement ...............................................................................................43
   5.4 Time Period Difference ...............................................................................................44
   5.5 Intent and Benefits .......................................................................................................45
   5.6 Access to Residency .....................................................................................................46

6. METHODOLOGY .................................................................................................................48
   6.1 Historical Record ..........................................................................................................48
   6.2 Government Policy ......................................................................................................49
# Analysis

## 7.1 The Working Holiday Visa Subclass 417 as a Continuation of Policy by a Different Name and Means

## 7.2 Adaptation Reflecting Population Demographics

## 7.3 Language Requirement as a Disqualification Tool

## 7.4 Australian Identity

## 7.5 Preferential Reciprocity

## 7.6 Limitations

## 7.7 Conclusions

# Bibliography

## 8.1 Literature

## 8.2 Government Internet Sources

# Appendices

## 9.1 Appendix 1 – Form 1150

## 9.2 Appendix 2 – Form 1208
1. INTRODUCTION

Those who claim various identities belong to certain places divide the world we live in. National flags, national songs, national languages, and most importantly, national governments represent these people. We live in a world of nation-states. States have not existed since the beginning of time, but have been systematically and methodologically built throughout history. Many states share similar aspects such as national monuments, national identities, and national languages. The main difference between states is the matter of when, and how, they were built.

The nation-state of Australia is a new nation, only becoming a federal state in 1901, after existing for many years as separate individual colonies administered by the British crown. As the British first settled Australia in 1788, its first settlers were comprised of a mix of immigrants and convicts\(^1\) from the British Isles. Other various European settlers, as well as Asian immigrants, who were all looking to start a new life in a new land, soon joined these British settlers. This mix of immigrants came to Australia at a time when immigration was not controlled and it was possible to enter the country without restriction. All of this changed once the state of Australia became a formal entity in 1901; the Australian federal government from then on controlled immigration and immigrants in an attempt to shape the development and demographics of the country as it emerged into a modern state.

Today, Australian immigration is controlled through Australia’s universal visa system, which categorizes all non-Australian citizens who are within the borders

\(^1\) Australia was originally founded as a penal colony in which to send British convicts. Besides removing these felons from British soil by sending them to a far off land, the colonization was, likewise, a method of populating new territory that had been discovered and now “belonged” to the British crown.
of Australia or who want to come to Australia. Within this visa system exists the Working Holiday Visa Subclass 417 – a visa that enables citizens of certain countries to live and work, legally, in Australia for a defined period of time with the intent of letting them work in order to support their travels and adventures while on holiday in Australia. In reciprocity for granting their citizens the right to work while on their travels in Australia, the countries who are offered this visa allow Australian holiday makers the opportunity to work and stay in their respective countries. This reciprocal exchange of working while on holiday is part of the guise under which the visa category was initiated - to allow for opportunities for better cultural understanding between countries.

While the Australian government claims that this visa is meant to promote mutual partnerships and cultural understanding between other nations and Australia, I believe it is an extension and adaptation of historical immigration policy and I intend to explain and prove this belief in this study.

1.1 Interest
While researching various methods of international mobility that would allow me to explore the world outside the country of my birth, I came across Australia’s Working Holiday Maker Program. Upon review of this program, I noticed that there were two subclasses of working holiday visas that belong to this program – the Working Holiday Visa Subclass 417 and the Work And Holiday Visa Subclass 462. Upon further review of these particular visas, I noticed significant differences in the qualifications and benefits that were presented to potential applicants; differences that from initial review seemed inequitable since those who obtain a Working Holiday Visa Subclass 417 are able to stay in
Australia for 2 years and those obtain a Work And Holiday Visa Subclass 462 are only allowed to stay for one year.

After visiting the Old Customs House Museum in Melbourne, Australia in 2008, which documents and presents the historical accounts of Australian immigration policy, I observed some similarities between past immigration policy and aspects of the Working Holiday Maker Program. This experience sparked my curiosity about the connection between the two and led me to this theoretical and empirical investigation presented in this thesis.

1.2 Research Questions and Presentation

The object of this study is to examine why there are two separate subclasses of Working Holiday Visa offered by the Australian government in which different distinct groups of countries belong to, are subjected to different eligibility requirements, and are allotted different lengths of time in Australia. My study is thus an attempt to answer the following research question:

- Why does the Australian government allow those who can obtain the Working Holiday Visa Subclass 417 a longer stay in Australia than those who can obtain the Work And Holiday Visa Subclass 462?

To answer these questions and present the findings of my study, I will provide the reader with insight into the 3 arenas investigated during this research:

1. Theoretical and empirical concepts of nation-state formation and administration which guide my analysis.
2. Australian immigration history and previous immigration policy to provide background as to the events that took place prior to the development of the Working Holiday Maker Program.

3. The details of the Working Holiday Maker Program and its visa subclasses that are analyzed.

After explaining the above areas to the reader, I will discuss my methodology of analysis and the legitimacy of my sources of information. I will then present the analysis of the relationship between the researched areas, and my argument, before ending with the conclusion of my study.
2. THEORETICAL CONCEPTS OF NATION STATE FORMATION AND ADMINISTRATION

In this section of my thesis, I will cover the theoretical topics that are the basis for my analysis and argument. I will describe sociological and anthropological theories and views of nation-state administration and mechanisms of control regarding language, identity, and their intertwined role considering immigrants, migrants, and foreigners. I will include not only historical observation, as mentioned by noteworthy scholars and theorists, but will also include other empirical observation when relevant. My goal in this section is to provide a historical, theoretical, and empirical view of the lengths to which the nation-state attempts to control and regulate certain aspects of the population demographic and identity within their national borders.

2.1 Centralization of Control and Simplification of Administration

From the day we are born, we are given an identity – a name, an ID number, a tax number, a way for the government to identify who we are, so that they can administer us accordingly. As James Scott says, “The modern state, through its officials, attempts with varying success to create a terrain and a population with precisely those standardized characteristics that will be easiest to monitor, count, assess, and manage” (1998, 81-82). As this “national order of things” applies to all persons residing within a governed area, this means that migrants would be included into this population of administration. Throughout history, nations and states have operated with the central goal of administering the masses that reside within their regions, borders, or territories. These efforts are not necessarily established with the intent of creating a civil society in which all men can live and prosper, but more with the aim of maintaining the power of those that are in
control. Laws are created and enforced by the government to make sure that citizens submit to the power of the governments. This power of law is important to a nation's maintenance of self perceived sovereignty.

Over the years, the methods of administration have changed yet the motivation has always been the same. As Scott points out, “The techniques devised to enhance the legibility of a society to its rulers have become vastly more sophisticated, but the political motives driving them have changed little. Appropriation, control, and manipulation remain the most prominent” (1998, 77). The methods have changed as citizens have begun to question the means of how their lives are influenced and run by the government. An example of this change is the drastic switch between the claims of the Divine Right of Kings, where religion was the basis of origin of right to govern, to the eventual formation of democratic representation, where the basis of power was dictated by the citizens themselves. As Dingley observes, “Prior to 1789, authority derived from religion. Monarchs and noblemen, who effectively were the state, were ordained by god, whose clerical servants also carried out most state administration” (2008, 49). The American Revolution, and the French revolution as well, are specific examples of how this system changed in two different parts of the world. Select individual leaders were removed from power in France, or deemed unauthorized to rule as in the case of the King George III in America, and replaced by regular people as the high power of the state. Ironically though, those that took seats of power acting on behalf of the people claimed authority over those people that they represented (Dingley 2008, 49). Whatever the form of governmental justification for ruling, whether it be religious or democratic, “No administrative system is capable of representing any existing social community
except through a heroic and greatly schematized process and simplification” (Scott 1998, 22).

In order for the state to administer effectively, it must have defined boundaries and must attempt to control certain aspects of the lives of the people within those boundaries. Dinlgey notes that, “…the idea of fixed boundaries (borders) also acquires pertinence to oversee such exchange and to control the inner mechanisms of integration and coordination. Both of these then place a greater emphasis on defining the state as having a fixed role in these processes as it has to educate and integrate its people and so be more responsive to them” (2008, 60-61). The government represents a system of order that not only professes binding authority over the populous of the state, the majority of whom are considered citizens and have achieved this status by birth right, but also profess authority over all activities, to a great extent, that occur within the boundaries of the state. This means that the state rules with an enforced policy based on a physical territorial domain (Weber 1964, 156). The establishment of formal boundaries is key to the development of the nation-state. Commenting on modern nation-state building efforts between 1880 to 1920, Billig writes, “The result was not a uniform world, but a world of limited, independent uniformities. The quest for uniformity involves the imposition of firm boundaries, whether these are boundaries between truth and error, science and non-sense, rationality and irrationality. The world of nation-states, being constructed in the modernist mood, is a world of boundaries” (1995, 130). That which lies within the official boundary of the state is subject to administration by the state.
Although the establishment of firm borders within which the state assumes the power of administration and rule, the government still faces the challenges of administering the population within this border. If citizens were sheep, then they were be as easy as a flock to oversee and control, but unfortunately for the state, they are not sheep; they are humans and are unpredictable, thinking, and feeling creatures. As Giddens notes, “From the sixteenth century onwards within the European societies, fears were constantly expressed in ruling circles about ‘popular disturbances’” and this would subsequently, “…mark the beginnings of a new relationship between state and populace” (1985, 182). The centralization of power within the state involves the removal of troublesome citizens from the public to containment facilities, whether it be a hospital, mental institution, or prisons. This removal is intended not only to benefit the common good and domestic protection of the local law-abiding citizen, but likewise, it is a removal of an administrative obstacle for the state.

Migrants and immigrants are obstacles to the centralization of power that governments seek. Whereas citizens of a country are subject to the laws and penalties of their government, migrants are not always susceptible to these laws. As Bauböck claims, “Before they naturalize, migrants remain citizens of their country of origin but are subject to the territorial jurisdiction of their country of residence. Under norms of international law, their external affiliation to the sending state entails a right to return and to diplomatic protection in the host country” (2003, 702). These privileges maintained by migrants’ connection to their home countries undermines the power with which a government administers control. The power is not absolute and therefore subject to the external interests of another country, and could be viewed as a violation of sovereignty. The perceived threat of migrant and immigrant loyalties, or their
apparent inability to be effectively administered by the state, has lead countries to even bar the entry of certain nationalities into the country. The United States was actually the first nation to create federal legislation prohibiting the entry of a particular nationality when it passed the Chinese Exclusion Act of 1882, forbidding the entry of Chinese nationals from entering the USA. The act was set at a 10 year validity and was subsequently renewed in 1892. On a similar note, Germany, from the late 19th to early 20th century, closely monitored and controlled the movement of Polish speaking populations, even those deemed German citizens, which resided within the formal borders of the state. As part of Germany used to belong to an earlier Polish state, the German government saw, and feared, the prospect of Polish nationalism as an obstacle to the administration of the German state (Wimmer and Glick Schiller 2002, 313).

In order to control the flow of immigrants and migrants, who may challenge the supreme authority of a nation-state with their mere presence within national borders, states have tightened their security of their national boundaries. Between the First World War and the Cold War, old initiatives at building a structure of migration control were reviewed and rekindled into traditional forms of border security. People had to have a legitimate permit in order enter a country and live there, subsequently creating the separation between foreigners, who were not part of the state community, and citizens, who did not need permits to be there. This permit system also gave way to the distinction between legal and illegal residents and the delegating, and issuance, of such permits was centrally controlled by the state government. In the United States, this system gave power to the federal government and its position of demarcation of the nation from its enemies. Across the Atlantic, in Europe, this visa system linked the entitlement of residency within a country to the obtaining of a work permit,
thus categorizing a foreigner as a provisional worker (Wimmer and Glick Schiller 2002, 316). To simply put it, “…an entire central state apparatus of overseeing, limiting and controlling immigration was institutionalized between the two world wars. Immigrants, by the logic of border control and rising security concerns, were now natural enemies of the nation.” (Wimmer and Glick Schiller 2002, 316).

Moving to the Cold War and the 1970’s, as Wimmer and Glick Schiller write, “The worldwide recession and the oil crisis in the 1970’s, which may have spurred the new period of globalization, stimulated anti-immigrant movements throughout Europe and a consensus to limit immigration severely to zero. By now, it was an accepted response for nationals to blame foreigners for everything, although the very identification of a territorially based population with a nation-state (and with only one nation-state) was a relatively new invention” (2002, 321). The impetus to halt migration as the solution to problems that were due, in fact, to a logical process developed in different ways in different locations and were enacted with such sternness over the next 20 years that guest worker programs were ended and former colonial populations had their citizenship rights restricted. However, these calls for restricted immigration did not comment on the continuance of immigration of family members, political refugees, and those categorized as highly skilled workers. In parallel, lifted by the establishment of economic reforms in Eastern Europe and Russia after the end of the Cold War and in Asia after the economic crisis there in the 1990’s, the swift rate of globalization highly increased the speed of world migration. It is now ordered, viewed, and arranged through various categories in different countries around the world. Skilled workers, refugees, asylum seeker, family reunification, tourist, seasonal worker – these are all examples of the various
controlled migration labels that exist today (Wimmer and Glick Schiller 2002, 321). Despite these categorizations, it must also be mentioned, that, considering the events of September 11th and the conditions that the world presently lives in, with the global “war on terror” and the introduction of bio-metric passports, there is no doubt that this previous notion of immigrants as theoretical “natural enemies” of the state still holds true today.

2.2 Language as a Tool of the State

Of all methods used by the state for simplification of administration and binding of identity, the establishment of one national and official language could be the most effective. As demonstrated in France in the 19th century, by Scott, the state systematically began requiring all legal documents in local areas to be written in French. This gave the government more control over the local commerce and trade as there was no further need for understanding provincial languages in order to administer (1998, 72). He points out, “as long as these documents remained in local vernaculars, they were daunting to an official sent from Paris and virtually impossible to bring into conformity with central schemes of legal and administrative standardization” (Scott 1998, 72). But this systematic change regarding legal documentation was not the beginning of linguistic monopolization – it was merely a mechanism of efficiency to refine already established administrative efforts. As Giddens states, “The spread of French was in some part the result of deliberate state policy – it became the sole official language by an edict of 1539. The Academie Francaise, founded by Richelieu, became a major influence on both the form and the successful diffusion of the French language through the whole territory of the state” (1985, 119). For
administrative purposes, the government does not accommodate the people; they require the people to accommodate them.

Further evidence of the promotion of a national language can be seen in Gregory Feldman’s research in Estonia during the beginning of this century. With the collapse of the Soviet Union, Estonia was faced with a significant population of native Russian speakers residing within its borders. The Estonian government, still emerging from its new found independence in the early 1990’s, established various language and training programs for these Russian-speakers in order to promote a national language of administration. (Feldman 2005, 678-679) As Feldman describes it, the state was seeking “…to transform ‘non-Estonians’ into citizens who can ‘competently’ function in Estonian society” (2005, 679). In order for the state to embrace its lost heritage, the shedding of former oppressor’s language of rule must take place within the populous of administration, and the “lost” language must be rekindled. Those who speak the old oppressor’s language, likewise, must learn the “lost” language to be included within the new national identity.

The struggle to create a nation is a struggle to establish complete domination in the sense that one sector of the entire nation speaks for, and represents, the nation as a whole. Domination is successfully displayed in the establishment of a national language signifying that one language has conquered all others and is to be considered the formal vernacular of communication. Occasionally, if control has been achieved and is certain, the legal repression of competing languages is lifted. This occurs either in the interests of stimulating the understanding of a dying traditional vernacular, deemed harmless by the government, or in the interests of defusing a potential threat from separatist groups (Billig 1995, 27-28).
This can be seen in the Canadian national government’s allowing of French to be used in their province of Quebec. With so many French speakers living in one area, the government, although established, faces challenges from separatists, still even today, that want their own independent country. However, Quebecois nationalists and politicians who have pushed for independence have been defeated in public referendums on the issue. There is no doubt that if the Canadian government pushed a non-francophone federal administrative linguistic policy on the province, secession would be assured in a new round of voting.

Many governments, nonetheless, are not so mindful of letting in conflicting administrative languages and the repression of competing minority languages isn’t necessarily an act that occurs at the initial stages of nation state formation. As Billig writes, “Even in the late twentieth century such policies are pursued, in the name of the people, by governing groups seeking to consolidate their hold on state power. The 1982 Constitution of Turkey specifically forbids any political party from concerning itself ‘with the defence, development or diffusion of any non-Turkish language or culture’ (quoted in Entessar, 1989)” (1995, 27-28). No matter at what development stage of nation-state formation that a state is in, it can be assured that at some point within the developmental process, the suppression of competing languages, that are an obstacle to the administrative language, will take place.

