



Commonwealth Fact Sheet



MIGRATION ACT 1958

If your project involves employing overseas workers, you must understand their visa requirements. There are a range of visa options available to employ overseas workers and strict penalties for non-compliance with migration legislation.

1. What visas do I need?

Overseas workers must hold a valid visa that allows them to work in Australia. There are different types of visas available for suitable skilled workers. Visa options for employers who wish to bring in overseas workers include:

Temporary visas

- Temporary Work (Short Stay Specialist) visa (subclass 400)
- Temporary Skill Shortage visa (subclass 482)
- Skilled Employer Sponsored Regional (Provisional) visa (subclass 494)

Permanent visas

- Employer Nomination Scheme (ENS) visa (subclass 186)
- Regional Sponsored Migration Scheme (RSMS) visa (subclass 187) – Temporary Residence Transition stream only

[Visa options](#) for skilled workers are outlined on the Department of Home Affairs' Immigration and Citizenship webpage.

2. Who grants visas?

The Department of Home Affairs manages the temporary and permanent visa programs for overseas workers.

3. How do I apply for a visa?

The Department of Home Affairs provides [information for employers](#) who are seeking to employ foreign nationals. This includes sponsoring skilled workers to Australia when an appropriately skilled Australian cannot be found to fill a position, as well as employing visa holders currently in Australia.

The [Visa Entitlement Verification Online](#) service provides visa holders, employers and other registered organisations access to information about a visa holder's status in Australia, including their ability to work lawfully.

4. Sponsorship application

When you sponsor a worker you have certain obligations to them. Some of these obligations might continue after they cease working for you. Information on sponsorship is available on the Department of Home Affairs [webpage](#).

5. More information

For more information on visas and immigration matters view the Department of Home Affairs [website](#).

Major Projects Facilitation Agency

If you would like assistance to identify the regulatory obligations for your project, please visit our [Online Tool](#) or contact us:

Email: mpfa@industry.gov.au

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