



LIN 24/069

Migration (Subclass 403 (MATES Stream) Visa Pre-application Process) Determination (LIN 24/069) 2024

I, Tony Burke, Minister for Immigration and Multicultural Affairs, make the following determination.

Dated 28 October 2024

Tony Burke
Minister for Immigration and Multicultural Affairs

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Part 1—Preliminary

1 Name

This instrument is the *Migration (Subclass 403 (MATES Stream) Visa Pre-application Process) Determination (LIN 24/069) 2024*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	At the same time as the <i>Migration Amendment (Mobility Arrangements for Talented Early-professionals Scheme) Regulations 2024</i>	

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under subsection 46C(14) of the *Migration Act 1958*.

4 Definitions

Note: A number of expressions used in this instrument are defined in the Act, including visa pre-application process charge.

In this instrument:

Act means the *Migration Act 1958*.

MATES stream visa means a Subclass 403 (Temporary Work (International Relations)) visa in the Mobility Arrangement for Talented Early-professionals Scheme stream.

MATES stream visa pre-application process means a process specified under section 6.

registered participant, for a particular MATES stream visa pre-application process, has the meaning given by section 8.

registration open period, for a particular MATES stream visa pre-application process, means the period during which the process is open for registration.

Note: See also section 10 which is about the requirements for registration open periods.

selected participant, for a particular MATES stream visa pre-application process, has the meaning given by section 13.

selection open period, for a particular MATES stream visa pre-application process, means the period during which selection of participants for the process may take place.

Note: See also section 14 which is about the requirements for selection open periods.

Part 2—Rules for the conduct of the visa pre-application process

Division 1—Introduction

5 Purpose of this Part

For the purposes of subsection 46C(14) of the Act, this Part sets out the rules that apply in relation to the conduct of a visa pre-application process that is specified in section 6.

6 Specified visa pre-application process to which the rules apply

For the purposes of subsection 46C(14) of the Act, this instrument applies in relation to a visa pre-application process conducted under subsection 46C(1) of the Act in relation to a MATES stream visa.

Division 2—The visa pre-application process is in relation to the Republic of India

7 Visa pre-application process must be in relation to the Republic of India

A MATES stream visa pre-application process must be in relation to the Republic of India.

Division 3—Registration of participants

8 Registered participants

A person is a *registered participant* for a particular MATES stream visa pre-application process if all of the following requirements are met:

- (a) the person registers as a participant in that process using a computer program made available on the internet for that purpose;
- (b) the registration includes a declaration by the person that they meet the eligibility requirements for that process specified under section 9;
- (c) the person is not already registered as a participant in that process;
- (d) the registration occurs within the registration open period for that process.

Note: Any visa pre-application process charge that is payable in respect of the registration must be paid at the time of registration: see subsection 46C(22) of the Act.

9 Eligibility Requirements

The eligibility requirements for registration of a person as a registered participant in a particular MATES stream visa pre-application process are all of the following:

- (a) the person holds a valid passport issued by the Republic of India;
- (b) at the beginning of the registration open period for that process, the person is aged at least 18 and no more than 30.

10 Registration open period

- (1) A MATES stream visa pre-application process must involve a finite registration open period for the process.
- (2) The Minister must cause the registration open period for the process, and any extension of the period, to be published on the Department's website.

11 Withdrawal of registration

A registered participant in a particular MATES stream visa pre-application process may withdraw their registration as a participant in that process using a computer program made available on the internet for that purpose.

Note: A part of a visa pre-application process may be conducted by the use of a computer program under the Minister's control: see subsection 46C(11) of the Act.

12 Duration of registration

The registration of a person as a registered participant in a particular MATES stream visa pre-application process lapses at the earliest of the following times:

- (a) at the end of the selection open period for that process;
- (b) if the person is selected as a selected participant for that process—when the person is selected;

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- (c) if the person withdraws their registration as a participant in that process—when the withdrawal is lodged;
 - (d) if the person dies before the person is selected as a selected participant for that process—when the person dies.

Division 4—Selection of registered participants

13 Selected participants

A person is a *selected participant* for a particular MATES stream visa pre-application process if the person is randomly selected for that process by a computer program.

Note 1: The person must be a registered participant in that process: see subsection 46C(2) of the Act.

Note 2: A part of a visa pre-application process may be conducted by the use of a computer program under the Minister’s control: see subsection 46C(11) of the Act.

14 Selection open period

- (1) A MATES stream visa pre-application process must involve a finite selection open period for that process.
- (2) The Minister must cause the selection open period for that process, and any extension of the period, to be published on the Department’s website.

15 Notice of selection

- (1) As soon as practicable after a person is selected as a selected participant for a particular MATES stream visa pre-application process, the Minister must give the person notice in writing of the selection.
- (2) The notice must specify the date by which the person must make a valid visa application for a MATES stream visa.
- (3) The date specified under subsection (2) must be at least 28 days after the day on which the notice is given.