The assertion of maintaining the domination of one language over others sometimes spills over the national boundaries of the origin of the language in question. According to Bayart, French involvement in the civil wars and ethnic clashes taking place in 1990’s Africa, within former French colonies, has been
conducted not just with the interests of maintaining post-colonial control and influence, but also with the interest of protecting the French language; assuring the continuance of existence of other francophone countries in a multilingual world (Bayart 2005, 20-21). Even religious interests have seen the strength in adopting one language and its practicality of administration. For example, Bayart further writes, “...the Protestantism of ‘camisards’ (early eighteenth-century French Huguenot rebels in the Bas-Languedoc and Cevennes regions of southern France), which was obviously an obstacle to monarchical centralization, served the latter in the long run by adopting French, not Occitan, as its religious language” (2005, 241). Let us not forget that for a long period of history, the church and the state were the same rulers in some regions of the world.

The rise of “nation-states” has caused states to create an administrative and territorially structured unity that was not pre-existing. This cohesive entity cannot be merely maintained thru administrative efforts because the management of most activities involved in overseeing a cohesive populous assumes various basic aspects of homogeneity, including a shared language. As Giddens exerts, “The extension of communication cannot occur without the ‘conceptual’ involvement of the whole community as a knowledgeable citizenry. A nation-state is a ‘conceptual community’ in a way in which traditional states were not. The sharing of a common language, and a common symbolic historicity, are the most thorough-going ways of achieving this (and are seen to be so by those leaders who have learned from the experience of the first ‘nations’)” (1985, 219). Those in power must create a cohesion or perception of community in order to administer, and subsequently, remain in power. Without this cohesion, there are gaps in the “system” of the state that undermine mechanisms of control. A shared culture is important, but a shared language is
more important as communication is one of the oldest, and phonetically tangible, characteristics that people can have in common. Citing Giddens again, “Understanding a culture and its specific course for development involves apprehending it in its totality, distinct from other, divergent sets of cultural values. Language is of key importance in this, because it is necessarily the product of a community, pre-existing any particular generation of individuals and carrying within it the main dimensions that render the cultural system in question unique” (1985, 216). Language goes back further than any one individual’s life span, or even that of most of their traceable ancestors. The establishment or learning of a new language also opens the door for the beginning of a fresh lineage or connection of a new citizen to a community that is new to them.

A challenge to community cohesion established by one national, dominating, language is when migrants, or immigrants, do not speak the language of the local population. This creates administrative problems for the home government in that several languages must be used to govern the various dialects of the population. Take for example, the Russian speaking population of Estonia. Counter productive to the goals of the Estonian government, pressure from the E.U. (which subsequently became requirement for E.U. membership) to integrate Russian speakers into Estonian society forced Estonia to do something with the “countryless” Russian speakers – a population who was living within the Estonian borders but did not have Estonian citizenship. With roughly 30% of the population being Russian speakers, the solidarity and identity of the Estonian language and culture is being challenged from within its borders (Feldman 2005, 684-686). Additionally, the large Mexican and South American populations residing in the United States have required local governments to have Spanish
speaking officials as to competently be able to administer the overwhelming number of migrants. Today, there are parts of the United States where Spanish is spoken just as much as the unofficial national language, English. The easiest population for a state to administer is, at minimal, one that shares a common language.

2.3 National Identity & Immigrants
Establishment of a national language is just an element of the states larger goal of establishing a national identity thru nationalism. As Benedict Anderson discusses, any bond or feeling of solidarity that is meant to be felt by citizens of a nation is imagined. No matter how small a country is, there is no way that everyone will know each other, and therefore, realistically be able to say that they know and are bonded to the other citizens (Anderson 1990, 15). By creating this imagined nation in which all are connected, the government creates an environment in which there is a special feeling of us and those who are not us - them. Any action that the government takes can be construed as to be for the benefit of us, as a nation, or in an attempt to protect us from them. In Billig’s National Banalism, he discusses how the way in which the government literally speaks to the people is constantly reaffirming the nation as “we” and “us”. It is constantly heard within the speeches of politicians and national newspapers and media (Billig 1995, 99-107). Take for example the invasion of Iraq by the U.S.A. in 2003. It was a pre-emptive strike that was justified by the American government to the American people as a necessary action because they, Iraq, were going to hurt us, America, with weapons of mass destruction. As Gellner once wrote, “Nationalism is not the awakening of nations to self consciousness: it invents nations where they do not exist.” (1964, 169).
A nation is more or less a national community, a group that identifies with each other within a communal boundary; within the national borders. However, this, “…national community can only be imagined by also imagining communities of foreigners” (Billig 1995, 79). In order for the government to achieve a feeling of community of “us” amongst the populous, there must also be an acknowledgement of the community of “them”. These foreigners reside outside of, and do not belong within, the nation-state, not only in the eyes of the community but in the eyes of the government as well. When foreigners enter within the boundaries of the nation-state, they are a challenge to the authority, and efficient administration, that the government seeks to achieve. These foreigners attempting to cross over into the national land are most often referred to as immigrants. According to Wimmer and Glick Schiller, immigrants challenge the state and national identity in 4 different ways, making them of particular interest to the government in policy-making. Firstly, immigrants tear down the established structure linking citizenry, sovereign, and people. They, “…are perceived as foreigners to the community of shared loyalty towards the state and shared rights guaranteed by that state. Transnational migrants presumably remain loyal to another state whose citizens they are and to whose sovereign they belong, as long as they are not absorbed into the national body through assimilation and naturalization” (Wimmer and Glick Schiller 2002, 309).

Secondly,
“…immigrants destroy the isomorphism between people and nation. They appear as spots on the pure colors of the national fabric, reminding nationalist state builders and social scientists alike of the ethnic minorities that have been ‘absorbed’ into the national body
through a politics of forced assimilation and benevolent integration. Immigrants thus represented a renewed challenge to the nation-building project and point to the fragility of its achievements – especially in places where the nation had never been imagined as plural and itself consisted of former immigrants” (2002, 309-310).

Thirdly,

“...immigrants destroy the isomorphism between people and solidarity group” (2002, 310).

They are not meant to receive the social security and benefits that are entitled to natural citizens since they do not belong to the national community; they come from elsewhere. On the other hand, immigrants cannot be excluded entirely from social welfare systems as they are related to the basis for which these social welfare systems were historically introduced; as a means of assisting the poor immigrant of past who emigrated seeking a better life.

The fourth challenge that immigrants pose to national identity is that,

“...in the eyes of nation-state builders...every move across national frontiers becomes an exception to the rule of sedentariness within the boundaries of the nation-state.” (Wimmer and Glick Schiller 2002, 309-311).

The national identity is established by having a community that is static and stationary and the mobility of immigrants contradicts this idea of a permanently settled community.
Another way in which migrants challenge the national identity of receiving countries is that, even though they claim citizen right in the territory they reside, they still claim multicultural recognition (Bauböck 2003, 719). Going back to the case of America, it cannot be overlooked that different portions of the population identify themselves not with where they currently live, but by where their parents or ancestors come from. Asian-Americans, Mexican-Americans, African-Americans – these are all examples of heritage based identities that citizens claim. In accordance to these perceived identities, these populations insist that government agencies and popular culture identify them using the correct terminology as to recognize where these people have “come from”. Billig states, “When the multicultural ideal is tied to the notion of a nation, then ‘identity politics’ is situated within the nation’s tradition of argument: identities within the nation are contested, but not the nation itself. An apparent radicalism can become constrained within national borders” (1995, 148). Although the nation is full of “semi-foreigners”, in the sense of *them* “foreigners”, the state can still attempt to create a cohesive community through an identity based on the nation alone and not just the individual history, or group histories, of the inhabitants itself. While claims of multiculturalism may attempt to compromise previous hegemonies that represented the entire state, within an established set of boundaries, and can propose an egalitarian view of identities, this multiculturalism is still relatively controlled inside the concept of nationhood (Billig 1995, 148). As Wimmer and Schiller reveal, “The anthropology of ethnic groups within modernizing or industrial nation-states tended to describe them as culturally different from the ‘majority’ population because of their different historical origin, including their history of migration, rather than see these differences
as a consequence of the politicization of ethnicity in the context of nation-state building itself. Yet it was a central part of the nation-state project to define all those populations not thought to represent the ‘national culture’ as racially and culturally different, producing an alterity that contributed to efforts to build unity and identity” (2002, 305-306).

In other words, the identity of the nation includes all those who reside within the state, but the identity of the people of the state does not definitely have to be based on that of the state.
3. AUSTRALIAN IMMIGRATION HISTORY, BORDER CONTROL, AND IDENTITY

In this section, I will present and describe aspects of Australia’s immigration policy throughout the 20th century. I will also describe the Australian visa system which is Australia’s present day border control mechanism for controlling immigration. This system categorizes all foreigners and non-citizens coming to, or residing within, Australia. Lastly, I will discuss the concept of Australian identity, analyzing those traits that are associated with being “Australian” by the Australian government.

3.1 The White Australia Policy

The immigration policy of the Australian government for the first half of the 20th century was characterized by what was called the “White Australia Policy”. As described by Michelle Langfield, in her publication for the Australian National Archives,

“The most important legislative developments concerning immigration between Federation and World War II were the Immigration Restriction Act 1901 and its subsequent amendments. Thus for the whole of the period under review, 1901–39, the ‘White Australia’ policy was in operation, preventing non-Europeans and other immigrants considered at the time as undesirable, from permanent entry. The 1901 Act also prohibited contract workers but from 1905 the Contract Immigrants’ Act allowed immigrants to enter Australia under contract, provided that approval was given by the Minister for External Affairs. Such approval was generally granted if the immigrants did not threaten the jobs of Australian workers, if current
wages were paid and the immigrants were not used to break strikes” (1999, Ch 2).

Even though some non-European and “colored” immigrants did make it into Australia, prejudice against colored immigration and against non-whites in the society persisted all throughout this period. Through collective legislation and regulation, by the 1920’s, the majority of states restricted the rights of Chinese and other non-Europeans to take on certain occupations, such as, “...mining, dealing in gold and precious stones, conducting a business or market garden in a mining area, hawking or peddling, conducting a pearl-fishing or pearl-selling business, or owning land in an official irrigation area” (Millar 1978, 381).

Those who employed non-Europeans were also chastised by local governments and were deemed ineligible for certain benefits normally accorded to all employers. The state of Queensland went beyond the discriminatory regulations of other states and, amongst other restrictions, banned Africans, Asians, and Pacific Islanders from working in “banana plantations, dairies, factories, local railways and tramways.” In nearly all the states, anyone not of European heritage was not allowed to vote in local elections, even if technically a British subject. According to Cronin, “If in 1901, Australia had adopted an immigration policy allowing entry to British subjects, but excluding all aliens, it would have invited in commonwealth citizens from Asia, the Indian subcontinent or Africa. These were the very non-Europeans Australia was seeking to, and did, exclude” (2001, 794). The Australian federal government even went so far as in to prohibit non-Europeans from voting and disqualified them from being able to become naturalized Australian citizens. The federal government also suspended pensions to coloeds, reserved employment in post and transport services to only white
people, and provided bounties for certain types of farming which only employed white workers (Millar 1978, 381). As one can see, racism toward non-Europeans extended beyond immigration policy to domestic policy in regards to non-Europeans who did make it into the country.

One of the tools Australian customs officers used to keep undesirable immigrants from entering the country was a linguistic examination known as the *Dictation Test* and it is openly described by the Customs House Immigration Museum in Melbourne, Australia. From the turn of the 20th century, customs officers had the authority to deny entry to all non-Europeans as the basis of the White Australia Policy. Because of international criticism, customs officials used a clever method to discriminate against undesirable immigrants without portraying their decisions as being a result of race. They used a method called the “dictation test” in which, immigrants could be subject to passing a language test conducted in any European language, and if they could not complete the test, they were refused entry. As stated in the Customs House Immigration museum, “Maltese applicants were given a test in Dutch. A political activist who spoke several European languages eventually failed when he was tested in Gaelic” (Museum Victoria, n.d.). This devious and semi-questionable immigration control method was in use all the way up to the 1960’s (Museum Victoria, n.d.).

As one can briefly see, immigration policy during this period in Australia did not favor those of non-European ancestry or people of color. The primary desired immigrant to Australia was one of British descent and the Australian government even supported the transport of English immigrants to the country through various immigration and settlement projects (Langfield 1999, Ch 1). In a speech to the Australian parliament in September of 1901, then Prime Minister
Edmund Barton declared, in regards to the Immigration Restriction Act of 1901, “I do not think that the doctrine of the equality of man was ever really intended to include racial equality” (Encel 1970, 56). The attitude of the Australian government toward immigration policy during the majority of the first half of the 20th century is well characterized in this statement.

3.2 World War II and After
World War II greatly changed Australia’s national attitude toward immigration policy. While the previous restriction of Asian immigrants, particularly the Japanese, was “proved” to have been appropriate, Australia was shown to be vulnerable because it was a country with a massive amount of unpopulated territory; an easy target for any aggressor looking to expand. Australia was also shown that they could no longer solely depend on the United Kingdom for protection, with the Japanese bombings of Darwin and the Northern Territory. A need to greatly increase the population, in order to strengthen the structure, economy, and viability of Australia, was adopted by the government and people alike. The mass influx of refugees from Europe after the war was seen by the government as a way to populate some of Australia’s desolate areas (Millar 1978, 382-383).

According to Millar, “In Western Europe, Australia’s relations after World War II with individual countries began largely over migration, which gave a reason for diplomatic contact and continuing consular activities. Germany, Italy, the Netherlands and Greece were the principal sources of migrants” (Millar 1978, 333). Following a change of administration in 1949, the White Australia policy was still in practice, but enacted with a more liberal attitude, and still used fairly exclusively, in order to fill Australia’s vast emptiness with bodies. Australian
government policy had always been focused on attracting, firstly, immigrants from England who intended to settle, and, secondly, other Europeans. According to Harold Holt, the Immigration Minister in office in 1950, this preferential policy was the only way to build up the Australian population in order to counter the growing population of Asia. This policy was inherently difficult to maintain though and the country was more widely opened to Asian immigration in the 1960’s. This new found access to Australia enabled many Asian families to easily migrate to the continent to join relatives who had already managed to find a way into Australia years before. They came in such numbers that subsequent Asian immigrant communities began to develop and newcomers were encouraged by the Australian government to become permanent citizens (Castles and Miller 1993, 114-115). As feelings towards Asia and Asians transformed during this period, formal immigration policies began to reflect these changes in attitude. As Millar writes, “From 1959 onwards, the dictation test was abandoned, and several thousand Asians a year were admitted for permanent settlement, in addition to the 10,000 or more who came as students” (1978, 384). Also, during the 1960’s, the number of immigrants coming to Australia from northern parts of Europe sharply decreased (Millar 1978, 383). Because of this drop in immigrants from Europe, Millar continues,

“… it was decided (with very little publicity) that restrictions on the entry of persons not of European descent would be formally lifted where people had qualifications which were recognized and in demand in Australia…in the mid 1960s a migration post was opened in Beirut, to process applications by sponsors – relatives and friends – in Australia. Another post was opened in Cairo. Migration from the Middle East was so successful that eventually it had to be discouraged.

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Migrants were also sought and obtained from the United States (other than Negroes) and Latin America” (1978, 384).

Immigration policy also changed during this period with regards to how the Australian government treated new arrivals. As Castles and Miller reflect,

“The Australian model for managing diversity has had two main stages. Once it became clear the mass non-British immigration was taking place in the 1950’s, the government introduced a policy of assimilationism, based on the doctrine that immigrants could be culturally and sociably absorbed, and become distinguishable from the Anglo-Australian population (Wilton and Bosworth, 1984). Measures to encourage successful settlement included some special services for new arrivals. But the centerpiece of assimilationism was the treatment of migrants as ‘New Australians’, who were to live and work with Anglo-Australians and rapidly become citizens. There was no special educational provision for migrant children, who were to be brought up as Australians. Cultural pluralism and the formation of ‘ethnic ghettos’ were to be avoided at all costs. By the 1960’s it became clear that assimilationism was not working, owing to the processes of labour market segmentation, residential segregation and community formation….The result was the abandonment of assimilationism and the shift to multiculturalism. This is based on the idea ethnic communities, which maintain the languages and cultures of the areas of origin, are legitimate and consistent with Australian citizenship, as long as certain principles (such as respect for basic institutions and democratic principles) are adhered to” (Castles and Miller 1993, 116).

The culmination of these changes in immigration policy created an overall change in policy when “…in 1973 it became official Australian policy that there
would be no discrimination on the grounds of race, color, nationality, politics, creed or sex in the selection or admission of migrants” (Millar 1978, 384). The Whitlam labor government, who was in power in Australia in 1973, successfully promoted the immigration policy of *multiculturalism*, which would be practiced at federal and state levels, as it recognizably gained bipartisan political party support by the late 1970’s (Castles 2001, 807). This policy continued as official policy throughout the 1980’s and 1990’s, although sometimes practiced in an altered or different form (Castles 2001, 807).

