



Visa Application Charge Repayment



Under Section 39 of the *Migration Act 1958* (Commonwealth) (the 'Act'), the Minister for Immigration and Citizenship has the power to set the maximum number of visas of a class that may be granted in a particular financial year. Where the maximum number has been reached, any outstanding applications of that class are taken not to have been made.

The Minister has now set the maximum number of Skill Matching (Migrant) (Class BR) visas, Skilled Independent (Migrant) (Class BN) visas and Skilled - Australian Sponsored (Migrant) (Class BQ) visas that can be granted in the 2009-0 financial year. As the maximum number has now been reached, applications subject to the Minister's determination are now taken not to have been made. As part of this process the relevant Visa Application Charges (VAC) will be repaid to affected applicants.

Visa subclasses affected by the Minister's determination under section 39 of the *Migration Act 1958* (the Act)

The following visa subclasses are affected by the Minister's determination:

- Skill Matching (subclass 134)
- Skilled – Independent (subclass 136)
- Skilled – State/Territory-Nominated Independent (subclass 137)
- Skilled – Australian Sponsored (subclass 138)
- Skilled – Designated Area Sponsored (subclass 139).

Eligibility for a repayment of Visa Application Charge

Departmental records will be used to identify affected applicants. If you are eligible for a repayment of the VAC, the department will send you, or your authorised recipient (if you have one), a letter of notification. The letter will contain information about the Minister's determination under section 39 of the Act and the VAC repayment process.

The notification letter will contain information about the process to be followed to enable the VAC repayment. You will need to complete the *Cap and Cease Repayment Information Form* accompanying the letter of notification and return it to the department. On receipt of the completed form we will process your repayment. It will take approximately 12 weeks, from the date the department's finance area receives the completed form to process the payment. It can take some weeks for the department to process the forms before they are sent to our finance area.

If you have applied for any of the listed visa subclasses and your application has not been finalised then you may be eligible to have your VAC repaid.

If you believe that you may be eligible for a repayment and you did not received any notification from the department please contact us.

See: www.immi.gov.au/contacts/forms/gsm/



Repayment of the second instalment of the Visa Application Charge

Eligible applicants will receive a repayment of both the first and second instalments of the VAC.

Refund of other costs associated with my visa application

Other costs you may have incurred in relation to your application cannot be repaid (for example, migration agent fees) as these were not made to the department.

Repayment method

The VAC will be repaid to you by either bank draft or electronic transfer. You will be required to indicate in the *Cap and Cease Repayment Information Form* which of these two methods you prefer.

Request the payment be made to someone

Yes. On the *Cap and Cease Repayment Information Form* you are able to authorise another person to receive the payment on your behalf.

Refunding the Visa Application Charge owed to a migration agent

The VAC will be repaid to you unless you authorise the department to make the repayment to someone other than yourself using the *Cap and Cease Repayment Information Form*.

Repayment time frame

The department estimates it will take approximately 12 weeks, from the date the department's finance area receives the completed form to process the payment. It can take some weeks for the department to process repayment forms before they are sent to our finance area.

The processing times provided are a guide only and are dependent on a range of factors including:

- clients returning a fully completed repayment form
- the repayment method chosen
- data verification procedures.

Please note that after the department has processed the repayment request and referred it to the nominated bank we have no control over the time taken to transfer the funds.

The department is committed to providing timely service and we make every effort to process all repayments in a timely manner.

Information on contacting the department is available.

See: <http://www.immi.gov.au/contacts/forms/gsm/>