



Migration (IMMI 18/100: Arrangements for Applications for Bridging Visas) Instrument 2018

I, RICHARD JOHNSON, Delegate of the Minister for Home Affairs and Minister for Immigration and Border Protection, make the following instrument.

Dated 24/6/18

Richard Johnson

RICHARD JOHNSON
Senior Executive Service Band Two
Immigration, Citizenship and Multiculturalism Policy Division
Delegate of the Minister for Home Affairs
Delegate of the Minister for Immigration and Border Protection

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Part 1 – Preliminary

1 Name

- (1) This instrument is the *Migration (IMMI 18/100: Arrangements for Applications for Bridging Visas) Instrument 2018*.
- (2) This instrument may be cited as IMMI 18/100.

2 Commencement

This instrument commences on 1 July 2018.

3 Authority

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

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

5 Definitions

Note 1: A number of expressions used in this instrument are defined in:

- (a) regulation 1.03 of the Regulations;
- (b) subsection 5(1) of the Act.

Note 2: Subsection 172(2) of the Act provides for when a person is in immigration clearance.

- (1) In this instrument:

Act means the *Migration Act 1958*.

approved form has the meaning given by subsection 5(1) of the Act.

bridging visa means each of the following:

- (a) Bridging A (Class WA);
- (b) Bridging B (Class WB);
- (c) Bridging C (Class WC);
- (d) Bridging D (Class WD);
- (e) Bridging E (Class WE);
- (f) Bridging F (Class WF).

internet form means a form mentioned in paragraph 1.18(2)(b);

permitted email address means each of the following:

- (a) BVEapplication.WA@homeaffairs.gov.au;
- (b) BVEapplication.QLD@homeaffairs.gov.au;
- (c) BVEapplication.NSW@homeaffairs.gov.au;
- (d) BVEapplication.VIC@homeaffairs.gov.au;
- (e) BVEapplication.SA@homeaffairs.gov.au;
- (f) BVEapplication.NT@homeaffairs.gov.au; or
- (g) BVEapplication.TAS@homeaffairs.gov.au.

Regulations means the *Migration Regulations 1994*.

substantive visa has the meaning given by subsection 5(1) of the Act.

visa has the meaning given by subsection 5(1) of the Act.

- (2) For the purposes of sections 6 and 7, a person has a **pending BVE application** if the person has made an application for a Bridging E (Class WE) visa and:
- (a) the application has not been determined to be invalid; and
 - (b) the application has not been withdrawn by the applicant; and
 - (c) the Minister has not granted the Bridging E (Class WE) visa; and
 - (d) the Minister has not refused to grant the Bridging E (Class WE) visa.

Part 2 – Arrangements for Applications for Bridging Visas

6 Approved Forms

- (1) For subitems 1301(1), 1302(1), 1303(1), 1304(1), 1305(1), and 1306(1) of Schedule 1 to the Regulations, for the purposes of an application for a bridging visa mentioned in an item in column 1 of the table in Schedule 1, each of the approved forms mentioned in column 2 and column 3 of the table for that item is specified as an application form for that visa class.
- (2) In addition:
 - (a) if authorised by the Department to apply for a substantive visa; and
 - (b) the application is made using form 482D or 482V as specified in an instrument made under subregulation 2.07(5) of the Regulations;
form 482D or 482V is specified for a Bridging A (Class WA) visa.
- (3) In addition:
 - (a) if authorised by the Department to apply for a substantive visa; and
 - (b) the application is made using form 482D or 482V as specified in an instrument made under subregulation 2.07(5) of the Regulations;
form 482D or 482V is specified for a Bridging C (Class WC) visa.
- (4) In addition, if the applicant does not have any other pending BVE application form 1008 (Internet) is specified for subitem 1305(1).