Australian immigration policy, which began as a blatantly discriminatory policy welcoming only those of British and European decent eventually transformed to open Australia to people from many different countries and regions. Today, under the management of the Australia visa system, there are a variety of ways in which people can enter Australia, with the goal of permanent immigration. The most direct ways to permanent settlement are as a skilled or family migrant, or a refugee or humanitarian entrant (DIAC, Settling in Australia).³

### 3.3 The Australian Visa System

In regards to nation-state development, Australia is somewhat unique compared to many other nations, even those that it is often compared to such as the United States. Whereas the USA has massive borders with other countries to the north and south, and subsequently has experienced an influx of immigrants, legal and illegal, from Mexico and Central/South America, Australia is, plainly stated, a giant island. It doesn’t share any land borders with any other country. This

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³ DIAC is an abbreviation for the Australian Government's *Department of Immigration and Citizenship*, and will be used throughout the text from now on when citing the department’s official web pages.
means that immigrants can only enter by boat or plane, whose entry points of main harbors and airports are closely monitored by border patrols and immigration officials. In order to control the arrival of new persons into the Australian mainland, the Australian government developed a universal visa system.

Today, all foreigners coming to Australia, whether it be for work, holiday, or emigration purposes, must have a visa of some category to enter the country. Likewise, all non-Australian citizens inside Australia must be in the possession of a visa as well and those without a visa are considered to be in the country illegally. Persons who have entered the country clandestinely, without a visa, as well as those who remain in the country after their visa has expired, or has been cancelled, are subject to detention and removal from the country by federal authorities (Cronin 2001, 794). In other terms, all persons who are physically present within the borders of Australia and do not have an Australian passport, must be in the possession of a valid visa.

According to Cronin, in the book *The Australian People*,

“The visa system provides an effective control on the number and composition of the immigrant intake. Visas are categorized into particular classes: temporary and permanent visa; visas for visitors, students, working-holiday makers, those sponsored for temporary or permanent employment, family members or partners, refugees, or skilled business, professional or trade migrants” (Cronin 2001, 794).

The Australian federal government reserves the right to restrict or limit the number of visas distributed annually in certain categories, enabling them to dictate the intake of those applicants deemed more desirable in regards to
national interests – for example, increasing the number of skilled worker visas granted in order to meet labor market demands. Despite any fluctuation in yearly visa granting’s, all applicants must meet all eligibility requirements in order to obtain one. Immigration officers have no authority or discretion about the granting of visas, abiding solely by the application criteria fulfillment. However, the government maintains some discretion in extending or modifying the eligibility of certain applicants, yet this remains extremely rare in practice (Cronin 2001, 794).

Visas establish the length of stay allotted to the visa holder and the conditions upon which they are allowed to enter Australia. The conditions are ascertained from immigration statues and set forth the rules regarding study and working rights, amongst other things. In general, applicants must abide by the situational standards for which the visa was granted, for example, if a person entered the country on a visa under the pretext of being a fiancé to an Australian citizen, that person must commence into the marriage for which the visa was granted. Those who enter the country under refugee status can only extend their stay or apply for residency under the status of refugee and are not eligible for other visas. The stipulations appended to a particular visa category are binding to the visa holder and the violation of any stipulation is grounds for cancellation of the visa. Visas may also be revoked or cancelled if it is discovered that applicants have provided false information on their applications. Likewise, if applicants have obtained a business visa under the guise of starting a business in Australia, they must make a reasonable effort to enact their entrepreneurial plans after arrival or face cancellation of their visa (Cronin 2001, 795).
A Working Holiday Visa is, in general, a visa that enables foreign nationals to enter a country in order to work and travel, on holiday, for a defined period of time. There are usually restrictions on length of working contract or types of work allowed to be undertaken. The general purpose of this type of visa is to allow travelers to supplement their travels by obtaining income thru temporary, often seasonal, work within the country of travel. Additionally, these visas are usually the product of reciprocal agreements between countries. For example, citizens of country "X" can go to country "Y" to work for one year on a Working Holiday Visa, and vice versa. A Working Holiday Visa is just one category of visa amongst many others within the Australian visa system.

All of these above described adherence conditions represent the responsibilities that present day Australia bound immigrants must abide by. In order to enter and stay in Australia, they must follow the categorical rules that have been assigned to them by the Australian government or face consequence. As Cronin writes, “When a non-citizen in Australia has a visa cancelled, the person becomes an unlawful non-citizen, liable to detention and removal” (Cronin 2001, 795).

3.4 Australian Identity

What does it mean to be “Australian”? Naturally, one who is considered to be a “true-blue Aussie”\(^1\), in the eyes of the government, must therefore be one who embraces and upholds those values that every, and all, Australians must possess according to government decree. According to the visa application for a Working Holiday Visa Subclass 417,

\(^1\) This is an Australian phrase used to denote great pride in being “Australian”. The “true-blue” is a reference to the Australian flag, which is predominantly blue.
“Australian values include respect for the freedom and dignity of the individual, freedom of religion, commitment to the rule of law, Parliamentary democracy, equality of men and women and a spirit of egalitarianism that embraces mutual respect, tolerance, fair play and compassion for those in need and pursuit of the public good. Australian society also values equality of opportunity for individuals, regardless of their race, religion or ethnic background. It is also important to understand that English is the national language” (DIAC, Form 1150).

These values are listed on the form because Working Holiday Maker applicants must sign a declaration of values statement, acknowledging that they understand what Australian values are and signifying that they will respect them and obey the laws of Australia. As stated on the Department of Immigration and Citizenship website, this acknowledgement of values is listed because,

“The Australian government wishes to encourage new residents to learn as much as they can about their new country, its heritage, language, customs, values and way of life and to apply for Australian citizenship when they become eligible. The government believes it is in the best interests of new residents as well as the broader community to help people settling in Australia to become an integral part of Australian society as soon as possible” (DIAC, Questions and answers).

In the eyes of the Australian government, becoming “Australian” is a matter of respecting certain values and living and working amongst the Australian population, more importantly though, it’s a matter of becoming an Australian
citizen. According to Castles and Miller, “Citizenship is based on the *ius soli* (law of the soil) principle, so that children born to legal immigrants in Australia are automatically citizens. The Australian model embodies someone to become a member of the civil society (that is a participant in economic and social relationships), then citizenship policy allows him or her to become a member of the political community (or state) and of the nation (people)” (1993, 115). Once legally absorbed into the Australian community, immigrants are no longer considered “immigrants”; their learning of the English language, their marriage to another Australian, or their buying of a house are all signs of evidence that they now call Australia their home (Cronin 2001, 794).
4. WORKING HOLIDAYS IN AUSTRALIA

In this section, I will begin by providing a brief background of the Working Holiday Maker program, describing its origins and intentions. This “program” is the collective title that includes the Working Holiday Visa Subclass 417, from here on known as WHV 417, and the Work And Holiday Visa Subclass 462, which will be written as WHV 462. Secondly, I will outline the eligibility criteria and requirements for those who are entitled to travel to Australia on the WHV 417 and the WHV 462, respectively. Besides the general requirements of eligibility, there are specific requirements that vary depending on the applicant’s individual situation – particularly in the health and character requirement categories. I will not go into entire detail of these specific requirements as these requirements are applicable at the individual level of both visa subclasses and this research is primarily concerned with the general requirements allotted to various countries; they are individually explicit requirements and not necessarily of great relevance to the theoretical discussion this study intends to invoke¹.

4.1 The Working Holiday Maker Program

Australia’s Working Holiday Maker program, or written as WHM in this study, is comprised of two visa subclasses, the WHV 417 and the WHV 462, which grant individuals between the ages of 18 to 30, from various countries, the opportunity to travel to Australia to live and work, or study, for a defined period of time. The program began in 1975, when the universal visa system was introduced, as a “temporary migration mechanism” for young people from the UK and Canada to live and work in Australia. The program expanded over time with the inclusion

of other countries, such as Japan in 1980, the Netherlands in 1981, the Republic of Korea in 1995, Malta in 1996, and Germany in 2000 (Tan et al. 2009, 1). As of September 2009, there are now 26 countries that are included in the Working Holiday Maker program. As mentioned above, these various countries are divided into two groups of visa subclasses. The countries in the WHV subclass 417 group include Belgium, Canada, Republic of Cyprus, Denmark, Estonia, Finland, France, Germany, Hong Kong, Republic of Ireland, Italy, Japan, Republic of Korea, Malta, Netherlands, Norway, Sweden, Taiwan and United Kingdom. The countries belonging to the WHV 462 subclass include Bangladesh\(^1\), Chile, Indonesia, Malaysia, Thailand, Turkey, and the United States of America (DIAC, Working Holiday)\(^2\).

According to the *Evaluation of Australia’s Working Holiday Maker Program*, by the National Institute of Labour Studies at Flinders University in Adelaide, Australia, “The guiding principle of the WHM program is to enhance the cultural and social development of young people, and to promote mutual understanding between Australia and other nations” (Tan et al. 2009, 1).

The qualifications of eligibility for, and benefits offered by, the Working Holiday Maker program have changed slightly in variation throughout the program’s duration and evolution, however, the current requirements and benefits are those under scrutiny within this analysis and will be described next as representation of current Australian immigration policy.

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1 Although Australia has established a Work and Holiday Visa arrangement with Bangladesh, this arrangement is not in effect as of September 2009

2 The web page continues to list Iran as belonging to the Subclass 462 group although the official agreement with them ceased in June of 2007 according to the *Evaluation of Australia’s Working Holiday Maker Program* discussed above. If applicants pursue the visa process instructions further for the WHV 462 on the web pages, it will eventually state that applicants from Iran are no longer eligible for this visa type.
4.2 The Working Holiday Visa Subclass 417

The Working Holiday Visa Subclass 417 is a subclass of the Working Holiday Maker Program offered by the government of Australia to citizens who have a passport issued by one of the following countries: Belgium, Canada, Republic of Cyprus, Denmark, Estonia, Finland, France, Germany, Hong Kong, Republic of Ireland, Italy, Japan, Republic of Korea, Malta, Netherlands, Norway, Sweden, Taiwan and United Kingdom (DIAC, Working Holiday). The visa is based off of reciprocal agreements that the Australian government has with each of the aforementioned nations which, in return, offer Australian citizens the opportunity to live in work in these countries for a defined period of time. As stated in the Fact Sheet 49 – Working Holiday Program, “Australia's Working Holiday program encourages cultural exchange and closer ties between arrangement countries by allowing young people to have an extended holiday supplemented by short-term employment – with special focus on regional Australia” (DIAC, Fact Sheet 49).

Also listed on the Fact Sheet, benefits of this visa program include:

- The Working Holiday program enhances the cultural and social development of young people, promotes mutual understanding between Australia and other nations and is an important part of the tourism industry.
- Working Holiday visa holders have a positive effect on the Australian economy and create jobs in Australia.
- The Working Holiday program assists Australian regional employers by ensuring they have access to a pool of workers in specified industries.
The reciprocal nature of the program provides opportunities for young Australians to undertake working holidays overseas with arrangement countries.

(DIAC, Fact Sheet 49)

The WHV 417 enables individuals granted this visa the right to:

- Enter Australia within 12 months of the visa being granted (if applying outside Australia).
- Stay in Australia for up to 12 months from when they first enter Australia (a further 12 months' stay is possible if applicants qualify for a second Working Holiday visa).
- Leave and re-enter Australia any number of times while the visa is valid.
- Work in Australia for up to six months with each employer.
- Study for up to four months.

(DIAC, Fact Sheet 49)

To be eligible for this type of visa, applicants must meet the following general requirements:

- Hold a passport issued by an eligible country or region.
- Be aged between 18 and 30 (inclusive) at the time of applying.
- Not have accompanying dependent children.
- Meet health, character and financial requirements.
- Not have previously entered Australia on a Working Holiday visa (unless applying for a second visa…).
- Be outside Australia when applying (and when the visa is granted).
- Apply within 12 months of intended travel to Australia.
Applicants must meet certain health requirements in order to enter Australia and, “depending on circumstances, may need to undertake a medical examination which may include a chest x-ray, HIV, Hepatitis B and/or Hepatitis C test” (DIAC, WHV 417 - Applicant: First Working Holiday Visa Eligibility).

Applicants must have private health insurance, unless a reciprocal health care agreement exists between the applicant’s home country and Australia (DIAC, WHV 417 - Applicant: First Working Holiday Visa Eligibility).

All applicants must meet certain character requirements which, in general, are related to the applicant’s previous criminal activity or compliance of law (DIAC, Character and Penal Clearance Requirements).

Applicants must meet certain financial requirements and have access to adequate funds to support themselves for the initial stage of their holiday. A sum of AUD $5,000 is generally considered as sufficient but the amount may vary depending on the length of stay in Australia. Additionally, applicants should have an onward ticket or returning flight to their home from Australia or enough extra funds to purchase a plane ticket of this sort. Evidence of funds and a departing plane ticket may be requested as supplemental documents to the application for the visa. (DIAC, WHV 417 - Applicant: First Working Holiday Visa Eligibility).

Applicants must also declare that they will respect Australian values and obey the laws of Australia by signing a declaration of values statement included in the
general application form (DIAC, WHV 417 - Applicant: First Working Holiday Visa Eligibility).

Finally, those who have been granted the WHV 417 are able, if meeting certain criteria, to obtain a second WHV 417 visa which enables them to the same entitlements granted by the first. To be eligible for a second WHV 417, the applicant must have completed three months of particular categorical work in rural Australia while on their first visa. This work is generally of an agricultural or farm industry related nature (DIAC, Fact Sheet 49).

4.3 The Work And Holiday Visa Subclass 462

Similar to the WHV Subclass 417 is the Work and Holiday Visa Subclass 462, or WHV 462. This visa is very similar to the WHV 417, except that is only available to citizens who have a passport issued by the following countries: Bangladesh, Chile, Indonesia, Malaysia, Thailand, Turkey, and the United States of America. This visa is based off of reciprocal agreements that the Australian government has with each of the aforementioned nations which, in return, offer Australian citizens the opportunity to live in work in these countries for a defined period of time. As stated in the Fact Sheet 49a – Work and Holiday Program, “Australia’s Work and Holiday Program encourages cultural exchange and closer ties between arrangement countries by allowing young people to have an extended holiday supplemented by short-term employment” (DIAC, Fact sheet 49a).

Also listed on the Fact Sheet, benefits of this visa program include:

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1 Again, it must be mentioned that although Australia has established a Work and Holiday Visa arrangement with Bangladesh, this arrangement is not in effect as of September 2009.
- The Work and Holiday program enhances the cultural and social development of young people, promotes mutual understanding between Australia and other nations and is an important part of the tourist industry.
- The reciprocal nature of these arrangements ensures that young Australians can also take advantage of similar opportunities for cultural understanding through working and holidaying overseas.

(DIAC, Fact sheet 49a)

Those who are granted a WHV 462 are allowed to:

- Enter Australia within 12 months of the date of visa grant.
- Stay in Australia for up to 12 months.
- Leave and re-enter Australia any number of times while the visa is valid.
- Work in Australia for up to 6 months with each employer.
- Study for up to 4 months.

(DIAC, Form 1208)

For the most part, the general eligibility requirements, including the health, insurance, character, and financial requirements of the WHV 462 are the same as those for the WHV 417. Likewise, WHV 462 applicants must also sign a declaration of Australian values statement on the general application form. While the majority of eligibility requirements are the same, there are a few key differences in requirements for the WHV 462. These are: all applicants must meet certain education requirements, depending on the country of citizenship; all applicants, except from the USA, must meet English language requirements; all
applicants, except from the USA, must have a letter of support from their government (DIAC, Form 1208).

Regarding education requirements, the country specific requirements are as follows:

- USA - High school graduate.
- Chile - Tertiary qualifications or have completed/been approved to undertake a third year of undergraduate university study.
- Indonesia - University qualifications, or have successfully completed at least 2 years of undergraduate university study.
- Malaysia - University qualifications, or have successfully completed at least 2 years of undergraduate university study.
- Thailand - Degree or post high school diploma from an accredited institution.
- Turkey - University qualifications, or have successfully completed at least 2 years of undergraduate university study.

(DIAC, Form 1208)

Regarding language requirements, applicants from all countries, except the USA, must provide documentation verifying English language proficiency with their application (DIAC, Form 1208).

Regarding government support, applicants from all countries, except for the USA must include a letter of support from their home government with their application (DIAC, Form 1208).

Lastly, those that are able to obtain a WHV 462 are not offered the possibility to obtain a second WHV 462. They are only allowed to work and live in Australia
for a maximum of 12 months on one of these subclass visas and must seek other means of staying in Australia, if they wish to do so, after this visa expires.
5. DIFFERENCES IN WORKING HOLIDAY SUBCLASSES

In this section, I will review the visa applications described before and list the differences in application qualifications between the two subclasses. While these visas are based on reciprocal agreements with other nations, not all of the qualifications for Australian citizens to travel to partner countries are the same as for the partner country citizens to enter Australia. Further, there are differences between the qualifications for visa applicants from the two subclass groups although partner countries in both groups offer Australian citizens similar benefits or qualification criteria in specific areas.

