



Australian Government
Department of Home Affairs

The Administration of the Immigration and Citizenship Programs

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Purpose

1. The Department of Home Affairs (the Department) has produced this paper to help external stakeholders understand how it administers Australia's immigration and citizenship programs. It complements existing publicly available sources, including regularly published data, and provides a tri-annual overview of the administration of visa, citizenship, border and compliance programs, focusing on recent environmental factors, program developments and trends.

Introduction

2. Immigration is central to Australia's national story and identity. From a population of about 7 million people after the Second World War, Australia has grown to a nation of more than 26 million people in 2022. In recent years, Australia's population growth has largely been driven by immigration. The Australian Bureau of Statistics (ABS) estimates that just over 29 per cent of Australia's resident population was born overseas¹, a much higher level than most other Organisation for Economic Cooperation and Development (OECD) countries.
3. Australia benefits from the people-to-people links generated by migration that provide economic and other opportunities and shape our international reputation. Within the immigration program, targeted visa programs – including temporary visitor, student and work visas, permanent skilled and family visas, and refugee and humanitarian visas – feed into the Australian citizenship program and operate in conjunction with border and compliance operations to support our economic prosperity, social cohesion, community safety and national security. Effective administration of Australia's immigration and citizenship programs is central to ensuring these benefits and maintaining Australia's sovereignty.
4. Since the early 1970s, these programs have been elements of a universal, non-discriminatory visa system, which focuses on the contribution a person can make to Australia rather than their ethnicity, gender or religious beliefs. Australia enjoys high levels of social cohesion and broad public support for its Immigration Program. This is, in part, based on confidence in well-managed and non-discriminatory migration.
5. The administration of these programs involves dual, complementary, objectives to:
 - facilitate the entry and stay of those who legitimately seek to visit, study, work, be reunited with family, or obtain protection; and,
 - prevent the entry or stay of non-citizens attempting to disguise their true identity or intentions, or who otherwise pose a risk to the security or safety of the Australian community or to the national interest.
6. The Department's management of Australia's Immigration Program anticipates and responds to changing international circumstances. Over the longer term, this has included rapid growth in the international movement of people for a broad range of purposes, from tourism to permanent migration.
7. In the past 20 years the number of global migrants has risen from 173 million people in 2000 to 281 million in 2020, an increasing proportion of whom have been forcibly displaced (34 million in 2020)². While the various health and travel impacts of COVID-19 have disrupted this trend in Australia and elsewhere, global international travel is recovering steadily, with an estimated increase of 172 per cent in global tourist arrivals from January to July 2022

¹ Australian Bureau of Statistics (2021), *Australia's Population by Country of Birth* [online document], accessed October 2022.

² United Nations Population Division (2021), *International Migration 2020 Highlights* [online document], United Nations, accessed October 2022.

compared to the same period in 2021. Overall, global tourist arrivals are currently at 60 per cent of pre-pandemic (2019) levels³.

Impact of COVID-19

8. Australia's response to the COVID-19 pandemic had an unprecedented impact on the administration of immigration and citizenship programs.
9. Australia's COVID-19 travel restrictions, jointly managed by the Department and the Australian Border Force (ABF), were in place between 20 March 2020 and 6 July 2022.
10. During this time, over 1,179,500 travel exemption requests were received and processed. At its peak, more than 150 staff normally focused on visa processing were diverted to processing travel exemptions. Other visa processing staff focused on finalising visa applications for applicants who were exempt from Australia's travel restrictions.
11. The border progressively reopened to different cohorts and visa categories from November 2021, and then to all fully vaccinated visa holders from 21 February 2022. From 6 July 2022, all international travel restrictions ceased to operate, and travellers can now enter Australia without an exemption or showing proof of vaccination status. All non-citizens entering Australia still require a valid visa.
12. Over the COVID-19 impacted period, more than 70 temporary concessions relating to temporary and permanent visa programs were introduced. Further detail about these visa concessions is available on the Department's website at: <https://www.homeaffairs.gov.au/covid19/visa-information>.
13. The pandemic affected the Department's capacity to deliver services and programs in Australia and overseas. The Department's staffing resources were diminished around the world as countries responded to the local health impacts of COVID-19. In April 2020, about 75 per cent of Australian-based staff from the overseas network had returned home, or were seeking to do so and fewer than 10 per cent of locally engaged staff were undertaking visa processing work. As at 31 August 2022, the offshore network was still only operating at approximately 84 per cent capacity. Given that the offshore network accounts for approximately half of staff focused on temporary and permanent visa processing, this had a significant impact on overall processing capacity.

Supporting increased travel to Australia

14. Reducing the number of on-hand visa applications is a priority for the Australian Government. The Australian Government has committed to addressing a backlog in processing visa applications in areas of skills shortages, reducing visa processing times and prioritising migration. This focus on delivery is enabling more people to enter Australia more quickly, to contribute to the economy and help address skilled labour shortages.
15. The Department is working to reduce on-hand visa applications to pre-COVID-19 levels, and has ramped up activity to accelerate processing times. The focus is on finalising applications lodged outside of Australia, particularly visas for temporary work, study and visiting Australia, although all visa caseloads continue to be processed.
16. The Department is also focussed on delivering the increase to the permanent Migration Program in 2022-23 to 195,000 visa places, as announced at the Jobs and Skills Summit in September 2022.

³ World Tourism Organization (2022), *UNWTO World Tourism Barometer and Statistical Annex, September 2022* [online document], UNWTO, accessed October 2022.

Progress to date

17. From 1 June to 30 September 2022, the Department finalised close to 2.29 million temporary and permanent visa applications, including nearly 1.45 million visitor, student and temporary skilled visa applications. Over 2.06 million of these applications were made by applicants outside Australia.
18. In key visa programs, the Department is now finalising more visas than before the pandemic. Between June and September 2022, the Department finalised 64 per cent more offshore Student visas than in the same period in 2019. For Temporary Skill Shortage visas, there has been a 35 per cent increase in finalisations. First Stage Partner visa finalisations are in line with 2019.
19. The number of temporary visa holders in Australia is recovering. As at 30 September 2022, it has rebounded to over 2.1 million, having fallen to 1.61 million in December 2021 from a pre-pandemic figure of 2.34 million in March 2020.
20. There are a further 3.23 million visa holders outside Australia who are able to travel to Australia, including nearly 262,000 temporary visa holders with some form of work rights.

Increased visa activity

21. The Department has received over 2.2 million new visa applications since 1 June 2022, compared with nearly 495,000 for the same period in 2021. In the offshore Student visa program, lodgements have returned to pre-COVID 19 levels, with nearly 169,000 lodgements between June and September 2022 compared to nearly 165,000 in the same period in 2019.

Expanding capacity

22. Departmental staff who were previously focused on processing travel exemptions while Australia's borders were closed have been redirected to visa processing.
23. Since the start of May 2022 until the end of September 2022, the Department has also added 260 more staff into roles supporting visa processing. Staff are also being surged from across the Department and the Australian Border Force (ABF) to work overtime to support visa processing. Almost 30,000 overtime hours have been recorded from May to September 2022 to support visa processing.
24. At the Jobs and Skills Summit in September 2022, the Government announced funding for an extra 500 staff who will be trained to support the reduction of on-hand visa applications, as well as deliver the increased visa numbers provided for under the 2022-23 Migration Program. As at 30 September 2022, around 100 of these positions had been filled. The remainder of the positions will be filled through rolling recruitment.

Outlook

25. While the Australian economy progressively recovers from the effects of the pandemic, skill and labour shortages persist. Strategies to address these shortages occur within an increasing global competition for attracting and retaining skilled migrants, as many countries similarly seek to rebuild their economies and offset the challenges posed by ageing domestic populations.
26. Importantly, social cohesion and support for immigration and multiculturalism have remained strong throughout the pandemic⁴. In 2021, the Scanlon-Monash Index of social cohesion continued to move in a positive direction, with an increased proportion of respondents (76 per cent) indicating that 'accepting migrants from many different countries makes Australia

⁴ Scanlon Foundation Research Institute (2021), *Mapping Social Cohesion: The Scanlon Foundation Surveys 2021* [online document], SFRI, accessed February 2022.

stronger' and fewer respondents than previously believing that Australia's immigration intake is too high (31 per cent).

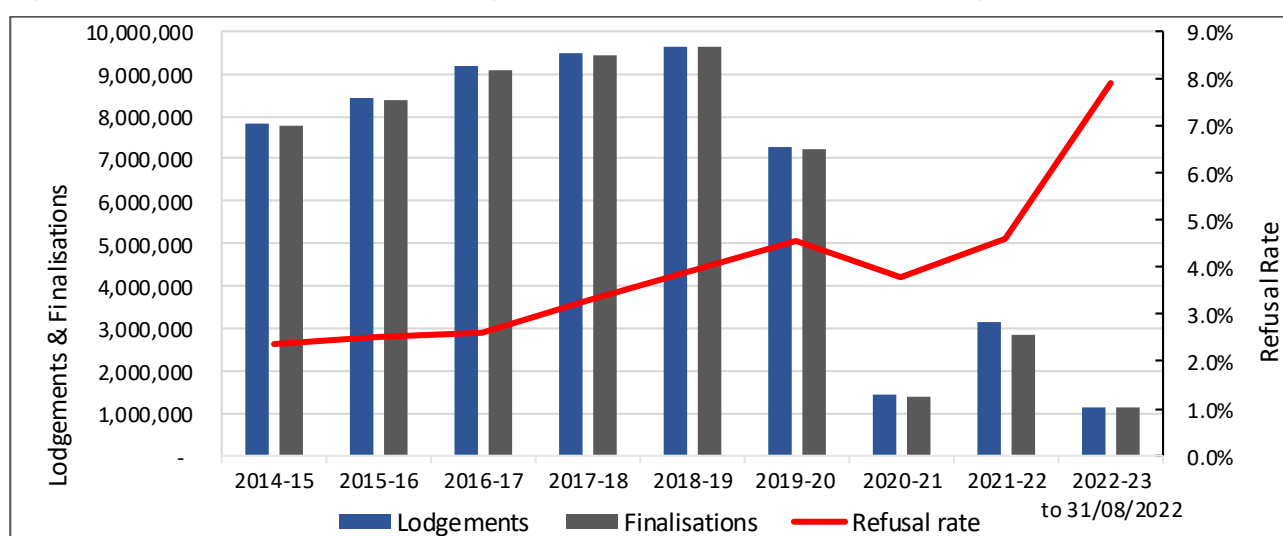
27. At the Jobs and Skills Summit in September 2022, the Government announced a comprehensive review of Australia's migration system, to ensure it meets the challenges of the coming decade. A *Migration System for Australia's Future* (the Strategy) will outline the objectives of our immigration system and guide future reform, with a focus on enhancing Australia's productivity.
28. Three eminent Australians will lead the development of the Strategy, which will be informed by a review of Australia's current migration system and take into account feedback from a diverse range of stakeholders including unions, industry, civil society and government agencies.

Administering the Immigration Program

Broad visa trends

29. Before the COVID-19 pandemic, the number of visa applications lodged by people seeking to enter or remain in Australia had shown consistent annual growth (Figure 1 below).
 - From 2014-15 to 2018-19, temporary and permanent visa applications grew by about 1.8 million, or 23 per cent.
 - In 2019-20, the effects of COVID-19 reduced visa applications by more than 2.3 million, or 24 per cent, compared to the previous year.
 - In 2020-21, visa applications declined by nearly 6 million, or 81 per cent, compared to 2019-20.
 - In 2021-22, visa applications grew by more than 1.7 million, or 121 per cent, compared to 2020-21.

Figure 1: Total non-humanitarian visa programs trends, 2014-15 to 2022-23 (to 31 August 2022)



Source: Department of Home Affairs, 2022

30. The increase in visa refusal rates since 2014-15 reflects:
 - policy settings designed to strike a balance between the efficiency and integrity of Australia's visa programs.

- use of more sophisticated risk analysis and systems to assist in the assessment of applications.

31. More recently, the increase in refusal rates in 2022-23 reflects:

- finalisation of visa applications lodged before or during the pandemic, where there has been a change in circumstances, including where the applicant no longer intended to travel to Australia
- changes in the socio-economic conditions in some of Australia's largest source countries, including due to the impacts of COVID-19
- more mature risk management capabilities, including specialised risk and integrity units, developed during the COVID-19 period.

Visa processing times

32. The Department continues to assess applications on a case-by-case basis in line with Government priorities and visa criteria set out in Australia's migration legislation.
33. Factors that affect processing times for applications include the volume of applications received, whether an individual application falls within a priority processing group, whether all required information was provided when a visa application was lodged, applicant responsiveness to requests for information, and the complexity involved in assessing genuineness, character, health, and security requirements.
34. Global visa processing times are available on the Department's website at: <https://immi.homeaffairs.gov.au/visas/getting-a-visa/visa-processing-times/global-processing-times>, and are updated as new data is available.
35. Compared to May 2022, visa processing times have improved in the offshore permanent Skilled and Visitor visa programs.
36. From May to September 2022, the median number of processing days fell from 53 to 33 for people coming to Australia on the Temporary Skill Shortage visa. The time taken to approve new businesses for sponsorship reduced from 37 days to 21 days.
37. It currently takes less than one day to process a Working Holiday visa for people outside of Australia.
38. Visas are now being finalised faster, and processing times are expected to improve in the coming months. The Department is managing a large number of older cases, as well as increasing numbers of new applications. Processing times are currently impacted by the older applications, but will improve as the Department works through these.
39. A new processing times guide was published on the Department's website on 26 August 2022. This assists visa applicants to understand how long individual visa products usually take to process.
40. Despite the growing volume and risks (see the 'Threat environment' section for more details), the Department is focused on improving efficiency in visa processing by:
- Encouraging the take-up of online lodgement, which reduces manual data entry. As at 31 August 2022:
 - 99.8 per cent of all temporary visa applications were lodged electronically, compared to 78 per cent in 2014-15
 - 94.3 per cent of all permanent visa applications were lodged electronically, compared to 74 per cent in 2014-15

- Continually improving systems and processes
- Using resources flexibly. For example, in response to the challenges presented by COVID-19 and to reduce the number of visa applications on-hand, the Department now uses all available resources, regardless of their location, to deliver on immigration priorities.

Immigration outreach and engagement

41. The Department is enhancing its outreach and engagement capability to support delivery of an increased permanent Migration Program and support businesses and State and Territory governments to meet their migration needs. This capability is focussed on improving client experience, reducing visa backlogs and supporting the Government's efforts to address workforce and critical skill shortages.
42. The capability has an onshore and offshore component. The Department's Business, Industry and Regional Outreach (BIRO) officers engage onshore with business, industry and government agencies at all levels, as well as with regional Australia stakeholders. In addition, BIROs engage with unions, professional and industry associations and guilds. Overseas, the Department's Global Skills Attraction (GSA) officers have the role of targeting and attracting the skills Australia needs in key countries, and promote Australia as a migration destination of choice. They engage business, industry, academia and potential applicants in priority sectors as set out by Government, as well as multipliers—stakeholders who have favourable connections and advocate Australia as a destination of choice within their networks.
43. The immigration client experience will be improved through clear, targeted information distributed through client service channels, including the Department's website. Enhanced engagement includes digital outreach, communications and marketing components to assist in enhancing the quality of visa applications and assist in reducing processing times. The 'Check twice, submit once' social media and website campaign was launched at end September 2022, raising awareness amongst visa applicants of common errors and missing documents in visa applications. Initially targeting visitors and students, the campaign will extend to targeting employers and skilled visa applicants.

Net Overseas Migration (NOM)

44. Net Overseas Migration (NOM) is the net gain or loss of population through immigration to Australia and emigration from Australia. NOM is based on international travellers staying in or out of the country for 12 months or more over a 16-month period. The term 'international travellers' includes all visa holders, New Zealanders and Australian citizens. NOM continually varies and can be difficult to forecast accurately, as it is affected by many complex domestic and international factors.
45. Since the year ending June 2006, NOM has been the key driver of Australia's population growth⁵. Between 2008 and 2018, NOM remained between 172,000 and 315,700 per annum.
46. Subsequent to the 2022-23 March Budget, the outlook for NOM has improved to (+) 150,000 for 2021-22 and to (+) 235,000 for 2022-23, a recovery two years earlier than previously forecast.
47. The recovery in migrant arrivals has occurred faster than previously expected. More students have returned to Australia from offshore online study, and the latest visa grants data shows an improved outlook for student arrivals over the next year. The number of migrant

⁵ Productivity Commission (2016), *Migrant Intake into Australia, Inquiry Report No. 77* [online document], Australian Government, accessed October 2022; The Treasury (2021), *2021 Intergenerational Report* [online document], Australian Government, accessed October 2022.

departures, particularly international students and working holiday makers has also decreased. Given fewer arrivals during the pandemic, this is flowing through to fewer departures now.

48. In the longer term, the 2021 Intergenerational Report predicts that NOM will account for around 74 per cent of Australia's population growth by 2060-61⁶ and play an important role in continuing economic growth.

