



Freedom of Information Request FA 21/02/01000

Requested: Documents showing any advice and any directive(s) that has been communicated to Posts regarding the general processing (i.e. non-case specific) of 309 visas in the period 01/07/2020 to present.

Response: Email sent 8 February 2021 – “Network message - Granting certain offshore family visas when applicant is onshore” (attached).

Requested: A statistical breakdown from 01/01/2020 to current of the number of applications in calendar days to decision for 309 visa by post

Response:

Partner (Subclass 309) visa applications average processing time for the period 01/01/2020 to 28/02/2021

	75th Percentile	90th Percentile
Nairobi	21 Months	23 Months
Pretoria	23 Months	32 Months
Brasilia	14 Months	19 Months
Ottawa	12 Months	18 Months
Santiago	11 Months	13 Months
Washington	12 Months	15 Months
Beijing	Processing times are not available*	Processing times are not available*
Guangzhou	20 Months	23 Months
Hong Kong	13 Months	18 Months
Seoul	12 Months	14 Months
Belgrade	13 Months	15 Months
Berlin	10 Months	14 Months
London	14 Months	18 Months
Tel Aviv	9 Months	14 Months
Bangkok	16 Months	22 Months
Ho Chi Minh City	15 Months	21 Months
Phnom Penh	20 Months	28 Months
Amman	19 Months	24 Months
Ankara	10 Months	13 Months
Beirut	13 Months	15 Months
Cairo	12 Months	19 Months
Dubai	33 Months	48 Months
Islamabad	15 Months	19 Months
National Office	15 Months	21 Months

	75th Percentile	90th Percentile
Sydney	Processing times are not available*	Processing times are not available*
Brisbane	20 Months	23 Months
Colombo	24 Months	33 Months
New Delhi	18 Months	20 Months
Dili	Processing times are not available*	Processing times are not available*
Jakarta	17 Months	23 Months
Kuala Lumpur	18 Months	25 Months
Manila	28 Months	31 Months
Singapore	8 Months	9 Months
Suva	14 Months	19 Months
Melbourne	Processing times are not available*	Processing times are not available*
Perth	Processing times are not available*	Processing times are not available*

* Processing times are not available where less than 30 decisions have been made at a processing location during the specified period.

Note: The Department's standard reporting for processing times is in months rather than calendar days.

Requested: A statistical breakdown from 01/01/2020 to current by decision type (granted/rejected)

Response:

A total of 14,533 Partner (Provisional) (subclass 309) visa applications were granted during the period 1 January 2020 to 28 February 2021.

A total of 1,273 Partner (Provisional) (subclass 309) visa applications were refused during the period 1 January 2020 to 28 February 2021.

Requested: forecasting/planning for family visa subclass for the 19/20 20/21 21/22 FY

Response:

The Family stream planning levels for 2021-22 and the previous 2 years are as follows:

Visa category	2019-20 planning level	2020-21 planning level	2021-22 planning level
Partner ¹	39,799	72,300	72,300
Parent	7,371	4,500	4,500
Other Family	562	500	500
Child ²	3,350	3,000	3,000

¹The planning level for Partner visas is for first stage Partner (subclasses 309 and 820) and Prospective Marriage (subclass 300) visa grants, and does not include second stage Partner (subclasses 100 and 801) grants.

²The Child visa program is demand driven and is managed outside of the Migration Program.

The Department of Home Affairs website provides detailed information regarding the current Family visa processing priorities at: <https://immi.homeaffairs.gov.au/Visa-subsite/Pages/Processing-times/Family-visa-processing-priorities.aspx>

This web page includes a summary of family migration visas subject to processing priority directions, compelling and compassionate circumstances that may affect priority processing and current global processing times for Partner visa applications.

