

From: s.22(1)(a)(ii) [REDACTED]
To: s.22(1)(a)(ii) [REDACTED]
Cc: [ASU:s.22\(1\)\(a\)\(ii\)](#); s.22(1)(a)(ii) [REDACTED]; [David ARNOLD:s.22\(1\)\(a\)\(ii\)](#)
Subject: 'Network alert - Renewed Code of Behaviour for BVE decision making [SEC=OFFICIAL]
Date: Monday, 3 March 2025 10:31:11 AM
Attachments: [image001.jpg](#)
[Extract Code of Behaviour from LIN 25-017.pdf](#)
[image003.jpg](#)

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Status Resolution – Network Advice

AUTHORISED BY:	S.22(1)(a)(ii) – Director, Status Resolution Capability and Criminal Justice Programs
ACTION REQUIRED:	For attention of Status Resolution Officers, ABF Field Operations and Removals officers – Please disseminate amongst your local networks to ensure awareness and required action.
MESSAGE:	Dear Colleagues,
	On 25 February, the Minister signed a new legislative instrument <i>Migration (Code of Behaviour for Public Interest Criterion 4022) Instrument (LIN 25/017) 2025</i> which renews the Code of Behaviour for Public Interest Criterion 4022 ('the Code'). The new instrument commenced on 28 February 2025 and as a consequence the previous legislative instrument containing the Code (LIN 24/031) has been repealed.
	Background The Code contains a list of expectations about how certain holders of a subclass 050 (Bridging (General)) visa (BVE) will behave at all times while in Australia. Visa condition 8566 – must not breach the code, is a mandatory condition that must be imposed on the BVE if the holder has signed the Code (as per cl 050.619). If a BVE holder is found to have breached the Code, they may have their income support reduced or their visa may be cancelled.
	Impact PIC 4022 requires the applicant to have '<i>signed a code of behaviour that has been approved by the Minister</i>' and '<i>is in effect</i>' for the visa. Despite only minor changes to the Code, an applicant will not satisfy PIC 4022 by signing either the old Form 1443 or repealed LIN24/031 because they won't have signed a code of behaviour that has been approved by the Minister and is in effect. Where an applicant is required to satisfy PIC 4022, delegates must not grant a BVE on the basis of being satisfied PIC 4022 is met, knowing the applicant has not signed the updated Code.
	Action Required BVE delegates should follow the below instructions where assessing an application for a BVE against PIC 4022. A BVE applicant is only required to satisfy PIC 4022 where specified by Schedule 2 criteria 050.225. This clause applies to applicants who are at least 18 at the time of application; and hold, or have previously held, a BVE granted under section 195A. For any such clients, the delegate must request that they sign the updated Code at the time of considering their next BVE application and place this record in TRIM. Delegates should also update references to the signed Code document in any other relevant systems such as ICSE / CCMD. The updated Code may be found attached or in TRIM at: ADD2024/2077955. A person will fail to satisfy criteria 050.225 if this criteria requires they sign a code of behaviour in effect for BVE under PIC 4022, and the applicant fails/refuses to sign the updated Code. Applicants should be reminded that they cannot be granted a further BVE if they do not sign the Code, and if their visa expires they may be liable for detention. Any BVE related enquiries should be sent to Status Resolution Helpdesk – see our SharePoint page for the referral form. I would appreciate if you could circulate this advice to any of your teams who are involved in BVE decision-making.
EFFECTIVE DATE or DATE DUE	Immediate
POINT OF CONTACT:	S.22(1)(a)(ii) @border.gov.au
ATTACHMENT/ TRIM REFERENCE:	Extract Code of Behaviour from LIN 25/017 - ADD2024/2077955
RELATED POLICY/PROCEDURAL DOCUMENTS	

Kind Regards

SRN Coordination

Status Resolution Network
Character, Cancellation and Case Resolution Division
Immigration Compliance Group
E: s.22(1)(a)(ii) @homeaffairs.gov.au

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under the Freedom of Information Act 1982

Schedule 1—Code of behaviour

Code of Behaviour

This Code of Behaviour contains a list of expectations about how you will behave at all times while in Australia. It does not contain all your rights and duties under Australian law. If you are found to have breached the Code of Behaviour, you could have your income support reduced, or your visa may be cancelled. If your visa is cancelled, you may be taken into immigration detention and may be transferred to a regional processing country.

