



Australian Government
Department of Home Affairs

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The Community Support Program

Guidelines for Approved Proposing Organisations

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Guidelines for Approved Proposing Organisations – 22 January 2019

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Foreword

The Community Support Program (CSP) has been designed by the Australian Government to provide an opportunity for the Australian community to contribute financially and practically to supporting humanitarian resettlement.

The CSP extends and strengthens community support for humanitarian resettlement by engaging with employers, businesses and community organisations to find jobs and employment pathways for applicants in Australia, with a view to their becoming financially self-sufficient within a year and thereby minimising costs to Government. The focus on employment is expected to enhance social cohesion and settlement outcomes generally.

Approved Proposing Organisations (APOs) play the central, coordinating role in the CSP. Under the Deed of Agreement with the Department of Home Affairs, APOs are responsible for finding suitable applicants and job opportunities, managing the visa application process and overseeing the settlement of successful applicants in Australia.

These guidelines are intended to help APOs meet their obligations under Clause 5 of the deed. They provide guidance on the selection of applicants in line with the Australian Government's priorities for resettlement under the Humanitarian Program in general and the CSP in particular, and information to give them the necessary understanding of the visa process to brief clients and answer common questions about visa requirements, processing stages and processing time.

This is a further revised edition of the APO guidelines, and we hope it continues to be a useful primary resource for APOs. In the first years of the CSP's operation, it will continue to be updated as we expand its coverage and work through the technical and practical issues the new program presents. Please send any feedback on these guidelines to our mailbox s. 22(1)(a)(ii)

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January 2019

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Roles and responsibilities

The Department of Home Affairs and the Humanitarian Program

The Department of Home Affairs is the Australian Government agency with responsibility for national security and in particular for managing the entry and stay of non-citizens. This is done primarily by granting visas according to requirements prescribed in legislation and policies set by the Minister for Home Affairs and for Immigration and Border Protection and other senior ministers of the government.

The annual migration and humanitarian programs are set annually by government and are intended to fulfil certain social, economic, humanitarian and political goals. The migration program targets people with skills that will benefit Australia, as well as family members of Australian permanent residents and citizens. The humanitarian program contributes to the international protection system by:

- offering resettlement in Australia to refugees and other people with a family link to Australia who face human rights abuses in their home country and do not have an alternative to resettlement (the offshore component)
- providing protection to asylum seekers in Australia who engage Australia's obligations under the Convention relating to the Status of Refugees and its protocol (the onshore component).

Australia is one of a small number of countries which operate a planned, annual humanitarian resettlement program. The number of places and the characteristics of the people selected to fill our program are decided each year by the Minister for Home Affairs and for Immigration and Border Protection, the Minister for Foreign Affairs and other senior ministers of the government. Their decisions are informed by the recommendations of the United Nations High Commissioner for Refugees on global resettlement needs and the views of State and Territory governments, non-government organisations and members of the public. Legal, budgetary, diplomatic, logistical, political and social considerations are also important factors.

The government's decisions on the size and composition of the humanitarian program direct the priority cohorts for resettlement through the finite program. From its headquarters in Canberra, the department monitors and guides the activity of visa processing offices in Sydney (at the Special Humanitarian Processing Centre) and overseas to ensure the program, the CSP included, is delivered as planned. The department is responsible for selecting APOs and for monitoring their performance, as well as monitoring and evaluating the CSP itself through a deed of agreement between each APO and the department.

The department works closely with the United Nations High Commissioner for Refugees and the International Organization for Migration to resettle people through the Refugee category. All people wishing to be considered for humanitarian resettlement to Australia must make an application for a Class XB (Refugee and Humanitarian) visa. Class XB has five subclasses grouped under two categories: the Refugee category and the Special Humanitarian Program. The Special Humanitarian Program (SHP) is for people who are outside their home country, have close family in Australia and face human rights violations in their home country and, unless they apply under the 'split family' provisions, are outside that country. Applicants who satisfy the requirements are granted a subclass 202 (Global Special Humanitarian) visa. This allows them to enter and stay permanently in Australia. People who apply for a Class XB visa under the CSP are granted a subclass 202 visa.

The legal requirements for making a visa application and for granting a visa are set down in the *Migration Regulations 1994*.

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For further information about the visa application process, see [Visa application lodgement and processing support](#).

Approved Proposing Organisations

APOs are individuals, community groups, companies and other entities approved by the department to be APOs through a deed of agreement with the department.

APOs play the central, coordinating role in the CSP. They are responsible for ensuring all parties have the information they need to make decisions and take action at the appropriate time. They are responsible for finding employment opportunities and settlement service providers, and for monitoring and reporting on employment and settlement. They are also responsible for managing the relationships between parties.

APOs are the only entities that may propose applicants for entry to Australia under the CSP. They are responsible for screening prospective applicants and for proposing those (and only those) who fall within government priorities and employment parameters, and have Australian supporters who will cover all the costs of the CSP process.

The Deed of Agreement details the role of APOs in more detail. In particular, Clause 3 sets out the eligibility requirements and Clause 5 the obligations of APOs.

Applicants and Entrants

An applicant in these guidelines is a person who has made an application for a Class XB Refugee and Humanitarian visa and is proposed for entry to Australia by an APO. After grant of a subclass 202 Global Special Humanitarian visa and on arrival in Australia, an applicant becomes an entrant.

Australian Supporters

Australian Supporters (ASs) are individuals, relatives of the applicant, community organisations, registered charities or businesses who work with APOs to support CSP clients. ASs may offer their support in various ways, for example by:

- introducing potential applicants to APOs
- setting up an employment pathway with stepping stones leading to a job, such as a course of study and a traineeship, apprenticeship or supervised on-the-job experience
- paying or contributing to the payment of costs such as visa application charges, airfares, and the cost of medical examinations and any diagnostic tests or treatment needed to meet the health requirement.
- donating household goods, accommodation and providing in-kind support.

ASs may seek contributions from other members of the community and organisations to help them support clients.

Employers

The Deed of Agreement requires APOs to work with reputable employers, businesses and community organisations to find suitable and appropriate employment opportunities or pathways that are relevant to

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the applicant's skills and experience and are able to lead to their financial independence within 12 months of arrival.