Requested: A statistical breakdown of 309 applications on hand since 01/07/2020 by country of passport broken down into number of applications awaiting processing at each regional processing office and how many applications are yet to be appointed for processing. The purpose is to illustrate how applications have been distributed globally based on specific regional processing issues

Response:

Partner (provisional) (subclass 309) applications on hand as at 30 June 2020 compared to 28 February 2021

Processing Region	Citizenship Country of applicant	30/06/2020	28/02/2021
Africa Region	Angola	<5	<5
	Bahrain	<5	<5
	Botswana	<5	<5
	Burundi	53	67
	Cameroon	12	13
	Canada	<5	<5
	China, Peoples Republic of (excl SARs)	<5	<5
	Congo, Dem Republic of The	39	42
	Congo, Republic of	19	21
	Cote d'Ivoire	<5	<5
	Djibouti	0	<5
	Eritrea	41	49
	Ethiopia	222	262
	France	<5	0
	Gambia	5	<5
	Germany, Fed Republic of	<5	<5
	Ghana	121	134
	Greece	<5	0
	Guinea	30	31
	India	9	5
	Israel	0	<5
	Italy	<5	<5
	Kenya	87	106
	Lebanon	<5	<5
	Lesotho	<5	<5
	Liberia	64	57
	Lithuania	0	<5
	Madagascar	8	7
	Malawi	6	6
	Mauritius	35	18
	Mozambique	<5	<5
	Namibia	5	<5
	Niger	<5	0
	Nigeria	185	146
	Not Specified	11	28
	Pakistan	<5	0
	Philippines	<5	<5
	Portugal	<5	0
	Republic of South Sudan	110	127
	Russian Federation	<5	0
	Rwanda	35	38
	Senegal	7	8
Sierra Leone	71	69	
Somalia	75	92	
South Africa	259	155	
Sudan	6	6	
Tanzania	20	18	
Togo	<5	<5	
Uganda	30	35	
United Kingdom	12	6	
United States of America	<5	<5	

Processing Region	Citizenship Country of applicant	30/06/2020	28/02/2021
	Yemen, Republic of	<5	<5
	Zambia	17	10
	Zimbabwe	83	56
	Africa Region Total	1717	1645
Americas Region	Afghanistan	<5	<5
	Albania	<5	<5
	American Samoa	<5	0
	Antigua and Barbuda	<5	<5
	Argentina	16	12
	Armenia	0	<5
	Bangladesh	<5	0
	Belgium	<5	<5
	Bermuda	<5	0
	Bolivia	<5	0
	Brazil	60	29
	Bulgaria	<5	0
	Canada	128	133
	Chile	14	11
	China, Peoples Republic of (excl SARs)	11	8
	Colombia	50	39
	Costa Rica	<5	0
	Croatia	<5	<5
	Cuba	5	<5
	Dominican Republic	<5	<5
	Ecuador	8	<5
	Egypt	<5	<5
	El Salvador	9	7
	Eritrea	<5	<5
	Ethiopia	<5	0
	France	<5	<5
	Germany, Fed Republic of	<5	<5
	Greece	<5	<5
	Guatemala	<5	<5
	Guyana	<5	<5
	Honduras	<5	<5
	Hong Kong (SAR of the PRC)	5	7
	Hungary	<5	<5
	India	43	28
	Indonesia	<5	<5
	Iran	<5	0
	Iraq	<5	<5
	Ireland, Republic of	<5	5
	Israel	<5	<5
	Italy	5	<5
	Jamaica	<5	<5
	Japan	<5	<5
Kazakhstan	<5	<5	
Korea, South	<5	<5	
Kyrgyzstan	<5	0	
Lebanon	<5	<5	
Liberia	0	<5	
Lithuania	0	<5	
Malaysia	<5	<5	
Mauritius	<5	0	
Mexico	22	31	
Morocco	<5	0	
Myanmar	<5	0	
Nepal	<5	<5	
Netherlands, Kingdom of The	0	<5	