Table 1: Net Overseas Migration (NOM) forecasts, for years ending 30 June processing times

	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26
NOM, Australia	193, 000	-85,000	150,000	235,000	235,000	235,000	235,000

Source: Budget 2022-23, Commonwealth of Australia, October 2022; ABS data

Temporary visas

49. Australia's temporary visa programs allow people to come to Australia for a broad range of specific purposes (including to visit, study, for international relations and to undertake work) that deliver substantial economic and cultural benefits. The student and visitor visa programs are key enablers of Australia's international education and tourism sectors.
50. A proportion of temporary visa holders apply for a further temporary visa while in Australia and some temporary visa holders also apply to stay permanently through the Migration Program (see the 'Relationship between permanent and temporary migration' section).
51. The reopening of the border has facilitated an increase in the number of temporary visa holders in Australia (see Table 2). As at 31 August 2022, there were over 2.05 million people in Australia on temporary visas, compared to over 1.65 million at 31 August 2021, an increase of 24.3 per cent.
 - Of those temporary visa holders in Australia, an estimated 1.75 million have work rights.
52. New Zealand citizen Special Category visa holders, many of them long term residents in Australia, are the largest cohort of temporary residents and there has been no significant recent change in the size of this cohort. The largest percentage increases have related to Visitor and Working Holiday Maker visas.
53. The increase in Bridging visa holders is principally a function of special COVID-19 arrangements, instituted to maintain the lawful status of temporary visa holders unable to depart Australia due to COVID-19 travel restrictions (including in circumstances where they would not normally be permitted to apply for additional visas while in Australia).

Table 2: Change in the number of temporary visa holders in Australia between 31 August 2021 and 31 August 2022

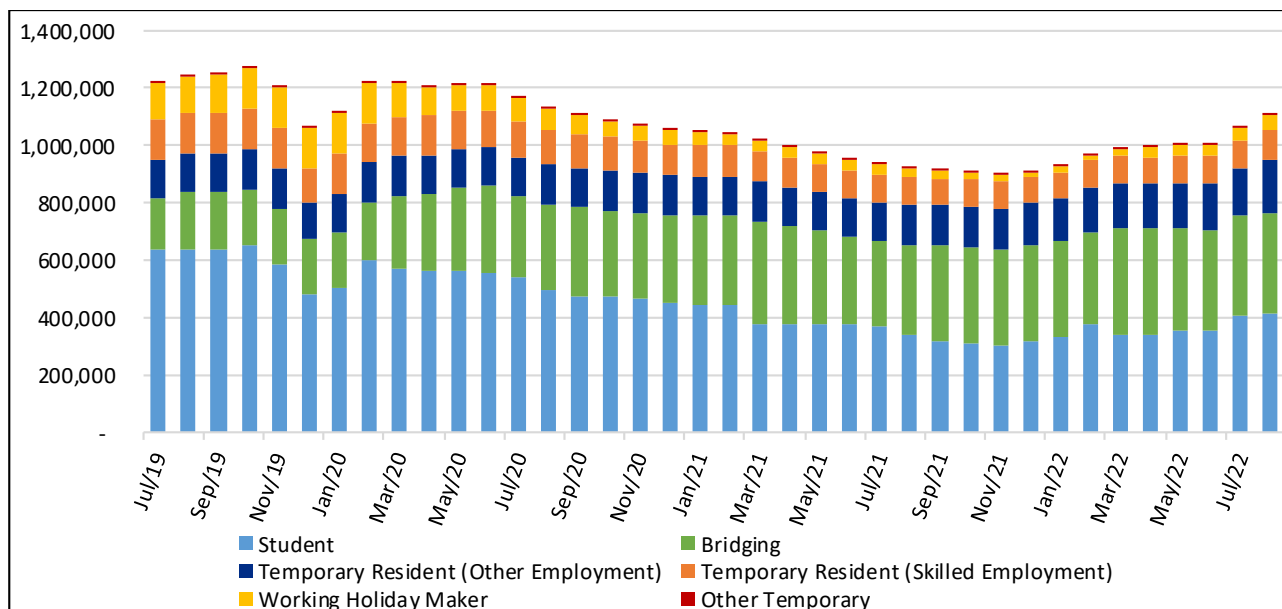
Visa Category	31/08/2021	31/08/2022	Difference	% Change
Bridging (excluding Bridging visa E)	315,494	351,385	35,891	11.4%
Crew and Transit	9,642	13,071	3,429	35.6%
Other Temporary	4,035	4,095	60	1.5%
Special Category	659,120	675,027	15,907	2.4%
Student	336,854	413,267	76,413	22.7%
Temporary Protection	18,535	22,986	4,451	24.0%
Temporary Resident (Other Employment)	141,633	186,296	44,663	31.5%

⁶ The Treasury (2021), *2021 Intergenerational Report* [online document], Australian Government, accessed October 2022.

Visa Category	31/08/2021	31/08/2022	Difference	% Change
Temporary Resident (Skilled Employment)	95,411	101,214	5,803	6.1%
Visitor	41,270	236,109	194,839	472.1%
Working Holiday Maker	33,008	54,025	21,017	63.7%
Total	1,655,002	2,057,475	402,473	24.3%

Source: Department of Home Affairs, 2022

Figure 2: Number of temporary visa holders in Australia⁷, March 2019 to 31 August 2022



Source: Department of Home Affairs, 2022

Pandemic event visa

54. On 2 March 2022, the former Government announced changes to the COVID-19 Pandemic event visa, including expanding the visa beyond key sectors to allow work in all sectors with visa period based on the sector in which the applicant is working or intending to work. A COVID-19 Pandemic event visa holder can remain in Australia for:

- 12 months, if they are working or have a job offer to work in the following key sectors: agriculture; food processing; health care; aged care; disability care; child care; tourism and hospitality
- 12 months, if they are working for or have a job offer from a Commonwealth funded aged care service
- 6 months, if they are working or have a job offer to work in any other sector in Australia.

55. As at 31 August 2022, 127,303 visa applications had been received and 59,742 visas granted, primarily to workers in critical sectors. Critical sector applications are given processing priority.

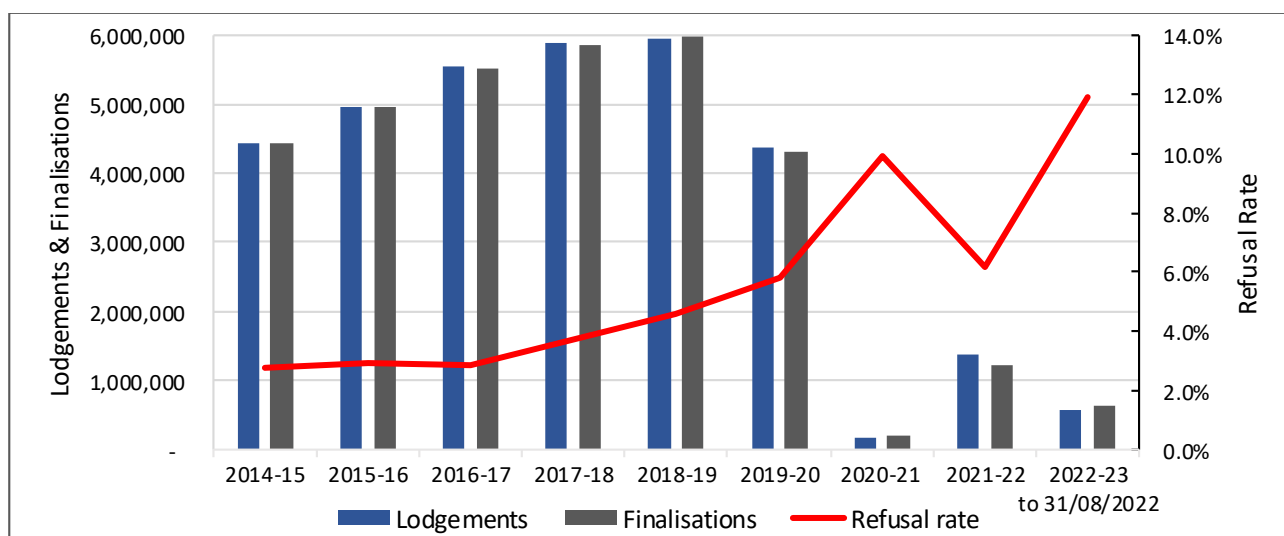
Visitors

56. The international tourism industry provides substantial economic benefits and generates jobs, investment and growth in communities throughout the country. The Department supports this industry through expedited online and electronic visitor visa options.

⁷ Excludes Visitor, Crew, Transit, Other Protection, Bridging Visa E and Special Category visa holders.

57. From February 2022, to coincide with the reopening of the border to all fully vaccinated travellers, the Department rolled out the new Electronic Travel Authority (ETA) App as the sole application method for some ETA nationals. In April 2022 this expanded to all ETA-eligible passports.
58. Prior to the outbreak of COVID-19, the industry had been projected to continue to grow and Visitor visa applications had sustained year-on-year growth. The global pandemic, subsequent reduction in demand for international travel, and strict border measures to protect the health of the Australian community, continued to impact demand for Visitor visas in the 2021-22 program year. With the re-opening of the borders from 21 February 2022, demand for Visitor visas has surged, but is yet to catch up to pre-COVID-19 levels.
59. As at 31 August 2022, the number of Visitor visa holders in Australia had increased by approximately 472 per cent compared to the previous year (see Table 2) but had decreased by 20 per cent when compared to the same period in 2019.
60. While Australia's COVID-19 travel restrictions were in effect, the Department prioritised Visitor visa applications from people in Australia, to allow them to remain lawful until they were able to depart, and applications from people overseas who were exempt from travel restrictions.
61. Since 21 February 2022, following changes to COVID-19 border restrictions, the Department has been prioritising the finalisation of Visitor visa applications lodged outside Australia to facilitate travel and allow people to contribute to the economy. Processing times published on the Department's website reflect the fact that many applications finalised in the second half of the 2021-22 program year had been on-hand for some months while COVID-19 border restrictions were in effect.
62. Concessions in response to COVID-19 have allowed Visitor visa holders outside Australia, whose previous Visitor visa expired between 20 March 2020 and 30 June 2022, to receive a waiver of the Visa Application Charge (VAC) for a future Visitor visa applied for by 31 December 2022.

Figure 3: Visitor visa program trends, 2014-15 to 2022-23 (to 31 August 2022)



Source: Department of Home Affairs, 2022

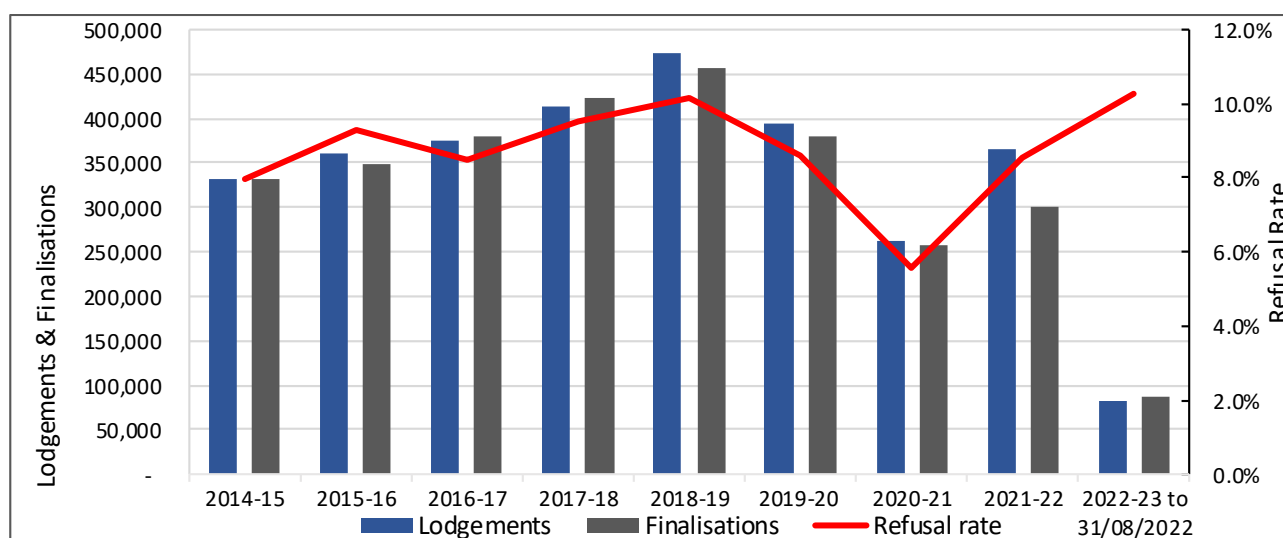
Students

63. The international education, training and research sectors make an important economic, social and cultural contribution to Australia. Student visas enable genuine international students to pursue their chosen course of study in Australia, provided the course undertaken

is subject to Australia's quality assurance framework for international education, as set out under the *Education Services for Overseas Students Act 2000*.

64. Demand for Student visas has typically depended on factors such as education sector quality and reputation, cost, marketing, and the value of the Australian dollar. The Department works with the Department of Employment and Workplace Relations, Austrade, education regulators and education peak bodies to support a consistent whole-of-government approach to the international education sector.
65. Prior to the COVID-19 pandemic, the Department had supported continued growth in the sector. The onset of the COVID-19 pandemic and consequent international travel restrictions led to a significant reduction in Student visa applications (see Figure 4).

Figure 4: Student visa program trends, 2014-15 to 2022-23 (to 31 August 2022)⁸



Source: Department of Home Affairs, 2022

66. Following the progressive reopening of Australia's international borders from 15 December 2021, there has been a strong growth in Student visa lodgements and a corresponding increase in the number of student visa holders in Australia (see Tables 3 and 4).
67. Student visa processing continued throughout the period that international travel restrictions remained in effect. The Department is currently prioritising the processing of Student visa applications where the primary applicant is outside Australia, in order to facilitate their travel to Australia and contribution to Australia's economic recovery.
68. The on-hand offshore student visa application caseload reduced by 6.6 per cent between 31 May 2022 and 31 August 2022, despite record numbers of lodgements for each of May, June, July and August 2022.

⁸ Includes all primary and secondary Student visa applications.

Table 3: Change in the number of Student visa applications lodged by sector between 2020-21 and 2021-22, and year to date 2022-23 (to 31 August 2022)

Sector	2020-21	2021-22	Difference	% Change	2022-23 to 31/08/2022
Foreign Affairs or Defence	1,639	3,552	1,913	116.7%	783
Higher Education	143,199	194,176	50,977	35.6%	43,193
Independent ELICOS	6,284	32,444	26,160	416.3%	10,523
Non-Award	389	8,368	7,979	2051.2%	1,069
Postgraduate Research	9,611	12,444	2,833	29.5%	2,460
Schools	2,542	5,466	2,924	115.0%	1,127
Vocational Education and Training	98,969	108,554	9,585	9.7%	23,268
Total	262,633	365,004	102,371	39.0%	82,423

Source: Department of Home Affairs, 2022

Table 4: Number of Student visa holders in Australia, quarterly to 31 August 2022

Sector	30-Jun-21	30-Sep-21	31-Dec-21	31-Mar-22	30-Jun-22	31-Aug-22
Foreign Affairs or Defence	2,084	1,425	1,062	1,252	2,123	2,475
Higher Education	197,956	153,751	162,658	181,640	196,048	234,780
Independent ELICOS	3,084	2,262	1,931	5,092	12,065	18,774
Non-Award	173	152	128	977	993	7652
Postgraduate Research	20,628	19,719	19,327	22,534	22,460	23,232
Schools	10,664	10,532	9,400	7,586	8,006	10,755
Vocational Education and Training	139,456	130,063	121,432	117,752	116,213	115,588
Total	374,045	317,904	315,938	336,833	357,908	413,256

Source: Department of Home Affairs, 2022

69. The Department implemented a number of concessions to ensure international students and graduates were not disadvantaged by the COVID-19 pandemic and that Australia remains an attractive destination for international students. For student visa holders these include:

- Student visa holders who studied online, outside Australia, while borders were closed can count that study towards the Australian Study Requirement for a Temporary Graduate visa.
- VAC waivers are available for students who need to reapply for their student visas as a result of COVID-19 travel restrictions.
- Flexibility for English language testing and biometrics checks, if students were unable to undertake tests in their home country.
- Temporary relaxation until 30 June 2023, of the cap to the maximum hours of work permitted for student visa holders, with student visa holders now permitted to work unlimited hours and to begin working prior to course commencement. These measures aim to alleviate immediate workforce shortages.
- Refund of the VAC charged to student visa holders who arrived in Australia between 19 January 2022 and 19 March 2022, with refund applications open until 31 December 2022.

70. The Department also took a flexible approach in cases where the COVID-19 pandemic prevented students from meeting visa conditions, such as where they were not able to attend classes in person.

