



Migration (IMMI 17/031: Arrangements for Resident Return Visa Applications) Instrument 2017

I, David Wilden, Delegate of the Minister for Immigration and Border Protection, make the following instrument.

Dated 24 March 2017

David Wilden
DAVID WILDEN
Senior Executive Service, Band two, Immigration and Citizenship Policy
Division, and Delegate of the Minister for Immigration and Border Protection

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Part 1 – Preliminary

1 Name

- (1) This instrument is the *Migration (IMMI 17/031 Arrangements for Resident Return Visa Applications) Instrument 2017*.
- (2) This instrument may also be cited as IMMI 17/031.

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 Regulations.

4 Definitions

In this instrument:

Regulations means the *Migration Regulations 1994*.

5 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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

6 Purpose

- (1) This instrument is made for the purposes of subitems 1118A(1), 1128(1) and 1216(1), and paragraphs 1118A(3)(a), 1128(3)(a), 1216(3)(a) and 1216(3B)(a) of Schedule 1 to the Regulations.
- (2) This instrument specifies arrangements for making an application for a Special Eligibility (Class CB) visa, a Return (Residence) (Class BB) visa, and a Resident Return (Temporary) (Class TP) visa.

Part 2 – Arrangements for making an application

7 Making an application for a Special Eligibility (Class CB) visa

- (1) The table in subsection (2) specifies for applicants of a kind identified in Column A:
- (a) in Column B—the approved form for the purposes of subitem 1118A(1) of Schedule 1 to the Regulations; and
 - (b) in Column C—the place and manner for making an application for the purposes of paragraph 1118A(3)(a) of Schedule 1 to the Regulations.
- (2) Arrangements:

Item	Column A Kind of applicant	Column B Approved form	Column C Place and manner
1	All applicants.	47SV	An application must be: i) posted with correct prepaid postage to: Special Migration Application Department of Immigration and Border Protection Locked Bag 7 NORTHBRIDGE WA 6865 AUSTRALIA or ii) delivered by courier service to: Special Migration Application Department of Immigration and Border Protection Ground Floor, Wellington Central 836 Wellington Street WEST PERTH WA 6005 AUSTRALIA

8 Making an application for a Return (Residence) (Class BB) visa

- (1) The table in subsection (2) specifies for applicants of a kind identified in Column A:
- (a) in Column B—the approved form for the purposes of subitem 1128(1) of Schedule 1 to the Regulations; and
 - (b) in Column C—the place and manner for making an application for the purposes of paragraph 1128(3)(a) of Schedule 1 to the Regulations.
- (2) Arrangements:

Item	Column A Kind of applicant	Column B Approved form	Column C Place and manner
1	All applicants.	<ul style="list-style-type: none"> a) if the application is an internet application: 1085E; or b) in any other case: 1085 	<ul style="list-style-type: none"> a) an application may be made in or outside Australia, but not in immigration clearance; and b) an application may be made by internet; or c) for an application that is not an internet application and where the applicant is in Australia, the application may be: <ul style="list-style-type: none"> i) posted with correct prepaid postage to: Resident Return Visa Application Department of Immigration and Border Protection GPO Box 9984 SYDNEY NSW 2001 or ii) delivered by courier service to: Resident Return Visa Application Department of Immigration and Border Protection 26 Lee Street SYDNEY NSW 2000 or d) for an application that is not an internet application and where the applicant is outside Australia, the application must be made at a diplomatic, consular or immigration office maintained by or on behalf of the Commonwealth of Australia.

9 Making an application for a Resident Return (Temporary) (Class TP) visa

- (1) The table in subsection (2) specifies for applicants of a kind identified in Column A:
- (a) in Column B—the approved form for the purposes of subitem 1216(1) of Schedule 1 to the Regulations; and
 - (b) in Column C—the place and manner for making an application for the purposes of paragraphs 1216(3)(a) and 1216(3B)(a) of Schedule 1 to the Regulations.
- (2) Arrangements:

Item	Column A Kind of applicant	Column B Approved form	Column C Place and manner
1	An applicant whose application is covered by subitem 1216(3) of Schedule 1 to the Regulations.	1085	Application must be made outside Australia at a diplomatic, consular or immigration office maintained by or on behalf of the Commonwealth of Australia.
2	An applicant whose application is covered by paragraph 1216(3A)(a) or paragraph 1216(3A)(b) of Schedule 1 to the Regulations.	1085	<ul style="list-style-type: none"> a) an application may be made in or outside Australia, but not in immigration clearance; and b) an application must be: <ul style="list-style-type: none"> i) posted with correct prepaid postage to: Norfolk Island Visa Application Department of Immigration and Border Protection GPO Box 9984 SYDNEY NSW 2001 or ii) delivered by courier service to: Norfolk Island Visa Application Department of Immigration and Border Protection 26 Lee Street SYDNEY NSW 2000

3	An applicant whose application is covered by paragraph 1216(3A)(c) of Schedule 1 to the Regulations.	1085	<p>a) an application may be made in or outside Australia, but not in immigration clearance; and</p> <p>b) an application may be made by a person at the same time and place as, and combined with, the application by the other applicant referred to in paragraph 1216(3A)(c) of Schedule 1 to the Regulations; and</p> <p>c) an application must be:</p> <p style="padding-left: 40px;">i) posted with correct prepaid postage to:</p> <p style="padding-left: 40px;">Norfolk Island Visa Application Department of Immigration and Border Protection GPO Box 9984 SYDNEY NSW 2001</p> <p style="padding-left: 40px;">or</p> <p style="padding-left: 40px;">ii) delivered by courier service to:</p> <p style="padding-left: 40px;">Norfolk Island Visa Application Department of Immigration and Border Protection 26 Lee Street SYDNEY NSW 2000</p>
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Schedule 1—Repeals

Arrangements for Resident Return Visa Applications 2016/088 (IMMI 16/088) (F2016L01405)

1 The whole of the instrument

Repeal the instrument.