



LIN 22/027

Migration (Refund of Visa Application Charge) Amendment Instrument (LIN 22/027) 2022

I, Alex Hawke, Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs, make this instrument under subparagraph 2.12F(1)(a)(ii) of the *Migration Regulations 1994* (the **Regulations**).

Dated 20 January 2022

The Hon Alex Hawke MP

Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs

1 Name

This instrument is the *Migration (Refund of Visa Application Charge) Amendment Instrument (LIN 22/027) 2022*.

2 Commencement

This instrument commences on 19 January 2022.

3 Amendment

Schedule 1 amends *Migration (Refund of Visa Application Charge) Instrument (LIN 21/007) 2021*.

Schedule 1 Amendment

(section 3)

1 After section 9

insert

10 Refund—certain visas where visa holder entered Australia on or after 19 January 2022

- (1) This section applies in relation to a refund of the amount paid by way of the first instalment of the visa application charge in relation to an application for the following visas:
 - (a) an eligible student visa; and
 - (b) a Subclass 417 (Working Holiday) visa; and
 - (c) a Subclass 462 (Work and Holiday) visa.
- (2) For the purposes of subparagraph 2.12F(1)(a)(ii) of the Regulations, the circumstance set out in subsection (3) is specified.
- (3) The circumstance is that all of the following apply:
 - (a) the person to whom the visa was granted entered Australia under the visa:
 - (i) for an eligible student visa—between 19 January 2022 and 19 March 2022; or
 - (ii) for a Subclass 417 (Working Holiday) visa or Subclass 462 (Work and Holiday) visa—between 19 January 2022 and 19 April 2022;
 - (b) the request for the refund is made on or before 31 December 2022.
- (4) In this section:

eligible student visa means any of the following:

 - (a) a Subclass 500 (Student) visa;
 - (b) a Subclass 560 (Student Temporary) visa;
 - (c) a Subclass 571 (Student Schools Sector) visa;
 - (d) a Subclass 572 (Vocational Education and Training Sector) visa;
 - (e) a Subclass 573 (Higher Education Sector) visa;
 - (f) a Subclass 574 (Postgraduate Research Sector) visa;
 - (g) a Subclass 575 (Non-Award Sector) visa.