

From: [Visitors Program Management](#)
To:

s. 22(1)(a)(ii)

Subject: Updated Visitor (subclass 600) (Sponsored Family Stream) (SFV) visa training material
Date: Wednesday, 11 June 2025 2:46:23 PM

FOR ATTENTION OF: 1. Overseas - all SMO & PMO (Operations)
2. Onshore Visitor Visas Program Delivery Directors and Managers

IMPORTANCE: Low
For Information

ACTION REQUIRED:

SUBJECT: Updated Visitor (subclass 600) (Sponsored Family Stream) (SFV) visa training material

AUTHORISED BY: s. 22(1)(a)(ii), Director, Visitor Visa Program Management (VVPM)

Dear colleagues;

s. 47E(d)

We welcome ongoing comments and questions, which can be sent to the [s. 22\(1\)\(a\)\(ii\)](#) [@homeaffairs.gov.au](mailto:at.homeaffairs.gov.au) mailbox.

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A stylized, blue-toned globe with a digital, dotted texture, showing the continents of North and South America. The globe is set against a dark background with faint, glowing lines and dots, suggesting a global network or digital theme.

Visitor (subclass 600) (Sponsored Family Stream) (SFV) visa

Supplementary guide

Please contact Visitor Visa Program Management (VVPM) if there are further questions regarding these topics.
TRIM Reference: ADF2024/178494

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Schedule 1 – Sponsored Family stream – additional requirements

- An applicant must make an application using Form 1419 (Internet) through ImmiAccount and indicate the application is for the Sponsored Family stream (SFV).
- The applicant must be outside Australia.
- Visa Application Charge (VAC) must have been paid
- Legislative instrument *Migration (Arrangements for Visitor (Class FA) visa applications) Instrument LIN 21/056* 2021 specifies that when making an application in the Sponsored Family stream, Form 1149 - *Application for sponsorship for Sponsored Family Visitors* must be attached to the application in ImmiAccount.

Form 1149 - Application for sponsorship for Sponsored Family Visitors

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Clause 600.232 – Sponsorship requirements

Sponsor	Criteria
Individual (Subclause 600.232(2))	The sponsor is an Australian citizen or a permanent resident who: • Must be at least 18 years old; and • Must be 'settled'; and • Must meet one of the following: ○ 600.232(2)(a) – sponsor is a relative of the applicant ○ 600.232(2)(b) – sponsor is a relative of another applicant who is a member of the family unit of the applicant ○ 600.232(2)(c) – sponsor is a relative of another applicant in relation to whom the applicant is a member of the family unit.
Organisation (Subclause 600.232(3)) (Subclause 600.232(4))	The sponsor is a settled Australian citizen or a settled permanent resident who is: • A member of an Australian parliament • A member of the Legislative Assembly of the Australian Capital Territory or the Northern Territory • A government mayor The sponsor is a government agency or instrumentality of the Commonwealth or a State or Territory. • The sponsorship form must be completed by an authorised officer and include the official seal of the agency or instrumentality. • The officer must be authorised to make the sponsorship undertaking on behalf of the agency or instrumentality.

Definitions

Regulation definitions	
Relative Regulation 1.03	• A close relative • Grandparent, grandchild • Aunt, uncle • Niece, nephew • Step-grandparent, step-grandchild, step-aunt, step-uncle, step-niece or step-nephew • <i>Note:</i> aunt and uncle are the applicant's parents' siblings and their spouses
Close relative Regulation 1.03	• The spouse or de facto partner of the person • The child*, parent, brother or sister of the person • A step-child, step-brother or step-sister of the person <i>* a child sponsor must be at least 18 years old.</i>
Member of the family unit (MOFU) Regulation 1.12	A person is a member of the family unit of another person (the family head) if the person: (a) is a spouse or de facto partner of the family head; or (b) is a child or step-child of the family head or of a spouse or de facto partner of the family head (other than a child or step-child who is engaged to be married or has a spouse or de facto partner) and: (i) has not turned 18; or (ii) has turned 18, but has not turned 23, and is dependent on the family head or on the spouse or de facto partner of the family head; or (iii) has turned 23 and is under <u>paragraph 1.05A(1)(b)</u> dependent on the family head or on the spouse or de facto partner of the family head; or (c) is a dependent child of a person who meets the conditions in <u>paragraph (b)</u>.
Settled Regulation 1.03	Lawfully resident in Australia for a reasonable period

What is a 'settled' sponsor

Regulation 1.03 defines 'settled' to mean 'lawfully resident in Australia for a reasonable period'.

