

Frequently asked questions for mutual recognition

1. What is mutual recognition?

Mutual recognition is an agreement between the Department of Foreign Affairs and Trade (DFAT) and the Department of Education, Skills and Employment (DESE). It will allow a majority of current employers in the Pacific Labour Scheme (PLS) and the Seasonal Worker Programme (SWP) to join the other program, providing they are eligible and wish to do so.

2. How will mutual recognition work in practice?

If you are an SWP employer, you will receive a letter from the Pacific Labour Facility (PLF) inviting you to express interest in joining the PLS.

After receiving your expression of interest and completed template attached to the letter, the PLF will send you the PLS Deed of Agreement to execute together with relevant documents to complete. If you are a PLS employer, the communication will come from DESE requesting you to follow the same process to join the SWP.

3. I am an SWP employer. If I don't take up the offer now, can I take it up later (and vice versa)?

As indicated in the letter, please send your expression of interest to join the other program by the date requested. Any expression of interest received from an eligible SWP or PLS employer after this date will only be considered on a case-by-case basis by DFAT or DESE.

4. Will mutual recognition apply to entities who are currently in the process of being assessed but are not SWP or PLS employers?

Mutual recognition will apply if your application is successful through the assessment process.

5. Will mutual recognition apply to SWP or PLS employers who are currently subject to compliance action by DESE or DFAT?

DFAT and DESE will share details of compliance actions and the past performance history of employers in the SWP and the PLS. Compliance actions will be considered and applied on a case-by-case basis by DFAT and DESE.

6. I am a PLS employer. Will I have conditions under the SWP deed?

Yes, if you wish to join the SWP you will be offered an SWP Deed of Agreement which will outline the requirements and conditions of the SWP program.

For example: all new SWP employers are allocated a recruitment cap of seasonal workers for their first recruitment as a deed condition. In addition, there are other program differences in relation to worker welfare and wellbeing support and accommodation.

You can view a copy of the SWP deed and SWP guidelines on the [PALM scheme website](#). If you would like further information, please call the SWP information line on (+61 2 6240 5234) or email (SWPapplications@dese.gov.au).

7. Under mutual recognition will experience in the PLS count towards the SWP and vice versa?

Yes, an employer's experience in the PLS will help inform SWP deed conditions and how DESE manages the employer in the SWP (and vice versa).

8. How will DFAT, DESE and the PLF share information about SWP and PLS employers under mutual recognition?

The PLF may collect SWP and PLS employers' information for various purposes and disclose this information to DESE and DFAT. Under mutual recognition and at your election, this will include sharing information where you apply for one program to fast-track your application for the other program, to enable administration of both programs including deed administration, and to enable your access and use of PLF, DESE and DFAT services and applications.

For further information on how your information will be shared, please read the [PLF privacy policy](#) on the [PALM scheme website](#).

9. I am an SWP employer. If I choose to join the PLS and sign a PLS deed, how long will the new deed last?

The PLS deed expires 5 years after the date it is fully executed.

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The SWP deed will expire on 31 March 2023.

11. I am an SWP employer. If I choose to join the PLS, can I transfer my current SWP workers to the PLS?

No. Your current SWP workers are on a SWP 403 visa or 408 Pandemic visa. They cannot be transferred to a PLS 403 visa in Australia. When your current SWP workers finish their current employment with you and go home, you can choose to sponsor them to come back to Australia as a PLS worker (on a PLS 403 visa) after you become a PLS employer.