Processing Region	Citizenship Country of applicant	30/06/2020	28/02/2021
	New Zealand	<5	<5
	Nicaragua	<5	0
	Not Specified	<5	<5
	Pakistan	<5	<5
	Palau	<5	<5
	Panama	<5	<5
	Peru	17	20
	Paraguay	<5	0
	Philippines	6	<5
	Poland	<5	<5
	Romania	<5	0
	Russian Federation	<5	<5
	Slovakia	<5	0
	Slovenia	<5	<5
	South Africa	<5	<5
	Spain	5	<5
	Sri Lanka	<5	<5
	Sudan	<5	<5
	Taiwan	<5	<5
	Thailand	<5	<5
	Tonga	<5	0
	Tunisia	<5	<5
	Turkey	<5	0
	Ukraine	0	<5
	United Kingdom	18	22
	United States of America	353	434
	Venezuela	8	9
	Vietnam	0	<5
	Zimbabwe	<5	0
	Americas Region Total	881	887
East Asia Region	Afghanistan	<5	0
	Argentina	<5	<5
	Bangladesh	<5	<5
	Belarus	<5	<5
	Brazil	<5	<5
	Canada	5	10
	China, Peoples Republic of (excl SARs)	2387	2243
	Congo, Republic of	<5	<5
	Costa Rica	0	<5
	Ethiopia	<5	<5
	France	<5	6
	Germany, Fed Republic of	5	<5
	Ghana	<5	0
	Guinea	<5	<5
	Hong Kong (SAR of the PRC)	671	801
	Hungary	0	<5
	India	0	<5
	Indonesia	5	6
	Iran	<5	<5
	Ireland, Republic of	<5	<5
	Italy	<5	<5
	Japan	111	82
	Jordan	<5	<5
	Kenya	<5	<5
	Korea, South	118	58
	Latvia	<5	<5
	Liberia	<5	<5
	Macau (SAR of the PRC)	8	10
	Malaysia	<5	<5

Processing Region	Citizenship Country of applicant	30/06/2020	28/02/2021
	Mauritius	<5	0
	Mexico	<5	0
	Mongolia	6	10
	Morocco	<5	<5
	Myanmar	0	<5
	Nepal	<5	<5
	Netherlands, Kingdom of The	<5	<5
	New Zealand	<5	0
	Nigeria	<5	<5
	Not Specified	7	8
	Pakistan	<5	<5
	Peru	<5	<5
	Philippines	24	24
	Portugal	<5	<5
	Republic of South Sudan	<5	<5
	Russian Federation	<5	8
	Singapore	8	5
	South Africa	10	6
	Sri Lanka	<5	<5
	Sweden	<5	<5
	Switzerland	0	<5
	Taiwan	132	140
	Thailand	<5	<5
	Tunisia	<5	<5
	Uganda	<5	0
	Ukraine	<5	<5
	United Kingdom	53	74
	United States of America	22	30
	Vietnam	9	8
	Yemen, Republic of	<5	<5
	Zambia	<5	0
	East Asia Region Total	3645	3586
Europe Region	Afghanistan	48	46
	Albania	35	28
	Antigua and Barbuda	0	<5
	Algeria	<5	0
	Argentina	<5	<5
	Armenia	6	8
	Austria	7	5
	Bangladesh	<5	<5
	Belarus	5	<5
	Belgium	23	17
	Bolivia	<5	0
	Bosnia and Herzegovina	22	18
	Brazil	9	6
	Bulgaria	5	5
	Burkina Faso	<5	0
	Cameroon	<5	<5
	Canada	7	6
	Chile	0	<5
	China, Peoples Republic of (excl SARs)	113	11
	Colombia	<5	<5
	Congo, Dem Republic of The	<5	<5
	Croatia	11	6
	Cuba	0	<5
	Czechia	8	5
	Denmark	12	6
	Egypt	9	6
	Eritrea	8	9

Processing Region	Citizenship Country of applicant	30/06/2020	28/02/2021
	Estonia	9	8
	Ethiopia	<5	<5
	Fiji	<5	<5
	Finland	14	7
	France	83	63
	Gambia	<5	0
	Georgia	<5	<5
	Germany, Fed Republic of	69	53
	Ghana	<5	0
	Greece	12	15
	Guatemala	<5	<5
	Guinea	<5	<5
	Guyana	<5	0
	Hong Kong (SAR of the PRC)	<5	<5
	Hungary	6	5
	Iceland	<5	0
	India	13	14
	Indonesia	<5	<5
	Iran	8	<5
	Iraq	7	<5
	Ireland, Republic of	79	54
	Israel	16	7
	Italy	47	40
	Japan	0	<5
	Jordan	<5	6
	Kazakhstan	10	12
	Kenya	<5	<5
	Korea, South	<5	0
	Kosovo	6	<5
	Kyrgyzstan	<5	<5
	Latvia	<5	<5
	Lebanon	<5	<5
	Lithuania	6	<5
	Luxembourg	0	<5
	Malawi	0	<5
	Malaysia	<5	<5
	Malta	<5	<5
	Mauritius	<5	5
	Mexico	6	<5
	Moldova	0	<5
	Montenegro	<5	<5
	Morocco	5	<5
	Namibia	0	<5
	Nepal	<5	<5
	Netherlands, Kingdom of The	29	22
	New Zealand	<5	0
	Nigeria	6	10
	Norfolk Island	0	<5
	North Macedonia	78	45
	Norway	9	7
	Not Specified	11	10
	Pakistan	11	<5
	Palestinian Authority	9	<5
	Peru	<5	<5
	Philippines	<5	<5
	Poland	26	22
	Portugal	11	9
	Romania	15	12
	Russian Federation	62	64

