



Australian Government

Department of Immigration
and Border Protection

Code of Behaviour for Subclass 050 Bridging (General) visa holders

Form

1443

The Australian Government has introduced a Code of Behaviour (the code) which will apply to certain adults who are considered for the grant of a Bridging E visa (BVE or bridging visa). The code will apply to all adult illegal maritime arrivals who are considered for the grant of a BVE.

What is the Code of Behaviour?

The code describes how people are expected to behave while they are living in the Australian community on a bridging visa. It also describes behaviour that will not be accepted.

The code has been introduced to make sure that people who are granted a bridging visa behave appropriately while in the Australian community. The Australian Government and community expect non-citizens to abide by the law, respect Australian values and cooperate with government authorities.

Who needs to sign the Code of Behaviour?

If you arrived in Australia illegally by boat and are 18 years of age or older you must sign the code before you can be considered for the grant of a Bridging E visa.

If you have previously been granted a Bridging E visa by the Minister under section 195A of the *Migration Act 1958*, you must also sign the code before you can be granted a new Bridging E visa. This is very important if your bridging visa has ceased or is about to cease. You will not be considered for a further bridging visa until the Department of Immigration and Border Protection (the department) has received a copy of the current code which you have signed and which has been witnessed properly.

Certain other categories of people may also be required to sign the code. The department will tell you if you are in one of those categories.

If you are unsure whether you need to sign the code, please contact the department.

Why do I need to sign the Code of Behaviour?

Signing the code means that you understand that if you do not abide by the code, your income support could be reduced or ceased or your bridging visa could be cancelled and that you may be detained.

What is the Code of Behaviour about?

The code describes the behaviour expected of people who are living in the Australian community on a Bridging E visa.

The code does not contain all the conditions and duties under Australian law of people granted a bridging visa. By signing the code you agree to behave according to values that are important to the Australian community while working towards the resolution of your immigration status.

Australia is a free and democratic country where men and women are equal. People are expected to show respect for one another and not to abuse or threaten others.

You must obey Australian laws while living in Australia. This means, for example, that you must not commit violence or inappropriate sexual contact of any kind. You must not lie to a government official, withhold information or give false identity documents. Your visa may be cancelled due to criminal conduct in Australia.

What do 'antisocial' and 'disruptive' activities mean?

The terms used in the code take their ordinary meanings.

- To 'harass' another person means to persistently or continually disturb or irritate them.
- To 'intimidate' another person means to cause them fear through your words or actions, including trying to force someone to do something.
- To 'bully' another person means to act in an unwanted or aggressive manner towards them, especially if you are in a more powerful position. Bullying includes making threats, spreading rumours, attacking someone physically or verbally, or excluding someone from a group or place on purpose.
- 'Anti-social' means an action that is against the order of society. This may include damaging property, spitting or swearing in public or other actions that other people might find offensive.
- 'Disruptive' means to cause disorder or to disturb someone or something.

How do I sign the Code of Behaviour and have it witnessed?

You must sign and date this form 1443 *Code of Behaviour for Subclass 050 Bridging (General) visa holders*, and provide your address and identity details. Your signature should be witnessed and your identity verified by an eligible witness. If you have been issued with photo identification, you should show the witness your photo identification (for example, valid passport, ImmiCard or driver's licence).

Eligible witnesses include:

- officers of the department
- Status Resolution Support Services (SRSS) case workers, and
- registered migration agents.

Other categories of people who may witness your signature and identity are listed on the last page of this form.

What does the witness need to do?

The role of the witness is to certify that you have signed the code in front of them and are the person whose identity details are given. The witness is not responsible for ensuring that you understand the code or will abide by it.

The witness will check your photo identification to confirm your identity and then watch you sign the form. The witness will also need to sign the form and provide their details.

Where do I send the signed Code of Behaviour?

The signed code may be scanned and emailed to:
bvreporting@immi.gov.au

If you are unable to email the signed copy, the original signed document may be sent to the following address:

IMA BVE Processing Team
Department of Immigration and Border Protection
GPO Box 9984
SYDNEY NSW 2001

You are advised to keep a copy for your records.

What if I do not sign the Code of Behaviour?

If you do not sign the code you will not be eligible to receive a Bridging E visa.

If you do not sign the code and are:

- in immigration detention, you will remain in immigration detention.
- in community detention, you will not be considered for a bridging visa and may be returned to immigration detention.
- in the community having previously been granted a bridging visa, you will not receive a further Bridging E visa. In addition to losing access to services while in the community, such as Medicare and income support payments, as an unlawful non-citizen you will be liable to be returned to immigration detention.

What happens if I breach the Code of Behaviour?

It will be a condition of your bridging visa that you do not breach the code. If you breach the code, your bridging visa may be cancelled. If your bridging visa is cancelled, you will be returned to immigration detention.

The department may take other actions as appropriate. This includes counselling you on your behaviour and sending a warning letter to remind you of your obligations. The department may also reduce or suspend any income support payments you are receiving through the SRSS.

Will I need to sign the Code of Behaviour again if my visa expires?

You will only need to sign the code once, except if there are changes to the code. If the wording of the code is changed you will need to sign the new version before you can be granted a further bridging visa. The department will tell you if this is the case.

Where can I get help to sign the Code of Behaviour?

If you are receiving support through the Status Resolution Support Services (SRSS), including in community detention, your service provider may be able to assist you to understand the code and to find an appropriate person who can witness your signature.

Information about the code is available in community languages on the department's website

www.border.gov.au/trav/refu/illegal-maritime-arrivals

If you need further help to understand and sign the code, contact the department on **131 881**.

