

SPORTAUS



AIS

SPORTS RELATED VISAS



Migration Institute
of Australia

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Introduction

As the sporting labour market continues to globalise and sporting organisations increasingly seek to recruit staff from outside of Australia, Sport Australia's partners need to effectively navigate Australia's immigration and visa process.

After consultation with Sport Australia, the Migration Institute of Australia (MIA) has developed this Fact Sheet to support National Sporting Organisations and other Sport Australia partners to better understand the visa program, relevant types of visas for international staff and athletes and how to seek reliable advice relating to visa application processes.

Disclaimers:

- This Fact Sheet is provided as general information only and does not constitute legal or other professional advice and cannot be relied upon as such.
- Professional advice should be sought to determine the correct visa type and process relevant to individual requirements and circumstances.
- Neither the Migration Institute of Australia nor Sport Australia accept any responsibility for liabilities arising as a result of reliance upon the information in this Fact Sheet.

The migration program and visa rules change frequently. The information in this Fact Sheet is current as at 13 June 2019. It is recommended that anyone wanting to understand the migration program and apply for a visa should check for the latest details regarding specific visas on the Home Affairs website as well as through registered migration agents.

Using a registered migration agent

It is illegal to provide migration advice or assistance in Australia, unless registered with the Office of the Migration Agents Registration Authority (OMARA).

Registered migration agents are qualified professionals who must undertake continuing professional development to maintain the currency of their professional knowledge and maintain professional indemnity insurance, to be able to renew their registration annually.

Registered migration agents may also be legal practitioners and some may hold other professional qualifications. When choosing a registered migration agent you should first check their registration status through the [OMARA website](#).

Many registered migration agents are generalists and will be able to assist clients with most of the visas listed in this Fact Sheet. Others specialise in specific or niche areas of practice. When choosing a registered migration agent, you may wish to discuss their expertise and experience within the sport sector and the specific visas you are considering.

Migration and the visa system is governed by the Migration Act 1958, associated Migration Regulations and policy. Visa application charges can be very costly and are generally not refundable where an application is refused. A registered migration agent is skilled at negotiating this legislative maze.

The Migration Institute of Australia (MIA) is the peak professional association for registered migration agents in Australia. Members of the MIA are additionally subject to the MIA Members' Code of Ethics and Practice to ensure the highest standards of professionalism are maintained.

MIA member registered migration agents can be identified through the 'Find an Agent' search function on the [MIA website](#).



Australia's visa program

There are a variety of visa options available for athletes, coaches, allied staff and supporters, depending on the type of sporting activity they wish to undertake in Australia.

The suitable visa type will be determined by a number of factors, the most usual being the length of time the applicant wishes to remain in Australia, what they will be doing during their stay and, in the case of attendance or participation in an event, the sporting status of the competition.

Medium and long term visas

Eligibility for medium to long term stay visas are dependent on a variety of factors including:

- length of time the applicant wishes to stay in Australia – short or long term, and temporarily or permanently
- the type of activity they will be undertaking – participant, coach or adjudicator, voluntary or paid
- the level of salary - if the participation or employment is paid
- location of the employment – metropolitan, state/territory or regional
- the level of sporting competition or the status of the sporting association – local, state, national or international
- Skilled Occupation Lists – some visas require the occupation or activity to be listed on a relevant occupation list. Lists that include sports-related roles are: the Short-term Skilled Occupation List (STSOL), the Medium and Long-term Strategic Skills List (MLTSSL), the Regional Occupation List (ROL) or the Regional Sponsored Migration Scheme (RSMS). State and territory governments oversee State Nomination Occupation Lists (SNOL) which should also be taken into account when considering visa eligibility.



Eligible occupations (special conditions apply for some occupations) as at 13 June 2019

Occupation	ANZSCO	Temporary visa subclasses	Permanent visa subclasses	Relevant Skilled Occupation List
Coaches/Instructors				
Gymnastics Coach or Instructor	452312	407, 482, 489*	190, 187*	STSOL
Horse Riding Coach or Instructor	452313	407, 482, 489*	190, 187*	STSOL
Sports Coach or Instructor, Other	452317	407, 482, 489*	190, 187*	STSOL
Snowsport Instructor	452314	407, 482, 489*	190, 187*	STSOL
Swimming Coach or Instructor	452315	407, 482, 489*	190, 187*	STSOL
Tennis Coach	452316	407, 482, 489*, 485	189, 190, 186, 187*	MLTSSL
Sportspeople				
Footballer	452411	407, 482, 489*, 485	189, 190, 186, 187*	MLTSSL
Golfer	452412	n/a	187*	RSMS ROL
Sportsperson	452499	407, 482, 489*	190, 187*	STSOL
Support/Administrative staff				
Physiotherapist	252511	407, 482, 489*, 485	189, 190, 186, 187*	MLTSSL
Program or Project Administrator	511112	407, 482, 489*	190, 187*	STSOL
Psychologists	272399	407, 482, 489*, 485	189, 190, 186, 187*	MLTSSL
Recreation Officer	272612	407, 482, 489*	190, 187*	STSOL
Sports Administrator	139915	407, 482, 489*	187*	ROL
Sports Centre Manager	149113	407, 482, 489*	187*	ROL



