



Australian Government
Department of Home Affairs

The Administration of the Immigration and Citizenship Programs

Ninth edition, February 2022



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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 25.7 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 almost 30 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 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
 - 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 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

¹ Australian Bureau of Statistics (2020), *Migration, Australia, 2019-20* [online document], Australian Government, accessed May 2021.

(34 million in 2020)². The various impacts of COVID-19 have disrupted this trend in Australia and elsewhere. Global international travel has reduced significantly, including estimated declines of 70 to 75 per cent in global tourist numbers in 2021, as compared to pre-pandemic (2019) levels, with the largest declines experienced in the Asia Pacific region³.

Responding to COVID-19

8. Australia's response to the COVID-19 pandemic has had an unprecedented and continuing impact on the administration of immigration and citizenship programs.
9. Since 1 February 2020, based on the advice of the Australian Health Protection Principal Committee, the Australian Government has implemented travel restrictions and exemptions designed to curb the introduction and spread of COVID-19 in Australia while allowing travel into and out of Australia to continue for essential reasons.
10. The Department and Australian Border Force (ABF) jointly manage these restrictions, which operate in conjunction with quarantine arrangements managed by state and territory governments. Staff resources have been redirected to activities that support the Government's response to the pandemic, including supporting the ABF Commissioner's consideration of requests for travel restriction exemptions.
11. The pandemic and related travel restrictions significantly reduced demand for most visas. In 2020-21, the number of non-humanitarian visa applications lodged fell by nearly 6 million, or 81 per cent compared to the previous year (see Figure 1). Temporary visa activity began to increase in November and December 2021 following the announcement of the second stage of the Government's border re-opening plans, but remained below pre-COVID levels.
12. As announced by the Prime Minister on Monday 7 February, Australia will reopen to all fully vaccinated visa holders, welcoming the return of tourists, business travellers, and other visitors from 21 February 2022.

Travel exemptions

13. The travel exemption process has shifted from an emergency response in February and March 2020 to a high volume business process, with strong expectations from clients and key stakeholders about responsiveness and transparency.
 - As at 31 December 2021, over 1,090,000 travel exemption requests had been received since March 2020, when Australia implemented global travel restrictions.
14. A number of categories have been automatically exempt from inwards travel restrictions, including Australian citizens, permanent residents and their immediate family members. On 22 November 2021, in line with the National Transition Plan, the Prime Minister announced that fully vaccinated eligible visa holders would be exempt from inwards travel restrictions and the establishment of Safe Travel Zones for fully vaccinated citizens of Japan and the Republic of Korea.

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

³ World Tourism Organization (2021), *UNWTO World Tourism Barometer and Statistical Annex, November 2021* [online document], UNWTO, accessed October 2021.

- Eligible visa holders include holders of student, humanitarian and refugee, skilled, and temporary and provisional family visas. The full list of eligible visas is at: <https://covid19.homeaffairs.gov.au/vaccinated-travellers>.
 - Due to the Omicron COVID-19 variant of concern, the announced changes were paused until 15 December 2021.
15. On 22 December 2021, three further categories of travellers became automatically exempt from the travel restrictions, supporting the arrival in Australia of fully vaccinated New Zealand citizens eligible for a Special Category visa, select military personnel, and Special Purpose Visa holders.
- Detailed information on the exemption arrangements for inward travel and monthly Travel Exemptions Reports, including data on applications and decisions, can be found at <https://covid19.homeaffairs.gov.au/travel-restrictions>.
16. On 11 January 2022, the Department formalised internal review processes for travel exemption decisions. Individuals who have been refused a travel exemption can apply, at no charge, for a review of the decision within 21 calendar days of their refusal notification.

Temporary measures in response to COVID-19

17. The Government has introduced a large number of temporary visa arrangements in response to COVID-19. These arrangements - to support public health measures, protect the health of the community, safeguard jobs for Australians, support critical sectors, and assist with economic recovery - include:
- the creation of a COVID-19 Pandemic event visa through the Subclass 408 (Temporary Activity) visa to assist to regularise the visa status of individuals in Australia working in critical sectors such as health, aged and disability care, childcare, agriculture and food processing and those who have no other visa options and are unable to depart Australia due to COVID-19 travel limitations
 - the introduction of the Priority Migration Skilled Occupation List (PMSOL) to facilitate the migration of people with critical skills through employer sponsored visa programs, from both within Australia and overseas
 - allowing expanded eligibility for permanent residence for certain temporary skilled visa holders who have worked in Australia through the 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
 - strengthened labour market testing for employer sponsored visa applications
 - relaxation of the 40 hours per fortnight working hours for international students, initially for those working in critical sectors and extended to all student visa holders on 13 January 2022
 - exempting Working Holiday Makers from the six month work limitation with one employer
 - incentivising students and work and holiday makers to bring forward their travel by providing refunds of the visa application charge if they arrive in Australia within a specified period. For students, this is 19 January 2022 to 19 March 2022, and for working holiday makers, 19 January 2022 to 19 April 2022.
18. Recent measures to support existing visa holders impacted by COVID-19 include:

- extending the visas of eligible Temporary Graduate visa holders in Australia to 30 September 2022, and allowing Temporary Graduate visa holders overseas to apply for a replacement visa if they have been unable to travel to Australia
 - on 29 October 2021, extending the visas of certain Prospective Marriage visa holders outside Australia to 31 December 2022. Visa application charge refunds have also been made available to certain Prospective Marriage visa holders impacted by COVID-19 related travel restrictions.
19. The Government has also responded to the specific impacts of COVID-19 on regional Australia. In addition to measures outlined in previous editions of this paper, the Skilled Regional provisional visas (subclasses 489, 491 & 494) of holders who have been adversely affected by COVID-19 related travel restrictions will be extended.
 20. Information about the measures the Government has taken in response to the COVID-19 pandemic is regularly updated and available on the Department's website at <https://covid19.homeaffairs.gov.au/>.

Service delivery during COVID-19

21. The pandemic continues to affect the Department's capacity to deliver services and programs in Australia and overseas.
22. Throughout the COVID-19 pandemic, Service Delivery Partners (SDPs) have been dealing with a dynamically changing situation in many countries, with governments declaring measures such as business closures, self-isolation, travel bans and advisories on social distancing. This has resulted in ongoing service disruptions and a number of closures. SDPs gradually re-commenced biometric collection services from October 2020 and as at 31 December 2021, biometrics were being collected in 44 countries.
23. The Department's staffing resources have been diminished around the world as countries respond to local health impacts of COVID-19, including most recently of the Omicron variant. As at 31 December 2021, the overseas network was operating at about 80 per cent of overall capacity.
24. Within Australia, 60 per cent of non-humanitarian visa processing staff capacity has been redirected to COVID-19 related critical functions including COVID-19 border measures, visa processing to support the Government's COVID-19 priorities or activities to support COVID-19 recovery. This includes the transfer of approximately 155 staff from visa processing and border management roles to travel exemption processing.
25. As part of a global operating model for visa processing, and in response to the challenges presented by COVID-19, the Department allocates resources flexibly to manage demand and on-hand levels for all visa types. Processing staff may work across a range of visa programs and may not be allocated to processing a single visa subclass. The Department uses all available resources, regardless of their location, to deliver on Government immigration priorities. These include an increased range of temporary visas recently exempt from travel restrictions as part of the Government's border re-opening plan, as well as a continued focus on delivery of the Migration Program. The location of processing for visa caseloads is continually reviewed in response to evolving requirements.
26. The Department's websites provide a comprehensive source of information on visas, citizenship, travel restrictions and support services to clients and the Australian community. The *COVID-19 In your language* website, covid19inlanguage.homeaffairs.gov.au, hosts whole-of-Government COVID-19 related information in 63 languages.

Outlook

27. As Australia's international borders re-open, temporary and permanent migration will play a critical role in our economic recovery from the pandemic with migrants filling growing skill and labour shortages in metropolitan and regional Australia and rebuilding important sectors such as international education and tourism. Australia will face international competition to attract and retain migrants, particularly global talent and skilled workers, as other countries also seek to rebuild their economies and offset the population challenge of an ageing domestic population.
28. The 2021-22 Migration Program has been designed to provide flexibility to respond to evolving border measures and economic circumstances. Targeting the Migration Program to address current and longer-term economic needs, with a focus on visa categories that best address Australia's labour market needs and growth objectives, will help to address the impacts of the pandemic as Australia moves into the next phase of economic recovery and prepares for international travel restrictions to ease.
29. Social cohesion and support for immigration and multiculturalism have remained strong throughout the pandemic⁴. The Scanlon-Monash Index of social cohesion continued to move in a positive direction in 2021, with an increased proportion of respondents (76 per cent) indicating that 'accepting migrants from many different countries makes Australia stronger' and fewer respondents regarding Australia's immigration intake as too high (31 per cent).