Important information about privacy

Your personal information is protected by law, including the *Privacy Act 1988*. Important information about the collection, use and disclosure (to other agencies and third parties, including overseas entities) of your personal information, including sensitive information, is contained in form 1442i *Privacy notice*.

Form 1442i is available from the department's website

www.border.gov.au/allforms/ or offices of the department.

You should ensure that you read and understand form 1442i before completing this form.

Home page **www.border.gov.au**

*General
enquiry line*

Telephone **131 881** during business hours in Australia to speak to an operator (recorded information available outside these hours).

If you need the assistance of an interpreter to contact the department, ring the Translating and Interpreting Service (TIS National) on **131 450** during business hours and tell the operator which language you speak.



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 will be returned to immigration detention and may be transferred to an offshore processing centre.

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 provided by the Department of Immigration and Border Protection or direction issued by the Chief Medical Officer (Immigration) to undertake treatment for a health condition for public health purposes;
- you **must** co-operate with all reasonable requests from the department 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.

To be completed by visa holder

I, [full name of Bridging E visa holder]

agree to abide by this Code of Behaviour while I am living in Australia on a Bridging E 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 will be returned to immigration detention.

Signature of visa holder

Date

Day Month Year
/ /

Current residential address

Postcode

Date of birth

Day Month Year
/ /

Identity number (may use boat identity number, ImmiCard number or Client/ICSE identity number)

To be completed by witness

Signature of witness

Date

Day Month Year
/ /

Full name (block letters)

Current residential address

Postcode

Role/position

Photo ID checked? No Yes

Format of ID checked eg. passport, ImmiCard

Eligible witnesses

The following people can act as a witness for the purposes of signing the attached Code of Behaviour:

- (1) a person who is currently employed as an officer of the Department of Immigration and Border Protection
- (2) a person who is currently employed by a Status Resolution Support Services (SRSS) service provider
- (3) a migration agent registered with the Office of the Migration Agents Registration Authority
- (4) a person who is currently licensed or registered under a law to practise in one of the following occupations:
 - Chiropractor
 - Dentist
 - Legal practitioner
 - Medical practitioner
 - Nurse
 - Optometrist
 - Patent attorney
 - Pharmacist
 - Physiotherapist
 - Psychologist
 - Trade marks attorney
 - Veterinary surgeon
- (5) a person who is enrolled on the roll of the Supreme Court of a State or Territory, or the High Court of Australia, as a legal practitioner (however described), or
- (6) a person who is in the following list:
 - Agent of the Australian Postal Corporation who is in charge of an office supplying postal services to the public
 - Australian Consular Officer or Australian Diplomatic Officer (within the meaning of the *Consular Fees Act 1955*)
 - Bailiff
 - Bank officer with 5 or more continuous years of service
 - Building society officer with 5 or more years of continuous service
 - Chief executive officer of a Commonwealth court
 - Clerk of a court
 - Commissioner for Affidavits
 - Commissioner for Declarations
 - Credit union officer with 5 or more years of continuous service
 - Employee of the Australian Trade Commission who is:
 - (a) in a country or place outside Australia, and
 - (b) authorised under paragraph 3 (d) of the *Consular Fees Act 1955*, and
 - (c) exercising his or her function in that place
 - Employee of the Commonwealth who is:
 - (a) in a country or place outside Australia, and
 - (b) authorised under paragraph 3 (c) of the *Consular Fees Act 1955*, and
 - (c) exercising his or her function in that place
 - Fellow of the National Tax Accountants' Association
 - Finance company officer with 5 or more years of continuous service
 - Holder of a statutory office not specified in another item in this list
 - Judge of a court
 - Justice of the Peace
 - Magistrate
 - Marriage celebrant registered under Subdivision C of Division 1 of Part IV of the *Marriage Act 1961*
 - Master of a court
 - Member of Chartered Secretaries Australia
 - Member of Engineers Australia, other than at the grade of student
 - Member of the Association of Taxation and Management Accountants
 - Member of the Australasian Institute of Mining and Metallurgy
 - Member of the Australian Defence Force who is:
 - (a) an officer, or
 - (b) a non-commissioned officer within the meaning of the *Defence Force Discipline Act 1982* with 5 or more years of continuous service, or
 - (c) a warrant officer within the meaning of that Act
 - Member of the Institute of Chartered Accountants in Australia, the Australian Society of Certified Practising Accountants or the National Institute of Accountants
 - Member of:
 - (a) the Parliament of the Commonwealth, or
 - (b) the Parliament of a State, or
 - (c) a Territory legislature, or
 - (d) a local government authority of a State or Territory
 - Minister of religion registered under Subdivision A of Division 1 of Part IV of the *Marriage Act 1961*
 - Notary public
 - Permanent employee of the Australian Postal Corporation with 5 or more years of continuous service who is employed in an office supplying postal services to the public
 - Permanent employee of:
 - (a) the Commonwealth or a Commonwealth authority, or
 - (b) a State or Territory or a State or Territory authority, or
 - (c) a local government authority,with 5 or more years of continuous service who is not specified in another item in this list
 - Person before whom a statutory declaration may be made under the law of the State or Territory in which the declaration is made
 - Police officer
 - Registrar, or Deputy Registrar, of a court
 - Senior Executive Service employee of:
 - (a) the Commonwealth or a Commonwealth authority, or
 - (b) a State or Territory or a State or Territory authority
 - Sheriff
 - Sheriff's officer
 - Teacher employed on a full-time basis at a school or tertiary education institution.