Authorised recipient

A person may appoint another person (their authorised recipient) to receive, on their behalf, documents sent to them by the department in relation to a specific matter, such as a visa application. A person may appoint an authorised recipient by giving the department a completed form 956A or a written notice with the relevant information. A person may have only one authorised recipient at a time. For further information on authorised recipients, see www.homeaffairs.gov.au/Lega/Lega/Form/Immi-FAQs/who-is-an-authorised-recipient.

Migration Agents

The Department of Home Affairs does not provide immigration advice on individual cases.

The department's website at www.homeaffairs.gov.au/Trav has general information about visas and immigration, while migration legislation can be viewed at www.legislation.gov.au. Migration and citizenship legislation and policy are also available online through the department's subscription service [LEGENDcom](#).

APOs may engage a registered migration agent if they need advice on:

- the merit of a prospective applicant's case for a visa, taking into account individual circumstances, the criteria for grant of a visa and the government's settlement priorities
- making a valid application
- the visa option that best suits the prospective applicant's circumstances and requirements.

In Australia a person may only lawfully give immigration assistance if he or she is a registered migration agent or is exempt from being registered. Only registered migration agents may receive a fee or reward for providing immigration assistance.

APO personnel may give immigration assistance as registered migration agents in respect of prospective or actual CSP applicants provided there is no conflict of interests. For further advice on a potential conflict of interests, contact the Migration Agents Registration Authority (MARA) at www.mara.gov.au/contact-us/.

The Department of Human Services and Assurances of Support

The Department of Human Services (DHS), through Centrelink, delivers social security payments and services and administers Assurances of Support (AoS), which are a requirement for the grant of a visa under the CSP. An AoS is an undertaking to assume financial responsibility for the assuree's (entrant's) support, essentially for the repayment of certain social security payments received by the entrant during the 12-month period of the assurance. The purpose of AoSs is to protect social security payments while facilitating the migration of people who, when considered as a group, have a high likelihood of needing income support and might otherwise not be granted a permanent visa.

To be eligible to be an assurer, a person must be an Australian permanent resident or citizen residing in Australia, not owe a debt to the Australian Government, and pass an income test. An organisation too must

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meet certain requirements to be an assurer. The assurer may be required to deposit a sum of money in a trust account that is sufficient to repay any social security payments the entrant might receive during the 12 months. This is known as a bank guarantee (or bond). Bank guarantees are not required for the CSP at present.

Note that one assurer cannot currently support more than two adults at any one time. This means that visa applications containing more than two people over the age of 18 will require more than one assurer.

If the entrant is paid any recoverable social security payments during the period of the assurance, DHS will recover the amount paid from the assurer.

The uptake of social security payments by entrants will be monitored and the government may consider introducing a requirement for a bank guarantee in the future.

For further information on AoSs, including which social security payments are recoverable, see www.humanservices.gov.au/assurance and guides.dss.gov.au/guide-social-security-law/9/4.

Settlement grants (managed by the Department of Social Services)

The Settlement Grants Program, managed by the Department of Social Services (DSS), provides key settlement services for humanitarian, including CSP, entrants, as well as other eligible permanent entrants in their first five years in Australia. It focuses on social participation, economic wellbeing, independence, personal wellbeing and community connectedness.

For further information on the Settlement Grants Program, see www.dss.gov.au/grants/grant-programmes/settlement-services.

APO obligations

The APO's obligations are set out in clause 5 of the Deed of Agreement. In brief, they cover:

- the selection of potential applicants for proposal
- disclosure and publication of the costs associated with the CSP and the services offered by the APO
- finding an assurer
- engaging a Humanitarian Settlement Program (HSP) provider
- lodgement of visa applications and application support during processing
- overseeing the giving of the AoS
- arranging settlement services
- arranging and overseeing employment and related activities
- managing the relationships among the parties
- continuing support to the entrant if the relationship between the APO and entrant breaks down and
- dealing with issues concerning commencement, continuity and termination of entrants' employment
- notifying the department of certain events.

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Confidentiality and restrictions on information disclosure

Some of the information given by the department to APOs, including information necessary for APOs to perform their functions under the CSP, is confidential and should not be disclosed publicly. Through these guidelines, **APOs have an obligation to ensure any information which has been provided by the department to APOs for their internal use is not shared publicly**, including with visa applicants or potential visa applicants, or with the broader community. Such information includes the content of these and any other guidelines for APOs, and also includes information regarding the Government's global, regional and settlement priorities for the humanitarian program which the department has not released in the public domain.

If APOs are in a position where they are requested to disclose such information, they should exercise judgment in order to avoid doing so. For example, if a potential CSP applicant approaches an APO and asks them if they are eligible under CSP and the APO determines they are not based on the global, regional and settlement priorities, the APO is able to tell the person they do not meet the program priorities, but must not provide further detail as to why if it would disclose the content of the priorities.

Information the department indicates is for public use is able to be shared publicly by APOs.

The department reserves the right to terminate the Deed of Agreement in accordance with subclause 6.1.1(r), where this guideline is contravened.

Applicant eligibility

Refer **Subclause 5.1** *applicants that APOs must not propose and those to be given priority*

and **Subclause 5.2** *characteristics of primary applicants that APOs must propose*

Who to accept for proposal

Potential applicants may be referred to the APO by Australian supporters: individuals or families, community organisations, registered charities or businesses in Australia with an interest in supporting refugees. Alternatively, the APO may assist Australian supporters to identify potential applicants who do not have links to Australia.

Before accepting potential applicants for proposal, the APO should be satisfied that:

- they meet the **broad requirements** for grant of a visa under the CSP
- they fall within the government's **global, regional and settlement priorities** and
- financial and settlement **support** is available to them.

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Broad requirements

Potential applicants should be capable of meeting the requirements for making a valid application for a Class XB (Refugee and Humanitarian) visa and of satisfying the criteria for grant of a subclass 202 (Global Special Humanitarian) visa.¹

Potential applicants should meet the requirements in subclause 5.1 of the Deed of Agreement. Specifically, they must not be proposed on behalf of an illegal maritime arrival² or a temporary visa holder (who are prevented from proposing by law), persons who fall outside the government's priorities (see below), and others as advised by the department in writing.