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Note: if the sponsor is permanently residing overseas, the applicant would not be able to satisfy subclause 600.232(2) because the sponsor would not ordinarily be considered 'settled' in Australia and the visa application should be considered for refusal.

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Evidence of relationship requirements

An applicant should provide documentary evidence to demonstrate their relationship to the sponsor. The applicant should provide English translations of the documents. Refer to "Documents not in English" in [GenGuide A - All visas - Visa application procedures](#) for further information.

Evidence of relationship documents may include Government-issued birth certificates, marriage certificates, family registry, passports etc.

Statutory declarations, affidavits and documents from local /regional authorities cannot be accepted.

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When can a visa application be refused under clause 600.233

Clause 600.233 requires that if subclause 600.232(2) applies, a subclass 600 visa in the SFV stream be granted to the applicant who is a relative of the sponsor **before** a visa is granted to the applicant who is not a relative.

Therefore, if a husband and wife apply together and the husband, being the relative of the sponsor, is refused for any reason, the wife can then be refused under clause 600.233.

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Clause 600.234 – Validity of the sponsorship

Clause 600.234 requires an approved sponsorship to still be in force at the time of decision on the visa application. s. 47E(d)

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Sponsorship limitations – Regulation 1.20L

It is important that officers are familiar with Regulation 1.20L. Please refer to: Division 1.4B - Limitation on certain sponsorships under Division 1.4 [r1.20J to r1.20LAA]

Sponsorship in force

An eligible person cannot sponsor a visa applicant if they have sponsored a *previous applicant* for a Visitor (subclass 600) visa which was granted and:

- the visa has not expired. Unless subregulation 1.20L(3) applies.
- or
- the visa has expired, the previous applicant did not comply with a condition of that visa, and 5 years has not elapsed since it was granted. However, they can sponsor that visa applicant if (1.20L(4)) the previous applicant did not comply with condition 8531 (must not remain in Australia beyond the visa period) due to circumstances that were beyond their control. This needs to have occurred after they entered Australia.

Subregulation 1.20L(3) provides officers with the discretion to approve sponsorship of an applicant (while a previous applicant's sponsorship is still in force) if:

- the previous applicant holds a Visitor (subclass 600) visa, and
- the officer is satisfied that the applicant is a member of the family unit of the previous applicant and is proposing to travel to Australia for the same purpose as the previous applicant.

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Sponsorship bar

When a sponsor has previously sponsored someone and that person has stayed onshore after their visa expired (either unlawfully or that they applied for another visa), the sponsor will be subject to a 5-year sponsorship bar from the grant of the visa.

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Subregulation 1.20L(4) provides the prescribed circumstances to lift a 5-year sponsorship bar where the sponsor's previously sponsored Visitor (subclass 600) visa holder did not comply with condition 8531. This decision can be made at any time and independent of a further sponsorship and visa application. An officer has to be satisfied that the previously-sponsored visa holder:

- did not comply with condition 8531; and
- exceeded the period of stay permitted by the visa due to circumstances that were beyond their control which arose after the sponsored visa holder had entered Australia.

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Clause 600.235 – Security bond

Clause 600.235 enables officers with section [269](#) delegation, discretion to request a security bond.

The lodgement of a security bond does not replace the requirement that an applicant meets all criteria for the grant of the visa.

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Grant period and conditions

Travel Validity	Stay Period	Entries	Conditions
6 months from the date of grant (or by a specified date in line with the purpose of the proposed visit)	3 months (unless a sponsor has indicated that their sponsorship is intended to cover a shorter specified period)	Single entry	<u>Mandatory conditions are</u> 8101 , 8201 , 8503 , 8531 . There are no discretionary conditions for SFV.

Refer to Subclass 600 PI - 3.13.7 Standard Subclass 600 visa grant period – all streams.

Generally, an SFV visa should be granted the standard product of 6 months travel validity, 3-month stay period (unless sponsor has indicated sponsorship covers a shorter specified period) and single entry.

This aligns with the subclass 600 Procedural Instruction.

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Review rights

All SFV refusal decisions are reviewable decisions under subsection 338(5) or 338(7) of the Act. For more information on the merits review process, refer to Merits Review by the Administrative Review Tribunal.