Sports Development Officer	452321	407,489*,482	190, 187*	STSOL
Sports Official, Other	45323	n/a	187*	RSMS ROL
Sports Umpire	452322	407, 482, 489*	190, 187*	RSMS ROL
Exercise Physiologist	234915	407, 489*, 482	187*	ROL

NB: Subclasses 489 and 187 visas will be closed for new applications from 16 November 2019. Transitional arrangements may apply for current visa holders.



Temporary visas - Medium to long term stay

Temporary Skills Shortage Visa – Subclass 482 – 2 to 4 years

Who is eligible for this visa?

Coaches, instructors, sportspeople or support staff in paid employment.

Requirements and features

- Occupation must be on a relevant 'Skills Occupation List'
- Requires sponsorship by an employing association, authority or Australian business
- Allow stays of 2 - 4 years, with possibility of renewal
- Requires a minimum salary \$53,900 pa, although may be higher for specific occupations
- Dependent family members can be included

Company-Specific Labour Agreements – Subclass 482 – 2 to 4 years and possible permanent residence

Company specific labour agreements are a stream within the employer sponsored visa Subclass 482 visa program. They are essentially contracts negotiated directly between the employer and the Minister responsible for immigration.

The negotiation of a labour agreement is highly specialised and generally requires the assistance of a registered migration agent experienced in this area of practice. Labour agreements may also take an extended period of time to be negotiated.

Who is eligible for this visa?

Labour agreements permit approved organisations to sponsor overseas workers where the occupation does not appear on a relevant skilled occupation list, industry specific labour agreement or designated area migration agreement (DAMA).

Requirements and features

- Concessions to usual Subclass 482 visa requirements may be negotiated in the agreement, including minimum skill levels, salary, age or English language ability.
- May be possible to negotiate a pathway to permanent residency for visa holders under the agreement, after they have held a Subclass 482 visa for a specific number of years.
- Are generally in effect for five years, but require negotiation annually for the number of workers to be sponsored each year.
- Sponsors must also commit to reducing their reliance on overseas workers over the term of the agreement.



Training Visa – Subclass 407 – variable length of stay

Who is eligible for this visa?

Coaches, instructors, sportspeople or support staff wishing to undertake formal occupational training activities with a sponsoring organisation.

Requirements and features

- Requires a formal, individually structured training program
 - Requires sponsorship by the temporary activities sponsor
 - Requires the sponsor to directly provide the occupation training
 - Applicant must have a functional level of English
 - May be paid or unpaid
 - Length of stay dependent on length of training program
 - Dependent family members can be included
-

Skilled Regional (Provisional) visa – Subclass 489 – 4 years leading to permanent residency

**This visa subclass will be closed to new applications from 16 November 2019 and replaced with the new Subclass 491 Skilled Regional visa*

Who is eligible for this visa?

Coaches, instructors, sportspeople or support staff in paid employment

Requirements and features

- Occupation must be on a relevant 'Skills Occupation List'
 - Must obtain a positive skills assessment from the appropriate authority
 - Applicants must meet a minimum score on the 'Points test', based on personal and other attributes, including age, English language ability, education and work experience
 - May renew with second provisional visa
 - Dependent family members can be included
-



Skilled Work Regional (Provisional) – Subclass 491 – up to 5 years

**Commences 16 November 2019*

Who is eligible for this visa?

Applicants with an occupation on the relevant list and with a positive skills assessment. Applicants must also meet the 'Points test' and have been nominated by a State or Territory Government or family member living in a regional location

Requirements and features

- Must live and work in a designated regional area only
- Can move between designated regional areas
- Must have English language assessed at the level of 'competent' to apply
- Must not have turned 45 at the time of application
- Family members may be included

Skilled Employer Sponsored Regional (Provisional) – Subclass 494 – up to 5 years

**Commences 16 November 2019*

Who is eligible for this visa?