5.1 Letter of Support

Persons from countries that fall into the WHV 462 subclass group, except those from the USA, must obtain a letter of support from their home country’s government in order to qualify for this visa. Australian citizens applying for reciprocal category visas to WHV 462 countries must obtain a letter of support from the Australian government for their applications, unless applying to travel to the USA in which case no letter is required.

Those persons from countries included in the subclass WHV 417 group do not need any letter of support from their home country in their application for the visa; they are free to apply with, or without, the consent of their own national government. Australian citizens applying for reciprocal visas to WHV 417 subclass countries do not require a letter of support from the Australian government.
5.2 Language Requirement

Although both visa subclasses have roughly the same entry requirements with regards to age, health, and background, all persons from the countries in the subclass WHV 462 group, except those from the USA, are required to demonstrate a certain level of English language competence in order to enter Australia. In reciprocity, only one country, Chile, requires that Australians be proficient in their national language, Spanish, in order to procure a working holiday visa to travel there.

None of the countries in the WHV 417 group have a language requirement to enter Australia. In reciprocity, none of the subclass WHV 417 countries require Australians to meet language proficiency standards to enter their countries on a reciprocal visa. It is of interest to note that only 5 of the 19 countries in the WHV 417 group have English as a national/main spoken language – which also happens to be the national language of Australia.

5.3 Education Requirement

Again, although both visas have roughly the same entry requirements with regards to age, health, and background, there are education level requirements for applicants from group WHV 462. In reciprocity, all the WHV 462 countries have education requirements for Australians to enter their countries. These educational requirements for Australians differ between countries.
There is no education requirement for persons from WHV 417 countries to enter Australia and vice versa for Australians to travel to these countries.

5.4 Time Period Difference
Citizens from countries that belong to the subclass WHV 462 group are only allowed to travel, work, and live in Australia for a maximum period of 12 months. If these WHV 462 visa holders would like to stay in Australia after their visa has expired, they must find other means to do so as they are not eligible for a second visa. As reciprocity for allowing their citizens the opportunity to live and work in Australia, all WHV 462 countries allow Australian citizens who meet certain similar criteria the opportunity to live and work in their country. In general, this opportunity for Australians includes the ability to stay within the country for a maximum 12 months and the ability to work for a limited time in order to support travel funds (DIAC, Working Holidays Overseas for Australians).

Persons traveling to Australia on a WHV 417 are eligible to obtain a second WHV 417, which grants the same benefits of the first, provided that they have performed certain categorical work for 3 months in Australia while there during their first WHV 417 period. This means that they are able to reside and work in Australia for a maximum of 24 months while on a visa under the WHV 417 subclass (DIAC, Fact Sheet 49). As reciprocity for allowing their citizens the

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1 The official governmental department web pages of those official bodies overseeing Working Holiday programs for Australian citizens traveling to Subclass 462 countries were accessed to confirm that Australian applicants are not granted a stay of more than maximum 12 months in any of the countries. The period of work time allowed within these 12 months varies from country to country. These official governmental department web pages can be reached from the directory on the following DIAC webpage: http://www.immi.gov.au/visitors/working-holiday/australians-overseas/countries-regions.htm
opportunity to live and work in Australia, all subclass 417 countries allow Australian citizens, who meet certain similar criteria, the opportunity to live and work in their country. For almost all countries, this opportunity for Australians is granted up to a maximum of 12 months; except in Canada and the UK who both allow up to 24 months stay for Australians (DIAC, Working Holidays Overseas for Australians).

5.5 Intent and Benefits

Fact Sheets listed on the DIAC website state a brief overview reason for the visa programs, as well as mentioning the benefits of the programs. Whereas both programs are intended to encourage, “…cultural exchange and closer ties between arrangement countries by allowing young people to have an extended holiday supplemented by short-term employment”, the WHV 417 is intended to promote a, “…special focus on regional Australia” (DIAC, Fact Sheet 49).

Additionally, both programs provide the listed benefits of:

- Enhancing, “…the cultural and social development of young people, promoting mutual understanding between Australia and other nations and is an important part of the tourist industry”.

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1 The official governmental department web pages of those official bodies overseeing Working Holiday programs for Australian citizens traveling to Subclass 417 countries were accessed to confirm that Australian applicants are not granted, in general, a stay of more than maximum 12 months in these countries. The period of work time allowed within these 12 months varies from country to country Canada and the United Kingdom, however, both allow Australian citizens 24 months to work and live within their countries on Working Holiday Program or Youth Mobility Scheme status in each country, respectively. This can be confirmed at the following web pages: Canada- http://www.whpcanada.org.au/introduction.shtml, UK- http://bia.homeoffice.gov.uk/workingintheuk/tier5/youthmobilityscheme/
• Ensuring that young Australians can also take advantage of similar working holiday programs for cultural understanding overseas with arrangement countries (DIAC, Fact Sheet 49; Fact sheet 49a).

However, only the WHV 417 is listed as providing the benefits of:

• Working Holiday visa holders have a positive effect on the Australian economy and create jobs in Australia.
• The Working Holiday program assists Australian regional employers by ensuring they have access to a pool of workers in specified industries (DIAC, Fact Sheet 49).

5.6 Access to Residency

The difference in time period is one of the most important differences between these two visa subclasses because the length of ones legal residence and inhabitation in Australia can contribute to permanent residency and, ultimately, Australian citizenship. Holders of both visa subclasses must procure a different visa type if they wish to stay in Australia after their allotted time provided by the visa expires. This could be either on a tourist visa if they continue to travel as a holiday maker, or this could also be under one of the various categories of worker visas that are possible to obtain with the sponsorship of an employer, or declaration of self-employment. Unlike a work category visa, the WHV subclass visas allow people to travel and pursue work in Australia without having to have prior employer sponsorship or a particular skilled trade. Those who travel to Australia on work visas are, in general, seeking to migrate to Australia as the nation openly campaigns the need for skilled workers and advertises Australia as a great place to live. These skilled workers would be eligible to obtain Australian
permanent residency, or citizenship, after residing in Australia for a certain length of time and of course meeting other requirements - but this time period requirement is a major one at that. With a working holiday visa, a person is able to enter Australia and legally search for employment which can be a means of prolonging their stay in the country with the ultimate goal of migration. For people looking to emigrate from their home country to Australia and do not initially qualify for direct migrant application, a WHV is a good way to "get their foot in the door" in Australia, so to speak.

Holders of the WHV 417 are granted the right to apply for a second WHV 417 if they have performed 3 months of specific category work, enabling them to reside in the country for a maximum of 2 years under a WHV 417 visa status. These two years can be allotted toward residency requirements needed for permanent residency if the citizen is able to acquire the rest of the required time by other visa means. Holders of the WHV 462 are not allotted the benefit of this extra year opportunity to stay in the country.
6. METHODOLOGY

By researching sociological and anthropological theory on nation state formation and administration, examining current Australian working holiday visa policies, and investigating past Australian immigration policy, I will explain how, and why, the WHV 417 is an extension of preferential immigration policy by the Australian government. Essays describing Australia’s immigration history from the National Archives of Australia have been accessed and utilized as a primary source describing the countries previous immigration policies. Additionally, Australia’s Department of Immigration and Citizenship website, as well as official governmental websites of other various countries, were accessed to verify the specifics of visa requirements between Australia and its reciprocal partner countries and act as a primary source of immigration policy. These governmental websites only convey formal laws and requirements of working holiday visa requirements and, therefore, I have applied state formation and administration theory and historical evidence to current law as to demonstrate the connection and relationships between all three areas. Lastly, I have called upon empirical observation of racially divided protests and events that have occurred in Australia within the past 5 years to discuss certain points.

6.1 Historical Record

The difference between museums, libraries, and archives is that museums and archives contain primary sources and libraries contain secondary sources (NAA, What is the National Archives?). Thus, information gathered from the National Archives of Australia can be treated as primary information regarding historical account of the Australian state. Included in the Archives is Michelle Langfield’s written compilation of accounts and documents regarding discriminatory
Australian immigration policy in the early 20th century are therefore considered as a primary source. Likewise, information obtained from the Old Customs House Immigration Museum will be treated as primary source information as well. Further, as secondary literary sources about Australian immigration policy echo these governmentally reported discriminatory practices of the past, they are treated as accurate depiction of historical record as well.

6.2 Government Policy
Harnessing the power of the internet, state governments have created, and constantly manage, official government websites that contain official government decree and publications, including immigration policy. Therefore, the content on the state websites of the Australian government is are official state policy and a primary source of information regarding immigration policy. Likewise, official government forms found on these websites are state policy as well.
7. ANALYSIS

In my analysis, I will present my case for why the WHV 417 is an extension and adaptation of preferential immigration policy by the Australian government. I will first argue the historical connections between previous immigration policy and current temporary work and living rights granted through the Working Holiday Maker Program. Next, I will discuss a change in policy due to changes in Australian demographics. Third, I will analyze the use of language proficiency as a disqualification tool by the Australian government within the Working Holiday Maker Program. Fourth, the differences between qualification for, and benefits of, the two different visa subclasses are presented in order to demonstrate preferential treatment. Finally, I will mention the concept of Australian identity in reference to the state and mention empirical observation about notions of Australian identity today. After acknowledging some limitations with regards to my analysis and the purpose of my study, I will conclude my study with a summation of why the Working Holiday Visa Subclass 417 is an extension and adaptation of preferential immigration policy.

7.1 The Working Holiday Visa Subclass 417 as a Continuation of Policy by a Different Name and Means

The most obvious connection between the White Australia Policy and the WHV 417 is that both favored/favor European countries. Out of the 19 countries allocated access to the WHV 417, 14 are European. I will discuss the connection with the 4 Asian countries - Hong Kong, Japan, Republic of Korea, and Taiwan – in the following section. The White Australia policy discriminated against Asian immigrants and so the allocation of these countries to this group would counter any argument that this visa subclass discriminates against non-Europeans.
However, the majority of countries in this visa subclass are European, who had privileged access to Australia in the past and continue to have privileged access today by being allocated this visa. My argument is not that Australian immigration policy is racist, but that it continues to give preferential treatment to Europeans, as it did in the past, but by different means; these Europeans are given an extra opportunity to settle in Australia in a way that most other foreign nationals cannot acquire. Canada is included in this European dominated subclass due their similar population of Anglo-European descent.

The Working Holiday Maker program was introduced in 1975 and first offered to young citizens of the UK and Canada. This is two years after a formal declaration was made in 1973 stating that, regarding official Australian immigration policy, “...there would be no discrimination on the grounds of race, color, nationality, politics, creed or sex in the selection or admission of migrants” (Millar 1978, 384). According to the Evaluation of Australia’s Working Holiday Maker Program, by the National Institute of Labour Studies at Flinders University in Adelaide, Australia, this program was a “temporary migration mechanism”. While the offering of this visa to the UK is a blatant and obvious continuation of Australia’s close connection with its former protectorate regarding immigration policy, the offering of the visa to Canada is one as well. Let me explain. As a former British Commonwealth, Canada has kept very close ties with the UK, just as Australia has, regarding immigration policy and has promoted the emigration of British citizens to Canada to fill the vast desolate territories of its North American nation. This has created a large demographic of the Canadian populous with British ancestry and origins. The recruitment of Canadians to “temporary migrate” to Australia is on par with that of the recruitment from the UK as Canadians can be considered of good British “stock” and fit into the desired
demographic of those with white Anglo-heritage. Some might speculate that the
WHV connection between Australia and Canada is merely based on the fact that
they are both Commonwealth countries that formerly were administered by
England. If this were the case, however, then there would possibly be working
holiday connections between Australia and other Commonwealth countries such
as South Africa or Pakistan. Unlike these other former British dominions,
Canada, like Australia, did not have such a massive, and structured, pre-existing
native population upon British arrival and colonization. The indigenous peoples
of Canada were geographically spread out like the aboriginal tribes of Australia
and subsequently subdued by British and colonial forces, the result of which
enabled eventual domination of territorial administration and populating by the
British government and settlers. English and European immigration built
Canada, just like Australia. The existence of the French-speaking province of
Quebec is a strong reminder of this European ancestry point; there is a massive
population within Canada that still speaks a European vernacular as its mother
tongue. Thus, it is argued that the initial countries granted the Working Holiday
Visa 417 were comprised of the same, most desired, immigrant demographic
initially sought by the Australian government at the turn of the 20th century
when the White Australia Policy was initiated.

I do not consider the working holiday visa as merely an opportunity for
“…cultural exchange and closer ties between arrangement countries by allowing
young people to have an extended holiday supplemented by short-term employment…” (DIAC, Fact Sheet 49). By granting visa holders the opportunity
to work and live in Australia, they are enabling them to come to a new country
with the right to work full-time and the right to settle for a defined period of time.
These are rights usually reserved for citizens of the state, those that belong to the cohesive community of the nation. By granting a foreigner, one who could be deemed not *us* by the local population, the opportunity to live and work within the nation, the state government is providing them with a legal worker status that most immigrants seek. This status also adds an entitlement to workers rights for the foreigner and thus brings them closer, although still separate in other areas, toward equal treatment that is generally reserved for citizens of the state. Additionally, the government taxes working holiday makers on their earnings; another method of treatment that likens them to the local population. The ability to legally obtain work is paramount for any immigrant when coming to a new land. This legal right provides a lawful means for earning sustenance to support themselves, or their family, and the continuation of lawful sustenance enables a longer period of resettlement in the new state for the new immigrant. In many countries, extended residency within the state, legally, can lead to qualification of permanent residency and, ultimately, citizenship if other qualifications are achieved. As stated by Cronin, “...the ‘prize’ that many immigrants seek is the grant of permanent residence. This allows the person to live and work...without restriction” (Cronin 2001, 793).

Interestingly enough, in 1997, the Joint Standing Committee on Migration within the Parliament of the Commonwealth of Australia published a report entitled *Working Holiday Makers: More Than Tourists*. The report assesses the effect of the Working Holiday Maker Program on the Australian community particularly in the areas of economy and the job market. At that time, reciprocal WHV agreements only existed with a handful of countries – all which are currently included in the WHV 417 subclass. It is mentioned in the report that in 1983, the then Minister for Immigration and Ethnic Affairs, Stewart West, “...expressed
concern about the number of working holiday makers who were able to stay in Australia by changing their status on occupational grounds, indicating that it (the WHM Program) was in danger of becoming a ‘back door migration scheme’” (Gallus 1997, 2). I believe that the WHM program, and the benefits given by the WHV 417, are not in danger of becoming an unofficial migration scheme – they are an unofficial migration scheme. By enabling working holiday makers to work and live within the country, which is up to two years for those allocated the WHV 417, the Australian government is knowingly providing these applicants with a means to settle within Australia. Two years is a long enough period of time in which visa holders can secure other means for remaining in the country once their working holiday subclass visa expires, providing them a chance to seek a longer residency if they choose to do so. As mentioned above, 14 out of the 19 countries within the WHV 417 subclass are European and, therefore, this extension of indirect immigrant settlement thru the extended opportunity to work and live is primarily being offered to those of European origin – similar to the preference of European immigrants by the Australian government throughout the beginning of the 20th century.

7.2 Adaptation Reflecting Population Demographics

As discussed in the previous theoretical sections, the state aspires to create a population that is easiest to maintain and administer. In the case of Australia, upon their establishment of Federation in 1901, they aspired to have a population similar and conducive that on which they were founded – White Anglo-Europeans. The National Archives of Australia clearly show that historical Australian government immigration policy had been focused on attracting,
firstly, immigrants from England who intended to settle and, secondly, other Europeans. As the century progressed, the government realized that they could not solely rely on European immigration initiatives to build up the Australian population in the massive numbers that they so desired and immigration policy was opened up to include skilled labor and other immigrants from other parts of the world. Of these other regions, Asia, in particular, was one of the largest sources of immigrants coming to Australia. Besides the large numbers that came during the 20th century, there were also many residing on the Australian continent before the declaration of formal Federation in 1901. As described by Held et al.,

“With the abolition and eventual decline of the slave trade in the mid-nineteenth century, the mass migration of Asian labourers – or the coolie system, as it was known – began to develop. This allowed colonial economies to replace slave labour and, in the case of Australia, acquire a source of ultra-cheap labour at the very moment that the use of convict labour from Britain was in decline…the seasonal and often illegal nature of the migrations further complicates an already fragmented picture” (Held et al. 1999, 293-294).

As the population demographic changed, so did the government. The Australian government’s adoption of the multiculturalism approach in the 1970’s with regards to the settlement of new immigrants was a result of a changing demographic within the Australian populous. As mentioned earlier, multiculturalism “… is based on the idea ethnic communities, which maintain the languages and cultures of the areas of origin, are legitimate and consistent with Australian citizenship, as long as certain principles (such as respect for basic institutions and democratic principles) are adhered to” (Castles and Miller 1993,
The Australian government’s adoption of this multiculturalism policy and opening of immigration opportunities of Asian immigrants is a reflection that Asians were seen as non-threatening by the Australian government and managed to adhere to basic principles that were deemed Australian. As mentioned above, even though early immigration policy promoted European settlement, Asians had been residing in Australia before the 20th century under the coolie system – before the formal nation of Australia even existed. While the exact number of Asians residing in the country before the turn of the century is not known, it is quite apparent that they were still not considered as equal settlers, or even human beings for that matter, by the British colonials who colonized the continent. Nonetheless, this shows that Asians were living in Australia throughout its historical development as a country and despite unfair treatment, eventually came to be recognized as worthy of being called “Australians” by the government.