7 Place and manner for making an application

For paragraphs 1301(3)(a), 1302(3)(a), 1303(3)(a), 1304(3)(a), 1305(3)(a) and 1306(3)(a) of Schedule 1 to the Regulations, the specified place and manner for making an application for a bridging visa is:

- (a) for all bridging visa applications – if the form for making the bridging visa application is also a form for making a substantive visa application - the same place and manner specified in an instrument made under subregulation 2.07(5) of the Regulations for making an application for the corresponding substantive visa; or
- (b) for a Bridging E (Class WE) visa application if the person has any other pending BVE application – at an office of immigration in Australia, but not in immigration clearance;

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- (c) in any other case:
- (i) if the application form used is an internet form – as an internet application; or
 - (ii) if the application form is not an internet form - at an office of immigration in Australia, but not in immigration clearance.

Note: Regulation 2.10C of the Regulations provides for the time of making an internet application.

8 Additional place and manner for making a Bridging Visa E (Class WE) application on paper forms 1005 and 1008

- (1) For paragraph 1305(3)(a) of Schedule 1 to the Regulations, an additional specified place and manner for making an application for a Bridging E (Class WE) visa on paper form 1005 or 1008, is electronically, but only if the application is sent by email to a permitted email address.
- (2) For the purposes of paragraph 1305(3)(a) of Schedule 1 to the Regulations, applications for a Bridging E (Class WE) visa made on paper form 1005 or 1008 must not be made by any electronic means, including by fax, other than as specified in subsection (1).

Schedule 1 – Forms for Bridging Visa Applications

Item	Column 1 Visa Subclass	Column 2 Paper form for application		Column 3 Internet form for application
1.	<i>Bridging A</i> (Class WA)	47SP 47CH 47PA 47PT 47OF 47ES 47BT 47BU 47SV 147 157A 157G 852 866 918 1002 1005	1066 1150 1208 1276 1364 1383 1403 1409 1479 1480	47SP (Internet) 157A (Internet) 157G (Internet) 482D (Internet) 482V (Internet) 866 (Internet) 1005 (Internet) 1066 (Internet) 1066S (Internet) 1150E (Internet) 1208 (Internet) 1276 (Internet) 1393 (Internet) 1396 (Internet) 1397 (Internet) 1398 (Internet) 1403 (Internet) 1408 (Internet) 1479 (Internet) 1480 (Internet)
2.	<i>Bridging B</i> (Class WB)	1005 1006		1005 (Internet) 1006 (Internet)

Item	Column 1 Visa Subclass	Column 2 Paper form for application		Column 3 Internet form for application
3.	<i>Bridging C (Class WC)</i>	47PT 47SP 47CH 47PA 47OF 47ES 47BU 47SV 147 157A 157G 852 866 918 1002 1005 1066 1150	1208 1276 1364 1383 1403 1409 1479 1480	47SP (Internet) 157A (Internet) 157G (Internet) 482D (Internet) 482V (Internet) 866 (Internet) 1005 (internet) 1066 (Internet) 1066S (Internet) 1150E (Internet) 1208 (Internet) 1276 (Internet) 1393 (Internet) 1396 (Internet) 1397 (Internet) 1398 (Internet) 1403 (Internet) 1408 (Internet) 1479 (Internet) 1480 (Internet)
4.	<i>Bridging D (Class WD)</i>	1007		Not permitted
5.	<i>Bridging E (Class WE)</i>	47PT 47SP 47CH 47PA 47OF 47ES 47BU	1002 1005 1008 1066 1150 1208 1276	47SP (Internet) 157A (Internet) 157G (Internet) 866 (Internet) 1066 (Internet) 1066S (Internet) 1150E (Internet)

Item	Column 1 Visa Subclass	Column 2 Paper form for application		Column 3 Internet form for application
		47SV 147 157A 157G 790 852 866 918	1364 1383 1403 1409 1479 1480	1208 (Internet) 1276 (Internet) 1403 (Internet) 1479 (Internet) 1480 (Internet)
6.	<i>Bridging F (Class WF)</i>	1239		Not permitted

Schedule 2 – Repeals

Migration (IMMI 18/057: Arrangements for Applications for Bridging Visas) Instrument 2018 (F2018L00289)

The whole of the instrument

Repeal the instrument.