Processing Region	Citizenship Country of applicant	30/06/2020	28/02/2021
	Samoa	0	<5
	Senegal	<5	<5
	Serbia	55	23
	Sierra Leone	<5	<5
	Singapore	0	<5
	Slovakia	6	0
	Slovenia	<5	<5
	Somalia	<5	<5
	South Africa	17	87
	Spain	24	27
	Sri Lanka	14	7
	Sudan	<5	<5
	Sweden	33	17
	Switzerland	14	8
	Syrian Arab Republic	10	10
	Taiwan	<5	<5
	Thailand	<5	<5
	Tunisia	<5	0
	Turkey	<5	6
	Ukraine	29	30
	United Arab Emirates	<5	0
	United Kingdom	906	700
	United States of America	25	13
	Uzbekistan	12	19
	Vatican City State Holy See	<5	0
	Venezuela	0	<5
	Vietnam	34	<5
	Zambia	0	5
	Zimbabwe	<5	15
	Europe Region Total	2257	1745
Mekong Region	Bangladesh	0	51
	Brazil	<5	0
	Brunei Darussalam	0	<5
	Cambodia	421	337
	Canada	<5	<5
	China, Peoples Republic of (excl SARs)	5	<5
	El Salvador	0	<5
	Estonia	<5	0
	Finland	<5	0
	France	<5	0
	Gambia	0	<5
	Germany, Fed Republic of	0	<5
	Guinea	<5	0
	India	<5	235
	Indonesia	<5	<5
	Iran	<5	<5
	Ireland, Republic of	<5	<5
	Jordan	0	<5
	Korea, South	<5	0
	Lao Peoples Dem Republic	16	8
	Malaysia	<5	<5
	Myanmar	92	57
	Nepal	0	34
	Netherlands, Kingdom of The	0	<5
	New Zealand	0	<5
	Not Specified	14	15
	Nigeria	<5	0
	Pakistan	12	625
Philippines	9	279	

Processing Region	Citizenship Country of applicant	30/06/2020	28/02/2021
	Portugal	<5	<5
	Russian Federation	<5	<5
	Solomon Islands	<5	<5
	Switzerland	<5	0
	Thailand	577	384
	United Kingdom	9	6
	United States of America	<5	<5
	Vietnam	1587	629
	Mekong Region Total	2771	2682
	Middle East Region	Afghanistan	6743
Albania		<5	0
Algeria		9	9
Antigua and Barbuda		<5	<5
Armenia		<5	5
Azerbaijan		0	<5
Bahrain		0	<5
Bangladesh		6	8
Belarus		<5	<5
Brazil		<5	6
Bulgaria		<5	<5
Canada		7	11
Chad		<5	0
Chile		0	<5
China, Peoples Republic of (excl SARs)		<5	9
Colombia		<5	<5
Congo, Republic of		<5	0
Cyprus		<5	<5
Denmark		0	<5
Djibouti		<5	<5
Ecuador		<5	0
Egypt		109	149
Eritrea		31	35
Ethiopia		14	16
France		<5	<5
Germany, Fed Republic of		0	<5
Guinea		<5	<5
Hong Kong (SAR of the PRC)		0	<5
India		39	53
Indonesia		5	5
Iran		278	322
Iraq		315	343
Ireland, Republic of		<5	<5
Italy		<5	<5
Japan		<5	<5
Jordan		72	97
Kazakhstan		<5	
Kenya		<5	<5
Kosovo		0	<5
Kuwait		12	11
Kyrgyzstan		0	<5
Lebanon		461	626
Libya		<5	5
Lithuania	<5	<5	
Malaysia	<5	<5	
Malta	0	<5	
Mexico	<5	<5	
Moldova	<5	0	
Montenegro	<5	0	
Morocco	33	43	