This Asian demographic present during the development of the Australian nation accounts for the inclusion of Asian countries within the Working Holiday Visa subclass 417 as they are potential immigrants that fit into the population. As Castles and Miller state, “Australia is a new nation, built on immigration, which is now consciously moving away from British antecedents. Citizenship is based not on ethnicity or culture, but on the principle of territoriality, that is, residence on the territory of the Australian state” (1993, 115). Asian immigrants have maintained a common presence within the Australian continent throughout the development of the Australian state and this presence has lead to their inclusion in the preferential demographic of potential immigrants that the Australian government seeks today.
7.3 Language Requirement as a Disqualification Tool

As demonstrated in the theory section of my thesis, the use of, or imposition of, one dominant language belonging to the administrative power of the state has methodically been used in the nation-state formation process. It is neither a new concept nor limited to any historical period; it is an occurrence that continuously occurs and changes as time progresses within the nation state. Australia’s nation-state formation is altered from that of the traditional European nation-state in that there was no pre-existing dominant language within the continent before the arrival of European settlers. English was brought to Australia; Australia did not develop around a 500-year’s old English speaking population who had originated on that continent. However, just as in other nation-states, the dominant language, English, was imposed on the native aboriginal population. Although Australia embraces the concept of multiculturalism, English is the official national language of the country and administers the population through various communications, print and verbal, in English.

Out of all countries listed in the WHV 417 subclass, only 5 of the 19 countries in the group have English as a national/main spoken language. As mentioned in the descriptive portion before, there is no language requirement for citizens of WHV 417 countries to obtain this visa in order to travel to Australia. This means that citizens from 14 non-English speaking countries can come to work and live in Australia for up to a maximum of two years on this particular subclass visa.

The fact that there is no language requirement for those belonging to the WHV 417 would negate my argument above that the Australian government is treating these visa holders as potential immigrants and would suggest that the Australian
government is not intending to impose any dominant language over the native language of these “holiday makers”. They are solely on holiday and therefore tourists do not need to speak the local language of the country they are visiting. However, the fact that there is a language requirement on citizens of several of the countries in the WHV 462 group shows that the Australian government does use language as a disqualifying tool for those from these countries that would like to go on “holiday” in Australia. Why does a “holiday maker” from Turkey, for example, have to be able to speak English to come to Australia for an extended holiday? Why is there a language requirement for someone who is on “holiday”? This is because that their possible intentions for traveling to Australia are for other reasons than “holiday” and the government is conscious of this. If the government is conscious of this regarding the WHV 462 visa holders, then they are conscious of the fact that WHV 417 visa holders are traveling with immigration intentions as well. If the WHV 417 applicants are intending to migrate, this is not a problem for the Australian government that they do not speak English, as evident in the lack of a language disqualification tool. This lack of a language tool on the WHV 417 group, compared to its application on the WHV 462 group, is proof that the Australian government intends to treat these “holiday makers” as potential immigrants.

Although immigrants retaining their native language can be a challenge to state language administration and identity, for the WHV 417 group, spending two years in Australia working and living amongst the local population and traveling around the country is plenty of time to learn English – moreover, to learn Australian English. Without any preconception about particular dialects of English, those with limited English skills who travel to Australia on WHV 417 visas are primary candidates for learning the beloved national Aussie slang. If
these WHV 417 holders are viewed as potential immigrants, as I claim, those who learn their English in Australia embrace part of the national identity by adopting the shared national language. As Anderson reveals, “Language is not an instrument of exclusion: in principle, anyone can learn a language. On the contrary, it is fundamentally inclusive, limited only by the fatality of Babel: no one lives long enough to learn all languages” (Anderson 1990, 134). Although multiculturalism allows new immigrants to retain their native vernacular in communication with friends, family, and fellow speakers of such language, in order to live in Australia, one must eventually learn English, or at least some, to survive. Contrastingly from the WHV 417 group, the WHV 462 group must be proficient in English before arrival; they are expected to be able to converse in the local vernacular as the state is not ready to allow them within the borders while only being proficient in their native language. If they would like to become a part of the Australian population and identity, they must prepare themselves before arrival.

7.4 Australian Identity
Migrants challenge the abilities of a receiving government to create a national identity. They do not fit into the imagined nation that is comprised of citizens, government, and sovereignty. They are foreigners who receive the same rights guaranteed by the state, but do not share the same allegiance to the state that native citizens do. Migrants also conflict with the relationship between citizens and their national identity. They are black sheep who the local population has sometimes been forced to “accept” into their communities. Additionally, they are viewed by the local population as not deserving of the social benefits that are
provided by the government (welfare, social security, healthcare) because they do not always pay tax toward them (Wimmer and Glick Schiller 2003, 583-584).

All this being said, I must state again that Australia’s Working Holiday Maker Program is not merely to support cultural understanding by offering citizens of certain countries an extended holiday in Australia. The government is treating those who can obtain these visas as potential immigrants by offering them the right to work and live legally within the country for an extended period of time. If they are being treated as potential immigrants that are given privileged access into the country, as these visas are not universally offered to all, then the Australian government may not view them as a challenge to the state. They are preferred immigrants who fit into the multicultural identity of the Australian populous and part the national Australian identity. Although immigration policy is debated within the Australian press¹, discussions are mainly about illegal immigrants who try to enter Australia by boat and are subsequently placed into various detention centers, not working holiday makers who decide to pursue permanent residence after the “holiday” period has ended. These immigrants entered the country legally which is conformity to Australian law. WHM applicants must actually sign a declaration of values and commitment to respect these values and obey Australian laws. Just to restate as previously mentioned, the explanation of values reads,

¹ For an example of current Australian debate, have a look at the following Australian news articles which discuss the issue of asylum seekers and refugees, some of which attempt to reach Australia by boat.
“Australian values include respect for the freedom and dignity of the individual, freedom of religion, commitment to the rule of law, Parliamentary democracy, equality of men and women and a spirit of egalitarianism that embraces mutual respect, tolerance, fair play and compassion for those in need and pursuit of the public good. Australian society also values equality of opportunity for individuals, regardless of their race, religion or ethnic background” (DIAC, Form 1150).

The final part of the application form requires the applicant to sign and declare that, amongst other things, “I will respect Australian values as listed on this form, during my stay in Australia and will obey the laws of Australia” (DIAC, Form 1150). The WHM program is offering a privileged opportunity to citizens of certain countries to live and work in Australia that promise to respect Australian law and respect Australian values, and for specific countries in the WHV 462 subclass, they must be able to speak English to qualify for this privilege. This implies that the Australian government is promoting the immigration of certain nationalities that fit into the idea of what is Australian. As Eriksen writes,

“…the paradox of multiculturalism – In some societies, such as Canada, Mauritius, and Australia, ethnic diversity is positively encouraged (up to a point where it can interfere with the states interests). As a consequence, the citizens are not only given the right to ‘have a culture’, but in many cases they are positively forced to adorn themselves with an ethnic label, whether they want to or not. Sometimes groups are given differential treatment on the basis of presumed cultural distinctiveness – and thus some of their members
may complain that they are deprived of equal treatment.” (Eriksen 1993, 143).

The countries offered a WHV agreement are seen as conducive to the multicultural population that is “Australia”. The discrepancies within the visa subclasses, however, suggest that citizens of certain countries are more desirable than others; perhaps more adaptable to living within the Australian population at large. As mentioned before, the WHV 417 is offered to a mix of European and Asian countries whose emigrants built Australia and still have lineages within much of the general Australian population today.

It is interesting to mention that despite what the Australian government deems as being qualifiedly as “Australian” with regards to respected values, the general public may not agree with such qualifications and immigrants and foreign students are not always received so welcomingly by “real” Australians.

In 2005, there were riots in the Sydney suburb of Crunella, demonstrating the tensions that existed between the local “Australian” population and the local Lebanese-Australian immigrant populations. Public television captured Caucasian Australian “demonstrators” making such comments and holding up such signs as “We grew here, you flew here” and “Lebs go home”. This example is meant to show that racial tensions do exist in Australia even against some immigrant populations that have migrated to the country legally in the past thru immigration schemes or as refugees.

In Australia, in June of 2009, thousands of Indian students held protests in major cities such as Melbourne and Sydney over the lack of policing and consideration
given to numerous attacks and robberies of Indian students. Although this example does not demonstrate the extent to which the Australian government and police form could be categorized as only protecting “us”, it sheds light from the opposite view of how Indian students very much felt as they are a group of “them” within the Australian population. By government standards, however, these Indian students are not necessarily “Australian” if they do not have Australian citizenship and are only allowed into the country on student or visitor visas.

Whatever methods the Australian government utilizes to influence population demographics in addition to their universal visa system, identity and immigration are both debated topics within the nation and people have demonstrated their feelings about the subjects through heated events and protests.

### 7.5 Preferential Reciprocity

With regards to the differences that exist between the application requirements of the WHV 417 and the WHV 462, the Australian government operates these visas under a policy of “preferential reciprocity”. While the granting of the opportunity to enter and work in the countries involved in these agreements is reciprocal, the entry requirements and the length of possible work period clearly are not. Here are the clear differences between the visa subclasses:

a) Both visas have roughly the same entry requirements with regards to age, health, and background. However, all the countries in the subclass WHV 462 group (except the USA for obvious reasons) are required to demonstrate a certain level of English language competence in order to enter Australia. In
reciprocity, only one country, Chile, requires that Australians be proficient in their language in order to procure a working holiday visa to travel there. None of the countries in the WHV 417 group have a language requirement to enter Australia. In reciprocity, none of the subclass WHV 417 countries require Australians to meet language proficiency standards to enter their countries on a WHV. Only 5 of the 19 countries in the WHV 417 group have English as a national/main spoken language.

b) Again, both visas have roughly the same entry requirements with regards to age, health, and background. However, there are education level requirements for applicants from group WHV 462. In reciprocity, all the 462 countries have education requirements for Australians to enter their countries. There is no education requirement for WHV 417 countries to enter Australia and vice versa for Australians to travel to WHV 417 countries.

c) Countries in the subclass WHV 462 are required to have a letter of support from their countries government (except the USA) in order to obtain a WHV and vice versa for Australians to enter their countries on a working holiday visa. There is no such requirement for subclass WHV 417 countries, which also do not hold this same requirement for Australians regarding reciprocal visas.

d) The countries in the WHV 417 subclass are allowed to pursue a second WHV if they choose to do so and meet additional criteria which enables them the opportunity to live and work in Australia for a total period of 24 months. This opportunity for an extended in stay is not available for those in the subclass WHV 462. All the countries listed in the WHV 417 and WHV 462 visa subclass’s allow Australians to enter their countries on a working holiday visa to stay for a maximum of 12 months and work for a limited time, depending
on the country, within that 12 month period (except Canada and UK who allow maximum of 24 months for living and working within their countries).

To articulate these differences in a more “raw” explanation of the situation - a Frenchman, with no formal education, or any education for that matter, and who does not speak English is allowed to live and work in Australia on a WHV 417 for a period of 2 years, while a Malaysian applicant has to have completed at least two years of university education, must speak proficient English, and have the documented support of their government in order to live and work in Australia on a WHV 462 for one year. If both of these individuals are simply on “holiday”, why is there such a difference in application requirements? It is because of preferential treatment by the Australian government toward potential immigrants from certain European and Asian countries.

The countries in the WHV 417 subclass are given preferential treatment in the sense that the Australian government has placed less stringent requirements for them to obtain a WHV 417 that are not consistent with those offered to WHV 462 applicants, despite similar treatment given to Australian working holiday visa holders by the majority of countries in both groups. This preferential treatment is most apparent in the language restriction placed on WHV 462 applicants and the extended visa period in which WHV 417 applicants are eligible for. Although agreements are negotiated individually with each foreign government, there are no language requirements on Australian citizens applying to travel to WHV 462 countries, except Chile, even though the Australian government requires this of WHV 462 citizens who wish to come to Australia. This is not reciprocal treatment. Moreover, Australia allows WHV 417 citizens to live and work in Australia for up to two years, even though all WHV 417 nations, except Canada
and the UK, allow Australian citizens the opportunity to live, and work for a defined period, in their respective countries for only one year. Again this is not reciprocal. In terms of the give and take of reciprocity – Australia “gives” more to WHV 417 countries thru the extended stay, and “takes” more from the WHV 462 countries by requiring a language competency. This is “preferential reciprocity” – reciprocal agreements that are not completely reciprocal and enable one group, subclass WHV 417, greater benefits in WHV stipulations than another group, subclass WHV 462.

As it has been discussed, immigrants can be a challenge to the “national order of things” and administration goals of the nation-state government. Also, as noted before, these working holiday visa subclasses are an attempt by the Australian government to treat these visa holders as potential immigrants of preference. They are “of preference” because they are offered this visa, something that hundreds of millions of other people from other countries are not offered. Further, within the countries that are offered working holiday visas, there is one group that is given preferential treatment signifying an even further preference within “acceptable” potential immigrants. If these working holiday visa holders were truly just travelers on a holiday, then there would not be the existence of an English language requirement on one of the groups and not the other.

**7.6 Limitations**

In my preparation of this study, I have come across many questions from interested peers regarding the choice of European countries granted the WHV 417 visa. Why isn’t there a WHV for Austria? Why don’t Lativan’s qualify for the 417? These are valid questions. It is not known exactly why some European
countries are granted this visa and some are not, except for those with long historical ties to Australia, such as the United Kingdom. It may be due to the fact that other European countries have not agreed to let Australians enter their countries under similar working holiday visas.

This study is meant to analyze the WHV agreements that do exist and not to focus speculation on why others are not present; it is meant to understand those WHV agreements that already exist and to analyze the discrepancies between them. As Australia is the one with the multiple WHV agreements, unlike their partner countries, it is apparent that they are the party that initiates these WHV agreements. If the Australian government wanted to, it could offer unlimited entry into its borders to any citizen of any country. For example, New Zealand citizens are free to enter Australia and work without restriction. Nonetheless, the state reserves the right to determine entry and access into their borders and the granting of working holiday visas to these countries in the WHV 417 and WHV 462 subclasses grants them this privilege of entering Australia.

7.7 Conclusions
The ultimate goal of any state is the centralization of power and the pursuit of whatever methods allow for the easiest and efficient administration of its population. Having a population that is “easy” to control helps make this goal achievable. As states of geographical size look to increase their population, they, correspondingly, seek to obtain immigrants that are desirable and can most readily assimilate within the existing population.
Australia, with its unique and controversial immigration policy past, still readily seeks desirable immigrants today and has an existing population that is largely derived from immigrants who traveled to the country during the 20th century. As a sovereign nation, they, just like all other nations, attempt to determine who enters their country and by what means. As many modern governments promote the inclusion of particularly skilled immigrants into their population, they sometimes consider unskilled applicants and some, which fall into this category, are perceived as more desirable than others. Looking at Australia’s visa WHV 417 subclass, compared to its WHV 462 subclass, it is apparent that preferential treatment is given to countries included in the WHV 417 subclass. While the nature of both these subclasses of agreements is to allow reciprocal opportunities for citizens between nations, the Australian government allows a greater opportunity for residency for citizens from the WHV 417 countries.

Upon review of Australian historical immigration policy, it is revealed that previous policy promoted the immigration of white-Europeans, know as the White Australia Policy. This policy was eventually formally discontinued as Australia claimed that immigration policy would no longer discriminate based on race or ethnicity. Yet, as demonstrated above, preferential treatment is given to citizens of particular countries in the form of granting Working Holiday Visas. Additionally, within these two WHV types, the Australian government goes further by providing one visa group subclass greater access to residency than the other. Just as the Australian government was clever in their use of the Dictation Test, so are they in their use of the WHV 417. The dictation test was used to show that immigration policy was not “racist” in that the tested immigrants were being tested in a language from the continent they were coming from – the “catch”, so to speak, was that it was not always necessarily the vernacular of the particular
European country they were from. This enabled customs officials to disqualify those who were “undesirable”, whether it be for political reasons or if their skin color was not “Anglo” enough.

The WHV 417 offers citizens of particular countries the opportunity to live and work in Australia for a two year period, under the guise of encouraging, “…cultural exchange and closer ties between arrangement countries by allowing young people to have an extended holiday supplemented by short-term employment - with a special focus on regional Australia” (DIAC, Fact Sheet 49). While this statement paints a positive image of the WHM program, it is a farce. To answer the research question of this study, the true intent of this visa is to enable an alternative, and clever, route of legal settlement for immigrants from preferred countries by allowing a longer stay within the country than those allotted similar visas or those who are not offered any type of working holiday visa. The opportunity to legally live and work in Australia is a prize that many immigrants seek; so desperate do immigrants seek this that many attempt to reach Australia’s shores clandestinely by boat. But these boat immigrants are the undesirables of today. They do not come into the country legally and they have not signed their declaration of understanding “Australian values”. Further, they are not from countries that Australia has historically been built by immigrants from. They are not European, and they are not the preferred Asians.