71. The Temporary Graduate visa (TGV) allows international students to live, study and work in Australia after they have finished their studies. It remains a well-utilised pathway for Student visa holders, with 56,538 Student visa holders granted a TGV in 2021-22.
72. Since November 2021, a number of additional measures were implemented to support international graduates, including:
- Allowing TGV holders who lost time in Australia due to COVID-19 international travel restrictions to apply for a replacement TGV from 1 July 2022
 - Extending the visas of TGV holders who are eligible for a replacement visa because they lost time in Australia as a result of COVID-19 international travel restrictions
 - Permanently increasing the length of stay period for Masters by coursework applicants from two to three years, to match the length of stay period for Masters by research graduates
 - Temporarily increasing the length of stay period for Graduate Work stream TGV holders from 18 to 24 months
 - Removing the need for Graduate Work Stream applicants to nominate an occupation from the skilled occupation list and obtain a skills assessment for visa applications lodged between 1 July 2022 and 30 June 2023.
73. As announced at the Jobs and Skills Summit on 2 September 2022, the Australian Government will increase the TGV length of stay for graduates with select Bachelor and higher level degrees by two years. The select degrees will target areas of skills shortage, and will be determined by a working group to include representatives from Universities Australia (UA), the International Education Association of Australia (IEAA), the National Tertiary Education Union (NTEU), the Department of Home Affairs and the Department of Education. The working group will report to the Minister for Home Affairs and Minister for Education by 28 October 2022.

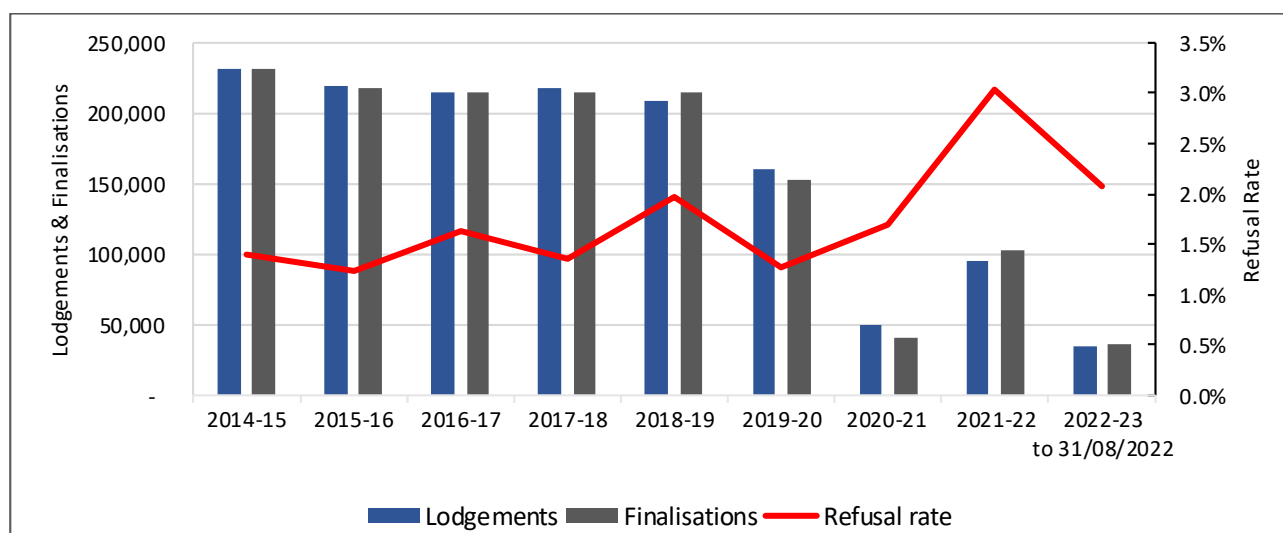
Working Holiday Makers

74. The Working Holiday Maker (WHM) program promotes cultural exchange and boosts people-to-people links between young adults from Australia and 47 other countries by providing opportunities to travel and undertake short-term work during their holiday. Working holiday makers have also provided a valuable source of workers in some key sectors.
75. While WHM visa holders do not have to work at all while in Australia and are not limited in the work they can undertake, program settings encourage work in regional areas, particularly in the agricultural sector, to help with seasonal work. WHM visa holders can apply for a second WHM visa if they have completed three months of 'specified work' in a specified area. Second WHM visa holders who complete six months of 'specified work' can apply for a third WHM visa.
76. In response to COVID-19, the former Government introduced the COVID-19 Pandemic Event (subclass 408) visa on 4 April 2020, allowing WHM visa holders working in sectors critical to the supply of goods and services to extend their stay in Australia. From 19 August 2020, the definition of 'specified work' for WHMs was expanded to include critical COVID-19 work in the healthcare and medical sectors anywhere in Australia. From 19 January 2022, until 31 December 2022, all WHMs are also exempt from the six month work limitation with one employer in all sectors.
77. The VAC may be waived for current and former WHM visa holders who were unable to travel to Australia due to travel restrictions, who departed early due to the pandemic, or who remained in Australia during the pandemic and who apply for a new visa by 31 December

2022. Additionally, a refund of the VAC is available for WHM visa holders who travelled to Australia between 19 January 2022 and 19 April 2022.

78. The COVID-19 pandemic has led to a decrease in demand for the WHM visa program (see Figure 5) and the number of WHM visa holders in Australia. In addition to the impacts of COVID-19, demand for WHM visas is generally influenced by local and international labour markets, economic conditions and changes in currency exchange rates.

Figure 5: Working Holiday Maker visa trends, 2014-15 to 2022-23 (to 31 August 2022)



Source: Department of Home Affairs, 2022

79. The Department provides information to WHM applicants and visa holders directly, and on its website, in relation to working conditions and protections. WHM visa holders are subject to the same employment laws and complaints/enforcement mechanisms as Australian workers. While there are no employer sponsorship requirements for WHM visa holders, employers are subject to the 'Employer' scheme (see the 'Migrant worker exploitation' section).
80. Returning to pre-COVID-19 processing times is a priority. Visas are being finalised faster, but increased lodgements in August 2022 (eight per cent higher than in July 2022) continue to replenish on-hand caseloads. Applications lodged recently are being finalised quickly, with 75 per cent of applications lodged finalised in 8 days for the Working Holiday (subclass 417) visa (and as mentioned, it currently takes less than one day to process an offshore application), and 65 days for the Work and Holiday (subclass 462) visa.

Temporary Skilled Work

81. The Temporary Skill Shortage (TSS) visa was introduced in March 2018 to replace the Temporary Work (Skilled) (subclass 457) visa. The program is designed to meet genuine skills shortages while not undercutting local employment, wages and conditions.
82. The TSS visa is underpinned by an integrity framework which includes ongoing sponsorship obligations for employers, to ensure overseas workers are protected from exploitation.
83. The TSS visa enables employers to meet their workforce needs by bringing skilled workers from overseas where they cannot recruit an appropriately skilled Australian worker.
 - TSS visa holders can work in Australia in their nominated occupation for their approved sponsor under either the short term, medium term or Labour Agreement stream of the program.
84. Relevant occupations are identified on the Short-term Skilled Occupation List, the Medium and Long-term Strategic Skills List or the Regional Occupation List. The National Skills

Commission is currently the Commonwealth agency responsible for reviewing the lists of occupations eligible for skilled migration to ensure that they remain responsive to Australia's skill needs.

85. While TSS visa holders help fill critical workforce shortages, ABS Labour Force Survey data indicates that on average, across all industries and occupations, the number of primary TSS (and former subclass 457) visa holders in Australia represents less than one per cent of employed persons⁹. The 15 most frequently nominated occupations are listed in Table 5.

Table 5: Most frequently nominated occupations for Temporary Skill Shortage visa, 2021-22 and 2022-23 (to 31 August 2022)

	Nom inated Occupation	2021-22 to 31 August 2021	2022-23 to 31 August 2022	% change from 2021-22	2022-23 as % of total
1	261313 Softw are Engineer	322	795	147%	8.6%
2	253112 Resident Medical Officer	494	484	-2%	5.2%
3	261111 ICT Business Analyst	62	465	650%	5.0%
4	351311 Chef	490	455	-7%	4.9%
5	261312 Developer Programmer	149	302	103%	3.3%
6	224711 Management Consultant	34	204	500%	2.2%
7	221213 External Auditor	43	197	358%	2.1%
8	221111 Accountant (General)	221	193	-13%	2.1%
9	263212 ICT Support Engineer	8	187	2,238%	2.0%
10	263213 ICT Systems Test Engineer	9	185	1,956%	2.0%
11	321211 Motor Mechanic (General)	20	179	795%	1.9%
12	261112 Systems Analyst	9	149	1,556%	1.6%
13	261311 Analyst Programmer	215	135	-37%	1.5%
14	351411 Cook	34	113	232%	1.2%
15	225113 Marketing Specialist	33	112	239%	1.2%
16	Other occupation	2,155	5,119	138%	55.2%
Total		4,298	9,274	116%	100.0%

Source: **Department of Home Affairs, 2022**

86. All businesses nominating overseas workers for temporary or permanent sponsored visas are required to pay a Skilling Australia Fund (SAF) levy. The SAF prioritises apprenticeships and traineeships in occupations that are in high demand, rely on skilled migration, or have future growth potential, including in rural and regional Australia. The Department of Employment and Workplace Relations manages a national partnership that provides SAF funding to the states and territories.
87. Demand for the TSS visa fell as a result of the COVID-19 pandemic but is now recovering to pre-pandemic levels (see Table 6 below). TSS applications from those outside Australia are now being prioritised to enable more workers to enter Australia to contribute to the labour market and ease labour shortages.

⁹ Australian Bureau of Statistics (2021), *6202.0 – Labour Force, Australia, February 2020* [online document], Australian Government, accessed March 2021.

Table 6: Number of Temporary Resident (skilled) primary visa applications lodged, with changes between 2020-21 and 2021-22

Visa category	2019-20	2020-21	2021-22	Difference	% Change	2022-23 (to 31/08/2022)
Temporary Resident (Skilled Employment)	36,334	27,190	35,850	8,660	32%	7,596

Source: Department of Home Affairs, 2022

Pacific Australia Labour Mobility (PALM) scheme

88. The PALM scheme allows eligible Australian businesses to hire workers from nine Pacific countries and Timor-Leste to meet workforce shortages in low and semi-skilled occupations. As at 31 August 2022, there were more than 27,500 Pacific workers in Australia supporting critical industries.
89. On 4 April 2022, the two existing PALM initiatives, the Seasonal Worker Program (SWP) and the Pacific Labour Scheme (PLS) were consolidated into a single reformed PALM scheme, within the Subclass 403 Temporary Work (International Relations) visa. The program is administered by the Department of Foreign Affairs and Trade (DFAT).
90. The PALM scheme is open to eligible employers in all sectors. In addition to agriculture, there are growing opportunities for Pacific workers to work in other areas such as the hospitality, tourism and care sectors.
91. The Government is committed to improving and expanding the PALM scheme, including by:
 - Minimising the burden of upfront travel costs for employers of seasonal workers and reducing red tape for all PALM employers
 - Relocating the former Australian Agriculture Worker visa program to within the PALM scheme
 - Improving standards for PALM workers and implementing the recommendations of the Migration Workers' Taskforce.
92. The PALM scheme remains the primary program for meeting agricultural workforce shortages in Australia.

Special measures for Hong Kong and British National Overseas (BNO) passport holders

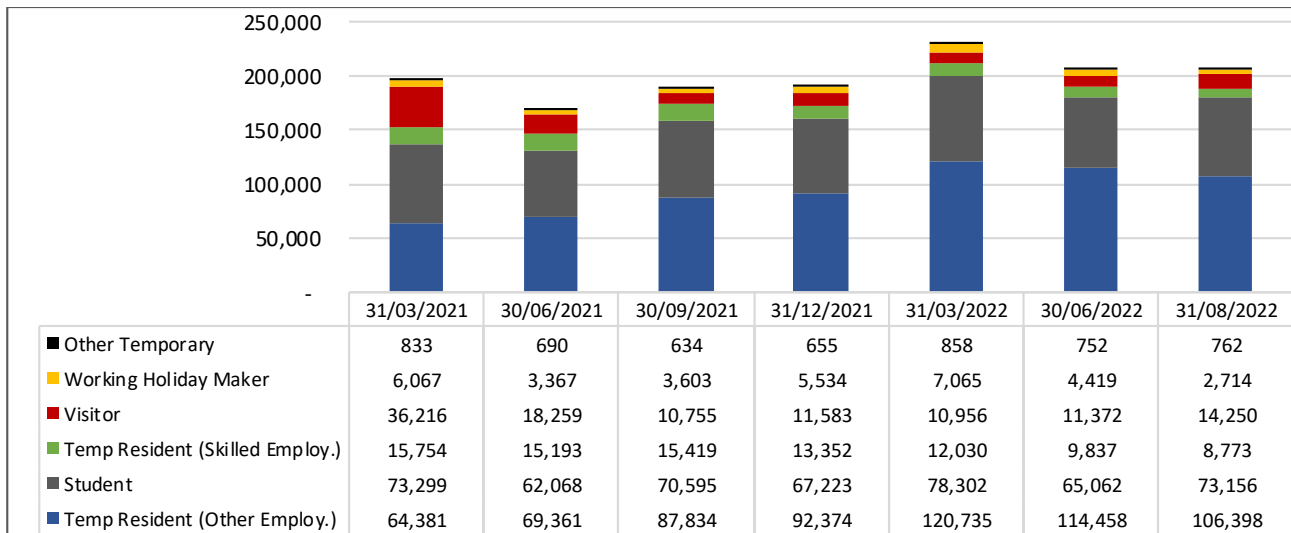
93. Regulations to automatically extend temporary graduate or temporary skilled visas held by Hong Kong passport holders for five years commenced on 21 August 2020. The regulations also provide that future grants of these visas to Hong Kong passport holders have a validity of five years.
94. On 30 October 2021 these arrangements were extended to British National Overseas (BNO) passport holders.
95. On 5 March 2022 a permanent residency pathway opened for Hong Kong and BNO passport holders who have held a temporary skilled or temporary graduate visa for four years, or three years for those who choose to live, work and study in a regional area.

Bridging visas

96. Bridging visas enable the Department to maintain a non-citizen's lawful status while they stay in Australia for a range of legitimate purposes, including:

- Applying for a visa in Australia, or while they seek to temporarily travel overseas during the visa application process
- Appealing a decision to refuse their visa application through merits or judicial review
- Recovering from a human trafficking or slavery-related offence and (if they choose to) assisting an Australian Federal Police (AFP) investigation
- Making arrangements to leave Australia.

Figure 6: Bridging visa A, B and C holders in Australia by selected temporary visa category applied for, 31 March 2020 to 31 August 2022¹⁰

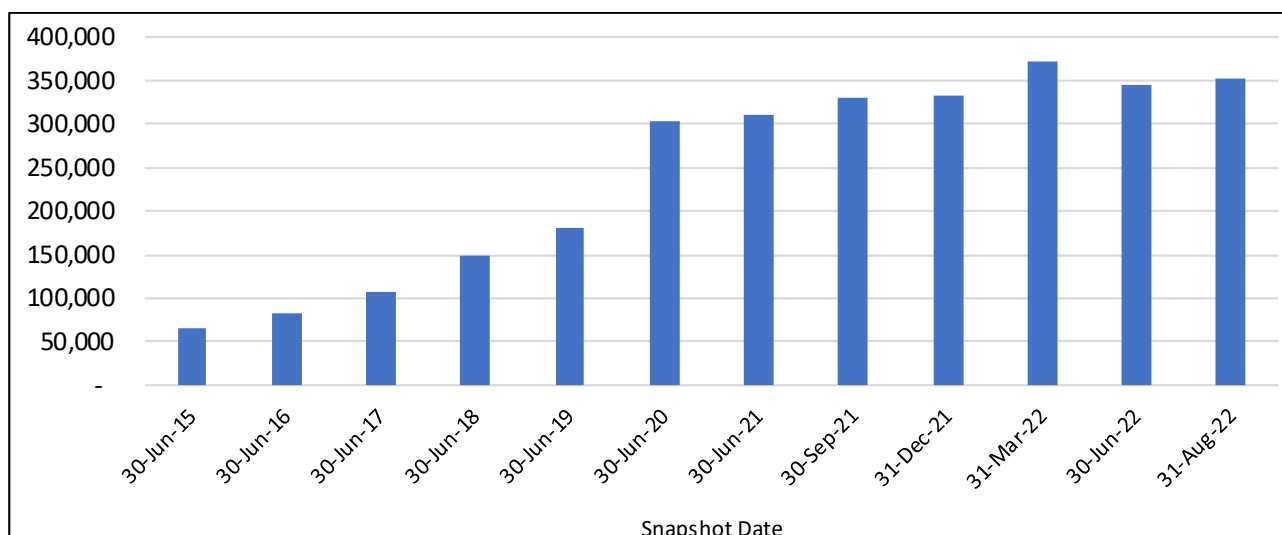


Source: Department of Home Affairs, 2022

97. Bridging visas will generally cease on departure from Australia unless the person holds a Bridging Visa B (BVB). A BVB permits the holder to depart and return to Australia within a prescribed period.
98. Where a person is not eligible to be granted a bridging visa through normal visa application processes, they may seek Ministerial Intervention.
99. The number of bridging visa holders (excluding Bridging E visas (subclasses 050 and 051)) increased by almost 77 per cent between 31 August 2019 and 31 August 2022 as people unable to depart during COVID-19 applied for new substantive visas to remain in Australia. As the visa applications lodged from within Australia are finalised, the number of bridging visa applicants will decrease. On 31 August 2022, there were 351,385 bridging visa holders (excluding Bridging E visa holders) in Australia. Information on Bridging E visas is within the 'Status resolution' section.

¹⁰ Excludes Bridging Visa E (subclass 050 and 051) holders.