Processing Region	Citizenship Country of applicant	30/06/2020	28/02/2021
	Nepal	<5	<5
	Netherlands, Kingdom of The	<5	<5
	Nigeria	5	7
	Not Specified	166	151
	Oman	<5	0
	Pakistan	1701	822
	Palestinian Authority	18	14
	Philippines	34	36
	Portugal	<5	0
	Qatar	<5	0
	Republic of South Sudan	28	32
	Romania	<5	<5
	Russian Federation	<5	<5
	Saudi Arabia	6	7
	Senegal	0	<5
	Serbia	<5	0
	Slovakia	0	<5
	Somalia	6	6
	South Africa	11	12
	Spain	0	<5
	Sri Lanka	11	13
	Sudan	80	100
	Syrian Arab Republic	117	125
	Tajikistan	0	<5
	Tanzania	0	<5
	Thailand	<5	8
	Tunisia	13	17
	Turkey	87	71
	Turkmenistan	<5	<5
	Uganda	<5	<5
	Ukraine	<5	<5
	United Arab Emirates	6	5
	United Kingdom	29	39
	United States of America	<5	7
	Venezuela	0	<5
	Vietnam	0	<5
	Yemen, Republic of	15	15
	Zimbabwe	<5	<5
	Middle East Region Total	10534	9679
South Asia Region	Afghanistan	47	32
	Bangladesh	421	289
	Bhutan	<5	<5
	Canada	<5	0
	China, Peoples Republic of (excl SARs)	0	<5
	Ghana	<5	0
	India	2770	2308
	Japan	0	<5
	Kenya	<5	<5
	Korea, South	0	<5
	Maldives	<5	<5
	Myanmar	68	29
	Nepal	391	237
	Not Specified	28	74
	Oman	<5	<5
	Philippines	<5	<5
	Poland	<5	<5
	Portugal	<5	<5
	Russian Federation	<5	<5
	Singapore	<5	<5

Processing Region	Citizenship Country of applicant	30/06/2020	28/02/2021
	South Africa	<5	<5
	Sri Lanka	647	675
	United Kingdom	<5	<5
	United States of America	<5	<5
	Yemen, Republic of	<5	<5
	South Asia Region Total	4395	3667
South East Asia Region	Afghanistan	31	35
	Algeria	<5	0
	Austria	<5	<5
	Bangladesh	<5	<5
	Belgium	<5	0
	Brazil	<5	<5
	Brunei Darussalam	<5	0
	Burundi	<5	0
	Canada	<5	<5
	China, Peoples Republic of (excl SARs)	18	10
	Cuba	<5	<5
	Denmark	<5	0
	Egypt	<5	0
	Eritrea	0	<5
	Ethiopia	<5	<5
	France	<5	5
	Germany, Fed Republic of	<5	<5
	Hong Kong (SAR of the PRC)	5	<5
	Hungary	<5	<5
	India	19	13
	Indonesia	253	272
	Iran	<5	<5
	Iraq	<5	<5
	Ireland, Republic of	<5	<5
	Italy	<5	0
	Japan	10	10
	Korea, South	<5	<5
	Lebanon	<5	0
	Malaysia	180	143
	Mexico	<5	<5
	Mongolia	0	<5
	Myanmar	19	8
	Netherlands, Kingdom of The	<5	<5
	New Zealand	<5	<5
	Nigeria	<5	<5
	Not Specified	13	20
	Norway	<5	0
	Pakistan	8	<5
	Palestinian Authority	5	<5
	Philippines	1372	1082
	Portugal	<5	0
	Republic of South Sudan	0	<5
Russian Federation	<5	6	
Rwanda	0	<5	
Sierra Leone	<5	<5	
Singapore	57	38	
Somalia	26	26	
South Africa	<5	<5	
Sri Lanka	<5	<5	
Sudan	<5	0	
Sweden	<5	<5	
Switzerland	<5	<5	
Taiwan	<5	<5	