Although the Australian government has been honest about the presence of discrimination in historical immigration policy, as described in the National Archives of Australia, this does not mean that they have changed their policies full circle. Old habits die hard and no matter in which ways the state has developed and changed, the state is still the state and will enact policy in
accordance with that which will benefit the state as they see fit. While today it is highly unlikely that any state would openly discriminate or enact racist policy due to an overwhelming backlash of criticism from international relations and international press, this does not mean that, again, the state will not attempt to enact policy that will benefit the state as they see fit. While I do not believe that Australia continues to enact outright racist immigration policy, they do offer citizens of certain countries preferential treatment by enabling them to work and live in Australia through the Working Holiday Maker Program. This behavior is reminiscent of Australia’s past, whether or not this is something that the state or national historians may want to admit. Commenting on Renan, Billig writes, “Historians creatively remember ideologically convenient facts of the past, while overlooking what is discomforting. Today, social scientists frequently forget the national present. The banal episodes, in which nationhood is mindlessly and countlessy flagged, tend to be ignored by sociologists. They, too, have failed to notice the flag on the forecourt. Thus, Renan’s insight can be expanded: historians might forget their nations past, whilst social scientists can forget its present reproductions” (Billig 1995, 38). No matter how time and society change, it cannot be forgotten that the state lives for the state and will attempt to administer and influence their population in such as a way that their citizens will live for the state as well.
8. BIBLIOGRAPHY

8.1 Literature


8.2 Government Internet Sources


9. APPENDICES

9.1 Appendix 1 – Form 1150
Life in Australia – Australian values

The Australian Government encourages people to gain an understanding of Australia, its people and their way of life, before applying for a visa to live in Australia. As part of this application every person aged 18 years or over must declare that they will respect Australian values, as outlined below and obey the laws of Australia.

Australian values include respect for the freedom and dignity of the individual, freedom of religion, commitment to the rule of law, Parliamentary democracy, equality of men and women and a spirit of egalitarianism that embraces mutual respect, tolerance, fair play and compassion for those in need and pursuit of the public good.

Australian society also values equality of opportunity for individuals, regardless of their race, religion or ethnic background.

It is also important to understand that English is the national language.

Further information is contained in the Life in Australia booklet, however, you are not required to read the booklet. The booklet is available in a wide range of languages. If you would like a copy of the booklet it can be obtained from the Department of Immigration and Citizenship (the department) website www.immi.gov.au

Integrity of application

The department is committed to maintaining the integrity of the visa and citizenship programs. Please be aware that if you provide us with fraudulent documents or claims, this may result in processing delays and possibly your application being refused.

Visa overview

The Working Holiday program encourages cultural exchange and closer ties between arrangement countries by allowing young people to have an extended holiday supplemented by short-term employment.

A Working Holiday visa allows the visa holder to:

- cover Australia within 12 months of the date of visa grant;
- stay in Australia for up to 12 months;
- leave and re-enter Australia any number of times while the visa is valid;
- work in Australia for up to 6 months with each employer; and
- study for up to 4 months.

Arrangement countries and regions

Australia currently has reciprocal Working Holiday arrangements with:

- Belgium;
- Canada;
- Republic of Cyprus;
- Denmark;
- Estonia;
- Finland;
- France;
- Germany;
- Hong Kong Special Administrative Region (HKSAR) of the People’s Republic of China;
- Republic of Ireland;
- Italy;
- Japan;
- Republic of Korea;
- Malta;
- Netherlands;
- Norway;
- Sweden;
- Taiwan; and
- United Kingdom.

Australia continues to negotiate Working Holiday arrangements with additional countries. Information on whether any arrangements have been established with additional countries, is available from www.immi.gov.au/visitors/

Continued on the next page ▶
Eligibility requirements

To be granted a Working Holiday visa, there are a number of eligibility requirements that applicants must meet.

All applicants must:
- be aged between 18 years and 30 years inclusive (at the time you apply);
- hold a passport from an eligible country, preferably valid for at least 6 months;
- not be accompanied by dependent children;
- be outside Australia when you apply and when the visa is granted (except applicants for a second Working Holiday visa, who can apply while in Australia - see ‘Second Working Holiday visa’ below);
- not have entered Australia on a Working Holiday visa previously (except applicants for a second Working Holiday Visa – see ‘Second Working Holiday visa’ below);
- have sufficient funds (generally AUD5,000);
- have funds for a return or onward ticket to depart Australia (or an actual ticket);
- have health insurance (recommended) to cover your stay in Australia. This can be obtained in your home country or in Australia. More information is available from www.immi.gov.au/visitors/;
- meet Australia’s health requirement – depending on the country you are from and your intentions in Australia (such as entering a hospital, health care area, childcare centre or classroom), you may need to undertake a medical examination. More information is available from www.immi.gov.au/visitors/working-holiday/417/
eligibility.htm; and

Second Working Holiday visa

The second Working Holiday visa is available to people who have undertaken work for a minimum of 3 months (98 days in total) in a specified field or industry** in a designated area of regional Australia** on a first Working Holiday visa.

Specified work is any type of work 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.

<table>
<thead>
<tr>
<th>Regional areas</th>
<th>Postcodes</th>
</tr>
</thead>
<tbody>
<tr>
<td>New South Wales (most areas except the greater Sydney area, Newcastle, the Central Coast and Wollongong)</td>
<td>2311 to 2312, 2328 to 2411, 2420 to 2490, 2500 to 2591, 2575 to 2594, 2610 to 2639, 2760 to 2769</td>
</tr>
<tr>
<td>Northern Territory</td>
<td>Entire Territory</td>
</tr>
<tr>
<td>Queensland (most areas except the greater Brisbane area and the Gold Coast)</td>
<td>4124 to 4125, 4135, 4211, 4270 to 4272, 4275, 4280, 4285, 4287, 4307 to 4499, 4510, 4514, 4515 to 4519, 4522 to 4899</td>
</tr>
<tr>
<td>South Australia</td>
<td>Entire State</td>
</tr>
<tr>
<td>Tasmania</td>
<td>Entire State</td>
</tr>
<tr>
<td>Victoria (most areas except the greater Melbourne area)</td>
<td>3139, 3211 to 3334, 3340 to 3424, 3490 to 3549, 3698 to 3749, 3755, 3756, 3759, 3762, 3764, 3770 to 3791, 3790, 3798, 3799, 3810 to 3999, 3952 to 3958, 3958 to 3974, 3975, 3981 to 3996</td>
</tr>
<tr>
<td>Western Australia (most areas except Perth and surrounding areas)</td>
<td>6041 to 6044, 6063 to 6094, 6121 to 6126, 6200 to 6299</td>
</tr>
</tbody>
</table>

Information about harvest work opportunities in regional Australia is available from the Harvest Trail website: www.jobsearch.gov.au/harvesttrail

Note: Some vacancies on the Harvest Trail website may not be in the above eligible postcodes.

* For further information please see Specified work: www.immi.gov.au/visitors/working-holiday/417/
eligibility-second.htm
** Regional Australia is restricted to areas within the postcodes listed in the following table.

1150 Design date 07/06 - Page 2 © COMMONWEALTH OF AUSTRALIA, 2006
• Fishing and pearl diving:
  - conducting operations relating directly to catching 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;
  - construction materials engineering;
  - exploration;
  - metal ore mining;
  - mining support services;
  - oil and gas extraction;
  - other non-metallic mineral mining and quarrying.
• Construction:
  - building completion services;
  - building installation services;
  - building structure services;
  - heavy and civil engineering construction;
  - land development and site preparation services;
  - non-residential building construction;
  - residential building construction;
  - other construction services.

Specified work:
• does not need to be paid work.
  Example: Work undertaken as a volunteer or through the
  Willing Workers on Organic Farms (WWOOF) scheme may also
  qualify if the work you undertake falls within the specified
  work definition above.
• does not need to be undertaken as a direct employee.
  Example: Work in the list above as a contractor is eligible.
• must be listed above.
  Example: Working as a nanny for a farmer would not be
  eligible.

In addition to the eligibility requirements for a first Working
Holiday visa (see “Eligibility requirements” above), applicants
for a second Working Holiday must also have:
• entered Australia on no more than one Working Holiday visa
  previously; and
• done specified work in regional Australia for a minimum of
  3 months (90 days in total) while holding a Working Holiday
  visa.

You can apply while you hold a first Working Holiday visa, or at
a later date.

Applications can be made either in Australia or outside Australia.
If you apply in Australia, you should lodge your application
before your current visa expires, and must be in Australia for the
visa to be granted. If you apply outside Australia, you must be
outside Australia for the visa to be granted.

If you apply for a second Working Holiday visa, you will need to
provide evidence that you have worked for a minimum of
5 months doing specified work in regional Australia (see table
of postcodes for regional Australia).
Acceptable evidence includes:
• a completed form 1265 Working Holiday visa application, signed by
  your employer(s), which you can obtain from the nearest office of the
  Department of Immigration and Citizenship at
  www.immi.gov.au/visaforms; and/or
• an original or certified copy of pay slips, group certification,
  payment summaries, tax returns and/or employer references.

Note: Providing form 1265 and additional evidence will allow
your application to be assessed more quickly.

How much does the visa cost?

Payment must accompany your application and is generally not
refunded if the application is unsuccessful.

To check the Visa Application Charge, see form 5501 Charges,
available from the Department’s website
www.immi.gov.au/visaforms/5501.htm or check with the
nearest office of the Department.

Fees may be subject to adjustment at any time. Visa Application
Charges may be subject to adjustment on 1 July each year.
This may increase the cost of a visa.

Method of payment

In Australia

To make a payment, please pay by credit card, debit card, bank
cheque or money order made payable to the Department of
Immigration and Citizenship. Debit card and credit card are the
preferred methods of payment.

Outside Australia

Before making a payment outside Australia, please check with
the Australian Government office where you intend to lodge
your application as to what methods of payment and currencies
they can accept and to whom the payment should be made.

Continued on the next page →
How to apply

Step 1
Complete this application form. Please use a pen, and write neatly in English using BLOCK LETTERS.

You must provide the address where you intend to live while your application is being dealt with. Failure to give a residential address in your application will result in your application being invalid. A post office box address will not be accepted as your residential address.

Step 2
Lodge your completed application, and required attachments (see Application checklist on page 6 of this form) as outlined below.

All applicants for a first Working Holiday visa can lodge their application by posting, faxing or hand-delivering this form to any Australian Immigration office overseas. See www.immi.gov.au/contacts/overseas.

Applicants for a second Working Holiday visa can lodge their application by posting to:
2nd Working Holiday Centre
PO Box 1256
CAIRNS QLD 4870
AUSTRALIA

Do not send cash or your passport with your application.

What happens next?
Your application will be assessed. You may be asked to provide additional information to enable a decision to be made. You will be advised in writing whether your application has been approved. If your application is refused, you will be given reasons for the decision.

You should not make any irrevocable travel arrangements until you receive written advice of the department’s decision on your application.

Activating your Working Holiday visa
If you applied for your Working Holiday visa outside Australia, your 12 month stay period starts when you enter Australia. Your 12 month stay period will start if you pass through immigration clearance in Australia (the counter where you present your passport and entry stamp) or if you are in transit or hold an Electronic Travel Authority or Maritime Crew visa.

If you are intending to transit or travel to Australia, and you do not want to start your Working Holiday visa, you should delay applying for this visa until you wish to commence your working holiday.

Important – change of personal/passport details
If you wish to change any details after you lodge your application, including your passport details, or if you wish to withdraw the application, please contact the department as follows:

• First Working Holiday visa applicants – Contact the Australian Government office where you lodged your application. Contact details for offices of the department are available on the department’s website www.immi.gov.au/contacts/overseas or if you lodged your application online email evisa.webhelpdesk@immi.gov.au

• Second Working Holiday visa applicants – e-mail 2ndWHD.Helpdesk@immi.gov.au

Your Working Holiday visa application is linked to the passport number provided in your application. If you are granted a Working Holiday visa, but do not provide the department with the details of any new passport you use to travel to Australia, you will experience significant delays at the airport and could be denied permission to board your plane.

Options for receiving written communications
An applicant may authorise another person to receive all communications, both written and electronic, about this application with the department. The applicant will be taken to have received any documents sent to that other person as if they had been sent to the applicant.

To do this please complete Part B Options for receiving written communications and form 956 Appointment of a migration agent or exempt agent or other authorised recipient. For an explanation of what a migration agent or exempt agent or authorised recipient can do please read the sections below.

To change or end the appointment of a migration agent or exempt agent or authorised recipient the department must be promptly advised in writing. This can also be done by using form 956 Appointment of a migration agent or exempt agent or other authorised recipient.

Authorised recipient information
An authorised recipient is someone you appoint to receive written communications about your application with the department.

All written communication about your application will be sent to your authorised recipient, unless you indicate that you wish to have health and/or character information sent directly to you.

The department will communicate with the most recently appointed authorised recipient as you may only appoint one authorised recipient at any time for a particular application.
**Migration agent information**

A migration agent is someone who can:

- advise you on the visa that may best suit you;
- tell you the documents you need to submit with your application;
- help you fill in the application and submit it; and
- communicate with the department on your behalf.

If you appoint a migration agent, the department will assume that your migration agent will be your authorised recipient, unless you indicate otherwise.

Your migration agent will be the person with whom the department will discuss your application and from whom it will seek further information when required.

You are not required to use a migration agent. However, if you use a migration agent, the department encourages you to use a registered migration agent. Registered agents are bound by the Migration Agents Code of Conduct, which requires them to act professionally in their clients’ lawful best interests.

**Immigration assistance**

A person gives immigration assistance to you if he or she uses, or claims to use, his or her knowledge or experience in migration procedure to assist you with your visa application, request for ministerial intervention, cancellation review application, sponsorship or nomination.

In Australia a person may only lawfully give immigration assistance if he or she is a registered migration agent or is exempt from being registered. Only registered migration agents may receive a fee or reward for providing immigration assistance.

If an unregistered person in Australia, who is not exempt from registration, gives you immigration assistance they are committing a criminal offence and may be prosecuted.

**Migration agents in Australia**

Migration agents in Australia must be registered with the Migration Agents Registration Authority (MARA) unless they are exempt from registration.

**Migration agents outside Australia**

Migration agents who operate outside Australia do not have to be registered. The department may give some overseas agents an ID number. This number does not mean that they are registered.

**Note:** Some Australian registered migration agents operate overseas.

**Exempt agents**

The following people do not have to be a registered migration agent in order to provide immigration assistance, but they must not charge a fee for their service:

- a close family member (spouse, de facto partner, child, parent, brother or sister);
- a sponsor or nominator for this visa application;
- a member of parliament or their staff;
- an official whose duties include providing immigration assistance (eg. a Legal Aid provider);
- a member of a diplomatic mission, consular post or international organisation.

**Further information on migration agents**

Information on migration agents, including a list of registered migration agents, is available on the Migration Agents Registration Authority (MARA) website www.immi.gov.au.

You can also access information about migration agents on the department’s website www.immi.gov.au.

**Consent to communicate electronically**

The department may use a range of means to communicate with you. However, electronic means such as fax or email will only be used if you indicate your agreement to receiving communication in this way.

To process your application the department may need to communicate with you about sensitive information, for example, health, police checks, financial viability and personal relationships. Electronic communications, unless adequately encrypted, are not secure and may be viewed by others or interfered with. If you agree to the department communicating with you by electronic means, the details you provide will only be used by the department for the purpose for which you have provided them, unless there is a legal obligation or necessity to use them for another purpose, or you have consented to use for another purpose.

The Australian Government accepts no responsibility for the security or integrity of any information sent to the department over the internet or by other electronic means.

Continued on the next page ➤
About the information you give

The department is authorised to collect information provided on this form under Part 2 of the Migration Act 1958 "Control of Arrival and Presence of Non-Citizens". The information provided will be used for assessing your eligibility for a visa to visit Australia.

The information provided might also be disclosed to agencies who are authorised to receive information relating to adoption, border control, business skills, citizenship, education, health assessment, health insurance, health services, law enforcement, payment of pensions and benefits, taxation, superannuation, review of decisions and registration of migration agents.

Relevant information about you will be disclosed to federal, state and territory police to assist in your location and possible detention in the event that you become an unlawful non-citizen. You will become an unlawful non-citizen if you visa ceases (by cancellation for breach of visa condition for example) or expires and you do not hold another visa authorising you to remain in Australia.

The collection, access, storage, use and disclosure by the department of the information you provide in this form is governed by the Privacy Act 1988 and, in particular, by the 11 Information Privacy Principles. The information form 99% Safeguarding your personal information, available from offices of the department, gives details of agencies to which your personal information might be disclosed.