Figure 7: Number of bridging visa holders in Australia, 30 June 2015 to 31 August 2022¹¹



Source: **Department of Home Affairs, 2022**

100. In general, as the total number of temporary visa holders increases, more substantive visa applications are received from individuals seeking to stay longer in Australia who are granted a bridging visa while they await a decision. Of the bridging visa holders in Australia on 31 August 2022 (excluding Bridging Visa E holders), 23 per cent had applied for permanent migration, 18 per cent had applied for a Protection visa, 59 per cent had applied for a temporary visa, and less than one per cent had been granted a bridging visa for other reasons.

Applications for merits review

101. Non-citizens who apply for merits review of a decision by the Department to refuse or cancel a visa may be granted a bridging visa to remain in Australia during that process. Most applications for merits review are dealt with in the Migration and Refugee Division (MRD) of the Administrative Appeals Tribunal (AAT).

102. The AAT's caseload has grown significantly in recent years, particularly applications for review of migration and refugee visa-related decisions. At 31 August 2020, 62,302 cases were awaiting review by the MRD. Following a decline in applications for review and an increased rate of AAT finalisations compared to pre-pandemic levels in 2020-21, this has decreased to 55,982 active cases on hand at 31 August 2022.

Domestic and Family Violence (DFV) visa and coordination support

103. The Department of Home Affairs established a dedicated DFV support team on 1 July 2021 to support temporary visa holders experiencing DFV. This team complements the Department of Social Services' *Temporary visa holders experiencing violence* pilot program which assists temporary visa holders experiencing DFV through the provision of financial, legal and migration advice support.

104. The role of the DFV support team is to:

- provide a centralised point of contact for DFV support services
- coordinate and triage visa applications for victims of DFV, with a view to assisting them to regularise their visa status under the Migration law framework
- gather and analyse data and feedback to inform future policy responses to further assist temporary visa holder victims of DFV.

¹¹ Excludes Bridging Visa E (subclass 050 and 051) holders, includes applicants for permanent and temporary visas.

Relationship between permanent and temporary migration

105. Temporary migrants are a major source of permanent Skill stream visa applications, with a number of visas providing a pathway from temporary to permanent residence for those who have demonstrated their ability to contribute to the Australian economy.

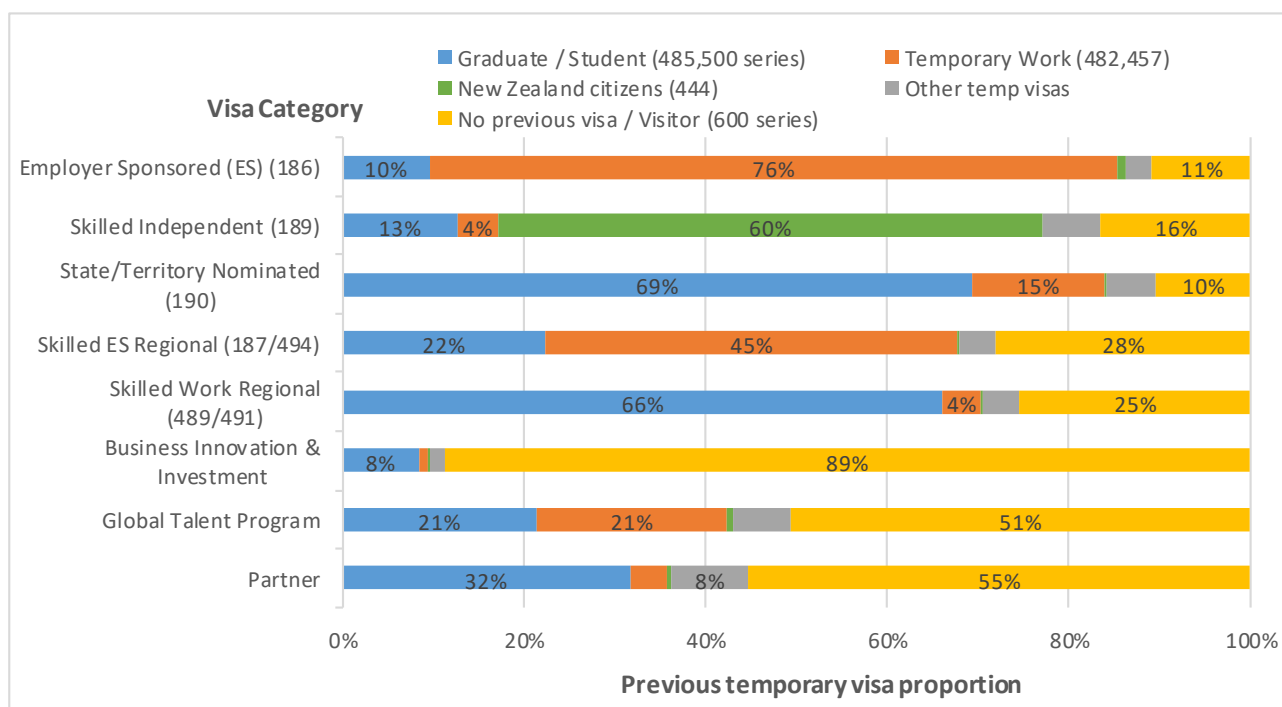
Table 7: Number of permanent primary visa applications lodged by client location, 2021-22

Visa category	In Australia		Outside Australia		Total
Child	893	0.30%	2,747	0.91%	3,640
Family	54,522	18.05%	35,570	11.78%	90,092
Other Permanent	19	0.01%	104	0.03%	123
Resident Return/ADV	107,333	35.53%	37,522	12.42%	144,855
Skilled	53,237	17.62%	10,009	3.31%	63,246
Special Eligibility	103	0.03%	4	0.00%	107
Total	216,107	71.54%	85,956	28.46%	302,063

Source: Department of Home Affairs, 2022

106. Within the Skill Stream, the Employer Sponsored and Skilled Employer Sponsored Regional categories were most reliant on applications by Temporary Work visa holders while Graduate and Student visa holders comprised a significant proportion of grants for the State/Territory Nominated and Skilled Independent categories (see Figure 8 below).

Figure 8: Proportion of permanent visas granted where a temporary visa was previously held, 2021-22

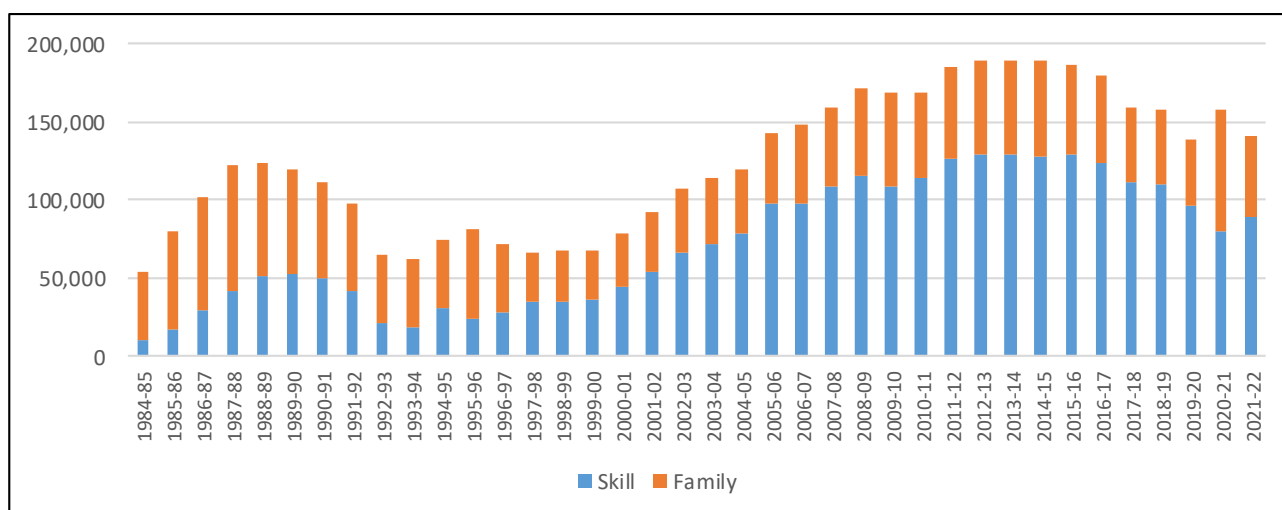


Source: Department of Home Affairs, 2022

Migration Program

107. The permanent Migration Program has been designed to meet Australia's economic, demographic and labour market needs, typically with a strong focus on skilled migration and to support social cohesion, particularly through family reunion. The Migration Program is comprised of three key streams: the Skill program, the Family program and the (much smaller) Special Eligibility program.
108. The Government decides the number of places available in these programs, setting planning levels as part of the annual Budget process.
109. A carefully managed Migration Program will help Australia's economy recover from the impacts of COVID-19. The planning level for the 2022-23 Migration Program has been set at 195,000 places. The exceptions are Partner and Child visas which are demand driven and planning levels are estimates only.
110. A larger Migration Program will give more migrants the certainty of permanency. It will also promote retention of temporary migrants onshore who are already contributing to the workforce and may also help to encourage other temporary migrants to return to Australia by offering more pathways to permanency.

Figure 9: Migration Program outcomes by stream, 1984-85 to 2021-22



Source: Department of Home Affairs, 2022

Table 8: Migration Program planning levels and program outcomes, 2019-20 to 2021-22

Category	2019-20 Planning Levels	2019-20 Program Outcomes	2020-21 Planning Levels	2020-21 Program Outcomes	2021-22 Planning Levels	2021-22 Delivery
Employer Sponsored	30,000	29,261	22,000	23,503	24,000	26,103
Skilled Independent	18,652	12,986	6,500	7,213	6,500	5,864
Skilled Regional	23,000	23,372	11,200	13,585	17,700	18,223
State/Territory Nominated	24,968	21,495	11,200	14,268	17,700	19,376
Business Innovation and Investment Program	6,862	4,420	13,500	11,198	13,500	10,496
Global Talent ¹²	5,000	4,109	15,000	9,584	10,000	8,776
Distinguished Talent	200	200	200	269	200	225
Skill total	108,682	95,843	79,600	79,620	89,600	89,063
Partner	39,799	37,118	72,300	72,376	62,300	46,288
Parent	7,371	4,399	4,500	4,500	4,500	4,500
Other Family	562	444	500	496	500	500
Family total	47,732	41,961	77,300	77,372	67,300	51,288
Special Eligibility	236	81	100	54	100	199
Total Migration Program	156,650	137,885	157,000	157,046	157,000	140,550
Child ¹³	3,350	2,481	3,000	3,006	3,000	3,006
Total	160,000	140,366	160,000	160,052	160,000	143,556

Source: Department of Home Affairs, 2022

111. Within the Migration Program, the number of places delivered to migrants of different citizenships can change over time due to a variety of factors, including lodgement rates and changes in planning levels for different migration streams. The 10 most common citizenships in the 2021-22 Migration Program compared with previous years are set out in Table 9 below.

¹² Commenced in the 2019-20 program year.¹³ Outside the Migration Program ceiling.

Table 9: Migration Program - Top 10¹⁴ countries of citizenship, 2015-16 to 2021-22

Outcome ¹⁵	Program Year					
Citizenship Country ¹⁶	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22
India	38,854	33,310	33,611	25,698	21,791	24,324
China, Peoples Republic of (excl SARs)	28,293	25,145	24,282	18,587	22,207	18,240
United Kingdom	17,038	13,654	13,689	10,681	12,703	9,584
Philippines	12,209	10,610	9,159	8,965	11,058	8,591
Nepal	4,290	3,067	4,096	5,048	4,714	6,628
Vietnam	5,493	5,124	5,532	5,398	8,120	6,492
New Zealand	0	5,295	6,209	4,997	3,978	4,421
Hong Kong (SAR of the PRC)	1,795	1,928	1,647	1,391	4,312	4,237
Pakistan	6,556	6,235	4,739	4,136	4,121	3,734
South Africa	4,589	4,235	3,861	3,743	3,523	3,305
Other	64,491	53,814	53,498	51,722	63,525	54,000
Total	183,608	162,417	160,323	140,366	160,052	143,556

Source: Department of Home Affairs, 2022

Skilled Migration Program

112. The Skill stream of the Migration Program is designed to meet Australia's economic, demographic and labour market needs. It provides for the entry of migrants with higher than average labour force participation and productivity and specialist skills in demand in the labour market. Skilled migrants generate benefits for the economy by bringing to Australia new knowledge and skills, helping businesses take up new technology, and providing further connections to global markets. Skilled visas specifically for regional Australia help to meet workforce shortages in designated regions.

- Modelling by the Productivity Commission¹⁷ has found that increasing the share of migrants with higher skilled occupations increases Australia's real GDP per person.
- The December 2020 Population Statement from Treasury's Centre for Population notes that the emphasis on skilled migration leads to the selection of migrants who are younger than the Australian average, and of an age more likely to have children. This approach to migration can help offset the consequences of an aging population¹⁸.
- Skilled migrants contribute more to Government revenue through taxation than they receive through government services and benefits.¹⁹

113. Skilled migration visa settings are designed to safeguard the jobs of Australian workers by only granting visas to migrants in highly skilled occupations where the skilling of Australians is not yet able to keep pace with industry demands. Policy settings aim to ensure skilled migration complements, not replaces, domestic employment and training initiatives to meet skill needs.

¹⁴ Top 10 grouping based on 2020-22 outcome.

¹⁵ Includes primary and secondary applicants.

¹⁶ New Zealand grants were not counted toward the Migration Program outcome prior to 2017-18.

¹⁷ Productivity Commission (2016), *Migrant Intake into Australia. Inquiry Report No. 77 – Technical Supplement B – The economy wide impacts of migration – general equilibrium modelling* [online document], Australian Government, accessed March 2021.

¹⁸ The Treasury (2021), *2021 Intergenerational Report* [online document], Australian Government, accessed October 2021.

¹⁹ The Treasury (2021), *The lifetime fiscal impact of the Australian permanent migration program* [online document], Australian Government

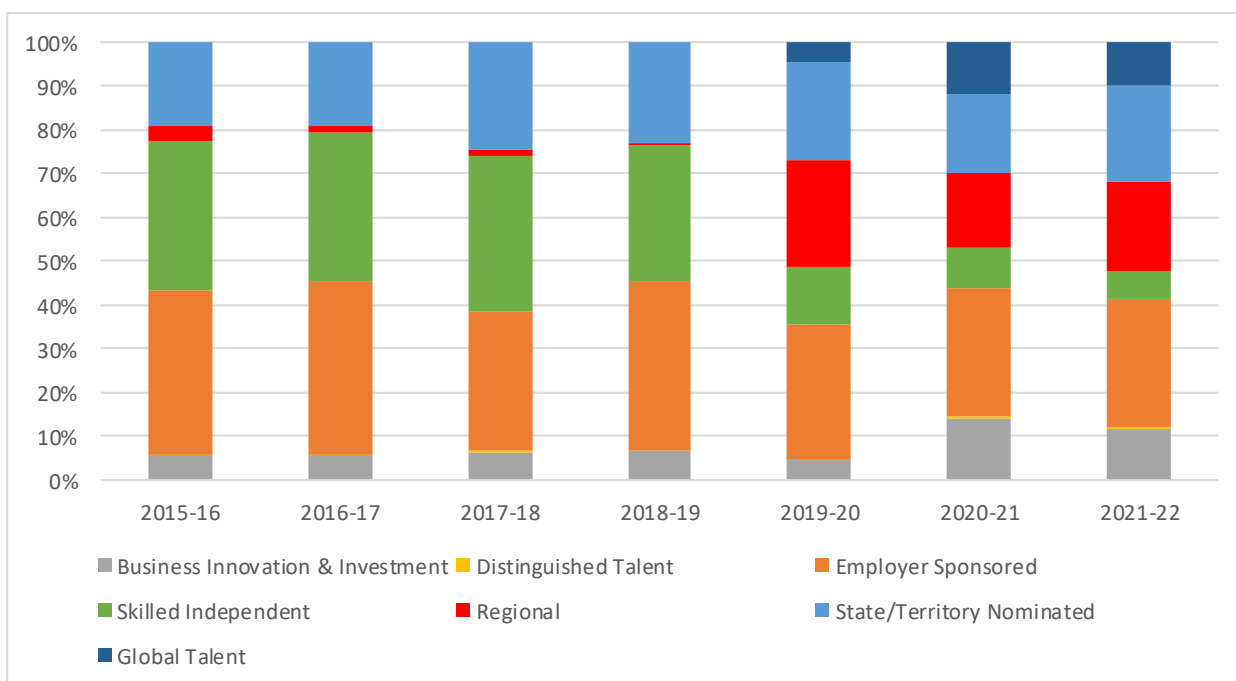
114. While employer-sponsored visas are designed to ensure skilled migrants fill specific vacancies where no suitable Australian workers are available, non-employer-sponsored skilled visas select migrants based on their human capital attributes and ability to contribute to the Australian economy and labour market in the longer term.

115. The Skill stream includes the following visa categories:

- General skilled migration, for skilled workers who do not have an employer sponsoring them, but possess desirable skills, attributes and social capital, who are able to pass the points test. This category includes the skilled independent and state and territory nominated visas
- Employer sponsored migration, for applicants who are sponsored by an employer. This category includes regional employer sponsored visas and visas granted under a Labour Agreement
- Business and investment migration, which encourages successful entrepreneurs and business people to settle in Australia, develop new business opportunities and support the innovation ecosystem
- Global and Distinguished Talent, for exceptional individuals who are internationally recognised as outstanding in their field.

