

Migration (LIN 19/186: Arrangements for Applications for Bridging Visas) Instrument 2019

I, **RICHARD JOHNSON**, Delegate of the Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs, make the following instrument.

Dated 25/06/19

**Richard Johnson**

**Richard Johnson**  
Senior Executive Service Band Two   
Immigration, Citizenship and Multiculturalism Policy Division

Delegate of the Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs

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Part 1 – Preliminary

1 Name

1. This instrument is the *Migration (LIN 19/186: Arrangements for Applications for Bridging Visas) Instrument 2019*.
2. This instrument may be cited as LIN 19/186.

2 Commencement

This instrument commences on 1 July 2019.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

1. regulation 1.03 of the Regulations;
2. subsection 5(1) of the Act including:
3. *approved form;*
4. *substantive visa;*
5. *visa.*

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.*

***bridging visa*** means each of the following:

1. Bridging A (Class WA);
2. Bridging B (Class WB);
3. Bridging C (Class WC);
4. Bridging D (Class WD);
5. Bridging E (Class WE);
6. Bridging F (Class WF).

***internet form*** means a form mentioned in paragraph [1.18(2)(b)](https://legend.border.gov.au/migration/2017-2020/2018/01-06-2018/regs/Pages/_document00000/_level%20100001/level%20200005.aspx#JD_1184024140b41) of the Regulations.

***permitted email address*** means each of the following:

1. BVEapplication.WA@homeaffairs.gov.au;
2. BVEapplication.QLD@homeaffairs.gov.au;
3. BVEapplication.NSW@homeaffairs.gov.au;
4. BVEapplication.VIC@homeaffairs.gov.au;
5. BVEapplication.SA@homeaffairs.gov.au;
6. BVEapplication.NT@homeaffairs.gov.au; or
7. BVEapplication.TAS@homeaffairs.gov.au.

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

1. 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:
2. the application has not been determined to be invalid; and
3. the application has not been withdrawn by the applicant; and
4. the Minister has not granted the Bridging E (Class WE) visa; and
5. 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, the approved forms for the relevant bridging visas are specified in Schedule 1:
   1. in Column 1 – the relevant bridging visa for which a person is seeking to apply;
   2. in Column 2 – the corresponding approved paper form for that class;
   3. in Column 3 – the corresponding approved internet form for that class.
2. In addition, for a Bridging A (Class WA) visa:
   1. form 482D or 482V is the approved form if:
3. authorised by the Department to apply for a substantive visa; and
   * + 1. the application for that substantive visa is made using an approved form 482D or 482V;
   1. form 1008 (Internet) is the approved form if the applicant does not have a pending BVE application.
4. In addition for a Bridging C (Class WC) visa:
   1. form 482D or 482V is the approved form if:
5. an applicant has been authorised by the Department to apply for a substantive visa; and
6. the application for that substantive visa is made using approved form 482D or 482V.

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, an application for a bridging visa must be made:

1. if the same form is used as for a substantive visa application – at the same place, and in the same manner, as specified in an instrument under subregulation 2.07(5) of the Regulations for the substantive visa application; or
2. for a Bridging E (Class WE) visa application if the applicant has a pending Bridging E (Class WE) visa application – at an office of immigration in Australia, but not in immigration clearance;
3. in any other case:
4. if the application form used is an internet form – as an internet application; or
5. 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 is as follows:
2. a person may make an electronic application for a Bridging E (Class WE) visa, if:
   1. the approved paper form is 1005 or 1008; and
   2. the application is sent by email to a permitted email address.
3. For paragraph 1305(3)(a) of Schedule 1 to the Regulations, applications for a Bridging E (Class WE) visa using paper form 1005 or 1008 must not be made by any electronic means, including by fax, other than as specified in subparagraph (1)(a)(ii).

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. | *Bridging A (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)  1502 (Internet) |
| 2. | *Bridging B (Class WB)* | 1005  1006 | 1005 (Internet)  1006 (Internet) |
| 3. | *Bridging C (Class WC)* | 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)  1502 (Internet) |
| 4. | *Bridging D  (Class WD)* | 1007 | Not permitted |
| 5. | *Bridging E (Class WE)* | 47PT  47SP  47CH  47PA  47OF  47ES  47BU  47SV  147  157A  157G  790  852  866  918  1002  1005  1008  1066  1150  1208  1276  1364  1383  1403  1409  1479  1480 | 47SP (Internet)  157A (Internet)  157G (Internet)  866 (Internet) 1066 (Internet)  1066S (Internet)  1150E (Internet)  1208 (Internet)  1276 (Internet)  1403 (Internet)  1479 (Internet)  1480 (Internet)  1502 (Internet) |
| 6. | *Bridging F (Class WF)* | 1239 | Not permitted |

Schedule 2 – Repeals

Migration (IMMI 18/100: Arrangements for Applications for Bridging Visas) Instrument 2018 (F2018L00904)

The whole of the instrument

Repeal the instrument.