The information provided on this form, including any information on your health, will be used to assess your health for an Australian visa and may be disclosed to the relevant Commonwealth, state and territory health agencies and examining doctor(s).

Form 1168. Health Requirement for temporary entry to Australia provides additional information on Australia’s visa health requirements. Form 1168 is available at offices of the department or on the department’s website: www.immi.gov.au/forms/

The department is authorised under the Migration Act 1958, in certain circumstances, to collect a range of personal identifiers including a facial image, fingerprints and a signature from non-citizens, including from visa applicants. The department requires personal identifiers to assist in assessing your identity. The department is authorised to disclose your personal identifiers and information relating to your name and other relevant biographical data to a number of agencies including law enforcement and health agencies and to other agencies who may need to check your identity with this department. Where the department obtains personal identifiers they will become part of your official record with the department.

The department is involved in international information exchanges with a number of other countries. These exchanges include the sharing of personal identifiers, including a facial image and fingerprint data collected by immigration agencies such as this department. If, as a result of this sharing between countries, there is a match with your personal identifiers, the department will disclose your biographic data and immigration history to the other agency. The purpose of such disclosure would be to determine if you are presenting to the department and the other agency under the same identity and making similar claims.

For more detailed information you should read information form 1258 Your personal identifying information, which is available from the department’s website: www.immi.gov.au/forms/ or from any office of the department of Australian mission overseas.

Application checklist

This checklist is provided for your assistance and lists the required documents to include with your application. It is not a requirement of your application and does not apply to online applications.

Note: Processing of your application will be delayed if you do not provide all the required information and documents at the time of lodgement.

Note: Certified copies are copies authorised, or stamped as being true copies or originals, by a person or agency recognised by the law of the country in which you currently reside eg. police or notary.

Note: If your documents are in a language other than English, translations into English must be provided.

Tick ✓ when completed.

A certified copy of the pages of your passport containing your photo and personal details (Note: Your passport should preferably be valid for at least 6 months). ☐


For payment options, see Method of payment on page 3 of this application. ☐

If you are authorising another person to act and receive communications on your behalf, complete Part F Options for receiving written communications on page 10 and form 1258 Appointment of a migration agent or exempt agent or other authorised recipient. ☐

If you are applying for a second Working Holiday visa:

Evidence of your specialised work in regional Australia, which may include a completed and signed form 1265 Working Holiday Visa: Employment verification, and/or original or certified copies of pay slips, group certificates, payment summaries, tax returns, and employer references. ☐

A list of offices of the department in Australia is available from www.immi.gov.au/contacts/offices.htm


Home page www.immi.gov.au
General enquiry line Telephone 131 888 during business hours in Australia to speak to an operator (recorded information available outside those hours). If you are outside Australia, please contact your nearest Australian mission.

Please keep these information pages for your reference

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Application for a Working Holiday visa

Form 1150

Australian Government
Department of Immigration and Citizenship

Please use a pen, and write neatly in English using BLOCK LETTERS.
Tick where applicable

Note: Any reference in this form to ‘country’ refers to ‘foreign country’ which is defined in paragraph 221(1)(b) of the Act Interpretation Act 1907 as any country (whether or not an independent sovereign state) outside Australia and the external territories.

Part A – Your details

1 Your full name exactly as it appears on the passport on which you will be travelling to Australia
Family name
Given names

2 Have you been known by any other names? (Including name at birth, previous married names, aliases)
No
Yes ▶ (See details)

3 Sex
Male □ Female □

4 Date of birth
DD Month YYYY

5 Place of birth
Town/city
Country

6 Relationship status
Married □ Engaged □
Separated □ Divorced □
Never married or been in a de facto relationship □ Widowed □

7 Details from your passport
Passport number
Country of passport
Date of issue
Date of expiry
Issuing authority
Place of issue as shown in your passport

If you hold more than one passport please provide details of these passports
Your full name as it appears in the passport
Family name
Given names
Passport number
Country of passport
Date of issue
Date of expiry
Issuing authority
Place of issue as shown in your passport

Note: Visa applicants must hold a valid passport to be granted a visa. It is recommended that the passport be valid for at least 6 months.

If you change your passport after you have been granted the visa you must notify the nearest Australian mission or office of the department.

If you do not provide the department with the details of any new or additional passport you use to travel to Australia, you will experience significant delays at the airport and could be denied permission to board your plane.

8 Do you hold any citizenship other than that shown as your country of passport above?
No □ Yes ▶ (See details)

9 Details of identity card or identity number issued to you by your government of applicable eg. National identity card.
Note: If you are the holder of multiple identity numbers because you are a citizen of more than one country, you need to enter the identity number on the card from the country that you live in.

Identity number
Country of issue
10 Usual occupation

11 What type of employment do you intend to seek during your stay?

12 Qualifications

13 Current residential address
   If applying in Australia, please give your current address in Australia.
   Note: A post office box address is not acceptable as a residential
   address. Failure to give a residential address will result in your application
   being invalid.

14 Address for correspondence
   This may be required by the department to communicate with you
   about your application. If the same as your residential address, write
   "AS ABOVE".

15 Your telephone numbers
   Mobile/Cell
   Office hours
   After hours

16 Do you agree to the department communicating with you by fax,
   e-mail, or other electronic means? (Providing an e-mail address will
   allow for more efficient processing of your application).
   No
   Yes □ Give details

17 If you are outside Australia, date of
   proposed travel to Australia

18 Do you have sufficient funds for the initial period of your stay in
   Australia?
   Note: You may be asked to provide evidence (e.g., bank statement).
   No
   Yes

19 Do you have a return or onward ticket or the funds for a fare to
   depart Australia?
   WARNING: You may be asked to provide evidence.
   No □
   Yes □

20 Do you have any dependant children that will accompany you to Australia?
   No □
   Yes □
   Note: You cannot be accompanied by dependant children on this visa.

Part B – Previous applications

21 Have you previously been to Australia, applied for a visa, held or currently
   held a visa for travel to Australia (including a Working Holiday visa)?
   No □
   Yes □ Give full details including type of visa(s), place(s) of
   application and date(s) of entry to Australia (if applicable)

22 Have you previously had an Australian visa cancelled, been detained
   in Australia, removed or deported from Australia, or refused entry
   into Australia?
   No □
   Yes □ Give full details

23 If you are applying for a second Working Holiday visa, have you
   undertaken 3 months of specified work in regional Australia on a
   Working Holiday (sub-class 417) visa? (See postcode table on page 2
   for areas defined as regional Australia)
   No □
   Yes □ You are not eligible to apply for a second Working Holiday
   visa.
   Yes □ Please attach evidence of 3 months of specified work in
   regional Australia.
   Note: Acceptable evidence of 3 months of specified work in regional
   Australia may be any of the following (providing evidence will allow
   your application to be processed more quickly):
   • completed form 1233 Working Holiday visa: Employment verification;
     and/or
   • certified copies of pay stubs, tax returns, group certificates, and
     employer references.
Part C – Health details

24 In the last 5 years, have you visited, or lived, outside your country of passport for more than 3 consecutive months?
   No [ ]
   Yes [ ] Give details

   1. Country(s) __________________________
      Date from __/__/____ to __/__/____

25 Do you intend to enter a hospital or a health care facility (including nursing homes) while in Australia?
   No [ ]
   Yes [ ]Give details

26 Do you intend to work as, or study to be, a doctor, dentist, nurse or paramedic during your stay in Australia?
   No [ ]
   Yes [ ]Give details

27 Do you intend to work, or be a trainer, at a child care centre (excluding preschools and créches) while in Australia?
   No [ ]
   Yes [ ]Give details

28 Do you intend to be in a classroom situation for more than 3 months (eg a student, teacher, lecturer, or observer)?
   No [ ]
   Yes [ ]Give details

29 Have you:
   • ever had, or currently have, tuberculosis?
   • been in close contact with a family member that has active tuberculosis?
   • ever had a chest x-ray which showed an abnormality?
   No [ ]
   Yes [ ] Give full details

30 During your proposed visit to Australia, do you expect to incur medical costs, or require treatment or medical follow up for:
   • blood disorder;
   • cancer;
   • heart disease;
   • hepatitis B or C and/or liver disease;
   • HIV infection, including AIDS;
   • kidney disease, including dialysis;
   • mental illness;
   • pregnancy;
   • respiratory disease that has required hospital admission or oxygen therapy;
   • other?
   No [ ]
   Yes [ ]Give details

31 Do you require assistance with mobility or care due to a medical condition?
   No [ ]
   Yes [ ]Give details

32 Do you hold health insurance to cover your stay in Australia?
   Note: See page 2 of this form for further information about health insurance.
   No [ ]
   Yes [ ]
Part D – Character details

33 Have you ever:
- been convicted of a crime or offence in any country (including any conviction which is now removed from official records)? No [ ] Yes [ ]
- been charged with any offence that is currently awaiting legal action? No [ ] Yes [ ]
- been acquitted of any criminal offence or other offence on the grounds of mental illness, insanity or uncontrollability of mind? No [ ] Yes [ ]
- been removed or deported from any country (including Australia)? No [ ] Yes [ ]
- left any country to avoid being removed or deported? No [ ] Yes [ ]
- been refused a visa for Australia or another country? No [ ] Yes [ ]
- been excluded from or asked to leave any country (including Australia)? No [ ] Yes [ ]
- committed, or been involved in the commission of war crimes or crimes against humanity or human rights abuses? No [ ] Yes [ ]
- been involved in any activities that would represent a risk to Australian national security? No [ ] Yes [ ]
- had any outstanding debts to the Australian Government or any public authority in Australia? No [ ] Yes [ ]
- been involved in any activity, or been convicted of any offence, relating to the illegal movement of people to any country (including Australia)? No [ ] Yes [ ]
- served in a military force or state sponsored militia, undergone any military/paramilitary training, or been trained in weapons/explosives use (however described either than in the course of compulsory national military service)? No [ ] Yes [ ]

If you answered “Yes” to any of the above questions you must give all relevant details in the space provided below.

If the matter relates to a criminal conviction, please give the nature of the offence, full details of sentence, dates of any period of imprisonment or other detention and a personal account of the events leading up to and including the offence(s).

Part E – Assistance with this form

34 Did you receive assistance in completing this form?
No [ ] Yes [ ]

Go to Part F

Please give details of the person who assisted you:
Title: [ ] Mr [ ] Mrs [ ] Miss [ ] Ms [ ] Other [ ]
Family name:
Given names:
Address:
Telephone number or daytime contact:
Office hours:
Mobile: [ ]
E-mail address:

Part F – Options for receiving written communications

38 All written communications about this application should be sent to:
(Tick one box only)

- [ ] Myself
- [ ] Authorised recipient
- [ ] Migration agent
- [ ] Agent exempt from registration

OR

You must complete form PVM Appointment of a migration agent or exempt agent or other authorised recipient and attach it to this application form. Form PVM is available from
the department’s website www.immi.gov.au
Part G – Payment details

39 Do you have the application change to include with your application? (Refer to the latest form 990/Changes available from the department’s website www.immi.gov.au/forms/pdf/990.pdf)

No ☐ Yes ☐ This application will be returned to you as a valid application will not have been made

40 How will you pay your application change?

If applying in Australia, debit card or credit card are the preferred methods of payment. Debit cards cannot be used for applications lodged by mail. If paying by bank cheque or money order please make payable to the Department of Immigration and Citizenship.

If applying outside Australia, please check with the Australian Government office where you intend to lodge your application as to what methods of payment and currencies they can accept and to whom the payment should be made payable.

Bank cheque ☐
Money order ☐
Debit card ☐ Cannot be used for applications lodged by mail
Credit card ☐ Give details below

Payment by (tick one box) Australian Dollars

Visa ☐
MasterCard ☐
American Express ☐
Unions Club ☐
JOB ☐
AUD ☐

Credit card number

Expire date

Cardholder's name

Country code Area code Number

Telephone number
Address

Signature of cardholder

Credit card information will be used for charge paying purposes only.

Part H – Declaration

WARNING: Giving false or misleading information is a serious offence.

41 I declare that:

• the information on this form is correct;
• I have read the notes at the front of this application, and am aware that I am required to abide by the conditions that are placed on my visa;
• after applying, I will notify the department of any change in my circumstances, including my address details; and
• I will respect Australian values as listed on this form, during my stay in Australia and will obey the laws of Australia.

Signature of applicant

Date

Please check all questions are answered. If your form is incomplete, there may be delays in processing your application.

We strongly advise that you keep a copy of your application and all attachments for your records.
9.2 Appendix 2 – Form 1208
Life in Australia – Australian values

The Australian Government encourages people to gain an understanding of Australia, its people and their way of life, before applying for a visa to live in Australia. As part of this application every person aged 18 years or over must declare that they will respect Australian values, as outlined below and obey the laws of Australia.

Australian values include respect for the freedom and dignity of the individual, freedom of religion, commitment to the rule of law, Parliamentary democracy, equality between men and women and a spirit of egalitarianism that embraces mutual respect, tolerance, fair play and compassion for those in need and pursuit of the public good.

Australian society also values equality of opportunity for individuals, regardless of their race, religion or ethnic background.

It is also important to understand that English is the national language.

Further information is contained in the Life in Australia booklet, however, you are not required to read the booklet. The booklet is available in a wide range of languages. If you would like a copy of the booklet it can be obtained from www.immi.gov.au

About this form

Important – Please read this information carefully before you complete your application. Once you have completed your application we strongly advise that you keep a copy for your records.

Note: Any reference in this form to ‘country’ refers to ‘foreign country’ which is defined in paragraph 22(1)(f) of the Acts Interpretation Act 1901 as any country (whether or not an independent sovereign state) outside Australia and the external territories.

Who should use this application?

Applicants applying for a Work and Holiday (subclass 462) visa. Each applicant must apply individually and cannot include family members in their application.

Online applications

Applicants from the United States of America (USA) may apply on the Department of Immigration and Citizenship (the department) website. Payment must be made by credit card for online applications. Further information is available from the department’s website www.immi.gov.au/visitors/

If you wish to apply online do not use this application.

Integrity of application

The department is committed to maintaining the integrity of the visa and citizenship programs. Please be aware that if you provide us with fraudulent documents or claims, this may result in processing delays and possibly your application being refused.

Visa overview

The Work and Holiday visa program encourages cultural exchange and closer ties between arrangement countries by allowing young people to have an extended holiday supplemented by short-term employment.

A Work and Holiday visa allows the visa holder to:

- enter Australia within 12 months of the date of visa grant;
- stay in Australia for up to 12 months;
- leave and re-enter Australia any number of times while the visa is valid;
- work in Australia for up to 6 months with each employer; and
- study for up to 4 months.

Arrangement countries

Australia currently has reciprocal Work and Holiday arrangements with:

- Chile;
- Indonesia;
- Malaysia;
- Thailand;
- Turkey; and
- the USA.

Note: There is an annual limit to the number of visas that may be issued to applicants from:

- Chile;
- Indonesia;
- Malaysia;
- Thailand; and
- Turkey

If the limit has been reached, applicants will be notified and the processing of their application may be delayed.

Australia continues to negotiate Work and Holiday arrangements with additional countries. To see whether any arrangements have been established with additional countries, check the department’s website www.immi.gov.au/visitors/

Eligibility requirements

To be granted a visa, there are a number of eligibility requirements that applicants must meet.

All applicants must:

- be aged between 18 years and 30 years inclusive (at the time you apply);
- hold a passport from an eligible country, preferably valid for at least 6 months;
- have functional English; and

Continued on the next page
**Passport country** | **Education requirement**
--- | ---
Chile | Tertiary qualifications or have completed/been approved to undertake a third year of undergraduate university study.
Indonesia | University qualifications, or have successfully completed at least 2 years of undergraduate university study.
Malaysia | University qualifications, or have successfully completed at least 2 years of undergraduate university study.
Thailand | Degree or post high school diploma from an accredited institution.
Turkey | University qualifications, or have successfully completed at least 2 years of undergraduate university study.
USA | High school graduate.

- not be accompanied by dependent children;
- be outside Australia when you apply and when the visa is granted;
- not have entered Australia on a Work and Holiday (subclass 462) or Working Holiday (subclass 417) visa;
- have sufficient funds (generally AUD5,000);
- have funds for a return or onward ticket to depart Australia (or an actual ticket);
- have health insurance (recommended) covering your stay in Australia. This can be obtained in your home country or in Australia. More information is available from www.immi.gov.au/visitors;
- meet Australia's health requirement – depending on the country you are from and your intentions in Australia (such as entering a hospital, health care area, childcare centre or classroom), you may need to undergo a medical examination. More information is available from www.immi.gov.au/allforms/health;

**Applicants from Chile, Indonesia, Malaysia, Thailand and Turkey must also:**
- provide a letter of approval from your government agreeing to your stay in Australia under the Work and Holiday visa arrangement (the letter of support does not guarantee a place in the Work and Holiday program); and
- provide proof of English proficiency.

**How much does the visa cost?**

Payment must accompany your application and is generally not refunded if the application is unsuccessful. To check the Visa Application Charge, see form 998 Changes available from the department’s website www.immi.gov.au/allforms/990.htm or check with the nearest office of the department.

