



Migration (LIN 20/068: Arrangements for Bridging visa applications) Instrument 2020

I, Michael Willard, delegate of the Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs, make the following instrument.

Dated: 21 May 2020

Michael Willard

Michael Willard
Senior Executive Service Band Two
Immigration and Community Protection Policy Division
Department of Home Affairs

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<i>Migration (LIN 19/186: Arrangements for Applications for Bridging Visas)</i> <i>Instrument 2019 (F2019C00856)</i>	6

Part 1 – Preliminary

1 Name

- (1) This instrument is the *Migration (LIN 20/068: Arrangements for Bridging visa applications) Instrument 2020*.
- (2) This instrument may be cited as LIN 20/068.

2 Commencement

This instrument commences the day after registration on the Federal Register of Legislation.

3 Authority

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

4 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 including:
 - (i) *approved form*;
 - (ii) *substantive visa*;
 - (iii) *visa*.

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

In this instrument:

Act means the *Migration Act 1958*.

Department means the Department of Home Affairs.

internet form means a form mentioned in paragraph 1.18(2)(b) of the Regulations.

Regulations means the *Migration Regulations 1994*.

5 Schedules

The instrument that is specified in Schedule 2 to this instrument is repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Part 2 – Arrangement for an application for a bridging visa

6 Approved form

- (1) Subject to subsections 6(2), (3) and (4), each form listed in Column 2 and 3 of the table in Schedule 1 for making an application for a class of visa mentioned in Column 1 of the table for that item, is an approved form.
- (2) For a Bridging A (Class WA) visa - form 482D or 482V or 494V is an approved form if:
 - (a) the applicant has been authorised by the Department to apply for a substantive visa; and
 - (b) the application for the substantive visa is made using approved form 482D or 482V or 494V.
- (3) For a Bridging C (Class WC) visa, form 482D or 482V or 494V is also an approved form if:
 - (a) the applicant has been authorised by the Department to apply for a substantive visa; and
 - (b) the application for the substantive visa is made using approved form 482D or 482V or 494V.
- (4) For a Bridging E (Class WE) visa, form 1008 (Internet) is also an approved form, if the applicant does not have any other pending BVE application. For the purpose of this subparagraph, an applicant has a pending BVE application if they have 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.

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 visa must be made:

- (a) if the same form is used 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

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- (b) for a Bridging E (Class WE) visa application if the applicant has made a Bridging E (Class WE) visa application as described in section 6(4) — at an office of immigration in Australia, but not in immigration clearance.
 - (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 E (Class WE) visa application on paper form 1005 or 1008

- (1) For paragraph 1305(3)(a) of Schedule 1 to the Regulations, a person may also make an electronic application for a Bridging E (Class WE) visa, if:
 - (a) the approved paper form is 1005 or 1008; and
 - (b) the application is sent by email to any of the following email addresses:
 - (i) BVEapplication.WA@homeaffairs.gov.au;
 - (ii) BVEapplication.QLD@homeaffairs.gov.au;
 - (iii) BVEapplication.NSW@homeaffairs.gov.au;
 - (iv) BVEapplication.VIC@homeaffairs.gov.au;
 - (v) BVEapplication.SA@homeaffairs.gov.au;
 - (vi) BVEapplication.NT@homeaffairs.gov.au;
 - (vii) BVEapplication.TAS@homeaffairs.gov.au.
- (2) For paragraph 1305(3)(a) of Schedule 1 to the Regulations, an application for a Bridging E (Class WE) visa using paper form 1005 or 1008 may be made by electronic means only in accordance with paragraph (1)(b).

Schedule 1—Forms for bridging visa applications

Table – Approved forms					
Item	Column 1 Class of visa	Column 2 Paper form		Column 3 Internet form	
1.	<i>Bridging A (Class WA)</i>	47SP	866	47SP (Internet)	1208 (Internet)
		47CH	918	157A (Internet)	1276 (Internet)
		47PA	1002	157G (Internet)	1393 (Internet)
		47PT	1005	482D (Internet)	1396 (Internet)
		47OF	1066	482V (Internet)	1397 (Internet)
		47ES	1150	494V (Internet)	1398 (Internet)
		47BT	1208	866 (Internet)	1403 (Internet)
		47BU	1276	1005 (Internet)	1408 (Internet)
		47SV	1364	1066 (Internet)	1479 (Internet)
		147	1383	1066S (Internet)	1480 (Internet)
		157A	1403	1150E (Internet)	1502 (Internet)
		157G	1409		
		491D	1479		
		852	1480		
2.	<i>Bridging B (Class WB)</i>	1005		1005 (Internet)	
		1006		1006 (Internet)	
3.	<i>Bridging C (Class WC)</i>	47PT	918	47SP (Internet)	1208 (Internet)
		47SP	1002	157A (Internet)	1276 (Internet)
		47CH	1005	157G (Internet)	1393 (Internet)
		47PA	1066	482D (Internet)	1396 (Internet)
		47OF	1150	482V (Internet)	1397 (Internet)
		47ES	1208	494V (Internet)	1398 (Internet)
		47BU	1276	866 (Internet)	1403 (Internet)
		47SV	1364	1005 (Internet)	1408 (Internet)
		147	1383	1066 (Internet)	1479 (Internet)
		157A	1403	1066S (Internet)	1480 (Internet)
		157G	1409	1150E (Internet)	1502 (Internet)
		491D	1479		
		852	1480		
		866			
4.	<i>Bridging D (Class WD)</i>	1007		Not permitted	

Table – Approved forms				
Item	Column1 Class of visa	Column 2 Paper form		Column 3 Internet form
5.	<i>Bridging E (Class WE)</i>	47PT	918	47SP (Internet)
		47SP	1002	157A (Internet)
		47CH	1005	157G (Internet)
		47PA	1008	866 (Internet)
		47OF	1066	1066 (Internet)
		47ES	1150	1066S (Internet)
		47BU	1208	1150E (Internet)
		47SV	1276	1208 (Internet)
		147	1364	1276 (Internet)
		157A	1383	1403 (Internet)
		157G	1403	1479 (Internet)
		790	1409	1480 (Internet)
		852	1479	1502 (Internet)
		866	1480	
6.	<i>Bridging F (Class WF)</i>	1239		Not permitted

Schedule 2—Repeal

Migration (LIN 19/186: Arrangements for Applications for Bridging Visas) Instrument 2019 (F2019C00856)

1 The whole of the instrument

Repeal the instrument