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Withdrawing sponsorship

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Sponsorship withdrawal request must be made in writing and should include:

- the sponsor's full name and date of birth
- the application ID or Transaction reference number (TRN) for the application
- a signed and dated statement from the sponsor

Alternatively, the sponsor can submit a [Request to withdraw sponsorship for a Subclass 600 visa \(Sponsored Family stream\)](#) online enquiry form.

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Visitor (subclass 600) (Sponsored Family) visa (SFV)

Sponsorship information

Overview

This presentation focuses on the Schedule 2 - Criteria for Sponsored Family stream –
Clauses 600.231-600.235

600.231 - Open to applicants who intend to visit an Australian citizen or permanent resident relative and the purpose of travel is not related to business or medical treatment

600.232 - Sponsorship requirements

600.233 - Multiple applicants with one sponsor – the order in which the visa should be granted

600.234 - Sponsorship limitations – sponsorship in force and sponsorship bar

600.235 - Security bonds

Form 1149 - Application for sponsorship for Sponsored Family Visitors

Under subitem 1236(4) of Schedule 1 of the Regulations, an application for an SFV must be made by attaching form 1149 to the SFV application in ImmiAccount.

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Clause 600.232 in Schedule 2 of the Regs

600.232 (2)

- (1) One of subclauses (2) to (4) applies.
- (2) The applicant is sponsored by a settled Australian citizen, or a settled Australian permanent resident, who is at least 18 and:
 - (a) a relative of the applicant; or
 - (b) a relative of another applicant who is a member of the family unit of the applicant; or
 - (c) a relative of another applicant in relation to whom the applicant is a member of the family unit.

600.232 Sponsorship requirements

600.232(3) and (4)

(3) The applicant is sponsored by a settled Australian citizen, or a settled Australian permanent resident, who:

- (a) is a member of the Commonwealth Parliament or a State Parliament; or
- (b) is a member of the Legislative Assembly of the Australian Capital Territory or the Northern Territory; or
- (c) holds the office of mayor.

(4) The applicant is sponsored by a Commonwealth government agency or instrumentality or a State or Territory government agency or instrumentality.

600.232 Sponsorship requirements

6003.232 (2) Settled

The applicant is sponsored by a settled Australian citizen, or a settled Australian permanent resident who is at least 18 years old

[Regulation 1.03](#) defines 'settled' to mean lawfully resident in Australia for a reasonable period.

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600.232 Sponsorship requirements

600.232(2)(a): a relative of the applicant

Reg 1.03 defines a 'relative' as

- A 'close relative'- means the spouse or de facto partner of the person; or a child, parent, brother, sister or a step-child, step-brother or step-sister of the person; or
- A grandparent, grandchild, aunt, uncle, niece or nephew and their step equivalent of the person

600.232 Sponsorship requirements

600.232(2)(b): a relative of another applicant who is a member of the family unit (MOFU) of the applicant

600.232(2)(c): a relative of another applicant in relation to whom the applicant is a member of the family unit (MOFU)

A relative of another applicant who is a MOFU of the applicant

Reg 1.12 defines a person is a MOFU of another person (the family head) if the person:

- (a) is a spouse or de facto partner of the family head; or
- (b) is a child or step-child of the family head or of a spouse or de facto partner of the family head (other than a child or step-child who is engaged to be married or has a spouse or de facto partner) and:
 - (i) has not turned 18; or
 - (ii) has turned 18, but has not turned 23, and is dependent on the family head or on the spouse or de facto partner of the family head; or
 - (iii) has turned 23 and is under paragraph 1.05A(1)(b) dependent on the family head or on the spouse or de facto partner of the family head; or
- (c) is a dependent child of a person who meets the conditions in paragraph (b).

Evidence of relationship

Evidence of relationship between sponsor and applicant is a mandatory requirement for SFV applications.

Relationship documents are required to be Govt. issued-Birth certs / Marriage certs / Family Registers / Passports.

Stat Dec's / Affidavit's / letters from local/regional authorities are not accepted.

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600.233 Sponsorship requirements

If subclause 600.232(2) applies, and if the applicant is not a relative of the sponsor, a Subclass 600 visa in the Sponsored Family stream has been granted to another person who is:

- (a) a relative of the sponsor; and
- (b) sponsored by the sponsor in relation to the applicant's visit.

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600.234

The sponsorship described in subclause 600.232(2), (3) or (4) has been approved by the Minister and is still in force.

When assessing clause 600.234, officers must familiarise themselves with Regulation 1.20L as it provides details on limitations on approving sponsorships for Subclass (600) visitor visas.