Potential primary applicants³ must have the three employability characteristics specified in subclause 5.2, namely:

- be aged **18 to 50** years old
- have **adequate English** (see [English proficiency](#)) and
- have an offer of employment, a pathway to **employment** or personal attributes which would enable them to become **financially self-sufficient** within 12 months of arrival (see [Employment](#)).

Applicants with these employability characteristics are also priorities for the purpose of sub-subclause 5.1.3 of the Deed of Agreement – see [Global, regional and settlement priorities](#) immediately below.

Global, regional and settlement priorities

Sub-subclause 5.1.3 of the Deed of Agreement prohibits the proposal of applications which are inconsistent with the global, regional and settlement priorities of the government as advised by the department.

Priority in the CSP and across the offshore humanitarian program is given to applicants who fall within the government's global, regional and settlement priorities. The following are the **global and regional priority caseloads** set by the government for the offshore humanitarian program in 2018-19, as applicable to the CSP:

¹ See Item 1402 of Schedule 1 and Part 202 of Schedule 2 to the *Migration Regulations 1994* for application validity requirements and visa grant criteria respectively.

² An illegal maritime arrival is a person who arrived in Australia by boat as a non-citizen without a valid visa.

³ The primary applicant is the applicant who is seeking to satisfy the primary criteria for the grant of a visa. Other applicants who are members of the family unit of the primary applicant need satisfy only the secondary criteria.

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s. 33(a)(iii), s. 47E(d)



Under the CSP, with its focus on financial self-sufficiency, priority is also given to applicants with the three employability characteristics described in the previous section – see [Broad requirements](#).

Additional priority is given to applicants who are willing to settle (that is, live and work) in **regional or rural Australia**. 'Regional or rural Australia', for this purpose, means any part of Australia outside Sydney, Melbourne, Brisbane, Perth, Adelaide and Canberra. Note that this definition is different from the one that applies to the skilled regional migration and Safe Haven Enterprise visas.

As the number of places that the government makes available for visas each year⁴ is much lower than the number of applications received, non-priority applications are likely to be unsuccessful and the first stage visa application fees will be forfeited.

Proposing applications outside the priorities

Where APOs have a potential applicant whose profile sits outside the priorities, but they have strong reasons to believe that they are an appropriate fit under the CSP, there may be certain limited circumstances where those people may be considered. This may be where the person has particularly strong settlement and integration prospects, or a particularly strong employment pathway. However, in such cases APOs should confer with the Community Support Team **before lodging an application**, and the Community Support Team will consider the circumstances of the case.

Where the Community Support Team have agreed to accept an application outside the priorities, a copy of the approval should be included with the supporting documentation when the application is lodged.

Note: APOs must bear in mind that an indication from the Community Support Team that an application can be lodged, is not a guarantee of a particular visa outcome. Only the relevant decision maker can assess and come to a decision on each visa application.

⁴ See [The Department of Home Affairs and the Humanitarian Program](#) for more about the size and composition of the annual offshore Humanitarian Program.

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Dependency

In preparing applications under CSP, APOs must be aware that under immigration law, a person who is married or in a de facto relationship can only be considered dependent on their partner, and not on a primary applicant who is not their partner. This means for example that both parents of a primary applicant cannot be included in an application as secondary applicants, as they will not meet the legislative dependency criteria.

APOs should not propose any applications which include both parents as secondary applicants. APOs should also not propose any applications which include only one parent, who is nonetheless married or in a de facto relationship.

APOs can propose applications including one parent of a primary applicant as a secondary applicant, where that parent is not married or in a de facto relationship. This can include a parent who is divorced or widowed.

In any event, any parent included as a secondary applicant must also meet the definition of dependency which all secondary applicants must meet. Under Regulation 1.05A(2) of the *Migration Regulations 1994*, refugee and humanitarian visas have a different definition of dependency from other visa types, and APOs should be aware of what this definition requires. Dependency will be evaluated by the decision maker as part of visa processing, based on the information before them.

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Financial and settlement support

Subclause 5.5 of the deed requires the APO to be satisfied of the availability of an assurer, settlement support and adequate funds to cover the costs of migration, settlement and upkeep of potential applicants for the first 12 months, including any income benefits accessed. To this end, potential applicants and Australian supporters must be informed of all potential costs, the services that will be provided, the responsibilities of each party, and processing timeframes, as required by subclause 5.3.

Subclause 5.6 requires that, when the application is lodged, it is accompanied by:

- a letter from an HSP provider engaged to provide [mandatory settlement services](#)
- an integration plan for achieving financial self-sufficiency within 12 months of arrival, and
- any other documentation requested by the department.

Illegal maritime arrival links and CSP

Migration legislation requires that applicants under CSP not be proposed by an APO on behalf of someone who arrived in Australia as an illegal maritime arrival (IMA) on or after 13 August 2012. This is also reflected in subclause 5.1 of the Deed of Agreement.

Where APOs are aware of a Temporary Protection Visa or Safe Haven Enterprise Visa holder (IMA) who has a link to the potential CSP applicant, APOs would need to demonstrate that they are not acting on behalf of the IMA in proposing the application. If they cannot do so, then the application should not be lodged.

An example of where an APO would be acting on behalf of an IMA in proposing an individual for a visa would be where an IMA has approached an APO about a potential applicant, informs the APO that they would be an Australian supporter and would be financially supporting the potential applicant if they were accepted. This might include, but is not restricted to, a close family member. Such cases should not be proposed by APOs.

In all cases APOs should consult with the Community Support Team before lodgement where there is some IMA connection identified.

APOs should be aware, and should inform those interested in CSP accordingly, that applications which do not comply with these requirements will be refused, which includes the forfeiting of the first visa application charge.

Note that these restrictions do not extend to people who were previously IMAs and are now permanent residents or Australian citizens.

Onshore protection and CSP

APOs should not propose any application under CSP where the potential applicant has an Australian supporter with a pending onshore protection application.

