



# GMS Flash Alert

**Immigration Edition**

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## Australia - COVID-19 Borders Closed to NonResidents

On 19 March 2020, the Australian prime minister announced that Australia would close its borders to all nonresidents of Australia effective from 9:00pm (AEDT, GMT +11) 20 March 2020.<sup>1</sup> These enhanced border measures are in response to the coronavirus (COVID-19) outbreak.

Speaking on behalf of the Australian government, Australian Treasurer Josh Frydenberg suggested in an interview that this travel restriction could remain in place for up to six months, subject to medical advice.<sup>2</sup>

Australian permanent residents and their immediate family members, and New Zealand citizens who can show they are normally resident in Australia, will be allowed entry to Australia but will need to self-quarantine at home or in a hotel for 14 days from date of arrival.

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### WHY THIS MATTERS

This restriction will apply to all nonresidents of Australia. Temporary visa holders currently outside Australia will not be permitted entry to Australia at the current time, unless they can demonstrate they are the immediate family members of Australian citizens.

457 and 482 visa holders (including dependent family members) currently overseas will be unable to return to Australia at the present time to resume or commence their employment. This includes 482 visa applicants currently overseas and awaiting the outcome of their application.

These new travel restrictions are aimed at controlling the circulation of COVID-19 and preventing its spread in Australia. They will have considerable impact on cross-border business travelers and globally-mobile employees between Australia and other countries – and could delay, if not prevent, cross-border transfers of such employees and their family members.

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## KPMG NOTE

### Impact on Visa Holders Outside Australia

Visa holders who have been granted visas but who are currently outside of Australia will be affected if their visa condition requires them to enter Australia on or before the period of the travel restriction. Those visa holders who cannot enter by the requisite date will be required to make a new visa application.

This will also affect current visa holders who are outside Australia and may be unable to return prior to the expiry of their current visa as well as visa applicants who may have been awaiting a decision on their visa from outside of Australia.

Australian employers of impacted visa holders attempting to enter Australia will need to delay the commencement of visa holder's work in Australia or consider whether offshore work arrangements are possible. This review is particularly essential for existing 457 or 482 visa holders, with consideration of any work conditions that apply to their current visas.

Bridging visa holders (temporary visa) who are outside Australia when their bridging visa expires will need to apply for another visa. Bridging visas cannot be granted if you are outside Australia.

### Impact on Visa Holders Inside Australia

Employers looking to change their operational arrangements in a way that may impact the nature, hours or method of work for any sponsored visa holders are encouraged to contact their qualified immigration counsel or the Immigration team with KPMG in Australia for advice on how the proposed arrangements may impact visa holders and employer compliance under the migration legislation. We are currently assisting a number of clients to manage their workforce arrangements in these challenging times.

Current visa holders in Australia who are approaching visa expiry must carefully consider options to depart Australia prior to visa expiry or look to make a new visa application if they wish to remain in Australia while the travel restriction remains in place. In some cases, it may be necessary for temporary visa holders to seek a waiver of a 'No Further Stay' condition on their visa.

Current visa holders looking to depart Australia in the near future are encouraged to check any travel restrictions that may be in place for their next destination country, prior to making travel arrangements.

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## FOOTNOTES:

1 See the Department of Home Affairs current alerts on its "News and Media" [webpage](#).

2 See a report, see J. Taylor, A. Remeikis, and N. Zhou, "Josh Frydenberg says Australia could close borders for six months amid Covid-19 pandemic – as it happened," in *The Guardian* (online), 19 March 2020, by clicking [here](#). (Note that this is a 3<sup>rd</sup> party (non-governmental, non-KPMG) website. Providing this link does not represent an endorsement of this website by KPMG.)

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## Contact us

For additional information or assistance, please contact your local GMS or People Services professional\* or one of the following professionals with the KPMG International member firm in Australia:



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*\* Please note that KPMG LLP (U.S.) does not provide any immigration services. However, KPMG Law LLP in Canada can assist clients with U.S. immigration matters.*

**The information contained in this newsletter was submitted by the KPMG International member firm in Australia.**

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