Processing Region	Citizenship Country of applicant	30/06/2020	28/02/2021
	Thailand	<5	<5
	Timor-Leste	<5	<5
	Turkey	<5	<5
	Ukraine	<5	<5
	United Kingdom	16	9
	United States of America	8	12
	Uzbekistan	<5	<5
	Vanuatu	0	<5
	Vietnam	<5	<5
	Yemen, Republic of	0	<5
	South East Asia Region Total	2109	1751
	South Pacific Region	American Samoa	0
Bangladesh		<5	<5
Belgium		0	<5
Brazil		<5	<5
Bulgaria		<5	0
Cambodia		<5	<5
Canada		5	<5
Chile		<5	<5
China, Peoples Republic of (excl SARs)		<5	<5
Fiji		131	120
France		6	<5
Germany, Fed Republic of		<5	0
Ghana		<5	<5
India		16	13
Indonesia		5	0
Iran		<5	<5
Ireland, Republic of		<5	<5
Israel		<5	<5
Italy		<5	<5
Japan		<5	<5
Korea, South		<5	<5
Lebanon		<5	<5
Mongolia		0	<5
Netherlands, Kingdom of The		<5	0
New Caledonia		<5	<5
New Zealand		12	11
Nigeria		<5	<5
Pakistan		0	<5
Papua New Guinea		35	28
Philippines		12	11
Romania		<5	<5
Russian Federations		<5	0
Samoa		17	11
Singapore		0	<5
Solomon Islands		<5	5
Somalia		<5	<5
South Africa		<5	<5
Sri Lanka		<5	<5
Sweden		<5	0
Thailand		<5	0
Tonga		39	46
United Kingdom		21	13
United States of America	6	<5	
Uruguay	<5	0	
Vanuatu	<5	<5	
Vietnam	<5	<5	
Zimbabwe	<5	0	
South Pacific Region Total	362	305	

Processing Region	Citizenship Country of applicant	30/06/2020	28/02/2021
Offshore offices total		28671	25947
Onshore offices	Afghanistan	9	10
	Canada	<5	<5
	China, Peoples Republic of (excl SARs)	91	22
	Colombia	<5	<5
	Congo, Dem Republic of The	<5	0
	Denmark	<5	<5
	Egypt	<5	0
	Ethiopia	<5	<5
	Fiji	<5	0
	Finland	<5	0
	France	0	<5
	Germany, Fed Republic of	<5	<5
	Ghana	<5	<5
	Greece	<5	0
	Hong Kong (SAR of the PRC)	<5	0
	India	<5	7
	Indonesia	15	5
	Iran	<5	0
	Iraq	128	128
	Ireland, Republic of	<5	<5
	Japan	<5	<5
	Lebanon	11	<5
	Malaysia	<5	<5
	Myanmar	<5	<5
	Nigeria	0	<5
	North Macedonia	<5	<5
	Not Specified	21	14
	Pakistan	<5	<5
	Papua New Guinea	<5	<5
	Peru	<5	<5
	Philippines	54	16
	Samoa	<5	<5
	South Africa	<5	<5
	Spain	<5	<5
	Sri Lanka	9	5
	Syrian Arab Republic	<5	0
	Thailand	33	22
	Tonga	<5	<5
	Turkey	<5	<5
	Ukraine	<5	<5
	United Kingdom	8	5
	United States of America	<5	<5
Vietnam	11	11	
Zimbabwe	<5	<5	
Onshore Offices Total		442	290
Grand Total		29113	26237

Departmental systems are unable to report on the number of visa applications allocated to a visa decision maker for assessment.

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

From: Family Programme Management s. 22(1)(a)(ii)

Sent: Monday, 8 February 2021 10:46 PM

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

Subject: Network message Granting family visas when applicant is onshore [SEC=OFFICIAL:Sensitive]

Importance: High

OFFICIAL: Sensitive

FOR ATTENTION OF:

- All overseas SMO/PMOs,
- All overseas Counsellors/CMOs,
- All Regional Directors,
- Director Onshore Partner network,
- Director Parent Child and Other Family

IMPORTANCE: High

SUBJECT: Granting certain offshore family visas when applicant is onshore

ATTACHMENTS: NIL

AUTHORISED BY: s. 22(1)(a)(ii) Assistant Secretary, Skilled and Family Visa Program Branch

Purpose

To provide advice on upcoming changes to allow visa grant while certain Family visa applicants are in Australia.