Clause 600.234 comprises of two different circumstances:

1. Sponsorship in force
2. Sponsorship bar

Regulation 1.20L relating to active sponsorship

- (1) The Minister must not approve the [sponsorship](#) by a sponsor of an applicant for a [Subclass 600 \(Visitor\) visa](#) if:
- (a) the sponsor has previously sponsored the applicant, or another applicant, for:
 - (i) a [Subclass 600 \(Visitor\) visa](#); or
 - (ii) a Sponsored (Visitor) (Class UL) visa; and
 - (b) the visa mentioned in paragraph (a) was granted; and
 - (c) either:
 - (i) subject to subregulation (3) — the visa is still in effect;
- (3) Despite subparagraph (1)(c)(i), the Minister may approve the [sponsorship](#) by the sponsor of the applicant if:
- (a) the previous applicant holds a [Subclass 600 \(Visitor\) visa](#); and
 - (b) the Minister is satisfied that the applicant:
 - (i) is a [member of the family unit](#) of the previous applicant; and
 - (ii) is proposing to travel to Australia for the same purpose as the previous applicant.

Reg 1.20L relating to sponsorship bar

(1) The Minister must not approve the sponsorship by a sponsor of an applicant for a Subclass 600 (Visitor) visa if:

- (a) the sponsor has previously sponsored the applicant, or another applicant, for:
 - (i) a Subclass 600 (Visitor) visa; or
 - (ii) a Sponsored (Visitor) (Class UL) visa; and
- (b) the visa mentioned in paragraph (a) was granted; and
- (c) either:
 - (ii) subject to subregulation (4) — each of the following applies:
 - (A) the visa has ceased to be in effect;
 - (B) the previous applicant did not comply with a condition of the visa;
 - (C) a period of 5 years has not passed since the grant of the visa.

Reg 1.20L relating to sponsorship bar cont....

(4) Despite subparagraph (1)(c)(ii), the Minister may approve the sponsorship by the sponsor of the applicant if:

- (a) the previous applicant was the holder of a Subclass 600 (Visitor) visa; and
- (b) the Minister has, at any time, determined in writing that he or she is satisfied that:
 - (i) the previous applicant did not comply with condition 8531; and
 - (ii) the previous applicant exceeded the period of stay permitted by the visa due to circumstances:
 - (A) beyond the previous applicant's control; and
 - (B) that occurred after the previous applicant entered Australia as the holder of a visa mentioned in paragraph (a).

Note: Condition 8531 provides that the holder of a visa is not permitted to remain in Australia after the end of the period of stay permitted by that visa.

TRIM references

ADF2024/178494 – Training resources folder

ADD2025/1813259: Visitor (subclass 600) (Sponsored Family Visitor) visa – Supplementary guide

ADD2025/1915845: Subclass 600 Visitor visa refusal fragments

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s. 22(1)(a)(ii) @homeaffairs.gov.au for access.

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Visitor visa grant process for Health – Meets (Reduced Stay) assessments [SEC=OFFICIAL]

Friday, 4 July 2025 11:56:27 AM

[image001.jpg](#)[Visitor visa grant process for Health - Meets \(Reduced Stay\) assessments.PDF](#)**OFFICIAL****FOR ATTENTION OF:**

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2. Overseas - all SMO, PMO & CMOs (Operations)
3. Visa Support Centre (Operations)

IMPORTANCE:

HIGH

ACTION REQUIRED:

For information and action

SUBJECT:

Visitor visa grant process for Health – Meets (Reduced Stay) assessments

AUTHORISED BY:**s. 22(1)(a)(ii)** Director - Visitor Visa Program Management**s. 47E(d)**

S. 47E(d)

Kind Regards,

Visitor Visa Program Management
Temporary Visas Branch | Migration and Temporary Visas Division
Immigration Operations Group
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Subject: Response: Visitor visa grant period and the MOC assessment period [SEC=OFFICIAL]
Date: Monday, 12 May 2025 3:21:17 PM
Attachments: [RE Migration Health Newsletter - April 2025 SECOFFICIAL.msg](#)
[image003.jpg](#)

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*This response has been
cleared by Health Policy &
Assurance Branch Snr Director,
s. 22(1)(a)(ii)*

Thank you and regards

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Assistant Director Migration Health Policy

Health Policy and Assurance Branch

Chief Operating Officer Group

Department of Home Affairs

P: s. 22(1)(a)(ii) / s. 22(1)(a)(ii)

E: s. 22(1)(a)(ii) [@homeaffairs.gov.au](mailto:s.22(1)(a)(ii)@homeaffairs.gov.au)