Other cases that should not be proposed

In addition to non-priority and other cases prohibited by subclause 5.1 of the Deed of Agreement, as listed below there are cases with features that may pose significant obstacles to processing, and may extend

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processing time and ultimately prevent visa grant or travel to Australia. For these reasons, such cases should not be proposed.

- Cases including a child who is the subject of a **custody** dispute, who is customarily adopted, who by law of the child's home country cannot be removed or in respect of whom the consent of a parent or other person who can lawfully determine where the child lives cannot be obtained

s. 33(a)(iii), s. 47E(d)

- Cases including a person who is under **investigation** by the department in relation to an immigration matter
- Cases including a person who is likely to be **prevented from travelling** to Australia due to inability to obtain an exit permit,⁵ ill health, family responsibilities, military service, imprisonment or any other reason
- Cases including a person with **active treatment-resistant tuberculosis** or **in need of an organ transplant** or with any **condition whose treatment would prejudice Australians' access to health care** in the opinion of a medical officer of the Commonwealth
- Cases including a person who is or has been involved in **fraud, criminal activity, war crimes or crimes against humanity**
- Cases including a person who is awaiting a decision on another Australian visa application and whose **health, character or national security assessment is protracted**
- Cases including a person who was refused an Australian visa or whose Australian visa was cancelled because they **failed** the **character** or **national security** requirement
- Cases including persons who have a **right of residence**, whether permanent or temporary, in a country other than their home country
- Cases including a person who arrived in Australia as an **illegal maritime arrival on or after 13 August 2012**
- The intended **assurer is ineligible** (for example, a low-income earner) and there is no alternative assurer.

Pricing structure and services

Refer **Subclause 5.3** *APO must ensure parties understand financial costs, supporting roles and visa processing timeframes*

This subclause is intended to ensure all parties are fully informed of the arrangements they are entering into in respect to financial costs, supporting roles and visa processing timeframes.

The APO must disclose all costs that may be incurred, including:

- APO fees
- [visa application charges](#)
- interpreter's fee if required for interview (see [Interview](#))

⁵ See govdex for information on exit permit issues in source countries.

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- fees for medical examinations (including specialist consultation, diagnostic testing and treatment if necessary) to meet the health requirement
- DNA testing if required
- biometrics collection fee if required
- charge for exit permits and any fines for overstaying or illegal stay that must be paid to obtain exit permits to travel to Australia if required
- costs of any identity, travel or employment-related documentation if required
- costs of travel to settlement destination
- medical or other escort's fee and expenses if required
- accommodation for up to 12 months from arrival
- living expenses for up to 12 months from arrival
- settlement services for up to 12 months from arrival
- repayment of recoverable social security payments paid in the first 12 months from arrival.

The APO must ensure that all parties understand their own, the APO's and each other's roles and responsibilities in relation to the CSP process and timeframes (see [Visa application lodgement and process support](#) and, in particular, [A note about processing time](#)).

Refer **Subclause 5.4** *APO must provide department with details of pricing structure and types of service with weblink*

Subclause 5.4 requires the APO to provide details of proposed pricing structure and services being offered to the prospective Australian supporters and applicants. The maximum fee and types of services being offered must be published on the APO's website. The department's website will link to the APO's webpage.

The APO must ensure the pricing structure is fair and reasonable and is consistent with the intentions of the Humanitarian Program. The APO must notify the department of any changes to pricing or fee structure before they take effect.

Assurer availability and HSP provider engagement

Refer **Subclause 5.5** *Before lodging application, APO must ensure an assurer is available, settlement support can be provided at the settlement location, and an HSP provider has been engaged to complete a settlement case management plan, deliver orientation services and report settlement outcomes*

See [Financial and settlement support](#) above.

Visa application lodgement and processing support

Refer **Subclause 5.6** *When lodging application, APO must:*

- lodge forms 842 and 1417 with all supporting documentation

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- *ensure the first instalment of the VAC is paid at lodgement and the second instalment, and any other visa process costs, are paid in a timely manner*
- *obtain advice from a migration agent as required*
- *arrange and fund medical assessments and any other visa process requirements*
- *demonstrate capacity to provide for and manage applicant's support needs in Australia*

The following is a step-by-step guide to the application process to assist APOs in managing the application process and the expectations of clients and other stakeholders, particularly as regards processing time.

A note about processing time

There is no standard time for processing an application, nor for each step of the process. Most successful applications take several months to process. It is not possible to predict how long a particular application will take. Processing time depends on factors that vary from applicant to applicant, as well as on processing offices' workloads and conditions in the country applicants live in. Client enquiries about the progress of applications should be dealt with by providing general information about the visa process, rather than by referring them to processing offices. The processing office will be in touch if or when further information or action is required and to inform the applicant of the decision. Prompt responses to requests for information and notification of changed contact details or circumstances⁶ will help keep processing time to a minimum.

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⁶ See also www.homeaffairs.gov.au/visas/supporting/Pages/835/report-changes-in-circumstances.aspx

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Legislative framework for visas

The object of the *Migration Act 1958* is to regulate in the national interest the entry to and presence in Australia of persons who are not Australian citizens.

Section 29 gives the minister the legal power to grant a non-citizen permission, known as a visa, to enter or remain in Australia.

Section 31 provides for prescribed classes of visas and prescribed criteria for the grant of those visas. These are set out respectively in Schedule 1 and in Schedule 2 to the Migration Regulations 1994. Some of the criteria are specific to particular visa classes and others, for example those relating to the public interest, apply to a range of visa classes.

Section 45 requires a non-citizen who wants a visa to apply for a visa of a particular class.

Section 46, along with regulation 2.07, and Schedule 1 to the Regulations, set out the requirements for a valid visa application.

Section 47 requires the minister to consider a visa application if it is valid.

Section 65 provides that the minister must grant the visa if the criteria are satisfied or refuse it if not.