116. Skilled migration program outcomes by category are outlined in Figure 10.

Figure 10: Composition of the Skilled Migration Program, 2015-16 to 2021-22



Source: Department of Home Affairs, 2022

117. The 2022-23 Migration Program Skill stream has been set at 142,400 places, up from 79,600 in 2021-22. The Skill stream comprises 73 per cent of the overall Migration Program, increasing from the 50/50 composition between Skill and Family streams delivered over the course of the COVID-19 pandemic.

118. Priority will be given to offshore applicants, to help ease widespread, critical skills and workforce shortages and support Australia's economic recovery. The Skilled Independent visa category has been prioritised through an increased planning level to help facilitate the focus on offshore applicants.

119. In addition, the 2022-23 program will focus on State and Territory Nominated, Regional and Employer Sponsored visa categories, to:

- Enable jurisdictions to nominate visa applicants who can best meet their local and regional needs and better supports jurisdictions to retain temporary migrants who have worked or studied in their jurisdiction to contribute to local growth
- Ensure Australian businesses have more access to migrants with critical skills, qualifications, experience and attributes for current vacant positions, which cannot be filled by Australian workers
- Alleviate workforce shortage pressures in regional Australia by helping regional employers be more competitive in attracting and retaining skilled workers.

120. The planning levels for the Business Innovation and Investment Program (BIIP) and Global Talent Program have been reduced.

- Business and investor migrants are job multipliers, and support the Australian innovation ecosystem. While these contributions are valuable, they are not the top priorities for the 2022-23 permanent Migration Program amid the skill and labour shortages Australia is experiencing.
- In addition, many business and investor migrants come to Australia at a later stage of their life compared to other cohorts of skilled migrants. Over all, other skilled migrants make a greater fiscal contribution to Australia's economy.
- The lower planning level for the Global Talent Program takes into consideration that the program did not achieve its planning level in the 2019-20 and 2020-21 program years.
- A lower planning level for these programs will ensure the 2022-23 permanent Migration Program is focussed on addressing immediate workforce shortages and maximising the fiscal benefits of the Skill stream of the Migration Program.

Employer Sponsorship

121. The Employer Sponsored program drives high workforce participation and provides businesses with access to critical skills where no skilled Australian worker is available.

122. In September 2020, a Priority Migration Skilled Occupation List (PMSOL) was introduced as a temporary measure to prioritise occupations that were considered to be critical for economic recovery from the impacts of COVID-19, based on labour market advice from the National Skills Commission.

123. On 1 July 2022, changes were implemented to allow expanded eligibility for permanent residence for certain temporary skilled visa holders who have worked in Australia through the COVID-19 pandemic who have an occupation on the Short-term Skilled Occupation List (STSOL), or who no longer meet the age requirements for the permanent Employer Nomination Scheme. These changes help address skill shortages and assist with economic recovery.

Regional Migration

124. Migration to regional Australia assists in meeting local workforce and demographic needs. Temporary, provisional and permanent regional skilled visa options are available. In 2022-23, 34,000 places have been allocated for Regional visas.

Table 10: Number of applications lodged for Regional visas, 2021-22 and 2022-23 (to 31 August 2022)

Visa	2021-22	2022-23 (to 31/08/2022)
Skilled Work Regional (Provisional) visa (subclass 491)	26,314	2,989
Skilled Employer Sponsored Regional (Provisional) visa (subclass 494)	3165	570
Total	29,479	3,559

Source: Department of Home Affairs, 2022

125. From 18 February 2022, the former Government extended the duration of Skilled Regional (Provisional) visas (subclasses 489, 491 and 494) for three years. These extensions applied to eligible visa holders affected by COVID-19 international travel restrictions and border closures, and provided additional time for this cohort to live and work in regional Australia and be eligible for permanent residence.

Table 11: Number of applications finalised for Regional visas, 2021-22 and 2022-23 (to 31 August 2022)

Visa	Outcome	2021-22	2022-23 (to 31/08/2022)
Skilled Work Regional (Provisional) visa (subclass 491)	Granted	13,898	2,151
	Refused and Withdraw n	912	349
	<i>Sub total</i>	<i>14,810</i>	<i>2,500</i>
Skilled Employer Sponsored Regional (Provisional) visa (subclass 494)	Granted	1,348	160
	Refused and Withdraw n	177	43
	<i>Sub total</i>	<i>1,525</i>	<i>203</i>
Total		16,335	2,703

Source: Department of Home Affairs, 2022

126. To support labour needs in regional Australia, in November 2021 more flexible concessions were introduced into the dairy, fishing, meat and pork labour agreements. A review of Horticulture Industry Labour Agreement settings is ongoing.

Designated Area Migration Agreements

127. Designated Area Migration Agreements (DAMAs) are tailored agreements that enable designated regions to respond to their unique economic circumstances and workforce shortages by accessing overseas workers for skilled or semi-skilled occupations.

128. A DAMA is a two-tier framework covering a defined regional area. The first tier is an overarching five-year deed of agreement between the Australian Government and a Designated Area Representative. The second comprises individual Labour Agreements with employers using the setting of the overarching agreement.

129. Employers can sponsor workers via a DAMA Labour Agreement for temporary, provisional or permanent visas (depending on the circumstances), with a range of concessions not available under the standard visa programs. Some standard requirements must be met, such as (but not limited to) payment of the SAF levy and demonstrating a genuine labour market need.

130. Twelve DAMAs are in place: Adelaide City, South Australia (SA); East Kimberley, Western Australia (WA); Far North Queensland; Goulburn Valley Region, Victoria; Great South Coast, Victoria; Northern Territory; Orana, New South Wales; Pilbara, WA; South Australia Regional, SA; South West, WA; the Goldfields region, WA; and Townsville, Queensland.

131. As at 31 August 2022, 639 labour agreement requests had been lodged under DAMAs, with 418 in effect (executed) as at that date. The number of nominations available for overseas

workers under each exiting DAMA ranges from 200 to 1000 per year. A total of 1535 visas – 419 primary and 431 dependents – have been granted under a DAMA.

132. The number of visa grants under each DAMA reflects individual employer demand in those areas. In some circumstances, there are long lead times for newly established DAMAs, as this is dependent on the participation of employers. The Department's experience is that DAMAs take time to become established within a region as employers become familiar with the agreement and then request a labour agreement.

Family Program

133. Australia's Family Migration Program facilitates the reunification of family members of settled Australian citizens, permanent residents and eligible New Zealand citizens (Australian sponsors). Family migration plays an important role in delivering social outcomes for Australia and contributes to social cohesion by strengthening family and community bonds in Australia.

134. The permanent Family Migration Program is comprised of four categories, including:

- The Partner category, which allows Australian sponsors to sponsor their spouse, de facto partner or prospective partner to live in Australia
- The Parent category, which is comprised of Non-Contributory and Contributory Parent visas, allowing for parents to stay in Australia with their Australian sponsor children
- The Other Family category, which allows family members to sponsor carers, remaining relatives and aged dependent relatives to live with them in Australia; and,
- The Child category, which allows parents to sponsor their dependent or adopted child to live with them in Australia.

Family Migration: Capping and queuing and priority processing

135. Section 85 of the *Migration Act 1958* (the Migration Act) allows the Minister to determine the maximum number of visas which may be granted in each program year in certain visa classes, including Parent and Other Family visas. If a visa class has been 'capped', this means that if the number of visas granted within that year reaches the maximum number determined by the Minister, no more visas of that class may be granted in that year. Those visa applications will be 'queued' for further processing in the next program year.

136. The 'cap and queue' power allows the annual Migration Program to be managed more efficiently by:

- Limiting the number of visas that may be granted under a specific class, while queueing additional applications which meet the core criteria for possible visa grant in a later year
- Ensuring that applications which do not meet the core criteria for a visa can be refused and do not remain in the queue for years before a decision is made on their application.

137. Section 87 of the Migration Act prevents capping of the Partner or Child visa categories. There is, however, scope in administering the program to consider planning levels and prioritise processing accordingly.

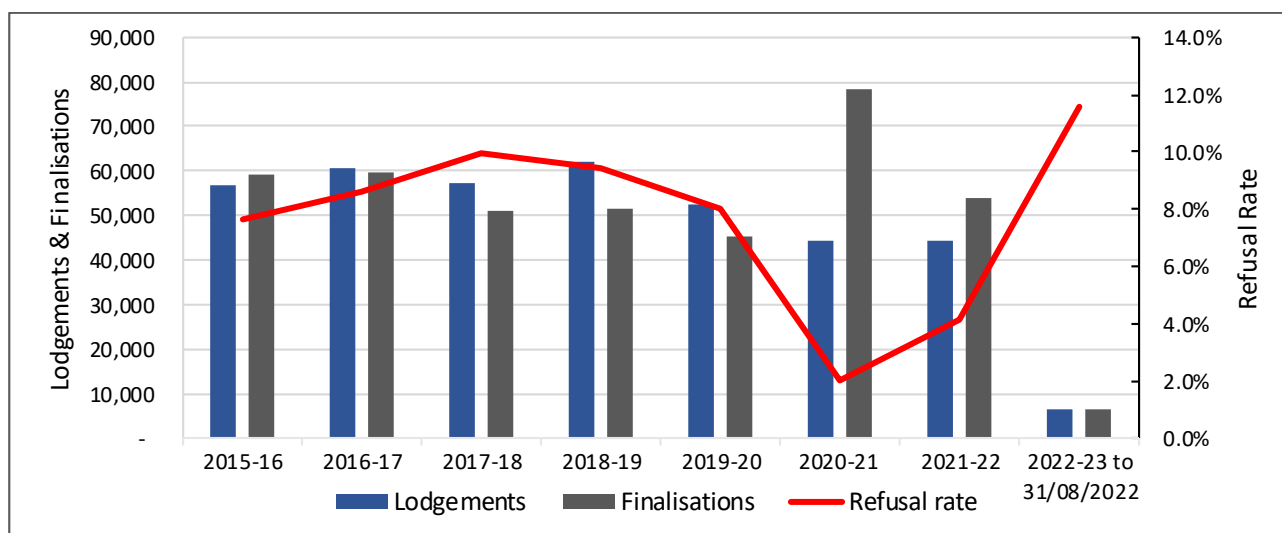
138. The high level of demand for Family category visas, including Partner visas, has created a need to manage the consideration and finalisation of Family stream applications in an orderly fashion. Under section 51 of the Migration Act, the Minister may consider visa applications in such order as he or she considers appropriate. Section 51 provides scope to consider planning levels when processing visa applications and to prioritise the processing and granting of those visas accordingly.

139. Ministerial Direction 80 provides the order for considering and disposing of Family visa applications and reflects the Government's policy intentions in relation to the size, composition and integrity of the Migration Program, and the management of Australia's borders.
140. The Direction sets out the Family Program processing priorities from highest to lowest as follows:
- Applications where the Minister has exercised powers of intervention under sections 351 and 417 of the Migration Act
 - Partner, Prospective Marriage and Child visa applications
 - Orphan Relative visa applicants
 - Contributory Parent and Contributory Aged Parent visa applications
 - Carer visa applications
 - Parent, Aged Parent, Remaining Relative and Aged Dependent Relative visa applications
 - Visa applications in which the sponsor is a person who entered Australia as an Illegal Maritime Arrival (IMA) and holds a permanent visa.

Partner visas

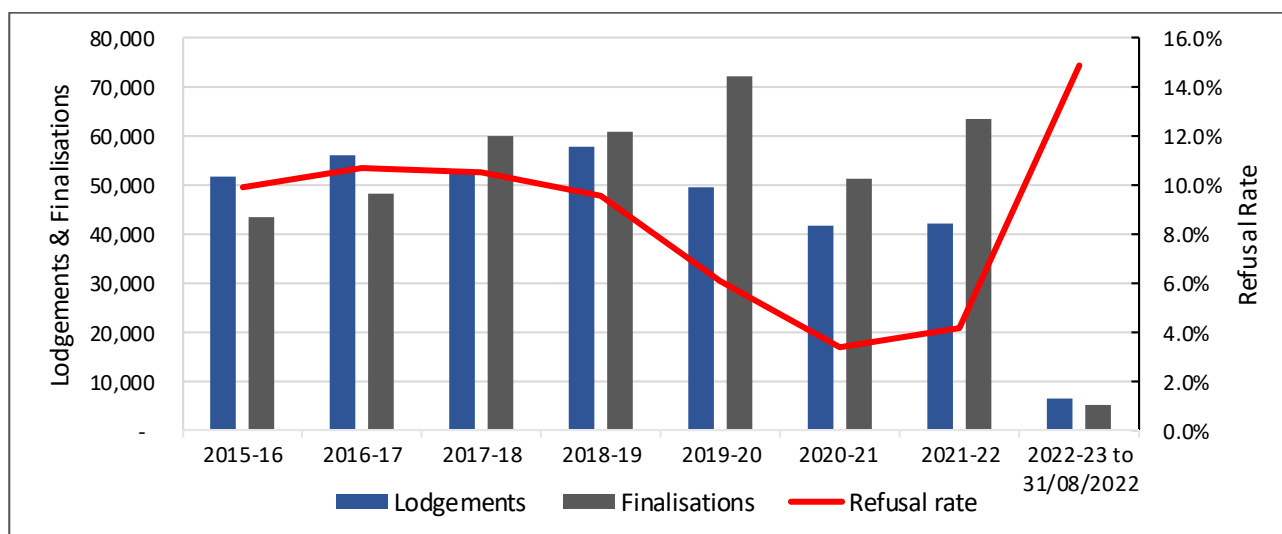
141. The Partner visa category has moved to a demand-driven model from 2022-23. A move to demand-driven arrangements recognises the social, economic and demographic benefits of family reunification within the Partner visa program. These arrangements will also provide the flexibility to adjust the annual supply of planned places to meet the expected demand for Partner visas in a given program year, resulting in more efficient management of the Partner visa pipeline and processing times.
142. The Partner category will continue to make up the majority of Australia's Family Migration Program.
143. Reduction of Partner on-hand visa applications is an ongoing priority for the Department. In 2022-23, as at 31 August 2022, the Department has granted approximately 5,280 first stage Partner visas and with approximately 56,750 applications remaining on-hand.
144. Partner visa grant numbers are expected to increase over the course of 2022-23, as new processing staff are recruited and trained across our global network of offices. The ongoing work of a specialised complex case team established in September 2021 is also driving a reduction in the number of older on-hand cases. Finalising older applications may result in some temporary increases in processing times, but processing times will then improve as the proportion of newer, less complex cases being processed increases.
145. Partner visas are subject to a two stage processing arrangement, with applicants lodging an application for a temporary and permanent Partner visa at the one time. The two stage model exists to ensure that only applicants in genuine and ongoing relationships are eligible for the benefits of permanent residence. As part of the two stage process, most applicants become eligible to be considered for the permanent visa two years after lodgment of the combined application. Partner visa applicants must meet all requirements set out in migration legislation, including assessment of their relationship, character, identity, health and security criteria.
146. In 2022-23 as at 31 August 2022, approximately 3,960 second stage Partner visas have been granted, and approximately 44,030 active second stage Partner visa applications remain on-hand.

Figure 11: First Stage Partner visa program trends, 2015-16 to 2022-23 (to 31 August 2022)



Source: Department of Home Affairs, 2022

Figure 12: Second Stage Partner visa program trends, 2015-16 to 2022-23 (to 31 August 2022)



Source: Department of Home Affairs, 2022

Parent visas

147. The planning level for Parent visas has been increased to 8,500 places in 2022-23, from 4,500 in 2021-22.

- Family migration plays an important role in delivering social outcomes for Australia, and contributes to our cohesive and inclusive multicultural society by strengthening family and community bonds in Australia. Increasing the planning level modestly balances these benefits with the fiscal impacts and pressure on our healthcare system associated with elder migrants.

148. Parent category applications are subject to capping and queueing arrangements. Parent visa applications progress to a queue assessment in the order they are received. However, where an existing applicant for a Parent or Aged Parent visa applies for a Contributory (Aged) Parent visa, the date of lodgement will be considered to be the date of lodgement of the new Contributory (Aged) Parent visa application.

149. The Parent queue is ongoing and establishes an order of precedence that can stretch many years into the future. When a visa place becomes available under the Migration Program, applications are released for final processing in order of the queue date allocated to an

application (other than where the Minister has exercised an intervention power under sections 351 or 417 of the Migration Act to grant a visa, or where the Administrative Appeals Tribunal has remitted the application to the Department).

150. The Department releases more applications from the queue than there are places available under the Migration Program to account for the fact that some applicants may not be able to satisfy the outstanding visa requirements and will no longer be eligible to be granted a visa. Consequently, there is no guarantee that the visa will be granted within the same program year as an application is released from the queue.

Sponsored Parent (Temporary) visa

151. In addition to permanent Parent visas, the Sponsored Parent Temporary Visa (SPTV) provides a short-term family reunification option for parents of Australian sponsors. The SPTV is a temporary visa and is not subject to the capping and queuing arrangement.
152. Holders of, and applicants for, a SPTV are unable to make another permanent or temporary Parent visa application. SPTV visa applications must be lodged from outside Australia within six months of sponsorship, unless the visa applicant has permission to apply in Australia.

