



Migration (IMMI 18/103: Arrangements for Partner and Prospective Marriage Visa Applications) Instrument 2018

I, RENELLE FORSTER, Delegate of the Minister for Home Affairs and Minister for Immigration and Border Protection, make the following instrument:

Dated 14/06/18

Renelle Forster

RENELLE FORSTER

Assistant Secretary, Senior Executive Service Band One

Visa Delivery Transformation Division and

Delegate of the Minister for Home Affairs and Minister for Immigration and Border Protection

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<i>Migration (IMMI 17/101: Arrangements for Partner and Prospective Marriage Visa Applications) Instrument 2017 (F2017L01496)</i>	6

Part 1 – Preliminary

1 Name

- (1) This instrument is the *Migration (IMMI 18/103: Arrangements for Partner and Prospective Marriage Visa Applications) Instrument 2018*.
- (2) This instrument may be cited as IMMI 18/103.

2 Commencement

This instrument commences on 1 July 2018.

3 Authority

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

4 Definitions

In this instrument:

Act means the *Migration Act 1958*.

approved form has the meaning given by subsection 5(1) of the Act.

Internet application has the meaning given by regulation 1.03 of the Regulations.

Regulations means the *Migration Regulations 1994*.

visa has the meaning given by subsection 5(1) of the Act.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Part 2 – Arrangements for Partner Visa Applications

6 Partner (Residence)(Class BS) visa

- (1) For subitem 1124B(1) and paragraph 1124B(3)(a) of Schedule 1 to the Regulations, for each kind of applicant described in Column B of item 1 in the table in Schedule 1 to this instrument:
- (a) the approved form is specified in the corresponding row in Column C;
 - (b) the place and manner for making an application is specified in the corresponding row in Column D.

7 Partner (Migrant)(Class BC) visa

- (1) For subitem 1129(1) and paragraph 1129(3)(a) of Schedule 1 to the Regulations, for each kind of applicant described in Column B of item 2 in the table in Schedule 1 to this instrument:
- (a) the approved form is specified in the corresponding row in Column C;
 - (b) the place and manner for making an application is specified in the corresponding row in Column D.

8 Partner (Temporary)(Class UK) visa

- (1) For subitem 1214C(1) and paragraph 1214C(3)(b) of Schedule 1 to the Regulations, for each kind of applicant described in Column B of item 3 in the table in Schedule 1 to this instrument:
- (a) the approved form is specified in the corresponding row in Column C;
 - (b) the place and manner for making an application is specified in the corresponding row in Column D.

9 Prospective Marriage (Temporary)(Class TO) visa

- (1) For subitem 1215(1) and paragraph 1215(3)(a) of Schedule 1 to the Regulations, for each kind of applicant described in Column B of item 4 in the table in Schedule 1 to this instrument:
- (a) the approved form is specified in the corresponding row in Column C;
 - (b) the place and manner for making an application is specified in the corresponding row in Column D.

10 Partner (Provisional)(Class UF) visa

- (1) For subitem 1220A(1) and paragraph 1220A(3)(a) of Schedule 1 to the Regulations, for each kind of applicant described in Column B of item 5 in the table in Schedule 1 to this instrument:
- (a) the approved form is specified in the corresponding row in Column C;
 - (b) the place and manner for making an application is specified in the corresponding row in Column D.

Schedule 1 – Place, manner and form for making Partner visa

Row No.	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: (a) in Australia but not in immigration clearance; and (b) by posting the application to the office that is processing the parent's permanent Partner visa application.
		In any other case	47SP (Internet) or If authorised by the Department: 47SP	Application must be made: (a) as an internet application; or (b) 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: (a) in or outside Australia but not in immigration clearance; and (b) by posting the application to the office that is processing the parent's permanent Partner visa application.
		In any other case	47SP (Internet); or If authorised by the Department: 47SP	Application must be made: (a) as an internet application; or (b) 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) or If authorised by the Department: 47SP	Application must be made: (a) as an internet application; or (b) 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) or If authorised by the Department: 47SP	Application must be made: (a) as an internet application; or (b) if authorised in writing to use form 47SP, in accordance with directions from the Department, by a date specified.
5.	Item 1220A Partner (Provisional) (Class UF): Subclass 309 Partner (Provisional)	All applicants	47SP (Internet) or If authorised by the Department: 47SP	Application must be made: (a) as an internet application; or (b) if authorised in writing to use form 47SP, in accordance with directions from the Department, by a date specified.

Schedule 2—Repeals

Migration (IMMI 17/101: Arrangements for Partner and Prospective Marriage Visa Applications) Instrument 2017 (F2017L01496)

1 The whole of the instrument

Repeal the instrument.