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From: s. 22(1)(a)(ii)
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Cc:
Subject: RE: Migration Health Newsletter - April 2025 [SEC=OFFICIAL]
Date: Tuesday, 29 April 2025 1:01:25 PM
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[Image005.png](#)
[Image001.png](#)
[Image002.jpg](#)
[RE: Migration Health Newsletter - April 2025 SEC=OFFICIALSensitive.msg](#)
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Hj s. 22(1)(a) and s. 22(1)

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Kind regards,

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A/g Director
Visitor Visas Section
Temporary Visas Branch | Migration and Temporary Visas
Immigration Operations
Department of Home Affairs

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Cheers,

s. 22(1)(a)

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From: Health s. 22(1)(a) <[s.22\(1\)\(a\)@homeaffairs.gov.au](mailto:s.22(1)(a)@homeaffairs.gov.au)>
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Date: Tuesday, 22 April 2025 2:24:52 PM
Attachments: [image003.jpg](#)
[image004.jpg](#)
[image005.jpg](#)

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Hi Visitor Program Management,

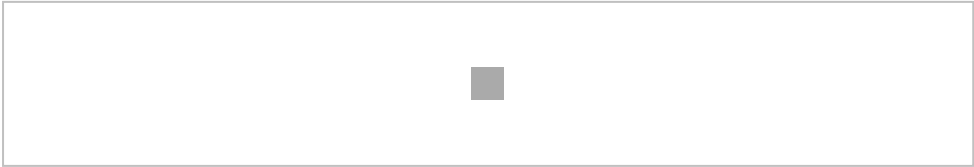
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Regards,

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First Secretary (Home Affairs)
Australian Embassy Vietnam
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Hi s. 22(1)(a)(ii)

Thank you for your email.

S. 47E(d)

I hope this assists.

Warm regards

s. 22(1)(a)(ii)

Assistant Director Migration Health Policy
Health Policy and Assurance Branch
Chief Operating Officer Group
Department of Home Affairs
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Sent: Thursday, 17 April 2025 5:51 PM

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Subject: RE: Migration Health Newsletter - April 2025 [SEC=OFFICIAL:Sensitive]

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Hi Health,



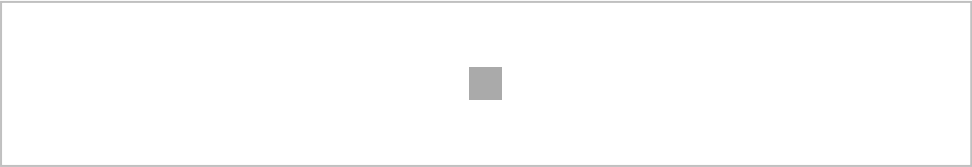
In thanks and happy to elaborate if need be.

Kind regards,

S. 22(1)(a)(ii)

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First Secretary (Home Affairs)
Australian Embassy Vietnam
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Public Interest Criteria (PIC)

Applicant is required to satisfy all below PICs as mandated in the regulation 600.213.

****Refer LEGEND as per the date of lodgement of the application****

600.213

- (1) The applicant satisfies public interest criteria 4001, 4002, 4003, 4004, 4005, 4011, 4013, 4014, 4020 and 4021.
- (2) If the applicant has not turned 18, the applicant also satisfies public interest criteria 4012, 4017 and 4018.

PIC 4001 Character

Either:

- (a) the person satisfies the Minister that the person passes the character test; or
- (b) the Minister is satisfied, after appropriate inquiries, that there is nothing to indicate that the person would fail to satisfy the Minister that the person passes the character test; or
- (c) the Minister has decided not to refuse to grant a visa to the person despite reasonably suspecting that the person does not pass the character test; or
- (d) the Minister has decided not to refuse to grant a visa to the person despite not being satisfied that the person passes the character test.