Child visas

153. The Child category in the Migration Program allows children to be sponsored to live permanently in Australia. Generally, children are sponsored by their biological or adoptive parents. A small cohort of children are also processed under provisions for vulnerable children who are under the care of a State or Territory Government Welfare Authority, including as a result of court orders giving parental authority to a Welfare Authority.

Processing times

154. Processing times for the Family Stream are impacted by a range of factors, including the number of places the Government allocates to a program each year, and the level of demand for each visa category.

Family Violence Provisions

155. Within the Partner program, the Department manages the Family Violence Provisions that allow Partner visa applicants in Australia to be granted permanent residence if their relationship has broken down and they have suffered domestic or family violence (DFV) perpetrated by the sponsor. In the 2021-22 program year, 732 Partner visa applicants sought access to the family violence provisions and 672 permanent Partner visas were granted based on claims of family violence.
156. In August 2022, the Migration Regulations (1994) were amended to enable offshore Partner visa applicants, who have been, or are eligible to be granted a visa in Australia under the COVID-19 concession, to access the Family Violence Provisions.

Humanitarian Program

157. Australia remains one of the most generous humanitarian resettlement countries in the world. Since the end of the Second World War, Australia has successfully settled more than 930,000 refugees and others in humanitarian need, in recognition of the valuable contribution that refugees have provided, and continue to provide to Australian society, culture and prosperity.

158. The Humanitarian Program aims to:

- meet Australia's international protection obligations, so that Australia is an exemplar in our region and beyond
- provide permanent resettlement to those most in need, who are in desperate situations, including in refugee camps and protracted refugee situations
- use resettlement strategically to help stabilise refugee populations, reduce the prospect of irregular movement from source countries and countries of first asylum, and support broader international protection
- be flexible and responsive to changing global resettlement needs and emerging humanitarian situations to ensure Australia's approach remains comprehensive and high-quality; and,
- reunite refugees and people who are in refugee-like situations overseas with their family in Australia.

159. The Humanitarian Program includes an offshore stream for refugees and other displaced people in humanitarian need seeking resettlement in Australia, and an onshore protection stream for people who have travelled to Australia with a valid visa who engage Australia's international protection obligations.

160. The 2021-22 Humanitarian Program, set at a ceiling of 13,750 planned places, was almost fully delivered. In all, 13,307 visas were granted under the 2021 -22 Humanitarian Program.

- Of the 12,000 places nominally set aside for the offshore (resettlement) component of the Program, 11,545 were delivered
- Of the 1,750 places nominally set aside for the onshore (protection) component of the Program, 1,762 were delivered.

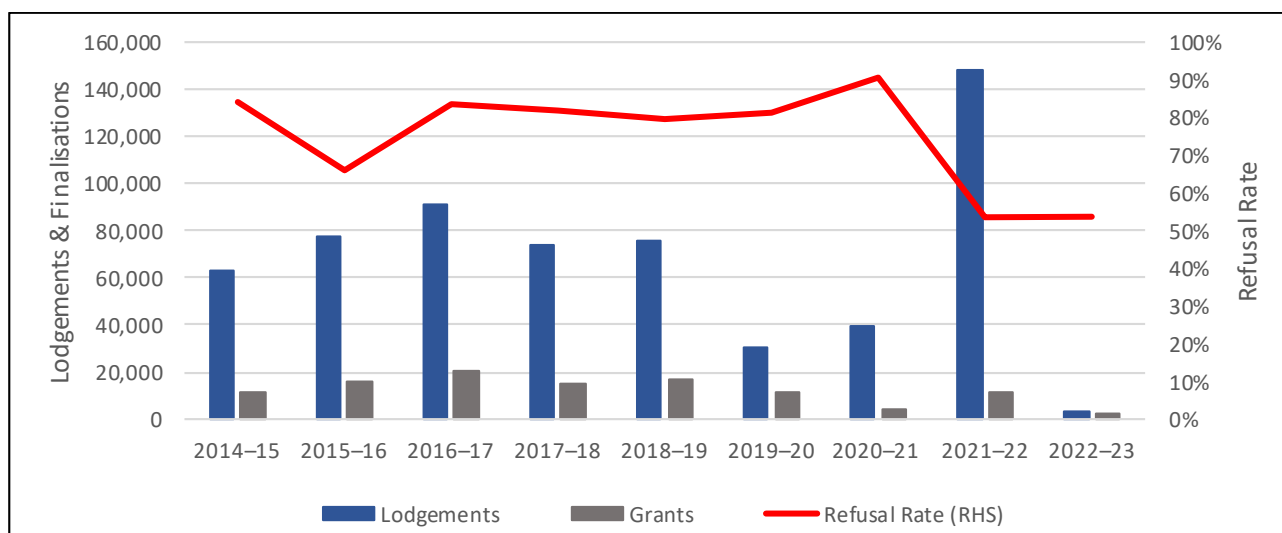
161. The Humanitarian Program for 2022-23 has also been set at a ceiling of 13,750 places. This maintains Australia's status as one of the most generous humanitarian resettlement countries in the world. There are also additional Humanitarian Program places for Afghan nationals. See the 'Dedicated places for Afghan nationals' section for more details.

Offshore Humanitarian visas

162. As at 31 August 2022, there were approximately 4,800 Refugee and Humanitarian (Class XB) visa holders who were granted visas between 1 July 2019 and 15 December 2021 and are yet to travel to Australia.

- Until 15 December 2021, COVID-19 border response measures prevented Offshore Humanitarian visa holders, who had not yet travelled to Australia, from entering Australia, unless they were granted a travel exemption on compelling and compassionate grounds
- Work continues with state and territory governments and settlement service providers to plan and facilitate a staggered increase in humanitarian arrivals of those visa holders who are offshore.

Figure 13: Offshore Humanitarian program trends, 2014-15 to 2022-23 (to 31 August 2022)



Source: Department of Home Affairs, 2022

Australia's evacuation response in Afghanistan

163. The former Government's military air evacuation operation in Afghanistan was one of the largest humanitarian airlift operations in Australia's history. During the evacuation from Kabul in August 2021, more than 4,300 Afghan evacuees were brought to Australia, including Australian citizens, permanent residents, visa holders and former Locally Engaged Employees (LEE).
164. The Humanitarian Stay (Temporary) visa (subclass 449) was used for Afghan LEEs and other priority Afghan nationals, to facilitate their safe evacuation to Australia as quickly as possible. To provide sufficient time to transition to a permanent visa and ensure continuity of support and access to benefits, the validity of 449 visas for Afghans who have arrived in Australia has been extended to 30 November 2022. They will be offered the optional pathway of applying for the offshore Humanitarian (Class XB-201) visas to make their residential status in Australia permanent. The evacuees continue to have access to appropriate settlement and social services support.

Dedicated places for Afghan nationals

165. 10,000 places have been allocated to Afghan nationals within the offshore Humanitarian Program between 2021-22 and 2024-25. Further, an additional 16,500 places for Afghan nationals have been allocated and will be delivered over four years (4,125 places per year between 2022-23 and 2025-26). This brings the total number of places available to Afghan nationals to 31,500, which comprise 26,500 places under the Humanitarian Program and 5,000 under the Family stream of the Migration Program.
166. Afghan nationals are also able to pursue other migration pathways to Australia depending on their circumstances, including through the Community Support Program, the Skilled Refugee Labour Agreement Pilot, and the Family and Skill streams of the Migration Program.
167. All visa applications will be processed in accordance with Government announcements and within program priorities, and assessed on an individual basis. In view of the high demand for the limited number of resettlement places available each year, priority will be given to former certified Locally Engaged Employees (LEEs) and their immediate family members; women and girls; ethnic minorities; LGBTQI+ and other identified minority groups.

Settlement services for evacuees and humanitarian entrants

168. Humanitarian entrants are offered immediate settlement support through the Humanitarian Settlement Program (HSP) to help them access essential services and integrate into Australian life. The HSP is delivered by contracted service providers with long-standing experience working with those newly arrived in Australia.
169. Based on their individual level of assessed need, most clients continue to receive support from the HSP for up to 18 months, during which time they will be assisted to:
- find long term accommodation, and be provided with a package of basic household goods to establish their new home
 - access mainstream and specialist support services, for example family and domestic violence services
 - learn English through the Adult Migrant English Program
 - access employment services, education and training
 - complete school enrolment for children
 - connect to local community groups and activities
 - orientate to Australia, including our values and laws.
170. Humanitarian entrants and some other vulnerable migrants, including evacuees, are provided with ongoing support for up to five years through settlement grant programs. Settlement grants focus on providing services aimed at improving economic well-being, independence, personal well-being, social participation, and community connectedness, and are delivered by service providers on behalf of the Government. These include:
- the Settlement Engagement and Transition Support (SETS) program, which provides settlement-related information, advice, advocacy, and assistance to access mainstream and other relevant services
 - the Youth Transition Support (YTS) program, which provides a range of activities to help young humanitarian entrants and other eligible migrants aged 15 to 25 to build capability and resilience so that they remain engaged in education and successfully transition to employment.
171. The Government also co-funds Community Hubs in schools, focussed on Humanitarian and other migrant women with young children to provide support for them to learn English, develop new skills, find employment and access Government support services.
172. On 14 October 2021, the former Government announced new funding of \$27.1 million over two years for a tailored Afghan settlement support package to help recent evacuees from Afghanistan settle successfully into their new lives in Australia. The package includes support to Afghan-Australian community organisations to deliver community-based settlement support; funding for legal services to assist evacuees to transition to permanent visas; funding for skills recognition and education pathways to help secure a suitable entry into the Australian labour market and funding for targeted mental health services through the Program of Assistance for Survivors of Torture and Trauma.
173. The former Government also provided \$450,000 to the Australian Federation of Ukrainian Organisations, to assist with the settlement of newly arrived Ukrainian humanitarian entrants in Australia. Additionally, the former Government announced additional funding of \$550,000 to enable organisations to expand capacity to effectively respond to the needs of Ukrainian humanitarian entrants.

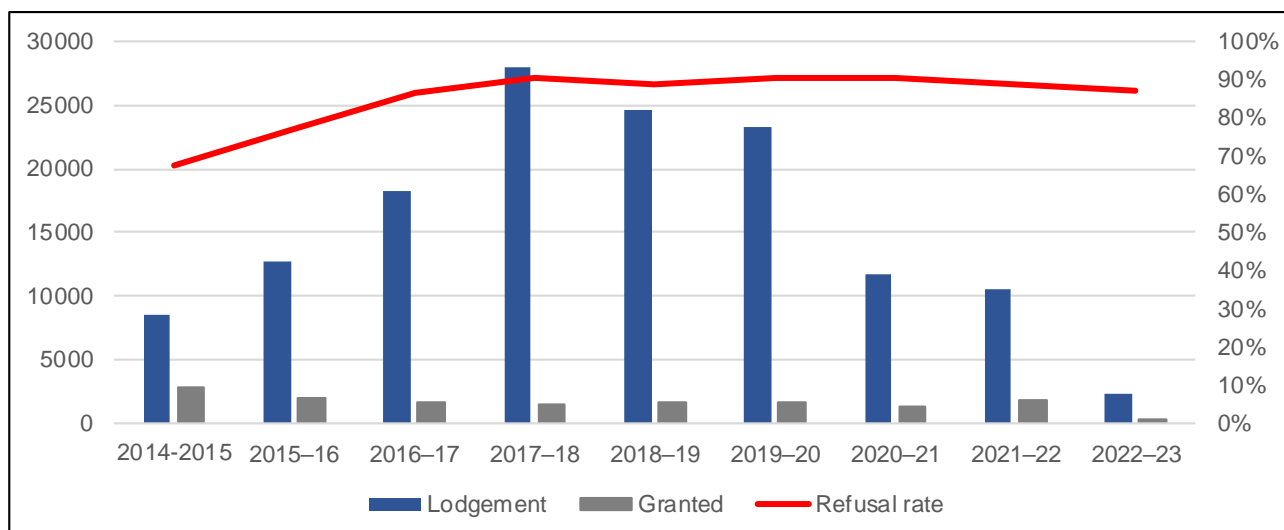
Unaccompanied Humanitarian Minors

174. The Unaccompanied Humanitarian Minors (UHM) Program provides care and accommodation to eligible non-citizen children who arrive in Australia without a parent. Some unaccompanied minors receiving services under the UHM Program are under the Minister for Immigration's guardianship under the *Immigration (Guardianship of Children Act) 1946*. Currently, there are 207 minors receiving UHM Program services in Australia, 75 of whom are under the Minister's guardianship.
175. There were 76 offshore Humanitarian visa grants to unaccompanied minors in 2018-19, 40 grants in 2019-20, 7 grants in 2020-21, 106 grants in 2021-22 and 10 grants in 2022-23 (to 31 August 2022).

Onshore Protection

176. There has always been a small proportion of people who arrive in Australia on temporary visas and subsequently seek Australia's protection. In line with Australia's commitment to upholding its international protection obligations, those who seek protection undergo a thorough assessment to determine whether they engage these obligations.
177. From about 52 million temporary visas granted between 1 July 2014 and 31 August 2022, about 140,000 Protection visa applications were subsequently lodged. This equates to about 0.27 per cent of total temporary visa grants.
178. More than 93 per cent of the individuals who applied for protection in the same period have either departed Australia, been granted a visa, or remain lawfully in Australia while they have ongoing matters before the Department or under merits or judicial review. Individuals who do not have a valid visa and have no matters ongoing are expected to either voluntarily return home or be removed from Australia by the ABF.
179. Australia's experience, and that of similar countries, is that there are differing motivations for seeking protection within this caseload. While a proportion of applicants claim protection because they genuinely fear they will face serious or significant harm if returned to their home country, others apply for another purpose, including to prolong their stay to access the Australian labour market or because of the comparatively better life opportunities Australia offers.
180. The Department has consistently refused about 90 per cent of applications for a permanent Protection visa (PPV) since 2017-18 (see Figure 14). The number of applications lodged has trended downwards since then, reflecting the implementation of strategies to prevent people from exploiting the program to prolong their stay, and has significantly reduced in 2020-21 and for the first half of 2021-22 as a consequence of ongoing travel restrictions. With travel restrictions no longer in place, lodgement numbers are gradually increasing.

Figure 14: Onshore Protection program trends, 2014-15 to 2022-23 (to 31 August 2022)



Source: Department of Home Affairs, 2022

Unauthorised Maritime Arrivals Legacy Caseload

181. People who arrive in Australia without a valid visa, whether by air or sea, and seek protection can only be granted a temporary visa – either a Temporary Protection visa (TPV) or a Safe Haven Enterprise visa (SHEV). These visas are not counted towards the Humanitarian Program ceiling.
182. When Temporary Protection visas were re-introduced in 2014, there were approximately 30,000 unauthorised maritime arrivals (UMAs) in Australia seeking protection. This cohort is referred to as the UMA Legacy caseload. As at 31 August 2022, the UMA Legacy Caseload comprised 31,121 individuals. Of these:
 - 29,540 cases have been decided or otherwise resolved (approximately 95 per cent of the caseload):
 - 18,592 currently hold a temporary protection visa, comprising 5,064 TPV and 13,528 SHEV holders
 - 7,781 require resolution (including cases where TPVs/SHEVs have expired or been cancelled, cases that are at judicial review or cases that are on a removal pathway)
 - 693 have been refused and are seeking merits review
 - 2,474 have been otherwise resolved (including UMAs who have departed before a final determination, failed to lodge or withdrawn an application)
 - 1,581 cases are initially on-hand with the Department.
183. UMAs who continue to seek Australia's protection must apply for a further TPV or SHEV before their current visa ceases. As at 31 August 2022, 9,021 subsequent TPV and SHEV applications have been received, 908 subsequent visas granted, and no applications refused.
184. During the pandemic, a concession period was provided to SHEV holders seeking to meet the SHEV pathway requirements in recognition of the impact of the ongoing COVID-19 pandemic. SHEV holders can count periods of time during the COVID-19 concession period towards the pathway requirement if they access Special Benefit payments, or are unemployed, or work outside a SHEV regional area in an essential service. The COVID-19 concession period commenced on 1 February 2020 and will end on a date yet to be specified.

Australian Citizenship Program

185. Migrants who become Australian citizens make an ongoing commitment to Australia and its values. Citizenship entails additional responsibilities to the Australian community as well as individual privileges.
186. Applications for Australian citizenship generally fall within four categories: conferral (the most common way of acquiring citizenship through application, representing approximately 90 per cent of all applications), descent, adoption and resumption.
- 167,232 people acquired Australian citizenship by conferral in the 2021-22 program year, up from 140,748 in 2020-21. In 2022-23 to 31 August 2022, 30,990 people acquired Australian citizenship by conferral.

Citizenship by conferral

187. Australian citizenship by conferral is available to permanent residents and eligible New Zealand citizens who meet relevant eligibility requirements, including knowledge of Australia, language, identity and character requirements and an intention to reside in Australia.
188. More than 161,000 citizenship by conferral applications were finalised in 2021-22. In 2022-23 to 31 August 2022, more than 32,000 citizenship by conferral applications have been finalised, representing an increase of 6 per cent in comparison to the same period in the 2021-22 program year.

