What fines could I face by working illegally?

Check Types · https://workerchecks.com/docs/what-fines-could-i-face-by-working-illegally/

If you work in Australia without the right to work, or in breach of your visa conditions, you could face significant fines and possible imprisonment. This applies whether it happens on purpose or by accident.

Businesses involved can also face significant fines and possible imprisonment. The Australian Department of Home Affairs enforces these rules heavily.

Who can be penalised

Penalties can apply to both workers and businesses:

- **Workers** who work without a valid visa, or who break the work conditions on their visa. For example, working more hours than allowed, or working for an employer the visa does not permit.
- **Businesses and individuals** who employ, refer or contract a person who does not have the right to work, or who allow a visa holder to work in breach of their visa conditions. Penalties can apply for each worker involved, including workers sourced through labour hire or recruitment companies.

What counts as working illegally

You may be working illegally if:

- you do not hold a valid visa, including a visa that has expired or been cancelled
- your visa does not allow you to work
- you work outside your visa conditions, such as a limit on weekly hours or permission to work only for one employer
- your work rights were time-limited and have ended

Australian citizens, New Zealand citizens and Australian permanent residents can work in Australia. Temporary visa holders can only work within the conditions of their visa. Read more in

Who can legally work in Australia?

How employers check work rights

Employers are responsible for confirming and recording each worker’s right to work before they start. This applies to employees, contractors and volunteers.

The usual way to do this is a VEVO check. VEVO (Visa Entitlement Verification Online) is the Department of Home Affairs system that shows a person’s visa type, expiry date and any work conditions or limits. Worker Checks can run a VEVO check for you online and store the result in your secure portal, so you have a record if you are ever audited.

- What is a VEVO check?
- How much is a VEVO check?
- How do I check that I’m legally able to work in Australia?

Official information

For the current offences and penalties, see the Department of Home Affairs page on work-related contraventions. If you are unsure about your own visa conditions, contact the Department of Home Affairs or a registered migration agent.

Run a VEVO Right to Work Check ›

Still Need Help?

Chat

We’re happy to assist you in understanding your results and next steps.