Fees may be subject to adjustment at any time. Visa Application Charges may be subject to adjustment on 1 July each year. This may increase the cost of a visa.

---

**Method of payment**

**Outside Australia**

Before making a payment outside Australia, please check with the Australian Government office where you intend to lodge your application as to what methods of payment and currencies they can accept and to whom the payment should be made payable.

**How to apply**

**Step 1**

Complete this application.

Please use a pen, and write neatly in English using BLOCK LETTERS.

You must provide the address where you intend to live while your application is being processed. Failure to give a residential address in your application will result in your application being invalid. A post office box address will not be accepted as your residential address.

**Step 2**

Contact the Australian Government office in the country which issued your passport to confirm application arrangements (eg. whether there are any additional local requirements). More information is available from www.immi.gov.au/contacts/overseas/

**Step 3**

Lodge your completed application and required attachments (see Application checklist on page 5 of this application) as outlined below.

Applicants from the USA can lodge their application by post, fax or hand delivering this application to any Australian Immigration office overseas. More information is available from www.immi.gov.au/contacts/overseas. Applicants from Chile, Indonesia, Malaysia, Thailand and Turkey can lodge their application by post, fax or hand delivering this application to the Australian Immigration office in their country of passport.

Do not send cash or your passport with your application.

**What happens next?**

Your application will be assessed. You may be asked to provide additional information to enable a decision to be made. You will be advised in writing whether your application has been approved. If your application is refused, you will be given reasons for the decision.

You should not make any irreversible travel arrangements until you receive written advice of the department’s decision on your application.

**Note:** If you are granted an Electronic Travel Authority (ETA) or Maritime Crew visa (MCV) as well as a Work and Holiday visa, you will activate the Work and Holiday visa on arrival in Australia, rather than the ETA or MCV. This will activate the 12 month stay period of the Work and Holiday visa, which will not be able to be postponed or deferred. If you want to travel on the ETA or MCV you must have your Work and Holiday visa cancelled before travelling to Australia. You will be able to apply for a Work and Holiday visa in the future, provided you meet the eligibility requirements.
Important – change of personal/passport details

If you wish to change any details after you lodge your application, including your passport details, or if you wish to withdraw the application, please contact the department:

- Applicants from Chile, Indonesia, Malaysia, Thailand and Turkey – contact the Australian Immigration office overseas where you lodged your application. More information is available from www.immi.gov.au/contacts/overseas/
- Applicants from the USA – E-mail eVisa.WANDH.Helpdesk@immi.gov.au

Your Work and Holiday visa application is linked to the passport number provided in your application. If you are granted a visa, but do not provide the department with the details of any new passport you use to travel to Australia, you will experience significant delays at the airport and could be denied permission to board your plane.

Options for receiving written communications

You may authorise another person to receive all communications, both written and electronic, about your application with the department. You will be taken to have received any documents sent to that person as if they had been sent to you.

To do this you will need to complete Part F Options for receiving written communications and Form 956 Appointment of a migration agent or exempt agent or other authorised recipient. For an explanation of what a migration agent or exempt agent or authorised recipient can do please refer to the sections on page 3.

To change or end the appointment of your migration agent or exempt agent or authorised recipient you must promptly advise the department in writing. You can do this by using form 956 Appointment of a migration agent or exempt agent or other authorised recipient.

Authorised recipient information

An authorised recipient is someone you appoint to receive written communications about your application with the department.

All written communication about your application will be sent to your authorised recipient, unless you indicate that you wish to have health and/or character information sent directly to you.

The department will communicate with the most recently appointed authorised recipient as you may only appoint one authorised recipient at any time for a particular application.

Migration agent information

A migration agent is someone who can:

- advise you on the visa that may best suit you;
- tell you the documents you need to submit with your application;
- help you fill in the application and submit it; and
- communicate with the department on your behalf.

If you appoint a migration agent, the department will assume that your migration agent will be your authorised recipient, unless you indicate otherwise.

Your migration agent will be the person with whom the department will discuss your application and from whom it will seek further information when required.

You are not required to use a migration agent. However, if you use a migration agent, the department encourages you to use a registered migration agent. Registered agents are bound by the Migration Agents Code of Conduct, which requires them to act professionally in their clients’ lawful best interests.

Immigration assistance

A person gives immigration assistance to you if he or she uses, or claims to use, his or her knowledge or experience in immigration procedures to assist you with your visa application, request for ministerial intervention, cancellation review application, sponsorship or nomination.

In Australia a person may only lawfully give immigration assistance if he or she is a registered migration agent or is exempt from being registered. Only registered migration agents may receive a fee or reward for providing immigration assistance.

If an unregistered person in Australia, who is not exempt from registration, gives you immigration assistance they are committing a criminal offence and may be prosecuted.

Migration agents in Australia

Migration agents in Australia must be registered with the Migration Agents Registration Authority (MARA) unless they are exempt from registration.

Migration agents outside Australia

Migration agents who operate outside Australia do not have to be registered. The department may give some overseas agents an ID number. This number does not mean that they are registered.

Note: Some Australian registered migration agents operate overseas.

Exempt agents

The following people do not have to be a registered migration agent in order to provide immigration assistance, but they must not charge a fee for their service:

- a close family member (spouse, de facto partner, child, parent, brother or sister);
- a sponsor or nominator for this visa application;
- a member of parliament or their staff;
- an official whose duties include providing immigration assistance (e.g. a Legal Aid provider);
- a member of a diplomatic mission, consular post or international organisation.

Further information on migration agents

Information on migration agents, including a list of registered migration agents, is available on the Migration Agents Registration Authority (MARA) website www.mara.com.au

You can also access information about migration agents on the department’s website www.immi.gov.au

Continued on the next page ▶
Consent to communicate electronically
The department may use a range of means to communicate with you. However, electronic means such as fax or email will only be used if you indicate your agreement to receiving communication in this way.
To process your application the department may need to communicate with you about sensitive information, for example, health, police checks, financial viability and personal relationships. Electronic communications, unless adequately encrypted, are not secure and may be viewed by others or interfered with. If you agree to the department communicating with you by electronic means, the details you provide will only be used by the department for the purpose for which you have provided them, unless there is a legal obligation or necessity to use them for another purpose, or you have consented to use for another purpose.
The Australian Government accepts no responsibility for the security or integrity of any information sent to the department over the Internet or by other electronic means.

About the information you give
The department is authorised to collect information provided on this form under Part 2 of the Migration Act 1958 “Control of Arrival and Presence of Non-Citizens”. The information provided will be used for assessing your eligibility for a visa to visit Australia.

The information provided might also be disclosed to agencies who are authorised to receive information relating to adoption, border control, business skills, citizenship, education, health assessment, health insurance, health services, law enforcement, payment of pensions and benefits, taxation, superannuation, review of decisions and registration of migration agents.

Relevant information about you will be disclosed to federal, state and territory police to assist in your location and possible detention in the event that you become an unlawful non-citizen. You will become an unlawful non-citizen if your visa ceases (by cancellation for breach of visa condition for example) or expires and you do not hold another visa authorising you to remain in Australia.

The collection, access, storage, use and disclosure by the department of the information you provide in this form is governed by the Privacy Act 1988 and, in particular, by the 11 Information Privacy Principles. The information form 99% Safeguarding your personal information, available from offices of the department, gives details of agencies to which your personal information might be disclosed.

The information provided on this form, including any information on your health, will be used to assess your health for an Australian visa and may be disclosed to the relevant Commonwealth, state and territory health agencies and examining doctor(s).

Form 1156, Health Requirement for temporary entry to Australia provides additional information on Australia’s visa health requirements. Form 1156 is available at offices of the department or from the department’s website
Application checklist

This checklist is provided for your assistance and lists the required and optional documents to include with your application. It is not a requirement of your application.

Note: Processing of your application will be delayed if you do not provide all the required information and documents at the time of lodgement.

Note: Certified copies are copies authorised, or stamped as being true copies or originals, by a person or agency recognised by the law of the country in which you currently reside.

Note: If your documents are in a language other than English, translations into English must be provided.

Tick [✓] when completed.

<table>
<thead>
<tr>
<th>A certified copy of the pages of your passport containing your photo and personal details (Note: Your passport preferably should be valid for at least 6 months).</th>
</tr>
</thead>
<tbody>
<tr>
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<table>
<thead>
<tr>
<th>The Visa Application Change (for the current Working and Holiday Visa Application Change, see form 9901 Changes, available from <a href="http://www.immi.gov.au/allforms/pdf/9901.pdf">www.immi.gov.au/allforms/pdf/9901.pdf</a>) For payment options, see Method of payment on page 2 of this application.</th>
</tr>
</thead>
<tbody>
<tr>
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</tbody>
</table>

<table>
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<tr>
<th>If you are authorising another person to act and receive communications on your behalf, complete Part F Options for receiving written communications on page 11 and form 956 Appointment of a migration agent or exempt agent or other authorised recipient.</th>
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</thead>
<tbody>
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</table>

<table>
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<tr>
<th>If you are from: • Chile; • Indonesia; • Malaysia; • Thailand; or • Turkey; an original letter of approval from your government.</th>
</tr>
</thead>
<tbody>
<tr>
<td>□</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>If you are from: • Chile; • Indonesia; • Malaysia; • Thailand; or • Turkey; proof of English proficiency.</th>
</tr>
</thead>
<tbody>
<tr>
<td>□</td>
</tr>
</tbody>
</table>


Please keep these information pages for your reference

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94
Application for a Work and Holiday visa

Part A — Your details

1. Your full name, exactly as it appears on the passport on which you will be travelling to Australia
   Family name
   Given names

2. Have you been known by any other names? (including name at birth, previous married names, aliases)
   No
   Yes ▶ Give details

3. Sex
   Male [ ] Female [ ]

4. Date of birth
   Day: [ ] Month: [ ] Year: [ ]

5. Place of birth
   Town/city
   Country

6. Relationship status
   Married [ ] Separated [ ] Never married or been in a de facto relationship [ ]
   Engaged [ ] Divorced [ ]
   De facto [ ] Widowed [ ]

7. Details from your passport
   Passport number
   Country of passport
   Date of issue
   Date of expiry
   Issuing authority
   Place of issue as shown in your passport
   If you hold more than one passport please provide details of these passports
   Your full name as it appears in the passport
   Family name
   Given names
   Passport number
   Country of passport
   Date of issue
   Date of expiry
   Issuing authority
   Place of issue as shown in your passport

Note: Visa applicants must hold a valid passport to be granted a visa. It is recommended that the passport be valid for at least 6 months.

If you change your passport after you have been granted the visa you must notify the nearest Australian mission or office of the department. If you do not provide the department with the details of any new or additional passport you use to travel to Australia, you will experience significant delays at the airport and could be denied permission to board your plane.

8. Do you hold any citizenship other than that shown as your country of passport above?
   no [ ] Yes ▶ Give details

9. Details of identity card or identity number issued to you by your government of applicable eg. National identity card
   Note: If you are the holder of multiple identity numbers because you are a citizen of more than one country, you need to enter the identity number on the card from the country that you live in.
   Identity number
   Country of issue

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24 Please provide the contact details of a relative, friend or a person you know in Australia.

<table>
<thead>
<tr>
<th>Relationship to you</th>
<th>Family name</th>
<th>Given names</th>
<th>Address</th>
</tr>
</thead>
</table>

Telephne numbers:
- Office hours: [Area Code] [ ]
- After hours: [Area Code] [ ]

Part C – Health details

25 In the last 5 years, have you visited, or lived, outside your country of passport for more than 3 consecutive months?

- No
- Yes: Give details

1. Country(s):
   - Date from: [Day] [Month] [Year]
   - Date to: [Day] [Month] [Year]

2. Country(s):
   - Date from: [Day] [Month] [Year]
   - Date to: [Day] [Month] [Year]

3. Country(s):
   - Date from: [Day] [Month] [Year]
   - Date to: [Day] [Month] [Year]

26 Do you intend to enter a hospital or a health care facility (including nursing homes) while in Australia?

- No
- Yes: Give details

27 Do you intend to work as, or study to be, a doctor, dentist, nurse or paramedic during your stay in Australia?

- No
- Yes: Give details

28 Do you intend to work, or be a trainee, at a child care centre (including preschools and nurseries) while in Australia?

- No
- Yes: Give details

29 Do you intend to be in a classroom situation for more than 3 months, (e.g. as either a student, teacher, lecturer, or observer)?

- No
- Yes: Give details

30 Have you:
   - ever had, or currently have, tuberculosis?
   - been in close contact with a family member that has active tuberculosis?
   - ever had a chest x-ray which showed an abnormality?

- No
- Yes: Give details

Continued on the next page
31. During your proposed visit to Australia, do you expect to incur medical costs, or require treatment or medical follow-up for:
   - Blood disorder;
   - Cancer;
   - Heart disease;
   - Hepatitis B or C and/or liver disease;
   - HIV infection, including AIDS;
   - Kidney disease, including dialysis;
   - Mental illness;
   - Pregnancy;
   - Respiratory disease that has required hospital admission or oxygen therapy;
   - Other?
   - No ☐
   - Yes ☐ Give details

32. Do you require assistance with mobility or care due to a medical condition?
   - No ☐
   - Yes ☐ Give details

33. Do you hold health insurance to cover your stay in Australia?
   - Note: See page 2 of this form for further information about health insurance.
   - No ☐
   - Yes ☐

---
**Part D – Character Details**

34. Have you ever:
   - Been convicted of a crime or offence in any country (including any conviction which is now removed from official records)?
   - Been charged with an offence that is currently awaiting legal action?
   - Been acquitted of any criminal offence or other offence on the grounds of insanity or unsoundness of mind?
   - Been removed or deported from any country (including Australia)?
   - Left any country to avoid being removed or deported?
   - Been refused a visa for Australia or another country?
   - Been excluded from or asked to leave any country (including Australia)?
   - Committed, or been involved in the commission of war crimes or crimes against humanity or human rights?
   - Been involved in any activities that would represent a risk to Australian national security?
   - Had any outstanding debts to the Australian Government or any public authority in Australia?
   - Been involved in any activity, or been convicted of any offence, relating to the illegal movement of people to any country (including Australia)?
   - Served in a military force or state sponsored militia, undergone any military/paramilitary training, or been trained in weapons/explosives use (however described) other than in the course of compulsory military service?

If you answered "Yes" to any of the above questions you must give all relevant details in the space provided below.

If the matter relates to a criminal conviction, please give the nature of the offence, full details of sentence, dates of any period of imprisonment or other detention and a personal account of the events leading up to and including the offence(s).
Part E – Assistance with this form

35 Did you receive assistance in completing this form?
No □ Go to Part F
Yes □ Please give details of the person who assisted you
Title: Mr □ Mrs □ Miss □ Ms □ Other □
Family name:
Given names:
Address:
Telephone number or daytime contact:
Offices hours:
Mobile/cell:

36 Is the person an agent registered with the Migration Agents Registration Authority (MARA)?
No □ Go to Part F
Yes □

37 Is the person/agent in Australia?
No □ Go to Part F
Yes □

38 Did you pay the person/agent and/or give a gift for this assistance?
No □ Go to Part F
Yes □

Part F – Options for receiving written communications

39 All written communications about this application should be sent to:
(Tick one box only)
Myself □
OR
Authorised recipient □
OR
Migration agent □
OR
Agent exempt from registration □

You must complete form 956-Appointment of a migration agent or exempt agent or other authorised recipient card and attach it to this application form. Form 956 is available from the department’s website www.immi.gov.au

Part G – Payment details

40 Do you have the application charge to include with your application?
Note: To check the Visa Application Charge, see form 956 charges available from the department’s website www.immi.gov.au/adviceforms/956.htm or check with the nearest office of the department.
No □ This application will be returned to you as a invalid application will not have been made
Yes □

41 How will you pay the application charge?
If applying outside Australia, please check with the Australian Government office where you intend to lodge your application as to what methods of payment and currencies they can accept and to whom the payment should be made payable.
Bank cheque □
Money order □
Debit card □ Cannot be used for applications lodged by mail
Credit card □ Give details below

Payment by (tick one box)
Australian Dollars
MasterCard □ Diners Club □
American Express □ JCB □
Visa □

Credit card number:

Expiry date:
Cardholder’s name:

Telephone number:
Address:

Signature of cardholder:

Credit card information will be used for charge paying purposes only.

Continued on the next page □
Part H — Declaration

WARNING: Giving false or misleading information is a serious offence.

42 Please sign the declaration below

I declare that:

- the information on this form is correct;
- I have read the rules at the front of this application, and am aware that I am required to abide by the conditions that are placed on my visa;
- after applying, I will notify the department of any change in my circumstances, including my address details; and
- I will respect Australian values as listed on this form, during my stay in Australia and will obey the laws of Australia.

Signature of applicant

Date

Please check all questions are answered. If your form is incomplete, there may be delays in processing your application.

We strongly advise that you keep a copy of your application and all attachments for your records.