While you are living in the Australian community:

- You **must not** disobey any Australian laws including Australian road laws; you **must** cooperate with all lawful instructions given to you by police and other government officials;
- You **must not** make sexual contact with another person without that person's consent, regardless of their age; you must never make sexual contact with someone under the age of consent;
- You **must not** take part in, or get involved in any kind of criminal behaviour in Australia, including violence against any person, including your family or government officials; deliberately damage property; give false identity documents or lie to a government official;
- You **must not** harass, intimidate or bully any other person or group of people or engage in any anti-social or disruptive activities that are inconsiderate, disrespectful or threaten the peaceful enjoyment of other members of the community;
- You **must not** refuse to comply with any health undertaking given to the Department of Home Affairs or direction issued by a Medical Officer of the Commonwealth to undertake treatment for a health condition for public health purposes;
- You **must** co-operate with all reasonable requests from the Department of Home Affairs or its agents in regard to the resolution of your status, including requests to attend interviews or to provide or obtain identity and/or travel documents.

I, _____[name to be written]_____ agree to abide by this Code of Behaviour while I am living in Australia on a Subclass 050 (Bridging (General)) visa. I understand that if I do not abide by the Code of Behaviour my income

support may be reduced or ceased, or my visa may be cancelled and I may be taken into immigration detention.

Signature: _____

Date: _____

From: s.22(1)(a)(ii)
To: s.22(1)(a)(ii)
Cc: s.22(1)(a)(ii) David ARNOLD; s.22(1)(a)(ii)
Subject: Network alert - Renewed Code of Behaviour for BVE - Action required [SEC=OFFICIAL:Sensitive, ACCESS=Legal-Privilege]
Date: Monday, 8 April 2024 2:44:43 PM
Attachments: [image001.jpg](#)
[Extract Code of Behaviour from LIN 24-031.pdf](#)
[image002.jpg](#)

**OFFICIAL: Sensitive
Legal-Privilege**

**OFFICIAL: Sensitive
Legal-Privilege**

Status Resolution – Network Advice	
AUTHORISED BY:	s.22(1)(a)(ii) Director, Status Resolution Program Management and Capability
ACTION REQUIRED:	For attention of Status Resolution Officers and ABF Field Operations – Please disseminate amongst your local networks to ensure awareness and required action.
MESSAGE:	Dear Colleagues, On 1 April 2024, the Code of Behaviour for Public Interest Criterion 4022 ('the Code') sunsetted. The Minister has issued a new legislative instrument <i>Migration (Code of Behaviour for Public Interest Criterion 4022) Instrument (LIN 24/031) 2024</i> which renews the Code for a further 12 months. Background The Code contains a list of expectations about how certain holders of a subclass 050 (Bridging (General)) visa (BVE) will behave at all times while in Australia. Visa condition 8566 – must not breach the code, is a mandatory condition that must be imposed on the BVE if the holder has signed the Code (as per cl 050.619). If a BVE holder is found to have breached the Code, they may have their income support reduced or their visa may be cancelled. Impact PIC 4022 requires the applicant to have 'signed a code of behaviour that has been approved by the Minister' and 'is in effect' for the visa. Despite only minor changes to the Code, an applicant will not satisfy PIC 4022 by signing the old Form 1443 because they won't have signed a code of behaviour that has been approved by the Minister and is in effect. Where an applicant is required to satisfy PIC 4022, delegates must not grant a BVE on the basis of being satisfied PIC 4022 is met, knowing the applicant has not signed the updated Code. Action taken Form 1443 and 1444i are now out of date and should not be used. In the meantime, BVE delegates should follow the below instructions where assessing an application for a BVE against PIC 4022. Action Required A BVE applicant is only required to satisfy PIC 4022 where specified by Schedule 2 criteria 050.225. This clause applies to applicants who are at least 18 at the time of application; and hold, or have previously held, a BVE granted under section 195A. For any such clients, the delegate must request that they sign the attached updated Code at the time of considering their next BVE application and place this record in TRIM. Delegates should also update references to the signed Code document in any other relevant systems such as ICSE / CCMD. A person will fail to satisfy criteria 050.225 if this criteria requires they sign a code of behaviour in effect for BVE under PIC 4022, and the applicant fails/refuses to sign the updated Code. Applicants should be reminded that they cannot be granted a further BVE if they do not sign the Code, and if their visa expires they may be liable for detention. Any BVE related enquiries should be sent to Status Resolution Helpdesk – see our SharePoint page for the referral form. I would appreciate if you could circulate this advice to any of your teams who are involved in BVE decision-making.
EFFECTIVE DATE or DATE DUE	Immediate
POINT OF CONTACT:	s.22(1)(a)(ii) @border.gov.au
ATTACHMENT/ TRIM REFERENCE:	Extract Code of Behaviour from LIN 24-031 - ADD2024/2077955 SRHD SharePoint page: Status Resolution Help Desk .
RELATED POLICY/PROCEDURAL DOCUMENTS	