Table 12: Number of Australian citizenship by conferral applications finalised, by decision type and financial year, 2012-13 to 2022-23 (to 31 August 2022)²⁰

Program year	Approved	Refused	Invalid	Other ²¹	Total
2012-13	137,079	3,270	16,561	643	157,553
2013-14	158,907	5,728	26,611	783	192,029
2014-15	148,862	5,197	34,987	795	189,841
2015-16	129,515	4,749	32,612	792	167,668
2016-17	127,013	4,089	22,035	742	153,879
2017-18	80,776	4,956	14,998	692	101,422
2018-19	145,587	7,590	5,713	1,227	160,117
2019-20	215,394	8,762	2,179	1,988	228,323
2020-21	170,645	7,957	1,782	2,831	183,215
2021-22	149,514	6,798	3,246	1,789	161,347
2022-23 (to 31/08/2022)	29,758	1,856	725	256	32,595

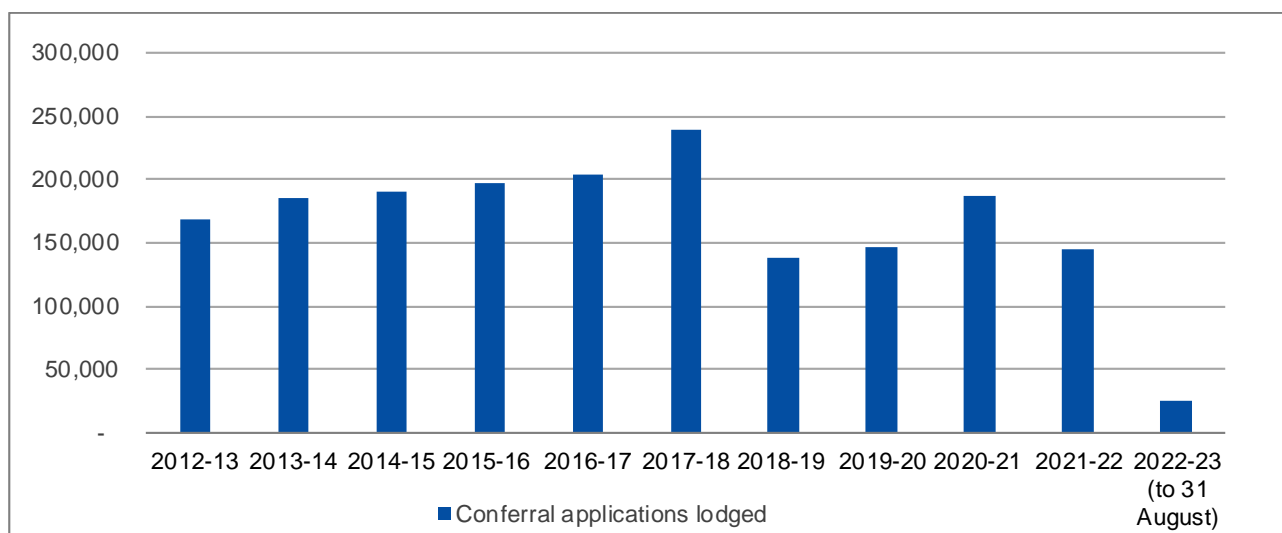
Source: Department of Home Affairs, 2022

189. Once citizenship is conferred, it can be revoked only in extremely limited circumstances. From July 2014 to 31 August 2022, 54 individuals had their Australian citizenship revoked for criminal conduct, including for citizenship or migration fraud.
190. There continues to be strong interest from migrants applying to become Australian citizens, with 144,763 applications for citizenship by conferral lodged in 2021-22. In 2022-23 to 31 August 2022, 25,866 applications for citizenship by conferral were lodged.

²⁰ Data may differ from previous or other reports due to the use of dynamic database in the current financial year.

²¹ Other includes applications withdrawn by the client and minor numbers of administrative finalisations.

Figure 15: Citizenship by conferral lodgement trends, 2012-13 to 2022-23 (to 31 August 2022)



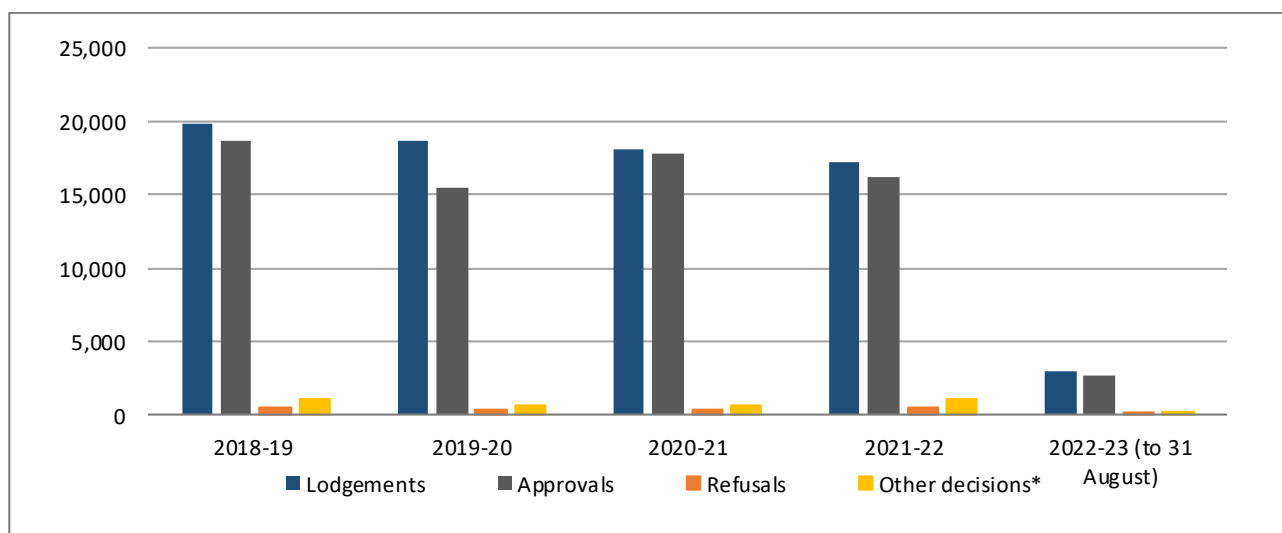
Source: Department of Home Affairs, 2022

Citizenship by descent

191. People born outside of Australia, who at the time of their birth had a parent who was an Australian citizen (or the parent later became an Australian citizen on 26 January 1949), may apply for Australian citizenship by descent regardless of their age.

192. In 2021-22, 16,123 people acquired Australian citizenship by descent (see Figure 16 below). This represents a 10 per cent decrease over the 2020-21 program year. In 2022-23 to 31 August 2022, 2,665 people acquired Australian citizenship by descent.

Figure 16: Citizenship by descent applications lodged and finalised, 2018-19 to 2022-23 (to 31 August 2022)²²



Source: Department of Home Affairs, 2022

193. In 2021-22, 218 children born through surrogacy arrangements acquired Australian citizenship by descent. The main countries of birth of these children were, in numerical order, the United States of America, Ukraine, Canada, Columbia and Thailand. In 2022-23 to 31 August 2022, 39 children born through surrogacy arrangements acquired Australian citizenship by descent.

²² Other decisions include invalidated applications, applications withdrawn by the client and administrative finalisations.

Citizenship by adoption

194. Children adopted outside of Australia by an Australian citizen under the Hague Convention or a bilateral arrangement, can obtain Australian citizenship. Twenty-eight children acquired Australian citizenship by adoption in 2021-22, a decrease from 39 in the previous program year. In 2022-23 to 31 August 2022, fewer than five children acquired Australian Citizenship by adoption.

Citizenship by resumption

195. People who previously renounced their Australian citizenship, or who lost it automatically under historical provisions, may apply to resume Australian citizenship if they are of good character. In 2021-22, 60 people had resumed Australian citizenship, compared to 84 in the previous program year. In 2022-23 to 31 August 2022, 18 people resumed Australian citizenship.

Citizenship service delivery

196. Face-to-face client services were impacted by COVID-19 lockdowns and restrictions in different locations at various times. Since December 2021, citizenship interview and test appointments have been available in all testing locations across Australia.

197. The Department has focussed on increasing appointment availability in areas most impacted by COVID-19 lockdowns, such as Melbourne (closed for 56 weeks) and Sydney (closed for 42 weeks), as well as in Services Australia sites in regional areas. Closure of client service sites contributed to a higher on-hand caseload and increased age of caseload.

198. With the easing of COVID-19 restrictions, the Department is encouraging local government councils to increase the number and size of in-person ceremonies they host. In August 2022, the Brisbane City Council hosted a number of ceremonies, including two 'super' ceremonies, and welcomed over 5,200 new citizens.

199. The Department also developed guidance to support councils hosting online ceremonies when required by COVID-19 lockdowns and restrictions. In 2021-22, 165,368 people acquired citizenship at a ceremony. Of these 120,345 did so in person and 45,023 online. In 2022-23 to 31 August 2022, 30,767 people acquired citizenship at a ceremony (29,627 in person, 1,140 online).

200. The caseload of on-hand conferral applications decreased in 2021-22 despite significant COVID-19 disruptions to in-person services, and continues to decrease into 2022-23.

- There were 115,737 applications for Australian citizenship by conferral on-hand on 31 August 2022, a 13.5 per cent decrease on the number of applications on-hand on 31 August 2021.
- The average processing time from lodgement to decision for applications decided in August 2022 was 353 days, an increase of 69 per cent from August 2021 (209 days). This figure reflects the resolution of a number of long-standing citizenship applications.

Managing risk and community protection

Risk environment

201. The majority of non-citizens entering Australia are genuine entrants who comply with their visa conditions. However, visa and citizenship programs are continually tested by individuals and groups motivated by fraudulent purpose. With Australia's borders once again open, areas

of risk that had been inhibited by the pandemic are re-emerging and expected to return to pre-pandemic levels.

202. Uneven economic recovery from COVID-19, particularly in regions hit hard by the pandemic, serves to 'push' migrants toward prosperous countries, such as Australia. Heightened vigilance will be required in relation to aspiring migrants who cannot meet visa criteria and who may turn to fraud, assisted by corrupt professional facilitators and people smugglers to achieve migration goals.
203. Some non-citizens who are strongly motivated to work in Australia may be manipulated and exploited by unscrupulous employers and labour hire intermediaries.
204. Political and economic instability and ongoing conflict will continue to impact refugee flows, increasing the number of people who seek to relocate both legally and illegally to safe countries, such as Australia. Individuals may have little to no reliable documentation, making it difficult to verify their identity.
205. In response, the Department uses innovative mitigation strategies, vigilance and agility to enhance, rather than constrain immigration.
206. Since 2020, the Department's risk and integrity capability has expanded through a multi-layered approach to threat detection across the border continuum, and improved partnership between program delivery and intelligence analysis areas. Data holdings and system analysis enable the Department to assess anomalies in visa and border-related transactions.
207. Intelligence-led threat detection is enhanced by collaboration with partner agencies in Australia and overseas. This cooperation provides a deeper understanding of the context and consequence of migration-related crime, expands the base used for intelligence assessments, and contributes the Department's expertise to the disruption and suppression of a range of domestic and international threats.

Biometrics and integrity screening in the Immigration Program

208. Over the past 11 years, the Department has increased its use of biometrics to facilitate legitimate trade and travel, and protect the border and community from threats including criminal activity and terrorism. Australia collects biometrics from visa applicants living in Australia and 53 other countries to detect persons of concern. The Department is expanding the biometrics collection programs to additional countries where it is safe to do so.
209. The biometrics collected from applicants are automatically checked against departmental and law enforcement data, with higher-risk cohorts checked against data held by Migration Five (M5) partners. Data sharing in 2019-20 through 2021-22 was impacted by COVID-19.
 - In 2019-20, the Department queried more than 1.58 million fingerprint records with one or more M5 partners. The Department queried more than 0.31 million fingerprint records in 2020-21 and nearly 1.2 million in 2021-22.
 - In 2019-20, the Department received more than 0.96 million fingerprint queries from M5 partners, which resulted in a one per cent match rate. The Department received more than 0.78 million queries in 2020-21 and more than 1.9 million queries in 2021-22.

Modern slavery and human trafficking

210. In Australia, human trafficking and other forms of modern slavery are criminalised under the *Criminal Code Act 1995 (Cth) Divisions 270 and 271*. Australia's human trafficking offences cover trafficking in all of its forms, including trafficking for harvesting human organs and trafficking in children. Offences of slavery-like practices include forced marriage, servitude, forced labour, debt bondage and deceptive recruitment for labour or services. The Australian

Border Force (ABF) employs specialist Human Trafficking Contact Officers in each state and territory. Their role is to refer all suspected cases of human trafficking, slavery and slavery-like-practices to the Australian Federal Police (AFP) in accordance with a joint agency *Human Trafficking, Slavery, and Slavery-like Practices Referral Protocol (Referral Protocol)*.

211. Between 1 January 2022 and 31 August 2022, the Department, including the ABF, referred 25 suspected cases of human trafficking and modern slavery to the AFP for investigation under the established Referral Protocol.
212. The Department supports unlawful non-citizen victims of human trafficking by regularising their immigration status under the Human Trafficking Visa Framework (HTVF). The HTVF includes both temporary and permanent visas:
- Temporary visas are designed to facilitate:
 - a short-term stay to enable the victim's recovery and longer-term stay to enable the victim to assist in the criminal justice process
 - entry or re-entry after short-term travel overseas, to commence, or resume, assistance in the criminal justice process.
 - Permanent visas provide protection and support to victims of human trafficking who have contributed to, and cooperated closely with, an investigation into human trafficking, slavery or slavery-like practices, and who would be in danger if they returned to their home country.
213. Under the HTVF, a victim's immediate family members may also be eligible for a visa to support family reunion and foster social cohesion. In some circumstances, witnesses to trafficking offences may qualify for a permanent visa, even if they are not themselves a victim of human trafficking, slavery or slavery-like practices.

People smuggling

214. People smuggling is the organised, irregular movement of people across borders on a payment-for-service basis. It is an offence under the Migration Act and the Criminal Code. The AFP leads the Australian Government's investigations into people smuggling offences.
215. On 18 September 2013, the Joint Agency Task Force (JATF) Operation Sovereign Borders (OSB) was established to implement a whole-of-government effort to combat maritime people smuggling, prevent further deaths at sea, and protect the integrity of Australia's borders. OSB is a military-led border security operation supported and assisted by a wide range of Australian Government agencies.
216. Under OSB, the Australian Government's policy is to intercept any maritime people smuggling vessel seeking to reach Australia and to safely return those on board to their point of departure or country of origin. Any person who cannot be safely returned will be transferred to a regional processing country for assessment of their protection claims.
217. Since the establishment of OSB, there have been 23 successful people smuggling ventures to Australia carrying 1,309 Unauthorised Maritime Arrivals (UMAs) and crew. The last successful maritime people smuggling venture to Australia arrived on 27 July 2014. It has been more than eight and a half years since the last known death at sea from maritime people smuggling ventures en-route to Australia.
218. Between 18 September 2013 and 31 August 2022, Australia intercepted and safely returned 1056 potential irregular immigrants (PIIs) from 44 maritime people smuggling ventures to their country of departure or their country of origin.

219. Over the same period, close cooperation with regional partners has resulted in foreign law enforcement disruptions of an additional 101 maritime people smuggling ventures and 3332 PILs²³.

Migrant worker exploitation

220. The Australian Government has zero tolerance for the exploitation of workers, regardless of their visa status – this includes the underpayment of wages and entitlements.

221. The national workplace relations system has been established for all workers in Australia, regardless of a person's immigration status. It includes:

- The *Fair Work Act 2009* (Fair Work Act) and the *Fair Work Regulations 2009*, which establish a safety net of minimum entitlements and conditions of employment
- The Fair Work Commission, which is the independent agency responsible for setting minimum standards under modern awards
- The Fair Work Ombudsman (FWO), which is the lead agency for advice, education, compliance and enforcement activities under the Fair Work Act.

222. These laws and minimum standards apply to all employers, including third party providers (such as labour hire intermediaries).

223. While temporary visa holders working in Australia are entitled to the same basic rights and protections as Australian citizens and permanent residents, the Australian Government recognises that migrant workers are often more vulnerable to workplace exploitation. This may be due to limited English language skills; a lack of awareness of Australian workplace laws; an acceptance of lower wages and conditions and fear of visa cancellation, detention and/or removal from Australia. The Migrant Workers' Taskforce Report²⁴ cited research that has shown that up to 50 per cent of temporary migrant workers may have been subject to underpayment²⁵.

224. Recognising the serious nature of the issue, the Australian Government has taken a whole-of-government approach to addressing migrant worker exploitation. The Department works collaboratively with a range of agencies including the Department of Employment and Workplace Relations, the Attorney General's Department, the FWO, the Department of Foreign Affairs and Trade, the Australian Taxation Office and the Australian Federal Police.