Lodgement and validity

Under the *Migration Act 1958*, a visa application can only be considered if it is valid. To be valid, an application must be made in accordance with the criteria in Item 1402, Schedule 1 of the *Migration Regulations 1994*, which specify where and how an application for a Refugee and Humanitarian (Class XB) visa is to be made and any charges to be paid.⁷

In broad terms, a CSP applicant should:

1. be outside Australia
2. not be an [illegal maritime arrival](#)
3. complete [form 842 Application for an Offshore Humanitarian visa](#) and [form 1417 Community Support Program Proposal by Approved Proposing Organisation](#), to which the following supporting documentation specified in sub-subclause 5.6.1 of the Deed of Agreement should be attached:
 - a letter from an HSP provider engaged to provide [mandatory settlement services](#) that states the costs of those services
 - an integration plan for achieving financial self-sufficiency within 12 months of arrival, and
 - any other documentation requested by the department)
4. pay the first instalment of the visa application charge (VAC)⁸ and
5. lodge completed forms 842 and 1417 (with supporting documentation) at one of the following addresses:

⁷ For more information on validity, it is recommended that readers also consult the legislation, for example at www.legislation.gov.au.

⁸ See www.homeaffairs.gov.au/trav/visa/fees/how-to-pay-for-an-application.

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By email: through the department's website at <https://www.homeaffairs.gov.au/humvisaapplication>

By mail

Special Humanitarian Processing Centre
Department of Home Affairs
GPO Box 9984
SYDNEY NSW 2001

By courier

Special Humanitarian Processing Centre
Department of Home Affairs
Level 32,
6 Lee Street
SYDNEY NSW 2001.

It is the department's strong preference that CSP applications are sent by email using the webpage, rather than by mail or courier.

Payment of the VAC is through [ImmiAccount](#). The application should be lodged within 30 days of payment and with evidence of payment.

On receipt of the application, the Special Humanitarian Processing Centre (SHPC) checks its validity, registers it (i.e. creates an electronic record on visa processing systems) and notifies the applicant or authorised recipient in writing that it has been received.

The letter acknowledging receipt of the application will contain the file number, which consists of four digits representing the year of registration followed by six more digits. The file number should be quoted in all communication with the department in relation to the application.

If the application is invalid, the SHPC will return it to the applicant or authorised recipient for rectification and re-lodgement. Invalid applications are not given a file number.

Visa application charges

A visa application charge (VAC) is payable at the time the application is made and before visas are granted. At the time of writing, the first-stage VAC is set at \$2,740 per application and the second-stage VAC at \$16,444 for the primary applicant and \$2,680 for each additional family member. For current information about VAC rates and other payment information, see

www.homeaffairs.gov.au/trav/visa/fees/how-to-pay-for-an-application. A surcharge will be payable for some payment methods.

Initial assessment

An initial assessment of the application is undertaken by the SHPC to determine how it will be processed. Applications that prima facie meet the relevant criteria will be transferred (without notification) to the Australian overseas mission that processes offshore humanitarian visa applications for the country where the applicants are living.

A note about priority

The number of visa places the government makes available each year is always much less than the number of applications the department receives that prima facie satisfy most of the criteria for the grant of a visa. Consequently only a small proportion of applications will be successful; the majority must be refused, and some may be held over to another program year. To help the department determine which applications are granted visas, the government selects certain characteristics for prioritisation. Within CSP this includes an employment offer, or the intention to live and work in regional or rural Australia. A high-priority application is likely to be successful and a low-priority application unsuccessful at any time, but because the demand for

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visas and the availability of places are continually changing it is difficult to say how other applications will fare at different times.

Interview

All applicants who prima facie satisfy the criteria for the grant of a visa (including meeting the priority requirement (see [A note about priority](#) above)) will be invited to attend an interview.

The purpose of the interview is to establish the applicant's identity and family composition, test their claims that they are subject to substantial discrimination in their home country, ascertain whether there are compelling reasons for giving special consideration to granting them a visa, and explore issues related to public interest criteria (such as child custody, criminal convictions), employability, and settlement needs and support.

In many cases, locally engaged departmental staff act as interpreters for interviews. Where an interpreter has to be engaged especially for the interview, the APO will be asked to arrange and pay for one. A TIS telephone interpreter may be used in these circumstances. An informal interpreter such a friend, relative or applicant is not acceptable.

Applicants may be interviewed separately if the need arises, for example, to discuss sensitive matters such as sexual assault, paternity or domestic violence, or to explore integrity concerns.

Applicants will generally also have their biometrics collected at interview, including having their fingerprints collected and their photograph taken. However, on occasion biometrics collection is undertaken by a service delivery partner, and if so this will not necessarily occur at the time and place of interview. Where biometrics collection is undertaken by a service delivery partner, the applicant will be asked to pay for that service.

APOs should advise applicants of the possibility of this in good time and support the applicant in this regard, including to organise payment.

Public interest checks

After the interview, applicants who appear to satisfy the criteria that they are subject to substantial discrimination in their home country and that compelling reasons exist for giving special consideration to granting them a visa will be invited to undergo checks to help determine whether they satisfy public interest criteria (PICs). For further information, see www.homeaffairs.gov.au/trav/visa/heal and www.homeaffairs.gov.au/trav/visa/char.

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Assurance of Support

The processing office will request an AoS in the course of processing. APOs will receive a letter from the relevant processing office, with which they will need to assist prospective assurers to organise AoS applications through DHS. That letter will include instructions on how to apply for an AoS.

Subclause 5.7 of the Deed of Agreement requires the APO to ensure:

- both assurer and applicant understand their responsibilities, obligations and liabilities with respect to the assurance; and
- the required documentation for the AoS is submitted to the Department of Human Services (DHS) when requested by the processing office. For details, see <https://www.homeaffairs.gov.au/Migrationagents/Pages/assurance-of-support.aspx>.

Individual prospective assurers can make an AoS application by paper, or online. However, APOs are asked to strongly encourage prospective assurers to make their AoS application online, as this will generally help the AoS application be processed as fast as possible. Organisation prospective assurers, at this stage, will need to make an AoS application by paper.

DHS will notify the department when an AoS application is finalised.

For more information about AoSs, see [The Department of Human Services and assurances of support](#), www.humanservices.gov.au/assurance and guides.dss.gov.au/guide-social-security-law/9/4.

