



**MEMORANDUM OF UNDERSTANDING**  
**BETWEEN**  
**THE GOVERNMENT OF AUSTRALIA**  
**AND**  
**THE GOVERNMENT OF**  
**THE REPUBLIC OF INDONESIA**  
**ON A PILOT WORKPLACE-BASED TRAINING VISA ARRANGEMENT**

The Government of Australia (Australia) and the Government of the Republic of Indonesia (Indonesia);

**DESIRING** to strengthen ties between the two countries;

**PURSUANT TO** the prevailing laws and regulations in their respective countries;

**HAVE REACHED** the following understandings:

## **1 SCOPE**

This Memorandum of Understanding (MoU) expresses the understandings and intentions of Australia and Indonesia in relation to workplace-based training (*pemagangan*) in Australia.

## **2 ISSUE OF 'TRAINING' VISAS**

2.1 Subject to the provisions of this MoU, Australia will grant annually, up to 200 visas allowing temporary stay for a period of six calendar months for the purpose of undertaking workplace-based training to nationals of Indonesia, who the decision maker is satisfied satisfy the following requirements:

- (a) have been sponsored by an approved enterprise lawfully operating in Australia to participate in workplace-based training activities;
- (b) are at least eighteen years of age at the time of application for the visa;
- (c) hold a valid passport and an onward travel ticket or sufficient funds to purchase such a ticket;
- (d) possess sufficient funds for personal support for the duration of stay in Australia;
- (e) meet health and character requirements as specified by Australian law;
- (f) have functional English language skills necessary to undertake the workplace-based training; and
- (g) meet all other relevant eligibility requirements to obtain an Australian visa.

2.2 Workplace-based training covered by this MoU is limited to workplace-based training for an occupation on the list of eligible skilled occupations related to

education, tourism, telecommunications, infrastructure development, health, energy, mining, financial services, or information communication and technology (ICT) and eligible for sponsorship for a ‘Training’ visa.

2.3 The sponsoring enterprise referred to in paragraph 2.1.a<sup>1</sup> is responsible for providing the workplace-based training, including:

- (a) relevant skills development;
- (b) workplace based training and any formal training;
- (c) appropriate arrangements for funding the trainee travel (including return airfares) and associated fees and administrative costs;
- (d) remuneration of the trainee;
- (e) arrangement for health insurance for the trainee; and
- (f) where applicable, sector specific workplace insurance.

### **3 STAY AND WORKING CONDITIONS**

3.1 Nationals of Indonesia who have entered the territory of Australia on a ‘Training’ visa will be required to comply with the laws and regulations of Australia, not engage in employment that is contrary to the purpose of the ‘Training’ visa arrangement, and participate in workplace-based training for at least 30 hours a week, of which no more than 30 per cent may be classroom-based.

### **4 SUSPENSION**

Subject to paragraph 6.4, Australia and Indonesia may temporarily suspend the provisions of this MoU in whole or in part for reasons of national security, national interest, public policy, public order or public health. Any such suspension will be notified promptly in writing through diplomatic channels.

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<sup>1</sup> For greater certainty, a “sponsoring enterprise” does not include the Australian Government.

## **5 AMENDMENT**

5.1 Amendments to this MoU may be made at any time by a written arrangement between Australia and Indonesia through diplomatic channels.

5.2 The date of effect of any such amendment will be stipulated in the diplomatic correspondence.

## **6 COMMENCEMENT AND DURATION**

6.1 This MoU takes effect on:

- (a) the date that Australia and Indonesia mutually determine and notify each other in writing through diplomatic channels; or
- (b) the first day of the month following the month in which Australia has notified Indonesia in writing through diplomatic channels that its domestic procedures for giving effect to this MoU have been completed.

6.2 Either Australia or Indonesia may terminate this MoU by giving written notice through diplomatic channels, in which case the date of termination will be the later of:

- (a) the date of termination specified in that written notice; or
- (b) the date ninety days following the day that the written notice is received by the other country.

6.3 Australia and Indonesia will review the operation of this MoU within five years from the date of entry into effect unless mutually determined otherwise.

6.4 Notwithstanding any termination or suspension of this MoU or of any provisions of this MoU, any national of Indonesia who (at the date of such termination or suspension) already holds a valid 'Training' visa will be permitted to enter or remain in Australia according to the terms of that visa for as long as that visa remains valid, subject to Australia's laws and regulations.

## 7 DISPUTE RESOLUTION

Any disputes between Australia and Indonesia which may arise over the interpretation or application of this MoU will be settled through negotiations and consultations between Australia and Indonesia.

IN WITNESS WHEREOF, the undersigned duly authorised thereto by their respective Governments, have signed this MoU.

SIGNED in duplicate at Jakarta on the 4th day of March 2019 in the English and Indonesian languages, both texts being equally valid. In case of any divergence in the interpretations, the English text will prevail.

For the Government of  
Australia:



First Assistant Secretary  
Regional Trade Agreements Division  
Department of Foreign Affairs and Trade

For the Government of  
the Republic of Indonesia:



Secretary General  
Ministry of Manpower