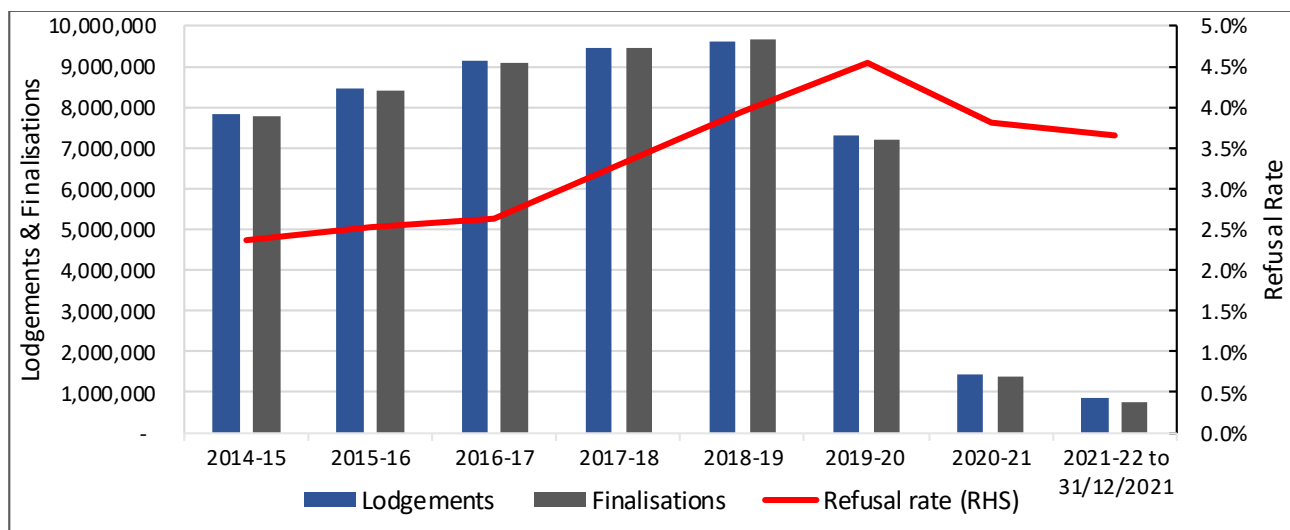
Administering the Immigration Program

Broad visa trends

30. Before the pandemic, the number of non-humanitarian 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.
31. The increase in refusal rates between 2014-15 and 2019-20 reflects:
 - Government policy settings that strike a balance between the efficiency and integrity of Australia's visa programs; and
 - the Department's use of more sophisticated risk analysis and systems to assist in the assessment of applications.
32. More recently, the visa refusal rate has decreased because of the impact of international border closures and limited flight availability, as well as prioritisation of processing resources to applications associated with an approved travel exemption.

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

Figure 1: Total non-humanitarian visa programs trends, 2014-15 to 2021-22 (to 31 December 2021)



Source: Department of Home Affairs, 2022

33. The Department continues to assess applications on a case-by-case basis in line with Government priorities (including priorities set in response to COVID-19) and visa criteria.
34. Factors that affect processing times for applications include the volume of applications received, whether an individual application falls within a priority processing group, the quality and completeness of those applications, applicants' responsiveness to requests for information, and the complexity involved in assessing genuineness, character, health and security requirements.
35. The Department publishes global processing times for each visa category. Processing times are based on the age of applications finalised recently. This is particularly relevant as visa activity increases as part of the Government's border reopening plans - many applications finalised recently had been on-hand for some months while borders were closed. As borders reopen, and more people become eligible for travel, these applications are now being finalised. Where applications have been lodged recently and the applicant is eligible for a travel exemption, the applications are being finalised quickly.
36. Despite the growing volume and risk, the Department has achieved greater productivity, finalising more applications each year by:
 - encouraging the take up of online lodgement, which reduces manual data entry. As at 31 December 2021:
 - 99 per cent of all temporary visa applications were lodged electronically, compared to 78 per cent in 2014-15
 - 93 per cent of all permanent visa applications were lodged electronically, compared to 74 per cent in 2014-15
 - continually improving systems and processes
 - increased global caseload management (see paragraph 25).

Net Overseas Migration (NOM)

37. 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, and New Zealand and Australian citizens. NOM continually varies and can be difficult to forecast accurately as it is affected by many complex domestic and international factors.

