

PIYUSH GOYAL

MINISTER OF COMMERCE & INDUSTRY,
CONSUMER AFFAIRS, FOOD & PUBLIC DISTRIBUTION AND
TEXTILES, GOVERNMENT OF INDIA

H.E. Dan Tehan

Minister for Trade, Tourism and Investment of Australia
Government of Australia

Excellency,

02 April, 2022

In connection with the signing of the India-Australia Economic Cooperation and Trade Agreement ("the Agreement") between the Government of Australia and the Government of the Republic of India ("the Parties"), and your letter dated 02 April 2022, which reads:

"In connection with the signing of the India-Australia Economic Cooperation and Trade Agreement ("the Agreement"), I have the honour to confirm the following understandings shared by the Governments of Australia and India ("the Parties") in relation to post-study work visas:

1. Australia agrees to maintain the following opportunities for former students to live, study and work in Australia temporarily after finishing their studies:
 - a) upon completion of diploma or trade qualifications, stays of up to 18 months
 - b) upon completion of bachelor degree (including honours), stays of up to 2 years
 - c) upon completion of masters by research and masters by coursework, stays of up to 3 years
 - d) upon completion of doctoral degrees, stays of up to 4 years.
2. The Parties acknowledge the important contribution to each Party made by Science, Technology, Engineering or Mathematics (STEM) specialists, including Indian Information and Communications Technology (ICT) professionals. To enhance mobility in these fields, Australia shall extend possible stays from two to three years for Indian students graduating in Australia with bachelor degrees in the STEM fields with First Class Honours, including ICT fields.
3. India shall provide a work-based immigration route with reciprocal eligibility and duration to the understandings contained in paragraphs 1 and 2 for Australian citizens who successfully complete their studies and wish to supplement their training with professional experience in India.

4. The Parties' shared understandings with respect to STEM specialists, including ICT professionals, contained in this letter complement the commitments made by the Parties in the Agreement, including commitments on such professionals entering as Contractual Service Suppliers.
5. The Parties shall arrange for their respective commitments on post-study work visas contained in the understandings set out in this letter to be implemented within one year of entry into force of the Agreement.
6. The Parties agree that neither Party shall have recourse to dispute settlement under Chapter 13 (Dispute Settlement) of the Agreement regarding any matter arising under or related to these understandings unless the matter involves a pattern of practice and the natural persons affected have exhausted all available administrative remedies regarding the particular matter.¹

I have the honour to propose that this letter, and your letter in reply confirming that your Government shares these understandings, which shall come into effect on the date on which the Agreement enters into force, shall constitute an integral part of the Agreement."

I have the honour to confirm that my Government shares these understandings, which shall constitute an integral part of the Agreement.

Sincerely yours,

Piyush Goyal
Minister of Commerce and Industry
Government of India

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¹The administrative remedies shall be deemed to be exhausted if the final determination in the matter has not been issued by the other Party within a reasonable period of time after the date of institution of the process for the remedy, including any proceedings for review or appeal, and the failure to issue such a determination is not attributable to delays caused by the natural persons concerned.