Visa application charge

When all other criteria have been satisfied, the processing office will request payment of the second instalment of the visa application charge. See [Visa application charges](#) above for more information. The office that receives the payment will notify the processing office that it has been received. If the correct amount has been received, the application will now be ready for visa grant.

Refunds

Visa application charges, payments for health examinations and other fees for services associated with satisfying visa criteria are generally non-refundable, regardless of the outcome of the application. Refund of the first-stage VAC is possible in some circumstances as provided for by legislation. It is mandatory in four circumstances relevant to the CSP, namely:

- the application is invalid
- the application was 'unnecessary' at the time it was made
- the application was made because of a mistake made by the department
- the applicant died before a decision was made on the application.

Refund enquiries and requests should be directed to the Special Humanitarian Processing Centre at s. 22(1)(a)(ii)

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Enquiries

Client enquiries about the progress of applications should be dealt with by providing general information about the visa process, rather than by referring them to processing offices (see [A note about processing time](#)). Progress enquiries, when necessary, should be directed to the processing office. For contact details of Posts, see www.homeaffairs.gov.au/about/contact/offices-locations. If it is necessary to contact the department shortly after the lodgement of an application, email the Special Humanitarian Processing Centre s. 22(1)(a)(ii) Other enquiries about the CSP should be directed to s. 22(1)(a)(ii)

Assurance of Support

Refer **Subclause 5.7** *APO responsible for ensuring documentation for the assurance of support is lodged when requested and assurer and applicant are aware of their responsibilities and obligations*

See [Assurance of Support](#) above.

Relationship management

Refer **Subclause 5.8** *APO responsible for managing relationships among parties and ensuring each understands obligations, roles and expectations*

The APO must ensure that all parties understand:

- their own, the APO's and each other's roles and responsibilities in relation to the CSP process, timeframes and costs
- the application will be considered on its merits against the criteria for grant of a visa and may not be successful
- the CSP does not offer expedited processing
- processing times vary and cannot be predicted (see [A note about processing time](#))
- the department does not provide reports on the progress of applications but communicates with applicants when the application is received, when information or action is required of them, and when a decision is made (see also [Enquiries](#) above)
- the decision to refuse the grant of a Class XB visa is not merits reviewable.

Employment

Refer **Subclause 5.9** *APO must source suitable, appropriate and relevant employment opportunities from a reputable employer or community organisation*

A vital part of the APO's role is to engage with business and community sectors to source employment opportunities or pathways for entrants. This serves to encourage entrants' financial independence within the first 12 months following arrival and promote sustainable settlement outcomes.

The Deed of Agreement requires APOs to:

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- screen and propose suitable humanitarian applicants with employment prospects

The CSP priorities must be applied when screening prospective CSP applicants. Most relevant to employment prospects, the primary applicant must:

- be aged 18 to 50
 - have adequate English
 - have an offer of employment (or a pathway that leads to employment) or personal attributes that would enable them to become financially self-sufficient within 12 months of arrival.
- work with reputable employers or community organisations to identify suitable, appropriate and relevant employment opportunities or employment pathways for prospective applicants to achieve financial independence within the first 12 months following arrival.

Applications with an offer indicating the intention to employ the primary applicant if a visa is granted will likely meet the settlement priorities of the government.

Applications without such an offer must have a detailed plan which includes the primary applicant's skills and qualifications and the mechanisms proposed to ensure that these skills are transferrable to Australia. The plan should also include the intended approach that would ensure employment is achieved within the first year of arrival in Australia.

Applicants should have appropriate and relevant skills, attributes or work experience for the intended employment opportunity.

It is the APO's responsibility to ensure that the proposed employment is appropriate, relevant and legal, that the applicant is not exploited at work, the work environment is safe and the employer is reputable.

Applications where the main applicant intends to undertake a short training course which would lead to employment would align with the settlement priorities of the government. It is intended that the applicant should be in employment within the first 12 months of arrival in Australia.

APOs should maintain an active network of reputable and suitable businesses interested in becoming involved in the CSP, and willing to provide support applicants by providing support or an employment pathway.

The significance of this obligation is reflected in Schedule 1 of the Deed of Agreement, which requires APOs to report quarterly on each entrant's employment outcomes.

In the event the entrant's employment is terminated before the end of the 12-month period, the APO must secure another employment opportunity or pathway. During any period when the entrant is not receiving an income, the Australian supporters are to provide financial assistance to cover the entrant's and dependants' needs.

English proficiency

There is no legislative or formal English testing requirement for English language proficiency for primary applicants under the CSP, however the intention of the program is for people to be work ready on arrival in Australia. For this reason, it is expected that the primary applicant has at least adequate English as defined in these guidelines. Adequate English is comprehension and expression of spoken and written English sufficient for independent daily living and employment, including workplace safety.

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English proficiency will be assessed by departmental officers during discussions at interview to ensure that the primary applicant will be able to navigate the workplace and the community generally once in Australia.

Where an APO has a potential applicant who has a strong job offer but would not meet the adequate English proficiency level, there may be some limited circumstances where such cases can be considered under CSP. However, APOs must give careful consideration to how the case would be otherwise consistent with the focus of CSP, and how the person would be both supported and able to self-manage on arrival given their limited English proficiency. This would include, for example, tangible detail on how the person would learn English on arrival, how they would be able to operate safely in the workplace, and how they expect to be able to achieve their broader settlement outcomes given their English ability. Such cases could only be considered where the person had a particularly strong offer of employment (thus making them work ready on arrival), given the need to ensure a strong integration focus. All these issues would need to be addressed comprehensively in the integration plan APOs must submit with all applications, and in any event such cases should always be checked with the Community Support Team **before any application is lodged**.

APOs should be aware that where the decision maker cannot be satisfied of the applicant's capacity to manage their lack of English proficiency given the broader intended outcomes of CSP, the applicant is likely to be unsuccessful.

Rights at work

Entrants have the same workplace rights as other workers in Australia. Among APOs' key obligations is ensuring entrants understand their rights, monitoring their treatment, and safeguarding their rights in the workplace.

