

LIN 24/077

Migration (IMMI 18/103: Arrangements for Partner and Prospective Marriage Visa Applications) Amendment (No. 1) Instrument 2024

I, Aza Ozmanian, delegate of the Minister, make the following instrument.

Dated 20 December 2024

Aza Ozmanian

Acting Assistant Secretary / Senior Executive Service Band 1
Family Visas Branch
Immigration Programs Division
Department of Home Affairs

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1 Name

 This instrument is the *Migration (IMMI 18/103: Arrangements for Partner and Prospective Marriage Visa Applications) Amendment (No. 1) Instrument 2024*.

2 Commencement

 This instrument commences on the day after it is registered.

3 Authority

 This instrument is made under subregulation 2.07(5) of the *Migration Regulations 1994*.

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 Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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 (IMMI 18/103: Arrangements for Partner and Prospective Marriage Visa Applications) Instrument 2018

1 Section 4

Insert:

***ImmiAccount*** means the interactive portal for online services available through the Department’s website at https://immi.homeaffairs.gov.au.

***online portal*** means the online services portal *Partner processing enquiry form* available through the Department’s website at https://immi.homeaffairs.gov.au/help-support/departmental-forms/online-forms/partner-processing-enquiry-form.

2 After subsection 6(1)

Insert:

 (2) For the purposes of subparagraph 1124B(3)(e)(ii) of Schedule 1 to the Regulations, Form 40SP and Form 40SP (Internet) are specified as approved forms.

3 Schedule 1 (table)

Repeal the table, substitute:

| Item | Column A:**Item and visa** | Column B: **Kind of applicant** | Column C:**Approved form** | Column D:**Place and manner**  |
| --- | --- | --- | --- | --- |
| 1. | **Item 1124B** Partner (Residence) (Class BS): Subclass 801 (Partner) | If the applicant is the holder of a Subclass 445 (Dependent Child) visa | 1002 | Application must be made in Australia but not in immigration clearance, through any one of the following: 1. posting the application to the office that is processing the parent’s permanent Partner visa application;
2. uploading the application onto ImmiAccount; or
3. providing the application to the Department using the online portal.
 |
| In any other case | 47SP (Internet) or If authorised by the Department: 47SP | Application must be made:1. as an internet application; or
2. if authorised in writing to use Form 47SP, in accordance with directions from the Department, by the date specified.
 |
| 2.  | **Item 1129** Partner (Migrant) (Class BC): Subclass 100 (Partner) | If the applicant is the holder of a Subclass 445 (Dependent Child) visa  | 1002 | Application must be made in or outside Australia but not in immigration clearance, through any one of the following: 1. posting the application to the office that is processing the parent’s permanent Partner visa application;
2. uploading the application onto ImmiAccount; or
3. providing the application to the Department using the online portal.
 |
| In any other case | 47SP (Internet); or If authorised by the Department: 47SP  | Application must be made:1. as an internet application; or
2. if authorised in writing to use form 47SP, in accordance with directions from the Department, by a date specified.
 |
| 3. | **Item 1214C** Partner (Temporary) (Class UK): Subclass 820 Partner | All applicants | 47SP (Internet) orIf authorised by the Department: 47SP  | Application must be made:1. as an internet application; or
2. if authorised in writing to use form 47SP, in accordance with directions from the Department, by a date specified.
 |
| 4. | **Item 1215**Prospective Marriage (Temporary) Class TO: Subclass 300 (Prospective Marriage)  | All applicants | 47SP (Internet) orIf authorised by the Department: 47SP | Application must be made:1. as an internet application; or
2. if authorised in writing to use form 47SP, in accordance with directions from the Department, by a date specified.
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| 5. | **Item 1220A** Partner (Provisional) (Class UF): Subclass 309 Partner (Provisional) | All applicants | 47SP (Internet) orIf authorised by the Department: 47SP | Application must be made:1. as an internet application; or
2. if authorised in writing to use form 47SP, in accordance with directions from the Department, by a date specified.
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