



FACT SHEET

Training contracts and visa holders

A training contract is required to satisfy the relevant legislative requirements for it to be approved for registration. Sub-regulation 42(2)(cc) of the *Vocational Education and Training (General) Regulations 2009* provides that a training contract may be refused registration if the prospective apprentice* is not an Australian citizen, or if their visa does not support the employment and study arrangements of the training contract.

In general, if a person holds an Australian permanent resident visa or is a New Zealand citizen residing in Australia, they are deemed as eligible to enter into a training contract.

All temporary visa holders' eligibility will be assessed on a case by case basis, dependent on the work and study rights of the visa, the duration of the visa, and the grounds on which the visa was granted. For details relating to a visa's rights and conditions, please refer to the visa grant notice, or information on the Department of Home Affairs website.

This fact sheet outlines some general requirements regarding Temporary Work (Skilled) visa (subclass 457) and Temporary Skill Shortage visa (subclass 482) holders wanting to enter into an apprenticeship or traineeship training contract in WA.

Temporary Work (Skilled) visa (subclass 457) and Temporary Skill Shortage visa (subclass 482)

The temporary visas allow overseas skilled workers to travel to Australia and work in their nominated occupation for their approved sponsor, for up to four years.

Primary visa holders

A primary holder of these temporary visas is sponsored by an employer on the basis that the visa holder already possesses the required skills and experience relevant and necessary to perform the tasks of the nominated occupation. As such, they should not be undertaking an apprenticeship or traineeship in this occupation whilst in Australia and for this reason, training contracts will not be registered for a primary 457 or 482 visa holder.

Secondary visa holders

A secondary visa holder is a member of the primary 457 or 482 visa holder's family. Secondary 457 or 482 visa holders may be eligible to apply to enter into an apprenticeship or traineeship, providing that their visa is valid for the nominal term of the training contract.

More information

For further information and advice, contact Apprenticeship Office on 13 19 54.

* The term 'apprentice' includes apprentices, trainees, cadets and interns.

Apprenticeship Office

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