



LIN 25/020

## **Migration (Subclass 192 (Pacific Engagement) Visa Pre-application Process—Pacific Engagement Stream) Determination 2025**

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I, Tony Burke, Minister for Immigration and Multicultural Affairs, make the following determination.

Dated 25 February 2025

Tony Burke  
Minister for Immigration and Multicultural Affairs

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## Part 1—Preliminary

### 1 Name

This instrument is the *Migration (Subclass 192 (Pacific Engagement) Visa Pre-application Process—Pacific Engagement Stream) Determination 2025*.

### 2 Commencement

This instrument commences on 1 May 2025.

### 3 Authority

This instrument is made under subsection 46C(14) of the *Migration Act 1958*.

### 4 Definitions

Note: A number of expressions used in this instrument are defined in the Act, including visa pre-application process charge.

In this instrument:

*Act* means the *Migration Act 1958*.

***Pacific Engagement stream visa*** means a Subclass 192 (Pacific Engagement) visa in the Pacific Engagement stream as set out in Subdivision 192.22 of Schedule 2 to the Migration Regulations.

***Pacific Engagement stream visa pre-application process*** means a process specified under section 7.

***registered participant***, for a particular Pacific Engagement stream visa pre-application process, has the meaning given by section 9.

***registration open period***, for a particular Pacific Engagement stream visa pre-application process, means the period during which the process is open for registration.

Note: See also section 11, which is about requirements for registration open periods.

***selected participant***, for a particular Pacific Engagement stream visa pre-application process, has the meaning given by section 14.

***selection open period***, for a particular Pacific Engagement stream visa pre-application process, means the period during which selection of participants for the process may take place.

Note: See also section 15, which is about requirements for selection open periods.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

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## Part 2—Rules for the conduct of visa pre-application process

### Division 1—Introduction

#### 6 Purpose of this Part

For the purposes of subsection 46C(14) of the Act, this Part sets out the rules that apply in relation to the conduct of a visa pre-application process that is specified in section 7.

#### 7 Specified visa pre-application process to which rules apply

For the purposes of subsection 46C(14) of the Act, this instrument applies in relation to a visa pre-application process conducted under subsection 46C(1) of the Act in relation to a Subclass 192 (Pacific Engagement) visa in the Pacific Engagement stream.

### Division 2—Country to which visa pre-application process relates

#### 8 Visa pre-application process must be in relation to a country

- (1) A Pacific Engagement stream visa pre-application process must be in relation to a single country.

Note: Multiple Pacific Engagement stream visa pre-application processes may be conducted (see subsection 46C(10) of the Act), including concurrent processes in relation to different countries.

- (2) The Minister must cause the country to which the Pacific Engagement stream visa pre-application process relates to be published on the Department's website.

### Division 3—Registration of participants

#### 9 Registered participants

A person is a **registered participant** for a particular Pacific Engagement stream visa pre-application process if the following requirements are met:

- (a) the person registers as a participant in that process using a computer program made available on the internet for that purpose;
- (b) the registration includes a declaration by the person that they meet the eligibility requirements for that process specified under section 10;
- (c) the person is not already registered as a participant in that process;
- (d) the registration occurs within the registration open period for that process.

Note 1: A part of a visa pre-application process may be conducted by the use of a computer program under the Minister's control: see subsection 46C(11) of the Act.

Note 2: Any visa pre-application process charge that is payable in respect of the registration must be paid at the time of registration: see subsection 46C(22) of the Act.

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## 10 Eligibility requirements

The eligibility requirements for registration of a person as a registered participant in a particular Pacific Engagement stream visa pre-application process are all of the following:

- (a) the person holds a valid passport issued by the country to which that process relates;
- (b) the person is not a citizen of New Zealand;
- (c) the person, or a parent of the person, was born in a country specified in Schedule 1;
- (d) at the beginning of the registration open period for that process, the person is aged at least 18 and no more than 45.

## 11 Registration open period

- (1) A Pacific Engagement stream visa pre-application process must involve a finite registration open period for the process.
- (2) The Minister must cause the registration open period for the process, and any extension of the period, to be published on the Department's website.

## 12 Withdrawal of registration

A registered participant in a particular Pacific Engagement stream visa pre-application process may withdraw their registration as a participant in that process using a computer program made available on the internet for that purpose.

Note: A part of a visa pre-application process may be conducted by the use of a computer program under the Minister's control: see subsection 46C(11) of the Act.

## 13 Duration of registration

The registration of a person as a registered participant in a particular Pacific Engagement stream visa pre-application process lapses at the earliest of the following times:

- (a) the end of the selection open period for that process;
- (b) if the person is selected as a selected participant for that process—when the person is selected;
- (c) if the person withdraws their registration as a participant in that process—when the withdrawal is lodged;
- (d) if the person dies before the person is selected as a selected participant for that process—when the person dies.



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## Division 4—Selection of registered participants

### 14 Selected participants

A person is a *selected participant* for a particular Pacific Engagement stream visa pre-application process if the person is randomly selected for that process by a computer program.

Note 1: The person must be a registered participant in that process: see subsection 46C(2) of the Act.

Note 2: A part of a visa pre-application process may be conducted by the use of a computer program under the Minister's control: see subsection 46C(11) of the Act.

### 15 Selection open period

- (1) A Pacific Engagement stream visa pre-application process must involve a finite selection open period for the process.
- (2) The Minister must cause the selection open period for the process, and any extension of the period, to be published on the Department's website.

### 16 Notice of selection

- (1) As soon as practicable after a person is selected as a selected participant for a particular Pacific Engagement stream visa pre-application process, the Minister must give the person notice in writing of the selection.
- (2) The notice must specify the date by which the person must make a valid visa application for a Subclass 192 (Pacific Engagement) visa in the Pacific Engagement stream.
- (3) The date specified under subsection (2) must be at least 30 days after the day the notice is given.

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## Part 3—Application and transitional provisions

### 17 Repeal of LIN 24/011

Despite the repeal of *Migration (Subclass 192 (Pacific Engagement) Visa Pre-application Process) Determination (LIN 24/011) 2024 (LIN 24/011)* by Schedule 2 to this instrument, LIN 24/011 continues to apply in relation to a visa pre-application process, for a Subclass 192 (Pacific Engagement) visa, that was conducted before 1 May 2025.

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## **Schedule 1—Eligibility requirements—person or parent born in specified country**

Note: See paragraph 10(c).

### **1 Specified countries**

Each of the following countries is specified:

- (a) Australia;
- (b) Fiji;
- (c) Kiribati;
- (d) Marshall Islands, Republic of;
- (e) Micronesia, Federated States of;
- (f) Nauru;
- (g) New Zealand;
- (h) Palau;
- (i) Papua New Guinea;
- (j) Samoa;
- (k) Solomon Islands;
- (l) Timor-Leste;
- (m) Tonga;
- (n) Tuvalu;
- (o) Vanuatu.

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## **Schedule 2—Repeals**

### ***Migration (Subclass 192 (Pacific Engagement) Visa Pre-application Process) Determination (LIN 24/011) 2024***

#### **1 The whole of the instrument**

Repeal the instrument