



# Allowable work hours cap for international students

## Reinstating of the fortnightly work hour cap from 1 July 2023

### Introduction

The allowable work hours cap for international students was relaxed during the pandemic to help meet workforce shortages.

The Government has announced that the cap will be reinstated on 1 July 2023 and will be raised from its previous level of 40 hours per fortnight to the new level of **48 hours per fortnight**.

This revised cap will help international students to support themselves through their studies, while maintaining study as the primary purpose of their visa.

Student visa holders already working in the aged care sector on 9 May 2023 can continue to work unrestricted hours in the aged care sector until 31 December 2023.

More information for students and employers can be found on the [Home Affairs website](#).

### Safeguarding international students' rights

The Government is committed to addressing exploitation of migrant workers in all sectors and is aware of the risks of exploitation that international students can face, where limited work hours are a condition of their visa.

The Government has agreed to the recommendations in the Post-Study Work Rights Report which address these risks:

- ensuring the needs of student and graduate visa holders are considered when developing the package of reforms to address migrant worker exploitation expected in 2023.

- ensuring information about the role of the Fair Work Ombudsman in securing workplace rights and protections for all workers in Australia is available to international students and graduates.

## The Fair Work Ombudsman

If an international student is being exploited in the workplace, they should contact the [Fair Work Ombudsman](#), who will be able to support them. The [Assurance Protocol](#) applies to temporary visas with work restrictions, including the Student visa (subclass 500). This allows international students to seek help from the Ombudsman without fear of visa cancellation, even if they have breached their visa conditions.

Employers are not able to cancel visas, even if you have breached your visa conditions. If you are being exploited in your workplace, please contact the Fair Work Ombudsman as soon as possible.

For more information about international students' rights in the workplace, consult the [Fair Work Ombudsman international students fact sheet](#).

## Frequently asked questions

### Does the cap apply to all international students, or just new students who begin their courses after 1 July 2023?

The cap applies to all international students, no matter when they began studying, except for students who were already working in the aged care sector on 9 May 2023. These students can work unrestricted hours in the aged care sector until 31 December 2023.

Existing arrangements exempting all Doctorate and master's degree by research students from the working hours cap continue to apply.

International students may work unlimited hours during their holiday breaks.

### Why is the Government reinstating the cap on working hours?

The relaxation of the working hour cap was a temporary measure during the pandemic to allow students to bolster their income while helping to meet labour shortage. The primary purpose of a student visa is to study in Australia. The working hour cap is intended to balance international students' need to support themselves and gain work experience in Australia with their main purpose, which is to study in Australia.



## What should I do if my employer is threatening me with visa cancellation for working too many hours in a fortnight?

You should contact the [Fair Work Ombudsman](#). Your employer cannot cancel your visa, and the Department of Home Affairs will not cancel your visa for reporting workplace exploitation to the Fair Work Ombudsman, even if you have worked more than the allowed number of hours in a fortnight.

