



LIN 24/062

# **Migration (Refund of Visa Application Charge) Amendment (Business Innovation and Investment Program) Instrument (LIN 24/062) 2024**

---

I, Patrick Bryson, delegate of the Minister, make the following instrument.

Dated 20 September 2024

Patrick Bryson  
Acting Assistant Secretary (Senior Executive Band 1)  
Skilled Visas Branch  
Department of Home Affairs

---



---

# Contents

1 Name .....	1
2 Commencement.....	1
3 Authority .....	1
4 Schedules.....	1
<b>Schedule 1—Amendments</b>	<b>2</b>
<i>Migration (Refund of Visa Application Charge) Instrument (LIN 21/007) 2021</i>	2



---

## 1 Name

This instrument is the *Migration (Refund of Visa Application Charge) Amendment (Business Innovation and Investment Program) Instrument (LIN 24/062) 2024*.

## 2 Commencement

This instrument commences on the day after it is registered.

## 3 Authority

This instrument is made under subparagraph 2.12F(1)(a)(ii) of the *Migration Regulations 1994* (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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

---

## Schedule 1—Amendments

### *Migration (Refund of Visa Application Charge) Instrument (LIN 21/007) 2021*

#### 1 After section 10

Insert:

#### 11 Refund—Subclass 132 (Business Talent) visa and Subclass 188 (Business Innovation and Investment Provisional) visa

- (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 any of the following visas:
  - (a) a Subclass 132 (Business Talent) visa;
  - (b) a Subclass 188 (Business Innovation and Investment (Provisional)) visa in the Business Innovation stream;
  - (c) a Subclass 188 (Business Innovation and Investment (Provisional)) visa in the Investor stream;
  - (d) a Subclass 188 (Business Innovation and Investment (Provisional)) visa in the Significant Investor stream;
  - (e) a Subclass 188 (Business Innovation and Investment (Provisional)) visa in the Entrepreneur stream.
- (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) an application for a visa mentioned in subsection (1) was made at any time;
  - (b) the application for the visa has not been finally determined;
  - (c) the Minister has received a written request to withdraw the application;
  - (d) the request to withdraw the application is made in writing on or after 31 July 2024.