PIC 4002 Security Referral Service (SRS)

- The applicant is not assessed by the Australian Security Intelligence Organisation to be directly or indirectly a risk to security, within the meaning of section 4 of the Australian Security Intelligence Organisation Act 1979.

s. 22(1)(a)(ii)

Refer LEGEND

PIC 4003 Weapon Of Mass Destruction (WMD)

- **4003 The applicant:**
 - (a) is not determined by the Foreign Minister, or a person authorised by the Foreign Minister, to be a person whose presence in Australia is, or would be, contrary to Australia's foreign policy interests; and
 - (b) is not determined by the Foreign Minister, or a person authorised by the Foreign Minister, to be a person whose presence in Australia may be directly or indirectly associated with the proliferation of weapons of mass destruction; and
 - (c) either:
 - (i) is not declared under paragraph 6(1)(b) or (2)(b) of the Autonomous Sanctions Regulations 2011 for the purpose of preventing the person from travelling to, entering or remaining in Australia; or
 - (ii) if the applicant is declared—is a person for whom the Foreign Minister has waived the operation of the declaration in accordance with regulation 19 of the Autonomous Sanctions Regulations 2011.
- **4003A:** The applicant is not determined by the Foreign Minister, or a person authorised by the Foreign Minister, to be a person whose presence in Australia may be directly or indirectly associated with the proliferation of weapons of mass destruction.

s. 47E(d)

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PIC 4004 Debt to Commonwealth

- The applicant does not have outstanding debts to the Commonwealth unless the Minister is satisfied that appropriate arrangements have been made for payment.

PIC 4005 The Health Requirement

(1) The applicant:

(aa) if the applicant is in a class of persons specified by the Minister in an instrument in writing for this paragraph:

(i) must undertake any medical assessment specified in the instrument; and

(ii) must be assessed by the person specified in the instrument;

unless a Medical Officer of the Commonwealth decides otherwise; and

(ab) must comply with any request by a Medical Officer of the Commonwealth to undertake a medical assessment; and

(a) is free from tuberculosis; and

(b) is free from a disease or condition that is, or may result in the applicant being, a threat to public health in Australia or a danger to the Australian community; and

(c) is free from a disease or condition in relation to which:

(i) a person who has it would be likely to:

(A) require health care or community services; or

(B) meet the medical criteria for the provision of a community service;

during the period described in subclause (2); and

(ii) the provision of the health care or community services would be likely to:

(A) result in a significant cost to the Australian community in the areas of health care and community services; or

(B) prejudice the access of an Australian citizen or permanent resident to health care or community services;

regardless of whether the health care or community services will actually be used in connection with the applicant; and

(d) if the applicant is a person from whom a Medical Officer of the Commonwealth has requested a signed undertaking to present himself or herself to a health authority in the State or Territory of intended residence in Australia for a follow-up medical assessment — has provided the undertaking.

(2) For subparagraph (1)(c)(i), the period is:

(a) for an application for a permanent visa — the period commencing when the application is made; or

(b) for an application for a temporary visa:

(i) the period for which the Minister intends to grant the visa; or

(ii) if the visa is of a subclass specified by the Minister in an instrument in writing for this subparagraph — the period commencing when the application is made.

(3) If:

(a) the applicant applies for a temporary visa; and

(b) the subclass being applied for is not specified by the Minister in an instrument in writing made for this subparagraph (2)(b)(ii);

the reference in sub-subparagraph (1)(c)(ii)(A) to health care and community services does not include the health care and community services specified by the Minister in an instrument in writing made for this subclause.

S. 47E(d)

S. 47E(d)

PIC 4011 Visitor risk factors

- (1) If the applicant is affected by the risk factor specified in subclause (2), the applicant satisfies the Minister that, having regard to the applicant's circumstances in the applicant's country of usual residence, there is very little likelihood that the applicant will remain after the expiry of any period during which the applicant might be authorised to remain after entry.
- (2) An applicant is affected by the risk factor referred to in subclause (1) if:
- (a) during the period of 5 years immediately preceding the application, the applicant has applied for a visa for the purpose of permanent residence in Australia; or
 - (b) the applicant has all the characteristics of a class of persons specified in a legislative instrument made by the Minister for the purposes of this paragraph.
- (2A) In specifying a class of persons for the purposes of paragraph (2)(b), the Minister must have regard to statistics prepared by the Secretary:
- (a) from movement records kept by Immigration about persons who have remained in Australia after expiry of the period during which each person was authorised to remain in Australia under the visa with which he or she last entered Australia; and
 - (b) having regard to one or more of the characteristics mentioned in subclause (3).
- (3) For the purposes of paragraph (2)(b), a characteristic is any of the following:
- (a) nationality;
 - (b) marital or relationship status;
 - (c) age;
 - (d) sex;
 - (e) occupation;
 - (f) the class of visa currently applied for;
 - (g) the place of lodgement or posting of the application for that visa.

