



## **Migration (IMMI 17/101: Arrangements for Partner and Prospective Marriage Visa Applications) Instrument 2017**

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I, PETER DUTTON, Minister for Immigration and Border Protection, make the following instrument:

Dated 16 November 2017

Peter Dutton

THE HON PETER DUTTON MP  
Minister for Immigration and Border Protection

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## **Part 1 – Preliminary**

### **1 Name**

- (1) This instrument is the *Migration (IMMI 17/101: Arrangements for Partner and Prospective Marriage Visa Applications) Instrument 2017*.
- (2) This instrument may be cited as IMMI 17/101

### **2 Commencement**

This instrument commences on 18 November 2017.

### **3 Authority**

This instrument is made under subregulation 2.07(5) of the *Migration Regulations 1994*.

### **4 Definitions**

In this instrument:

***Regulations*** means the *Migration Regulations 1994*.

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## Part 2 – Arrangements for Partner Visa Applications

### 5 Partner (Residence)(Class BS) visa

- (1) This section applies to a person seeking to apply for a Partner (Residence) (Class BS) visa.
- (2) For subitem 1124B(1) and paragraph 1124B(3)(a) of Schedule 1 to the Regulations, for each kind of applicant described in Column B of item 1 in the table in Schedule 1 to this instrument;
  - (a) the approved form is specified in the corresponding row in Column C;  
and
  - (b) the place and manner for making an application is specified in the corresponding row in Column D.

### 6 Partner (Migrant)(Class BC) visa

- (1) This section applies to a person seeking to apply for a Partner (Migrant) (Class BC) visa.
- (2) For subitem 1129(1) and paragraph 1129(3)(a) of Schedule 1 to the Regulations, for each kind of applicant described in Column B of item 2 in the table in Schedule 1 to this Instrument;
  - (a) the approved form is specified in the corresponding row in Column C;  
and
  - (b) the place and manner for making an application is specified in the corresponding row in Column D.

### 7 Partner (Temporary)(Class UK) visa

- (1) This section applies to a person seeking to apply for a Partner (Temporary) (Class UK) visa.
- (2) For subitem 1214C(1) and paragraph 1214C(3)(b) of Schedule 1 to the Regulations;
  - (a) the approved form is specified in the corresponding row in Column C;  
and
  - (b) the place and manner for making an application is specified in the corresponding row in Column D.

### 8 Prospective Marriage (Temporary)(Class TO) visa

- (1) This section applies to a person seeking to apply for a Prospective Marriage (Temporary) (Class TO) visa.
- (2) For subitem 1215(1) and paragraph 1215(3)(a) of Schedule 1 to the Regulations;
  - (a) the approved form is specified in the corresponding row in Column C;  
and

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(b) the place and manner for making an application is specified in the corresponding row in Column D.

**9 Partner (Provisional)(Class UF) visa**

- (1) This section applies to a person seeking to apply for a Partner (Provisional) (Class UF) visa.
- (2) For subitem 1220A(1) and paragraph 1220A(3)(a) of Schedule 1 to the Regulations;
  - (a) the approved form is specified in the corresponding row in Column C; and
  - (b) the place and manner for making an application is specified in the corresponding row in Column D.

## Schedule 1 – Place, manner and form for making Partner visa

Row No.	Column A: Visa	Column B: Kind of Applicant	Column C: Form	Column D: Place and Manner
1.	Item 1124B Partner (Residence) (Class BS) <i>Subclass 801 (Partner)</i>	If the applicant is the holder of a Subclass 445 (Dependent Child) visa	1002	Application must be made: <ul style="list-style-type: none"> <li>i) in Australia but not in immigration clearance; and</li> <li>ii) by posting the application to the office that is processing the parent's permanent Partner visa application.</li> </ul>
		In any other case	47SP (Internet) or If authorised by the Department: 47SP	Application must be made: <ul style="list-style-type: none"> <li>i) as an internet application; or</li> <li>ii) if authorised to use Form 47SP, in accordance with directions from the Department, by a date specified.</li> </ul>
2.	Item 1129 Partner (Migrant) (Class BC) <i>Subclass 100 (Partner)</i>	If the applicant is the holder of a Subclass 445 (Dependent Child) visa	1002	Application must be made: <ul style="list-style-type: none"> <li>i) in or outside Australia but not in immigration clearance; and</li> <li>ii) by posting the application to the office that is processing the parent's permanent Partner visa application.</li> </ul>
		In any other case	47SP (Internet); or If authorised by the Department: 47SP	Application must be made: <ul style="list-style-type: none"> <li>i) as an internet application; or</li> <li>ii) if authorised to use form 47SP, in accordance with directions from the Department, by a date specified.</li> </ul>



3.	Item 1214C Partner (Temporary) (Class UK) <i>Subclass 820 Partner</i>	All	47SP (Internet) or If authorised by the Department: 47SP	Application must be made:  i) as an internet application; or  ii) if authorised to use form 47SP, in accordance with directions from the department, by a date specified.
4.	Item 1215 Prospective Marriage (Temporary) Class TO, <i>Subclass 300 (Prospective Marriage)</i>	All	47SP (Internet) or If authorised by the Department: 47SP	Application must be made:  i) as an internet application; or  ii) if authorised to use form 47SP, in accordance with directions from the department, by a date specified.
5.	Item 1220A Partner (Provisional) (Class UF) <i>Subclass 309 Partner (Provisional)</i>	All	47SP (Internet) or If authorised by the Department: 47SP	Application must be made:  i) as an internet application; or  ii) if authorised to use form 47SP, in accordance with directions from the department, by a date specified.