Summary

Under current regulations, applicants for many visa subclasses are required to be outside of Australia at time of visa grant to satisfy the Schedule 2 grant criteria. To address the impact of the COVID-19 pandemic on visa applicants, the Government has introduced a temporary concession to allow certain Family visas to be granted while the visa applicant is in Australia.

This temporary concession will be allowed for the following visa subclasses:

- Partner (subclass 309) visa

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under the Freedom of Information Act 1982

- Prospective Marriage (subclass 300) visa
- Child (subclass 101) visa
- Adoption (subclass 102) visa
- Dependent Child (subclass 445) visa*

Amendments to Schedule 2 regulations and to ICSE are being made to facilitate visa grant to applicants for these subclasses who are in Australia (subject to them meeting criteria for grant) provided that:

- they lodge their visa application at any time before the concession period ends. The end date is yet to be determined by the Minister;
- are in Australia at any time between 27 February 2021 (the expected start date of the regulatory changes) and the date on which the concession period ends; and
- the decision is made on or after the day the regulation amendments commence (27 February 2021).

This means that applicants can still be granted a visa while they are in Australia after the concession period ends, if they lodged their application before the end of the concession period and were in Australia during the concession period. The above mentioned visas can also continue to be granted while the applicant is outside Australia. The regulation amendments do not take away that option.

* Currently, this visa can be granted while the applicant is in Australia if the applicant was in Australia when they lodged the application. Amendments are being made to allow visa grant while the onshore applicant is either in or outside Australia.

ICSE and IRIS

From 27 February 2021, the restriction that currently enforces offshore grants for the abovementioned five visa subclasses will be removed from ICSE. For the listed subclasses, ICSE will allow an onshore visa grant where:

- the application was lodged on or before the date on which the concession period ends
- the applicant is in Australia at time of visa decision.

From 27 February 2021, ICSE will also allow the grant of a subclass 445 visa to an applicant who was onshore at time of application and is either onshore or offshore at time of decision.

IRIS business rules that restrict visa grant to an onshore applicant location, were removed through the NOV20 release. Officers need to add the ON info code on the Visa/Evidence screen prior to grant.

Merits review

The regulation amendments do not affect or prescribe applicant location at time of decision if the application is refused. However, as a result of the regulation amendments, merits review rights change:

- Merits review right will remain with the sponsor for the temporary visa subclasses 309, 300 and 445 applicants who made the application outside Australia (section 338(9) of the Act applies);
- Merits review rights for the permanent visa subclasses 101 and 102 will move from the sponsor to the visa applicant themselves (section 338(7A) of the Act applies).

ECS correspondence has been amended to reflect these changes.

Bridging visa

In limited circumstances, applicants are eligible for a Bridging A (subclass 010) visa in association with their application if they apply for the BVA separately using Form 1005. The circumstances are:

- applicants who held a substantive visa (such as a Visitor visa) when they lodged their visa application; and

- lodged the application online or sent to the relevant Australia processing office (Adoption and Child visa applications are sent to the Perth processing office, except for subclass 445 visa applications that are lodged at an overseas Post); and
- are subsequently physically in Australia; and
- the application for the substantive visa (any of visas listed above) is not finally determined by 27 February 2021.

Action

Onshore and offshore visa processing offices with onhand caseloads of the affected visa cohorts should prioritise and progress these applications for visa grant from 27 February 2021. Relevant visa applications will be able to be recognised for priority processing by the Department’s work management system. In addition, an Excel spreadsheet listing affected Partner (subclass 309/100) visa applicants will be separately sent to relevant post managers shortly.

A reminder that during this COVID period no applicant should be requested to travel offshore in order to facilitate visa grant, however, where a request has been inadvertently sent already, you should provide further advice that extension of time for the departure requirement is available until they can travel safely or until they can be granted their visa onshore.

Further Information

Details on how to process a visa grant in ICSE following these changes can be found on the intranet’s [FEB21 Info Hub](#). A schedule of teleconferences is available on the FEB21 Info Hub page. Family Program Management will attend the 18 February 2021 teleconferences to provide further clarification on these changes.

Information about the Government’s announcement is available on the Department’s covid website: <https://covid19.homeaffairs.gov.au/covid-19-visa-concessions>

Kind regards,

Family Migration Program Management Section
Skilled and Family Visa Program Branch
Immigration Programs Division
Immigration and Settlement Services Group
Department of Home Affairs

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