PIC 4012 Applicants under 18 years of age

In the case of an applicant:

- (a) who has not turned 18; and
 - (b) whose intended stay in Australia will not be in the company of either or both of his or her parents or guardians; and
 - (c) whose application expresses an intention to visit, or stay with, a person in Australia who is not a relative of the applicant; and
 - (d) who is not a member of an organised tour and for whom no adequate maintenance and support arrangements have been made for the total period of stay in Australia;
- an undertaking to provide accommodation for, and to be responsible for the support and general welfare of, the applicant during the applicant's stay in Australia is given to the Minister by a person who, in the reasonable belief of the Minister, is of good character.

PIC 4012A Applicants under 18 years of age

In the case of an applicant who has not turned 18:

- (a) the application expresses a genuine intention to reside in Australia with a person who:
 - (i) is a parent of the applicant or a person who has custody of the applicant; or
 - (ii) is:
 - (A) a relative of the applicant; and
 - (B) nominated by a parent of the applicant or a person who has custody of the applicant; and
 - (C) aged at least 21; and
 - (D) of good character; or

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(b) a signed statement is given to the Minister by the education provider for the course in which the applicant is enrolled confirming that appropriate arrangements have been made for the applicant's accommodation, support and general welfare for at least the minimum period of enrolment stated on the applicant's:

- (i) confirmation of enrolment; or
 - (ii) AASES form;
- plus 7 days after the end of that period; or

(c) if the applicant is a Foreign Affairs student or a Defence student, appropriate arrangements for the applicant's accommodation, support and general welfare have been approved by:

- (i) in the case of a Foreign Affairs student the Foreign Minister; and
- (ii) in the case of a Defence student —the Defence Minister.

PIC 4013 Immigration history related criteria

(1) If the applicant is affected by a risk factor mentioned in subclause (1A), (2), (2A) or (3):

- (a) the application is made more than 3 years after the cancellation of the visa or the determination of the Minister, as the case may be, referred to in the subclause that relates to the applicant; or
- (b) the Minister is satisfied that, in the particular case:

- (i) compelling circumstances that affect the interests of Australia; or
 - (ii) compassionate or compelling circumstances that affect the interests of an Australian citizen, an Australian permanent resident or an eligible New Zealand citizen;
- justify the granting of the visa within 3 years after the cancellation or determination.

(1A) A person is affected by a risk factor if a visa previously held by the person was cancelled:

- (a) under section 109, paragraph 116(1)(d), subsection 116(1AA) or (1AB) or section 133A of the Act; or
- (b) under section 128 of the Act because the Minister was satisfied that the ground mentioned in paragraph 116(1)(d) of the Act applied to the person; or
- (c) under section 133C of the Act because the Minister was satisfied that the ground mentioned in paragraph 116(1)(d) or subsection 116(1AA) or (1AB) of the Act applied to the person.

(2) A person is affected by a risk factor if a visa previously held by the person was cancelled under section 116, 128 or 133C of the Act:

- (a) because the person was found by Immigration to have worked without authority; or
- (b) if the visa was of a subclass specified in Part 2 of this Schedule — because the person did not comply with a condition specified in that Part in relation to that subclass; or
- (c) if the visa was a Subclass 773 (Border) visa and, at the time of grant of the visa, the person was apparently eligible for a substantive visa of a subclass specified in Part 2 of this Schedule — because the person did not comply with a condition specified in that Part in relation to that subclass of substantive visa; or
- (ca) because the person held a student visa and the Minister was satisfied that a ground mentioned in paragraph 116(1)(fa) of the Act applied to the person; or
- (d) because the Minister was satisfied that a ground prescribed by paragraph 2.43(1)(ea), (i), (ia), (i), (k), (ka), (kb), (kc), (m), (na), (o), (oa), (ob), (s) or (t) applied to the person.

(2A) A person is affected by a risk factor if a visa previously held by the person was cancelled under section 137J of the Act.

(3) A person is affected by a risk factor if a visa previously held by the person was cancelled because the Minister was satisfied that a ground mentioned in paragraph 116(1)(e) of the Act applied to the person.

PIC 4014 Immigration history related criteria

(1) If the applicant is affected by the risk factor specified in subclause (4):

- (a) the application is made more than 3 years after the departure of the person from Australia referred to in that subclause; or
 - (b) the Minister is satisfied that, in the particular case:
- (i) compelling circumstances that affect the interests of Australia; or
 - (ii) compassionate or compelling circumstances that affect the interests of an Australian citizen, an Australian permanent resident or an eligible New Zealand citizen;
- justify the granting of the visa within 3 years after the departure.