38. 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.
39. NOM has been significantly affected by international travel restrictions and weaker labour markets domestically and globally. The latest NOM forecasts developed by Treasury in the 2021-22 Mid-Year Economic and Fiscal Outlook indicate that as a result of an ongoing reduction in global travel, NOM will not return to pre-COVID levels until 2024-25. NOM is expected to recover from a net outflow of approximately (-) 100,000 in 2020-21 to around (-) 41,000 persons in 2021-22, then to a net inflow of around (+) 180,000 in 2022-23, before gradually increasing to around (+) 235,000 in 2024-25.
40. Australia's population is projected to be 4.9 per cent smaller (1.5 million fewer people) by 2030-31 than it would have been had it not been for the global pandemic.
41. In the longer term, the 2021 Intergenerational Report predicts that Net Overseas Migration (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. In the shorter term, NOM and the rate of growth of Australia's population will reflect the continuing impact of the pandemic.

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

	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25
NOM, Australia	193, 000	-100,000	-41,000	180,000	213,000	235,000

Source: **MYEFO 2021-22, Commonwealth of Australia, December 2021**

Temporary visas

42. 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 for Australia's international education and tourism sectors, usually two of the largest export sectors.
43. 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 paragraphs 97 to 99).
44. COVID-19 has resulted in a decrease in the number of temporary visa holders in Australia as a consequence of the greatly reduced number of new arrivals and the departure of many temporary visa holders (see Table 2). On 31 December 2021, there were over 1.66 million people in Australia on temporary visas compared to over 1.8 million in 31 December 2020, a reduction of 7.6 per cent.
 - Of those in Australia, an estimated 1.53 million have work rights.

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

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

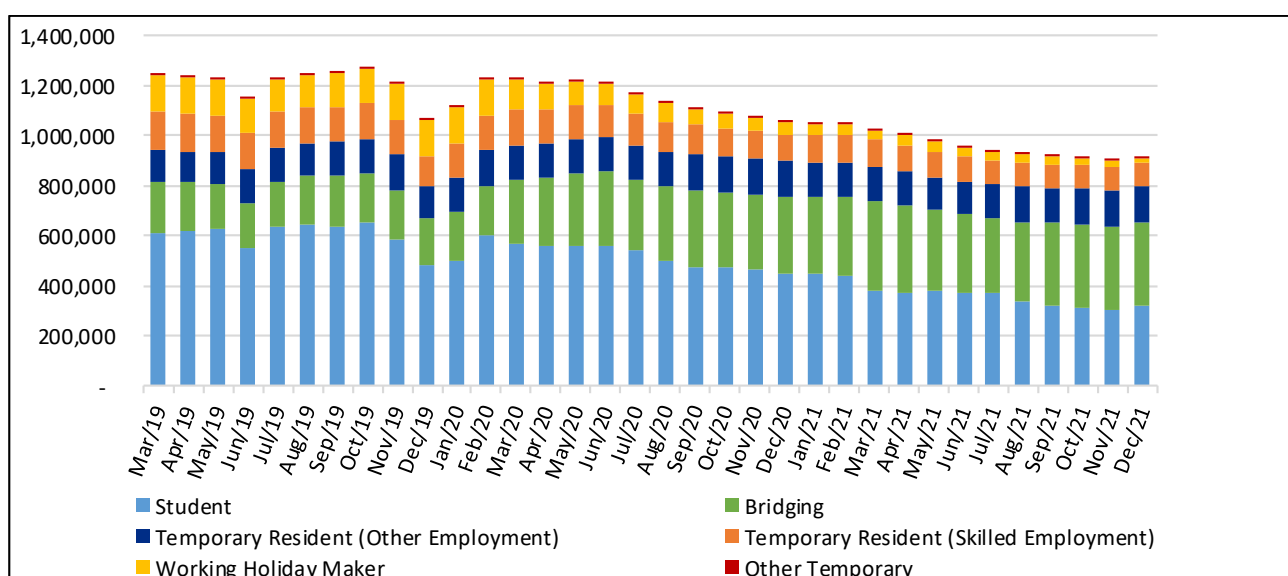
45. New Zealand citizen Special Category visa holders, many of them long term residents, are the largest cohort of temporary residents and there has been no significant change in the size of this cohort during the pandemic. The largest percentage decreases have related to the Visitor and Working Holiday Maker visas. The increase in bridging visa holders is principally a function of special COVID-19 arrangements to maintain the lawful status of temporary visa holders unable to depart Australia (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 December 2020 and 31 December 2021

Visa category	31-12-20	31-12-21	Difference	% Change
Bridging (excluding Bridging visa E)	305,616	333,357	27,741	9.1%
Crew and Transit	8,997	10,511	1,514	16.8%
Other Temporary	4,995	3,677	-1,318	-26.4%
Special Category	656,680	656,988	308	0.0%
Student	449,932	315,949	-133,983	-29.8%
Temporary Protection	17,919	18,801	882	4.9%
Temporary Resident (Other Employment)	139,879	148,870	8,991	6.4%
Temporary Resident (Skilled Employment)	110,338	90,737	-19,601	-17.8%
Visitor	57,786	66,583	8,797	15.2%
Working Holiday Maker	49,542	19,324	-30,218	-61.0%
Total	1,801,684	1,664,797	-136,887	-7.6%