225. The Department is committed to ensuring that Australia's visa programs are not misused in order to exploit migrant workers. It administers three legislative frameworks to achieve this goal:

- The 'Employer' scheme seeks to ensure that employers only employ visa holders with appropriate work rights, recognising that visa programs are designed for specific purposes.
 - Between 1 July 2022 and 31 August 2022, the ABF conducted 67 employer awareness activities, focusing on ensuring employers know their legal obligations and that workers hold valid visas with appropriate work rights.
 - Between 1 July 2022 and 31 August 2022, the ABF issued 23 Illegal Worker Warning Notices and 5 Infringement notices to employers for breaches of these obligations.

²³ Statistics are provided by AFP posts, resulting from advice provided by foreign law enforcement. These are indicative only, as they are subject to a range of factors that may affect accuracy and quality. Post experience is that results are typically under-reported because arrests in regional locations are occasionally not reported.

²⁴ Attorney-General's Department (2019), *Report of the Migrant Workers' Taskforce* [online document], Australian Government, accessed March 2020.

²⁵ L Berg & B Farberblum (2017), *Wage Theft in Australia: Findings of the National Temporary Migrant Work Survey* [online document], UNSW Law, Sydney and University of Technology Sydney, accessed October 2021.

- The 'Paying for Visa Sponsorship' scheme seeks to protect migrant workers from exploitation or extortion, encourage fair recruitment practices and protect employment opportunities for Australian workers.
 - The Department has investigated allegations of exploitation and misuse of Labour Agreements, including cases of entrants 'paying for visa sponsorship'.
- The 'Sponsorship Obligations' scheme seeks to ensure sponsored visa holders are not exploited by their sponsors.
 - Between 1 July 2022 and 31 August 2022, the ABF sanctioned 76 businesses for breaching their sponsorship obligations²⁶.
 - A breach may be constituted by the sponsor not ensuring equivalent terms and conditions of employment for the visa holder, not ensuring the visa holder is working in the occupation for which they were nominated, or recovering costs from the visa holder.
 - Sanctions can include the cancellation of a sponsorship approval, barring a business from further sponsorship, issuing infringement notices and civil prosecution.

226. At the Jobs and Skills Summit in September 2022, the Government committed to bring forward a package of reforms to address migration worker exploitation during 2023. The reforms will give effect to an existing Government commitment to implement the recommendations of the Migrant Workers' Taskforce to tackle migrant worker exploitation.

227. To encourage reporting, the Department and the FWO developed an Assurance Protocol. Under this Assurance Protocol, the Department's policy is not to cancel the visa of a person who has breached a work-related condition if:

- they believe they have been exploited at work, have sought advice or support from the FWO and are helping the FWO with its inquiries
- they commit to abiding by visa conditions in the future and
- there are no other grounds for visa cancellation (such as on national security, character, fraud or health grounds).

228. The Assurance Protocol aims to balance the ongoing integrity of the migration program with encouraging increased reporting of migrant worker exploitation. As at 31 August 2022, 77 migrant workers have been referred under the Assurance Protocol (since its commencement in February 2017) and none have had their visas cancelled.

229. The Department and ABF make information about worker rights and entitlements available to visa holders through visa grant notices and text messages. Migrant workers and potential employers are able to verify a visa holder's immigration status and the conditions attached to their visa through the Department's Visa Entitlement Verification Online (VEVO) system. As at 31 August 2022, a total of 143,215 organisations had registered with VEVO.

Ensuring immigration integrity and community protection

230. Between 2015-16 and 2021-22, the refusal rate across the temporary and permanent visa programs increased from 2.5 per cent to 4.6 per cent (see Table 13).

231. Between 1 July 2015 and 31 August 2022, the Department and ABF:

- refused more than 1.69 million visa applications

²⁶ It is important to note that this number represents the total number of sanctions. It includes breaches of all employer sponsor obligations (including failing to comply with record keeping requirements and failing to report a change in circumstances).

- refused the entry of 19,481 travellers at an Australian airport
- prevented more than 4,183 people from boarding flights to Australia through the ABF's network of airline liaison officers.

Table 13: Visa applications decided by program year (non-humanitarian visas)

Decision Type	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23 to 31 Aug 22
Granted or Refused	8,339,513	9,052,095	9,386,838	9,607,025	7,169,298	1,338,656	2,775,376	1,148,020
Refused only	209,657	237,153	308,150	377,469	325,637	50,956	127,210	90,709
Refusal Rate	2.5%	2.6%	3.3%	3.9%	4.5%	3.8%	4.6%	7.9%

Source: Department of Home Affairs, 2022

Unlawful Non-Citizens

232. An Unlawful Non-Citizen (UNC) is defined in the Migration Act as a non-citizen who is in the migration zone who is not a lawful non-citizen, meaning that they do not hold a visa that is in effect.
233. The number of UNC's in Australia as at 30 June 2022 excluding lawful non-citizens as defined in the Migration Reform Act 1992, (which established the current legislative framework) and excluding persons in detention, is estimated to be 66,800. This estimate is derived by matching visa grants, arrivals and departures across many departmental systems and Fact of Death data collated by individual state and territory jurisdictions, to ascertain those that may have arrived in Australia and not departed before their visa expired or was cancelled.
234. Matching traveller data across different systems is inherently difficult and prone to error as people can arrive and leave on different travel documents and under different names. There is also a significant amount of change within the cohort of UNC's in Australia at any one time as most non-citizens are only unlawful for a short period and either engage with the Department's Status Resolution Service to resolve their immigration status or depart voluntarily.
235. The ABF's operational activity is focused towards UNC's who pose a significant risk to the Australian community (for example those involved in organised and criminal exploitation of Australia's visa program, and foreign worker exploitation).

Cancellations

236. All non-citizens who apply for, and are granted a visa, are expected to obey Australian laws and to meet, and continue to meet, character, health, identity, security and other eligibility requirements set out in the Migration Act. These requirements are intended to ensure the safety and security of the Australian community.
237. In addition to the capacity to refuse visa applications or entry to Australia, the visa cancellation framework supports the Department's core objectives of ensuring the protection of the Australian community and the integrity of Australia's borders and visa programs.
238. Section 501 of the Migration Act and associated general cancellation powers allow for the refusal or cancellation of a visa where the visa holder may present a risk to the Australian community. A person may fail the character test under section 501 of the Migration Act for a number of reasons, including if they have a substantial criminal record.

Table 14: Adverse section 501 (character) cancellations, 2020-21 to 2022-23 (to 31 August 2022)

Character Cancellation	2020-21	2021-22	2022-23
Mandatory Cancellation (s501(3A))	914	616	93
Natural Justice – (s501(2))	7	28	<5
Cancellation without Natural Justice – National Interest (s501(3)(b))	13	<5	0
Minister's personal power – without notice (s501A(3)(b))	<5	<5	0
Minister's personal power – with notice (s501B(2))	<5	<5	0
Character refusal	798	207	32
Character revocations (not revoked) ²⁷	438	434	80
Total	2,175	1,292	<215

Source: Department of Home Affairs, 2022

Table 15: Top five Citizenships with adverse section 501 (character) outcomes, 2020-21 to 2022-23 (to 31 August 2022)

Character cancellation	2020-21	2021-22	2022-23	Total
New Zealand	402	246	44	692
United Kingdom	99	70	<5	<180
Vietnam	60	43	6	109
China	37	17	<5	<65
Malaysia	15	17	6	38
Other	326	258	32	616
Total	939	651	95	1,685
Character refusal	2020-21	2021-22	2022-23	Total
United Kingdom	355	44	4	403
United States Of America	115	20	<5	<145
New Zealand	85	17	8	110
Ireland, Republic Of	18	9	0	27
China	15	11	<5	<35
Other	210	106	17	333
Total	798	207	32	1,037
Character revocations (not revoked)	2020-21	2021-22	2022-23	Total
New Zealand	196	180	30	406
United Kingdom	38	36	<5	<85
Vietnam	29	22	<5	<60
Sudan	21	15	5	41
Fiji	11	11	<5	<30
Other	143	170	37	350
Total	438	434	80	952

Source: Department of Home Affairs, 2022

239. Non-character related cancellation powers under the Migration Act are broad ranging and provide the power to consider visa cancellation in a number of circumstances to both protect the Australian community and ensure the integrity of the migration program. Cancellation grounds include non-compliance with visa conditions, provision of incorrect information, or where the person may present a risk to the health, safety or good order of the Australian community.

²⁷ This refers to where a non-citizen's request for reinstatement of a visa (revocation of the character cancellation) is not successful.

Table 16: General Cancellation decisions, 2020-21 to 2022-23 (to 31 August 2022)²⁸

General Cancellation decisions	2020-21	2021-22	2022-23
Incorrect information (s109)	275	539	37
General power (s116)	1,198	927	278
Holder overseas (s128)	19,374	20,082	1,677
Business visa (s134)	83	68	-
All other powers ²⁹	4,846	2,796	489
Total	25,776	24,412	2,481

Source: Department of Home Affairs, 2022

Status resolution

Entering the Status Resolution program

240. The Department's Status Resolution program assists non-citizens who require assistance to resolve their immigration status. Officers working in the Status Resolution program engage with non-citizens to promote self-agency, assisting individuals to self-resolve their immigration status in a timely and appropriate manner.

241. Individuals may enter the Status Resolution program by voluntarily approaching the Department seeking assistance to resolve their immigration status or through location and enforcement activities conducted by the Australian Border Force and/or police.

Table 17: People who entered the Status Resolution program, 2020-21 to 2022-23 (to 31 August 2022)

	2020-21	2021-22	2022-23
Persons who voluntarily approached the Department	16,168	12,453	2,077
Persons located by the Australian Border Force or police	1,825	1,611	295
Total	17,993	14,064	2,372

Source: Department of Home Affairs, 2022

242. The Status Resolution population consists of non-citizens who reside:

- in the community as the holder of a Bridging E (subclass 050) visa (BVE)
- in either held immigration detention or in the community under a Residence Determination arrangement (also known as community detention).

Table 18: Status Resolution population as at 31 August 2022

Status Resolution population	Bridging E visa	Residence Determination	Held detention	Total
Unauthorised Maritime Arrivals (UMA)	8,309	536	199	9,044
Non-UMA	20,730	17	1,156	21,903
Total	29,039	553	1,355	30,947

Source: Department of Home Affairs, 2022

²⁸ A visa may be recorded as cancelled more than once. For example when a visa is cancelled, the cancellation is subsequently revoked or set aside, and then the visa is cancelled again. A cancellation may be revoked or set aside for a number of reasons, including further legal proceedings, and administrative or jurisdictional errors. Duplicates may exist. As data has been drawn from a live systems environment, the figures provided may differ slightly in previous or future reporting.

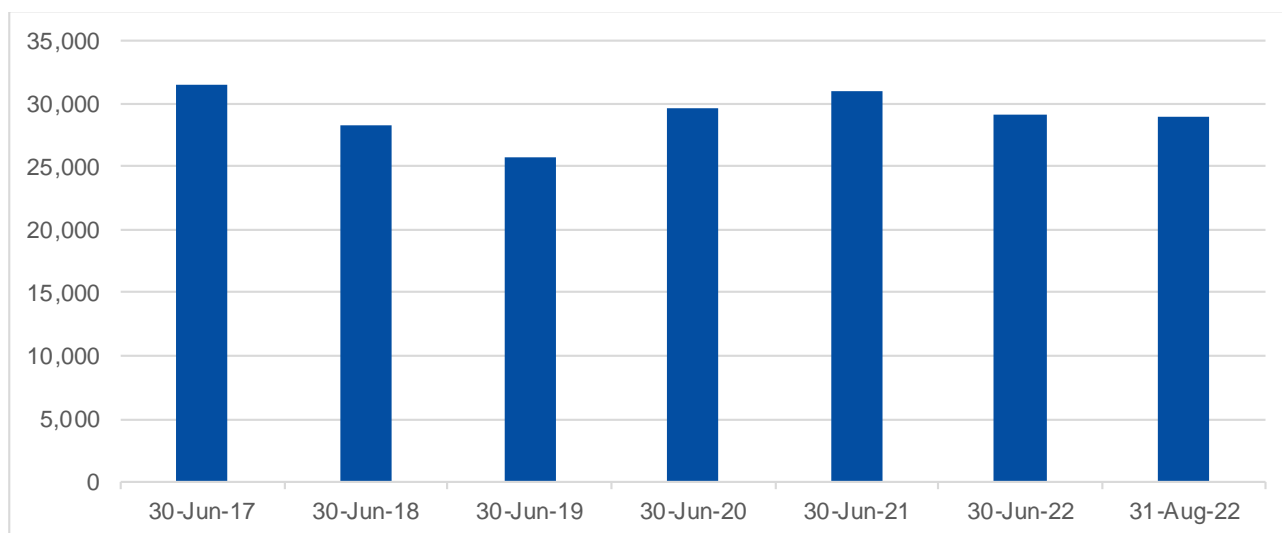
²⁹ Does not include any s501 character statistics, only s501Fs are included.

Bridging E (subclass 050) visas (BVE)

243. A BVE is a short-term bridging visa that allows eligible individuals to stay in Australia lawfully while they progress to a status resolution outcome. A BVE may be granted while the non-citizen:

- has a substantive visa application with the Department
- seeks merits or judicial review of a visa refusal or cancellation decision
- makes arrangements for their departure from Australia
- seeks Ministerial Intervention to substitute a decision of a review tribunal.

Figure 17: Number of Bridging E visa holders in Australia, 30 June 2016 to 31 August 2022³⁰



Source: Department of Home Affairs, 2022

Status Resolution Support Services (SRSS)

244. The SRSS program provides targeted, needs based support to eligible individuals while they engage with the Department to resolve their immigration status. Types of support services provided may include financial, accommodation, access to health care, caseworker support, and access to education for school-aged children.

Table 19: Status Resolution Support Services recipients, as at 31 August 2022

	30 June 2020	30 June 2021	30 June 2022	31 August 2022
Unauthorised Maritime Arrivals (UMAs)	2,769	1,311	895	862
Non-UMAs	1,509	1,018	711	716
Total	4,278	2,329	1,606	1,578

Source: Department of Home Affairs, 2022

Leaving the Status Resolution program

245. Non-citizens exit the Status Resolution program after they have resolved their immigration status. A non-citizen's status is resolved through departure from Australia, grant of a substantive visa, or acquisition of Australian citizenship.

³⁰ Includes Bridging E visa (subclasses 050 and 051).

Table 20: Departures from Australia of Status Resolution clients, 2018-19 to 2022-23 (31 August 2022)

Departures from Australia	2018-19	2019-20	2020-21	2021-22	2022-23 (as at 31 August 2022)
Returns from community	7,444	7,363	9,809	7,128	1,126
Removals from immigration detention	5,551	3,287	1,039	1,253	308
Total	12,995	10,650	10,848	8,381	1,434

Source: Department of Home Affairs, 2022

Return and Reintegration Assistance Program (RRAP)

246. RRAP assists non-citizens who wish to leave Australia or a regional processing country (RPC) voluntarily, but who require assistance to do so. By facilitating voluntary departure, the RRAP program assists non-citizens to resolve their immigration status. Types of support and assistance provided include independent returns counselling, air tickets and travel assistance to final destination, assistance to obtain travel documents, reception assistance in country of return, and for eligible UMAs a combination of cash and in-kind assistance, to support them to rebuild their lives in the return country.

Table 21: RRAP referrals and returns 2018-19 to 2022-23 (to 31 August 2022)

Returns and Reintegration Assistance	2018-19	2019-20	2020-21	2021-22	2022-23 (as at 31 August 2022)
Referrals	1,345	1,484	1,117	590	98
Returns	840	798	542	309	34

Source: Department of Home Affairs, 2022

Management of transitory persons

247. As at 31 August 2022, there were 1 146 transitory persons³¹ in the regional processing cohort residing temporarily in Australia.

248. The Migration Act provides for the bringing of transitory persons (defined in section 5 of the Migration Act as a person who was taken to a regional processing country) to Australia from a regional processing country for a temporary purpose (generally medical treatment or as accompanying family). Transitory persons are administratively detained on arrival in Australia under section 189 of the Migration Act as unlawful non-citizens. Once the temporary purpose for which they were brought is complete, the transitory person is required to return to a regional processing country.

249. Efforts to return transitory persons to a regional processing country at the conclusion of their temporary purpose have been impacted by active litigation. The Department continues to progress the return of transitory persons whose temporary purpose has concluded or who have requested voluntary removal to a regional processing country. Returns to a regional processing country are considered on a case-by-case basis, with reference to various factors, including medical, legal, host country permission, and travel restrictions.

Table 22: Transitory persons onshore, as at 31 August 2022

	Bridging E visa ³²	Residence Determination ³³	Held detention	Total
All transitory persons	610	523	6	1,146

Source: Department of Home Affairs, 2022

³¹ Being unauthorised maritime arrivalson or after 19 July 2013 who were taken to a regional processing country for protection claims assessment and not invited to lodge a temporary protection or safe haven enterprise visa in Australia.

³² Includes 12 people residing in the community with a ceased BVE.

³³ Excludes 7 babies born to transitory persons but not yet subject to Residence Determination.

250. Transitory persons will not be settled permanently in Australia. Transitory persons are encouraged to engage in available third country migration options, including resettlement in the United States, New Zealand and Canada, or to voluntarily return home or to another country to which they have right of entry, and depart Australia.

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