Applicants with an occupation on the relevant list and with a positive skills assessment who have been nominated by a sponsoring employer, although concessions may be available under the labour agreement stream.

Requirements and features

- Must live and work in a designated regional area only
- Can move between designated regional areas
- Minimum salary level of \$53,900 applies, concessions may be available under the labour agreement stream
- Must have English language assessed at the level of 'competent' to apply, concessions under labour agreement stream may apply
- Must not have turned 45 at the time of application, concessions under labour agreement stream may apply
- Family members may be included



Temporary Graduate Visa – Subclass 485 – 18 months to 3 years

Who is eligible for this visa?

Ex student visa holders who have studied a diploma or higher AQF level course in Australia for two years.

Requirements and features

- This visa has no work restrictions
 - Must apply within 6 months of completing education course in Australia
 - Visa length is determined by the AQF level of course studied and location of study
 - Family members may be included
-



Permanent residency visas

Skilled Independent - Subclass 189

Who is eligible for this visa?

Applicants with an occupation on the relevant list, with a positive skills assessment, and who are able to meet the 'Points test'.

Requirements and features

- Occupation must be on a relevant 'Skills Occupation List'
 - Must submit an 'expression of interest' and be invited to apply for this visa
 - Must obtain a positive skills assessment from the appropriate authority
 - Applicants must meet a minimum score on the 'Points test', based on personal and other attributes, including age, English language ability, education and work experience
 - Must be under 45 at time of application
 - Dependent family members can be included
-

Skilled Nominated (Permanent) visa - Subclass 190

Who is eligible for this visa?

Applicants with an occupation on the relevant list, with a positive skills assessment, and who are able to meet the 'Points test' and have been nominated by a State or Territory Government or family member living in an approved location

**Extra points are awarded for third party nomination*

Requirements and features

- Occupation must be on a relevant 'Skills Occupation List'
 - Must submit an 'expression of interest' and be invited to apply for this visa
 - Must obtain a positive skills assessment from the appropriate authority
 - Applicants must meet a minimum score on the 'Points test', based on personal and other attributes, including age, English language ability, education and work experience
 - Must be under 45 at time of application
 - Dependent family members can be included
-



Employer Nomination Scheme - Subclass 186

Who is eligible for this visa?

Employer sponsored applicants with an occupation on a relevant 'Skills Occupation List' or who have worked for their employer for 2-3 years on a Subclass 457 or Subclass 482 visa.

Requirements and features

- Two streams – Temporary Residency Transition (TRT) stream for Subclass 457/482 holders; Direct Entry (DE) stream
 - Direct Entry stream requires positive skills assessment by appropriate authority
 - Must be under 45 at time of application
-

Regional Sponsored Migration Scheme - Subclass 187

**This visa subclass will be closed to new applications from 16 November 2019 and replaced with the new Permanent Residence (Skilled Regional) visa – Subclass 191*

Who is eligible for this visa?

Employer sponsored applicants with an occupation on a relevant 'Skills Occupation List' or who have worked for their employer for 2-3 years on a Subclass 457 or Subclass 482 visa
Position must be located in a 'regional' area

Requirements and features

- Position must be in a defined regional area –Brisbane, Gold Coast, Sydney, Newcastle, Wollongong, Melbourne and Perth are **not** eligible locations
 - Two streams – Temporary Residency Transition (TRT) stream for Subclass 457/482 holders; Direct Entry (DE) stream
 - Direct Entry stream requires positive skills assessment by appropriate authority
 - Must be under 45 at time of application
-



Permanent Residence (Skilled Regional) visa – Subclass 191

**Commences 16 November 2022*

Who is eligible for this visa?

Applicants who have held a Subclass 491 or 494 visa for a minimum of three years, while living and working in a designated regional area

Requirements and features

- Must meet a minimum taxable income threshold level for at least three years
 - Family may be included
-



Temporary visas - Short term stays

Temporary Stay (Short Term Specialist) – Subclass 400 visa – 3 months - maximum 6 months stay

Who is eligible for this visa?

Professional players contracted to play in a national level competition for a season of up to six months. Sports people and support staff participating in short term events such as trials, major tournaments, undertaking highly specialised coaching positions or training to participate in national level of sport.