(4) Subject to subclause (5), a person is affected by a risk factor if the person left Australia as:

- (a) an unlawful non-citizen; or
- (b) the holder of a Bridging C (Class (WC)), Bridging D (Class (WD)) or Bridging E (Class (WE)) visa.

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- (5) Subclause (4) does not apply to a person if:
- (a) the person left Australia within 28 days after a substantive visa held by the person ceased to be in effect; or
 - (b) a bridging visa held by the person at the time of departure was granted:
 - (i) within 28 days after a substantive visa held by the person ceased to be in effect; or
 - (ii) while the person held another bridging visa granted:
 - (A) while the person held a substantive visa; or
 - (B) within 28 days after a substantive visa held by the person ceased to be in effect.

PIC 4017 Applicants under 18 years of age

The Minister is satisfied of 1 of the following:

- (a) the law of the applicant's home country permits the removal of the applicant;
- (b) each person who can lawfully determine where the applicant is to live consents to the grant of the visa;
- (c) the grant of the visa would be consistent with any Australian child order in force in relation to the applicant.

PIC 4018 Applicants under 18 years of age

- The Minister is satisfied that there is no compelling reason to believe that the grant of the visa would not be in the best interests of the applicant.

PIC 4020

Providing accurate information

- The visa applicant must prove their identity and provide true information with their application.
- The Department might refuse the visa application for failing to satisfy Public Interest Criterion (PIC) 4020 if the applicant, or any of the members of their family unit:
 - do not satisfy us as to their identity
 - provide bogus documents or information that is false and misleading in relation to the applicant's current visa application or
 - provided bogus documents or information that is false and misleading in relation to a visa that the applicant held in the 12 months before making the current application.

(1) There is no evidence before the Minister that the applicant has given, or caused to be given, to the Minister, an officer, the Tribunal during the review of a Part 5-reviewable decision, a relevant assessing authority or a Medical Officer of the Commonwealth, a bogus document or information that is false or misleading in a material particular in relation to:

- (a) the application for the visa; or
- (b) a visa that the applicant held in the period of 12 months before the application was made.

(2) The Minister is satisfied that during the period:

- (a) starting 3 years before the application was made; and
 - (b) ending when the Minister makes a decision to grant or refuse to grant the visa;
- the applicant and each member of the family unit of the applicant has not been refused a visa because of a failure to satisfy the criteria in subclause (1).

(2AA) However, subclause (2) does not apply to the applicant if, at the time the application for the refused visa was made, the applicant was under 18.

(2A) The applicant satisfies the Minister as to the applicant's identity.

(2B) The Minister is satisfied that during the period:

- (a) starting 10 years before the application was made; and
 - (b) ending when the Minister makes a decision to grant or refuse to grant the visa;
- neither the applicant, nor any member of the family unit of the applicant, has been refused a visa because of a failure to satisfy the criteria in subclause (2A).

(2BA) However, subclause (2B) does not apply to the applicant if, at the time the application for the refused visa was made, the applicant was under 18.

(3) To avoid doubt, subclauses (1) and (2) apply whether or not the Minister became aware of the bogus document or information that is false or misleading in a material particular because of information given by the applicant.

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- (4) The Minister may waive the requirements of any or all of paragraphs (1)(a) or (b) and subclause (2) if satisfied that:
- (a) compelling circumstances that affect the interests of Australia; or
 - (b) compassionate or compelling circumstances that affect the interests of an Australian citizen, an Australian permanent resident or an eligible New Zealand citizen; justify the granting of the visa.
- (5) In this clause:
- information that is false or misleading in a material particular means information that is:
- (a) false or misleading at the time it is given; and
 - (b) relevant to any of the criteria the Minister may consider when making a decision on an application, whether or not the decision is made because of that information.

Note: For definition of bogus document, see subsection 5(1) of the Act.

PIC 4021 Valid passport/ Travel document

The applicant should provide either:

- the applicant holds a valid passport that:
 - was issued to the applicant by an official source; and
 - is in the form issued by the official source; and
 - is not in a class of passports specified by the Minister in an instrument in writing for this clause; or
- it would be unreasonable to require the applicant to hold a passport.

Either:

- (a) the applicant holds a valid passport that:
- (i) was issued to the applicant by an official source; and
 - (ii) is in the form issued by the official source; and
 - (iii) is not in a class of passports specified by the Minister in an instrument in writing for this clause;
- or
- (b) it would be unreasonable to require the applicant to hold a passport.

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