

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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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)](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.

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The instrument that is specified in Schedule 2 to this instrument is repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

(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 | Column1  Class of visa | Column 2  Paper form | | Column 3  Internet form | | |
| 1. | *Bridging A (Class WA)* | 47SP  47CH  47PA  47PT  47OF  47ES  47BT  47BU  47SV  147  157A  157G  491D  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)  494V (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  491D  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)  494V (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—Repeal

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

1 The whole of the instrument

Repeal the instrument