Suspected cases of exploitation, including underpayment or poor working conditions, should be referred to the Fair Work Ombudsman. The Fair Work Ombudsman enforces compliance with the Fair Work Act and related legislation via assessment of complaints and suspected breaches of workplace laws.

Anonymous complaints can be registered by completing the form at www.fairwork.gov.au/how-we-will-help/how-we-help-you/anonymous-report.

APOs must inform the department in writing within two working days of any incident of suspected exploitation of an entrant at work. This report must include details of the incident and any steps the APO has taken to mitigate or resolve the incident. The APO must also provide further information relating to the incident when requested by the department.

Further information on visa holder and migrant worker rights can be found at www.fairwork.gov.au/find-help-for/visa-holders-and-migrants.

Fact sheets for migrant workers on work health and safety and workers' compensation can be found at www.safeworkaustralia.gov.au/collection/working-safely-australia-information-sheets. The information is available in 16 languages.

Settlement services

Refer **Subclause 5.10** *APO responsible for arranging the purchase of settlement services as per the settlement case management plan for up to 12 months*

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Under the CSP, entrants are not entitled to the Government-funded HSP services provided to all other offshore humanitarian entrants. However, the Government's expectation is that CSP entrants are provided with settlement support services in order to achieve settlement outcomes *no less favourable* than those achieved by non-CSP entrants provided with services under the HSP.

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APOs are required to coordinate and facilitate all such services in order for entrants to achieve this result. Specifically, there are three elements to this settlement support under CSP, designed to enable the mirroring of outcomes achieved under HSP. Those elements are:

1. formulating a comprehensive client-focused CMP
2. providing orientation services (identified as part of the client's comprehensive CMP), and
3. conducting a final interview to determine whether the orientation has been achieved and, as a result, the relevant settlement outcomes achieved.

Mandatory components under the Deed of Agreement

Because HSP-derived outcomes are used as the basis and reference point for measuring and evaluating settlement outcomes for all offshore humanitarian entrants, under CSP APOs must source certain mandatory components from entities which are recognised HSP providers. This is because of HSP providers' familiarity and expertise with the HSP outcomes-based framework.

The Deed references these mandatory components (see subclauses 5.5.3-5.5.5 of the Deed). In the context of the three settlement support services elements outlined above, the mandatory components which APOs *must* purchase from an HSP provider are:

- for each entrant, the formulation of a CMP or review and endorsement of a CMP which has been prepared by the APO
- the review and endorsement ('quality assurance') of all settlement services which make up the 'orientation' required under the CMP, and
- the conducting of and sign off on a final interview.

The CMP, whether prepared by the HSP provider or reviewed and endorsed by them, should reflect the needs of the relevant entrant and be consistent with the nature of CMPs prepared under HSP for non-CSP humanitarian entrants.

The review and endorsement of settlement services, undertaken by the HSP provider, need not require constant monitoring by the HSP provider. However, it should ensure the HSP provider can be satisfied the orientation is leading towards the appropriate settlement outcomes consistent with HSP. The level of quality assurance may depend on the particular APO, and/or the particular needs of the entrant concerned. This should be borne in mind by APOs, particularly when making potential CSP applicants and their supporters aware of the possible costs involved. In most cases however, this quality assurance should be minimal and does not amount to the provision of the services themselves.

The final interview must always be conducted by an HSP provider in person, before their signing off. It should be able to satisfy the HSP provider that the settlement outcomes have been achieved.

All other components – namely, the actual settlement services or 'orientation' content – can be conducted by the APO (and/or any Supporting Community Organisation (SCO)). Additionally, the APO can purchase any services beyond the mandatory components from an HSP provider, if it determines this is necessary or appropriate in order to ensure all identified orientation (reflected in the CMP) is undertaken, and outcomes achieved.

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APOs which are also HSP providers

APOs which are also HSP providers themselves are able to provide their own settlement services in their entirety, including the compulsory services under the Deed. In such cases, those APOs will need to ensure appropriate recordkeeping is maintained as to who has undertaken which elements of the settlement services within the organisation.

APO communication with HSP providers

APOs have been provided with a letter template for their communication with HSP providers, to seek agreement to and request a quote (or quote range) for the provision of all mandatory components by the HSP provider. The letter template can also be used if APOs decide to seek agreement to (and a quote for) the provision of further services by the HSP provider beyond the mandatory components. This agreement and quote then also enables APOs to communicate with their clients, prior to lodgement of a visa application, what the likely fee range will be for those services.

With each visa application, APOs must include an acknowledgement letter from an HSP provider indicating they are able to provide at least the mandatory HSP components if the applicant is granted a visa. This letter can be generic rather than specific to the applicant(s), provided it is clear through the letter that the HSP provider is able to provide the services, including in the location the applicant would settle in.

Costs

Settlement services costs are for APOs to determine and should always be consistent with the requirement in the Deed to be fair and reasonable, and consistent with the intentions of Australia's humanitarian program (per subclause 5.4.1 of the Deed).

For the mandatory components provided by HSP providers, the quote (or quote range) is for the HSP providers to determine, but APOs may request provision of multiple quotes from different HSP providers, in order to determine the most appropriate for their entrants' circumstances.

For remaining costs, namely the costs of all other settlement services beyond what would be provided by the HSP provider, APOs can also indicate a fee range to potential applicants.

It is critical APOs manage the expectations of potential CSP applicants and their supporters regarding settlement services costs. This will include advising them that such costs (whether provided by an HSP provider, or by the APO or SCO themselves) may vary, and will depend in part on what is identified in the course of formulating the CMP (which will not be known until the CSP applicants' arrival in Australia). This is particularly important as additional required services may be identified once onshore.

APOs must ensure that HSP providers are aware that the client is a CSP client and not a standard HSP client, so that the provider does not include the CSP client in their billing arrangements with DSS.

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After visa grant

Australian Migration Status (AMS) ImmiCard

The AMS ImmiCard is an official International Civil Aviation Organization (ICAO)-compliant travel document issued by the Australian Government to Refugee and Humanitarian (Class XB) visa holders.