Requirements and features

- Does not require formal sponsorship
- Australian employment position required
- Must demonstrate adequate means of support for period of stay
- Work cannot be ongoing and must be completed within six months

Temporary Activity – Subclass 408 visas – varying durations

This short term visa has a number of 'streams' appropriate to different short-term sporting events and activities and for individuals connected to these events and activities. The streams are:

- Invited participant in an event stream
- Sport activity stream
- Australian Government Endorsed Event stream

The invited participant and sport activity streams generally require either an invitation to participate in an event or activity, support from a sporting or relevant authority, or sponsorship by an eligible temporary activity sponsor.

Applicants applying while in Australia or applicants applying from offshore for visa durations of more than 3 months, will require sponsorship by a temporary activity sponsor.

Applicants will be required to demonstrate that they have adequate means of support while in Australia e.g. savings, salary, sponsor provided accommodation and living.



Invited participant stream - 3 months duration

*Any 'work' activities undertaken while on this visa must not extend beyond the participation in the invited event.

Who is eligible for this visa?

Sports persons and entourage, elite players, coaches, instructors and adjudicators (such as referees, umpires and judges).

Requirements and features

- This stream allows individuals who have been directly invited to participate in a sporting event to stay for up to three months in Australia to participate in the event
- The invitation must be issued by a person or the organisation directly responsible for the event or a person with a formal role in organising or conducting the event
- The application must be supported by a letter of invitation from an Australian National Sporting Organisation
- If the applicant is applying from offshore, there is no need for sponsorship by an Australian sponsor. Where the visa is being lodged onshore in Australia, sponsorship is required
- A subsequent three month visa may be applied for, but a maximum of 6 months stay within any 12 month period only is permitted

Sports Activity stream – up to 2 years duration

Who is eligible for this visa?

Sports competitors and sports trainees (elite players and emerging athletes on a high performance pathway), coaches, instructors and adjudicators (including trainee adjudicators) contracted to sporting organisations

Requirements and features

- This stream allows those sports trainees and adjudicators to undertake training with a recognised sporting organisations for up to two years.
- This stream requires sponsorship by a temporary activities sponsor
- This stream also allows elite players, coaches, instructors and adjudicators to participate in invited activities in relation to their expertise.
- Sports trainees and adjudicators must be competing or adjudicating at an Australian national level or equivalent, or be endorsed by the *relevant peak sporting body* in Australia or overseas as having the demonstrated potential to compete or application must be supported by a letter of invitation from an Australian peak sporting organisation or equivalent.
- Discretion to renew visa, however, total cumulative stay period of four years only generally permitted



Australian Government Endorsed Event – up to 4 years duration

Major international sporting events such as the Olympic Games, Commonwealth Games, Invictus Games and World Rugby Cup, are designated as Australian Government Endorsed Events (AGEE).

These events are specifically listed in legislation in the run up to these events and are removed from the legislation at the end of the event.

Who is eligible for this visa?

This visa is available to a broad range of people and a broad range of activities attached to these events, including sportspeople, coaches and support staff.

Requirements and features

- Specific units are set up within the Department of Immigration for these events
 - All visa applications are handled directly by these units
 - The requirements for these visas are published when the event is gazetted
 - Total cumulative stay period of four years permitted.
-



What Temporary Activity visa suits you?

Are you?	How long do you wish to stay?	Possible visa options
An amateur or professional sportsperson/sports team or competitor?	Temporarily to compete in a specific sporting event or competition	Temporary Activities visa (Subclass 408): Invited participant stream OR Sports activity stream OR Australian Government Endorsed Event stream
A sports or coaching trainee?	Temporarily to undertake training with an authorised sporting authority	Temporary Activities visa (Subclass 408): Sports activity stream
A professional or elite sportsperson?	Temporarily to compete in a single event	Temporary Activities visa (Subclass 408): Invited participant stream OR Sports activity stream
	For a sporting season	Temporary Activities visa (Subclass 408): Invited participant stream OR Temporary Skills Shortage visa (Subclass 482): Specific sports - requires 'employer' sponsorship
A coach, referee or adjudicator?	Temporarily to coach, referee or adjudicate in a single event	Temporary Activities visa (Subclass 408): Invited participant stream OR Sports activity stream OR Australian Government Endorsed Event stream
	For a sporting season or seasons	Temporary Activities visa (Subclass 408): Sports activity stream OR Temporary Skills Shortage visa (Subclass 482): Requires 'employer' sponsorship
A support person to a sporting competitor eg manager, medical staff or official?	Temporarily to support a competitor or team in a single event	Temporary Activities visa (Subclass 408): Invited participant stream
A sports spectator?	To attend a specific sporting event or series of sporting events	Visitor visa (Subclass 600)





Australian Government

Australian Sports Commission

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