

LIN 22/020

Migration (Arrangements for Special Category Visa applications) Instrument (LIN 22/020) 2022

I, Alison Garrod, delegate of the Minister, make this instrument under subregulation 2.07(5) of the *Migration Regulations 1994* (the Regulations)*.*

Dated 21 February 2022

Alison Garrod

Acting Senior Executive Service Band 1
Immigration Programs Division
Department of Home Affairs

1 Name

 This instrument is the Migration (Arrangements for Special Category Visa applications) Instrument (LIN 22/020) 2022.

2 Commencement

 This instrument commences on 27 February 2022.

3 Repeal

 *Migration (LIN 19/058: Arrangements for special category visa applications) Instrument 2019* (F2019L00339) is repealed.

4 Making an application in immigration clearance

 (1) For subitem 1219(1) and paragraph 1219(3)(a) of Schedule 1 to the Regulations this section specifies requirements for making an application for a Special Category (Temporary) (Class TY) visa.

 (2) If an applicant is in Australia in immigration clearance, the application must be made by:

(a) presenting Form 15 to a clearance officer; or

(b) using an authorised system.

Note ***authorised system***, ***clearance authority*** and ***clearance officer*** have the same meaning in this instrument as in the *Migration Act 1958* and the Regulations.

 (3) Subsection (4) applies if an applicant:

(a) is in Australia after having been immigration cleared; or

(b) is in Australia but not in immigration clearance.

 (4) The application:

(a) must be made by submitting Form 444 (Web) via the online portal at https://immi.homeaffairs.gov.au/help-support/departmental-forms/online-forms/special-category-visa; or

(b) if an application cannot be made as specified in paragraph (a), it may be made by posting Form 15 with sufficient prepaid postage to:

 Special Category Visa Processing Unit

 Department of Home Affairs

 GPO Box 9984

 SYDNEY NSW 2001.