

IMMI 2016/051

Arrangements for Child Visa Applications 2016/051

made under the *Migration Regulations 1994*

Compilation no. 3

Compilation date 5 March 2022

This compilation was prepared by the Department of Home Affairs on 5 March 2022 taking into account amendments up to *Migration (Arrangements for Child visas) Amendment Instrument (LIN 22/017) 2022.*

I, ALEX HAWKE, Assistant Minister for Immigration and Border Protection, acting under subregulation 2.07(5) of the *Migration Regulations 1994* (the Regulations) for items 1108 Child (Migrant)(Class AH) , 1108A Child (Residence) (Class BT) and 1211 Extended Eligibility (Temporary) (Class TK) of Schedule 1 to the Regulations:

2. SPECIFY that an application for a Child (Migrant)(Class AH) visa is not a valid visa application if the applicant seeks to meet the requirements in subclause 102.211(2) of Schedule 2 to the Regulations and by claiming to have been adopted in an overseas country at a particular time; and

a. for the purposes of subparagraph 1108(3)(c)(ii) of Schedule 1 to the Regulations, the country listed in Column A of the table in the Schedule to this Instrument; and

b. for the purposes of subparagraph 1108(3)(c)(iii) of Schedule 1 to the Regulations, the period specified in Column B of this Instrument in relation to the country, is the time referred to in paragraph 2 of the Instrument.

3. SPECIFY that an application for a Child (Residence)(Class BT) visa is not a valid visa application if the applicant seeks to meet the requirements in subclause 802.213(5) of Schedule 2 to the Regulations and by claiming to have been adopted in an overseas country at a particular time; and

a. for the purposes of subparagraph 1108A(3)(f)(ii) of Schedule 1 to the Regulations, the country listed in Column A of the table in the Schedule to this Instrument; and

b. for the purposes of subparagraph 1108A(3)(f)(iii) of Schedule 1 to the Regulations, the period specified in Column B of this Instrument in relation to the country, is the time referred to in paragraph 3 of the Instrument.

4 Form, place and manner for making an application

For the item of Schedule 1 to the Regulations and the class of visa mentioned in an item of the following table, an application for a visa must be made using the form, and in the place and manner specified for the item.

| Item | Item of Schedule 1 | Class of visa | Form | Place and manner |
| --- | --- | --- | --- | --- |
| 1 | 1108 | Child (Migrant) (Class AH) | 47CH | Application must be:  (a) posted with sufficient pre-paid postage to:  Department of Home Affairs  Child and Other Family Processing Centre  Locked Bag 7  NORTHBRIDGE WA 6865 AUSTRALIA; or  (b) delivered by courier service to:  Department of Home Affairs  Child and Other Family Processing Centre  Wellington Central  836 Wellington Street  WEST PERTH WA 6005 AUSTRALIA. |
| 2 | 1108A | Child (Resident) (Class BT) | 47CH |
| 3 | 1211 | Extended Eligibility (Temporary) (Class TK) visa | 918 |

Note 1 Paragraph 2.10(2)(a) of the Regulations provides that if an application for a visa is made outside Australia, it must be made in accordance with the requirements of Division 2.2 or the item in Schedule 1 of the Regulations that relates to that visa, about where to make the application.

Note 2 Paragraph 2.10(2)(b) of the Regulations provides that where there are no requirements of that kind, the application must be made at a diplomatic, consular or migration office maintained by or on behalf of the Commonwealth outside Australia.

This Instrument, *Arrangements for Child Visa Applications 2016/051*, IMMI 16/051, commences the day after it is registered on the Federal Register of Legislation

Dated: 1 September 2016

Alex Hawke

THE HON ALEX HAWKE MP

Assistant Minister for Immigration and Border Protection

SCHEDULE

| Column A  Country | Column B  Specified Period |
| --- | --- |
| Pakistan | No limitation on time period |

Notes

This compilation comprises *Arrangements for Child Visa Applications 2016/051* amended as indicated in the following tables.

Table of instruments

| Name | Registration | Number | Commencement | Application, saving or transitional provisions |
| --- | --- | --- | --- | --- |
| Arrangements for Child Visa Applications 2016/051 | 5 September 2016 | F2016L01389 | 6 September 2016 | - |
| *Migration (LIN 20/049: Arrangements for child visa applications) Amendment Instrument 2020* | 30 March 2020 | F2020L00349 | 1 April 2020 | - |
| *Migration (LIN 20/179: Arrangements for child visa applications) Amendment Instrument 2020* | 16 July 2020 | F2020L00920 | 17 July 2020 | - |
| *Migration (Arrangements for Child visas) Amendment Instrument (LIN 22/017) 2022* | 4 March 2022 | F2022L00256 | 5 March 2022 | - |

Table of amendments

|  |  |
| --- | --- |
| ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted | |
| Provision affected | How affected |
| s 1 | rep. *Legislation Act 2003*, s. 48C |
| s 4 | rs. LIN 20/049  am. LIN 20/179, LIN 22/017 |
| s 5 | rep. LIN 20.049 |