

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.