The AMS ImmiCard is to be used as successful applicants' official travel document for one-way travel and entry to Australia, regardless of whether they hold a passport. The ImmiCard contains a machine-readable zone that enables airline staff to check the status of their visa and travel authority. Successful applicants must present their AMS ImmiCard at the airport or they will not be able to travel to Australia.

If CSP entrants wish to travel outside Australia after their arrival in Australia, they must apply for another travel document with the Department.

It is important CSP entrants keep their ImmiCard safe and with them at all times. In Australia, they will use it as an official Commencement of Identity document to prove their identity and access government services.

Successful visa applicants will get further information on receiving ImmiCards as part of their visa grant letter, and a fact sheet with further information when they receive their ImmiCard itself.

Departure Health Check (DHC)

DHC physical examinations are available to Class XB visa holders (including CSP) within 72 hours before their confirmed departure for Australia. The service is offered in most places from which Class XB visa holders depart for Australia. If visa holders wish to have a DHC, they should contact IOM to arrange an appointment.

DHC aims to:

- ensure visa holders are healthy enough to undertake the journey to Australia
- vaccinate visa holders and treat them for parasites before their resettlement
- reduce the number of acute post-arrival health issues, thereby facilitating resettlement of visa holders and protecting the health of the Australian community
- allow post-arrival follow-up arrangements to be made for any health issues identified.

DHC comprises a physical examination, tests for pregnancy and communicable diseases, administration of prescribed vaccinations (against measles, mumps and rubella) and empirical treatment of parasites and infestations. It is important that visa holders tell the doctor of any health conditions, including pregnancy, which they have experienced since their visa health assessment.

While DHC is non-compulsory, we advise APOs to strongly encourage successful visa applicants under CSP to attend before their departure for Australia. The DHC is paid for by the Government, noting other costs associated with attending DHC appointments (such as transport and accommodation, if applicable) would need to be borne by APOs). There is no adverse impact on a visa holder's visa status if they choose not to undertake DHC.

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Occasionally, travel to Australia may be delayed because a DHC physical examination identifies a medical condition requiring treatment prior to travel. More rarely, a DHC examination may result in a recommendation that a client travel with a medical escort.

The Australian Cultural Orientation (AUSCO) Program

AUSCO is provided to Class XB visa holders (including CSP) over the age of five years, prior to their departure for Australia. AUSCO gives practical advice about the journey to Australia, as well as equipping participants with the necessary tools to deal with initial settlement concerns and the different stages of cultural, social and economic adaptation. This includes information about Australian laws and norms.

While AUSCO is non-compulsory, we advise APOs to strongly encourage successful visa applicants under CSP to attend before their departure for Australia. The information discussed at the AUSCO sessions will provide them with critical background to their settlement journey in Australia.

AUSCO is paid for by the Government, noting other costs associated with attending AUSCO sessions (such as transport and accommodation, if applicable) would need to be borne by APOs.

The classes are conducted by the International Organization for Migration (IOM), and IOM will be in contact with the successful applicants before they travel, to offer them a place in an AUSCO class.

More information on AUSCO can be found on the DSS website at <https://www.dss.gov.au/settlement-services-programs-policy/the-australian-cultural-orientation-ausco-program>

Exit permit issues

The APO is obligated to arrange and fund airfares to Australia, including the management and coordination of any exit permits or payments as required. Strict exit permits capable of significantly delaying a client's exit only exist in a few countries. These countries require that the details recorded on the client's ImmiCard are identical to those recorded by local authorities when the applicant was registered. Any issues resulting from discrepancies in a client's records should be directed to s. 22(1)(a)(ii) or the nearest departmental overseas Post.

Booking on-arrival appointments with Department of Human Services

All CSP entrants must attend an appointment with DHS as soon as practicable on arrival in Australia – and ideally within three business days. At this appointment they can:

- Activate the Assurance of Support (AoS)
- Enrol in Medicare
- Apply for a tax file number (TFN)
- Be referred to an employment services provider (if needed)
- Apply for certain Centrelink payments, e.g. Family Tax Benefit or Child Care Subsidy (if eligible)

To book this appointment, the APO (or HSP provider) needs to:

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1. Notify DHS (see contact details below) of the intended arrival date and request an appointment with the Refugee and Asylum Seeker (RAS) team (if one is available in their arrival location).
 - Requests should include details of the client's circumstances and what payments and services are required.
 - [Notification of refugee arrival form \(SS459\)](#) can be used to initiate this appointment.
2. Receive confirmation from the RAS team with the appointment date and time.
 - Notify the RAS team immediately if there are any changes to travel plans.
3. Ensure the clients are on time for their appointment, and bring their ImmiCards and any other ID documents.

DHS have designated RAS teams in the locations in the table below. These teams see customers in a face to face setting. Each location is responsible for their own stakeholder management and appointment referral process, so APOs should contact the relevant team to familiarise themselves with the local referral process and develop a relationship.

State	Location	Contact E-mail
NSW	Fairfield , Level 1, 29-33 Barbara Street	s. 22(1)(a)(ii)
VIC	Broadmeadows , 16-22 Pearcedale Parade Corio , Cnr Bacchus Marsh Road & Purnell Road Dandenong , 27-29 Robinson Street Ringwood , 2-6 Bond Street Footscray , 75 Moore Street Werribee , 89-97 Synot Street	s. 22(1)(a)(ii)
SA	Naylor House , 191 Pulteney Street, Adelaide	s. 22(1)(a)(ii)
QLD	Stones Corner , Corner Logan Road and Cornwall Goodna , 1 William Street Woodridge , 21 Station Road Toowoomba , 12 Bell Street	s. 22(1)(a)(ii)
WA	Mirrabooka , 22 Chesterfield Road	s. 22(1)(a)(ii)

The following regions do not have a RAS team, though they have community engagement hubs that can assist in arranging appointments at certain locations.

Region	Contact E-mail

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Southern NSW	s. 22(1)(a)(ii) [Redacted]
Northern NSW	s. 22(1)(a)(ii) [Redacted]
North Queensland	s. 22(1)(a)(ii) [Redacted]
Tasmania	s. 22(1)(a)(ii) [Redacted]
Northern Territory	s. 22(1)(a)(ii) [Redacted]

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