

Migration (LIN 19/058: Arrangements for special category visa applications) Instrument 2019

I, Drew Layton, Delegate of the Minister for Immigration, Citizenship and Multicultural Affairs, make the following instrument.

Dated: 15 March 2019

Drew Layton

Drew Layton

Acting Senior Executive Service, Band One

Visa Delivery Transformation Division
Delegate of the Minister for Immigration, Citizenship and Multicultural Affairs

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ARRANGEMENTS FOR SPECIAL CATEGORY VISA APPLICATIONS 2015 (IMMI 15/039) (F2015L00560) 4

Part 1—Preliminary

1 Name

1. This instrument is the *Migration (LIN 19/058: Arrangements for special category visa applications) Instrument 2019*.
2. This instrument may be cited as LIN 19/058.

2 Commencement

This instrument commences on the day after the instrument is registered on the Federal Register of Legislation.

3 Authority

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

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

5 Definitions

Note: A number of expressions used in this instrument are defined in subsection 5(1) of the Act, including the following:

(a) ***approved form***;

(b) ***authorised system***;

(c) ***in immigration clearance***;

(d) ***visa***;

(e) ***visa applicant***.

In this instrument:

***Act*** means the *Migration Act 1958.*

***Regulations*** means the *Migration Regulations 1994.*

***SPV*** means special purpose visa.

Part 2 — Arrangements for special category visa applications

1. Approved form
2. For the purposes of subitem 1219(1) of Schedule 1 to the Regulations, the approved form, Form 15 (electronic or paper), is specified, subject to subsection (2).
3. If the application is made using an authorised system, a form is not required.

7 Place and manner an application must be made

For the purposes of paragraph 1219(3)(a) of Schedule 1 to the Regulations, an application by an applicant specified in Column A, must be made at the place specified in Column B for the relevant subparagraph, and in the manner specified in Column C of an item in the table.

| **Item** | **Column A**Applicant | **Column B**Place | **Column C**Manner |
| --- | --- | --- | --- |
| 1 | Where the applicant holds a Special Purpose Visa  | As specified in subparagraphs 1219(3)(aa)(i) or 1219(3)(aa)(ii) of the Regulations. | Applications must be made on:1. Paper Form 15; or
2. an authorised system.
 |
| 2 | Where the applicant holds a Special Purpose Visa  | As specified in subparagraph 1219(3)(aa)(iii) of the Regulations. | Applications must be made on:1. Electronic Form 15; or
2. Paper Form 15.
 |
| 3 | Where the applicant does not hold a valid visa | As specified in subparagraphs 1219(3)(aa)(i) or 1219(3)(aa)(ii) of the Regulations. | Applications must be made on:1. Paper Form 15; or
2. an authorised system.
 |
| 4 | Where the applicant does not hold a valid visa | As specified in subparagraph 1219(3) (aa)(iii) of the Regulations. | Applications must be made on:1. Electronic Form15; or
2. Paper Form 15.
 |
| 5 | Where the applicant holds a valid temporary visa (other than SPV) | As specified in subparagraph 1219(3)(ab)(i) of the Regulations. | Applications must be made on:1. Paper Form 15; or
2. an authorised system.
 |
|  6 | Where the applicant holds a valid temporary visa (other than SPV) | As specified in subparagraph 1219(3)(ab)(ii) of the Regulations. | Applications must be made on:1. Electronic Form 15; or
2. Paper Form 15.
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Schedule 1—Repeals

ARRANGEMENTS FOR SPECIAL CATEGORY VISA APPLICATIONS 2015 (IMMI 15/039) (F2015L00560)

1. The whole of the instrument

Repeal the instrument.