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Kind Regards

Operational Coordination

Status Resolution Network

Character, Cancellation and Case Resolution Division

Immigration Compliance Group

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

E: **S.22(1)(a)(ii)** @homeaffairs.gov.au

Legal-Privilege
OFFICIAL: Sensitive

Legal-Privilege
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Schedule 1—Code of Behaviour

Code of Behaviour

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I, _____ [name to be written] _____
 agree to abide by this Code of Behaviour while I am living in Australia on a Subclass 050 (Bridging (General)) visa. I understand that if I do not abide by the Code of Behaviour my

income support may be reduced or ceased, or my visa may be cancelled and I may be taken into immigration detention.

Signature: _____

Date: _____



Australian Government
Department of Home Affairs



Australian
BORDER FORCE

Bridging Visa E Decision-Making

Participant Guide

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Securities lodged by an applicant

When the applicant lodges the security, the decision maker should make it clear to the applicant that the security may be forfeited if they fail to abide by the conditions imposed on the visa. The decision maker should request that the applicant sign an acknowledgment that they are aware that the security may be forfeited if any conditions of their visa are breached.

Securities lodged by a guarantor

Where the security is to be lodged by a guarantor, prior to grant, the decision maker should request that the guarantor and the applicant sign an acknowledgment of

- the conditions imposed on the visa; and
- that the security may be forfeited if the applicant breaches any condition of their visa.

Releasing/refunding the bond

If the visa holder to which the security was taken abides by the visa conditions on that visa, they will be eligible for the security to be refunded. However, if the holder breaches any of the visa conditions, the bond will be liable for forfeiture.

There is no obligation to immediately forfeit a security if a condition is breached. The applicant and the guarantor will be given the opportunity to comment on the issue of breach of conditions and forfeiture before any forfeiture takes place.

If a decision is made to forfeit the security both the applicant and the guarantor should be advised in writing.

What happens if the holder breaches the conditions?

Processing securities

The relevant instructions for processing security bonds can be found at: **ADF2010/26846**. The most relevant chapters for processing compliance security bonds are:

CH 16 Requesting a Security Bond Payment
CH 17 Receipting a Security Bond Payment
CH 18 Releasing a Security Bond Payment

CH 19 Forfeiting a Security Bond Payment
CH 37 Release a Refund (F136 Delegate)

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Department of Home Affairs

Bridging Visa E

Status Resolution Essentials Training

Schedule 2 – Subclass 050

Status

If the applicant is 18 or over, and holds or has previously held a BVE granted under s195A of the Migration Act, PIC 4022 is satisfied.

Grounds

Public Interest Criteria 4022

Either:

Interview

(a) the applicant has signed a code of behaviour that:

(i) has been approved by the Minister in accordance with Part 4;

and

(ii) is in effect for the subclass of visa; or

Abide by Conditions

(b) the Minister does not require the applicant to sign a code of behaviour that is in effect for the subclass of visa.

Security Bond

PIC 4022

Code of Behaviour Example

This Code of Behaviour contains a list of expectations about how you will behave at all times while in Australia. It does not contain all your rights and duties under Australian law. If you are found to have breached the Code of Behaviour, you could have your income support reduced, or your visa may be cancelled. If your visa is cancelled, you may be taken into immigration detention and may be transferred to a regional processing country.

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Schedule 2 – Subclass 050

Status

What is the code of behaviour?

A document that outlines an expected standard of behaviour that clients must adhere to in order to be granted a visa by the Minister under s195A

Grounds

Who is this requirement generally applicable to?

IMAs (and IAAs)

Interview

Abide by Conditions

What is the impact of breaching the code of behaviour?

The BVE may be considered for cancellation for a breach of condition 8566

Security Bond

PIC 4022