

QUESTION TAKEN ON NOTICE

Parliamentary Inquiry : 17 September 2018

HOME AFFAIRS PORTFOLIO

(IEMP/026) – IEMP/026: Senator Pratt asked two questions regarding visas for au pairs and tourist visas

Asked:

1. Which visa is appropriate for an au pair? Is there more than one type of visa that an au pair might work under in Australia, depending on their circumstances, intentions, home country, and so on?
2. Would a person on a tourist visa be able to provide babysitting or other au pair services in exchange for accommodation?

Answer:

Appropriate Visa for an Au Pair

There are a number of temporary visa options that may be appropriate to allow a foreign national to work in Australia as an au pair.

This includes through the Working Holiday Maker (WHM) program, whereby young persons from eligible countries can come to Australia and engage in short-term employment, including as an au pair.

Student visa holders may work in any capacity permitted by law in line with the conditions attached to their visa. This means that Student visa holders may engage in employment, including as au pairs.

Any foreign national who has a valid visa to enter Australia, which does not have a work limitation attached to their visa (for example a Partner Provisional visa holder – subclass 309) may engage in employment, including as an au pair.

Visitor Visas (Tourist Stream)

Visitor visas (Tourist stream) are subject to a condition that prohibits work.

Under the Migration Regulations, 'work' is defined as an activity that, in Australia, normally attracts remuneration.

The policy does not regard genuine volunteer work activities, including in return for board, accommodation or reimbursement of out-of-pocket expenses, as falling within the definition of 'work'.