Source: Department of Home Affairs 2022

Figure 2: Number of temporary visa holders in Australia⁷, March 2019 to December 2021



Source: Department of Home Affairs, 2022

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

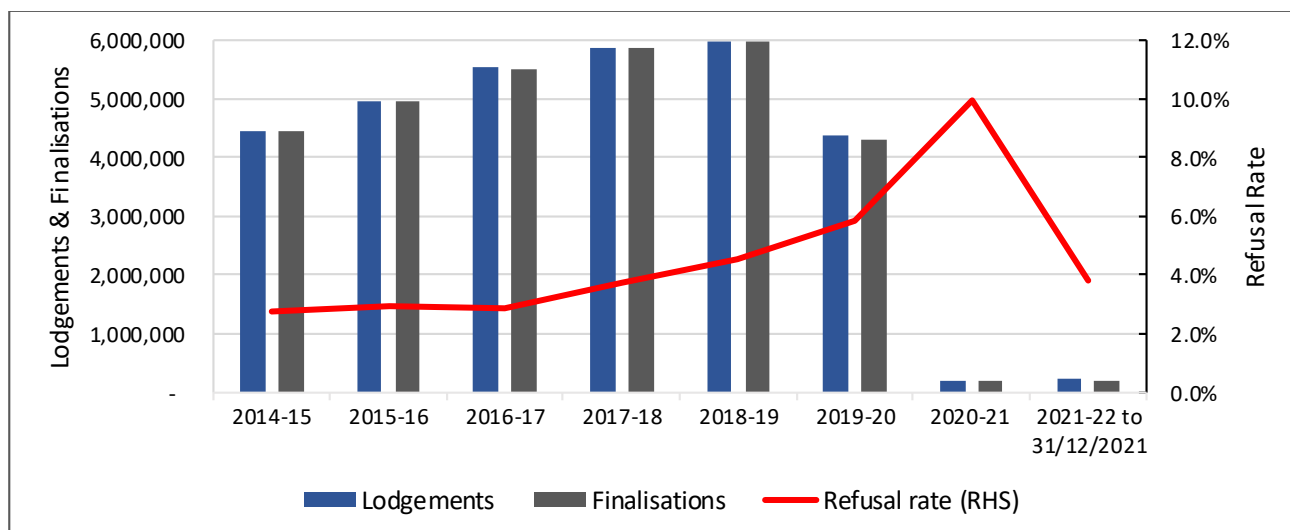
Pandemic event visa

46. On 4 April 2020, the Government announced that a COVID-19 Pandemic event stream within the subclass 408 Temporary Activity visa would be available to allow temporary visa holders in Australia to remain lawfully during the pandemic:
- to work in critical sectors including agriculture, food processing, health care, aged care, disability care, child care and tourism and hospitality
 - if they have no other visa options and are unable to depart Australia due to COVID-19 travel restrictions.
47. As at 31 December 2021, 92,777 visa applications had been received and 39,913 visas granted, primarily to workers in critical sectors. Critical sector applications are given processing priority.

Visitors

48. International tourism 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.
49. Prior to the outbreak of COVID-19, international tourism 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, have significantly affected demand for visitor visas.
50. As at 31 December 2021, the number of Visitor visa holders in Australia had increased by approximately 15 per cent compared to the previous year (see Table 2) but decreased by 90 per cent when compared to the same period in 2019.
51. Since the outbreak of COVID-19, the Department has prioritised Visitor visa applications from people in Australia to allow them to remain lawful until they are able to depart, and applications from people overseas who are exempt from travel restrictions. On average, in December 2021, 75 per cent of Visitor visa applications were finalised within 49 days. However, applicants exempt from travel restrictions are prioritised and generally finalised within eight business days from approval of the exemption.
52. In the 12 months to 31 December 2021, 69,235 Visitor visa holders arrived in Australia as immediate family members of an Australian citizen or permanent resident (exempt category), or having been granted an individual exemption.
53. Concessions have been introduced to allow Visitor visa holders outside Australia, whose previous Visitor visa expired, or will expire, between 20 March 2020 and 30 June 2022, to receive a waiver of the visa application charge for a future Visitor visa applied for by 31 December 2022.

Figure 3: Visitor visa program trends, 2014-15 to 2021-22 (to 31 December 2021)

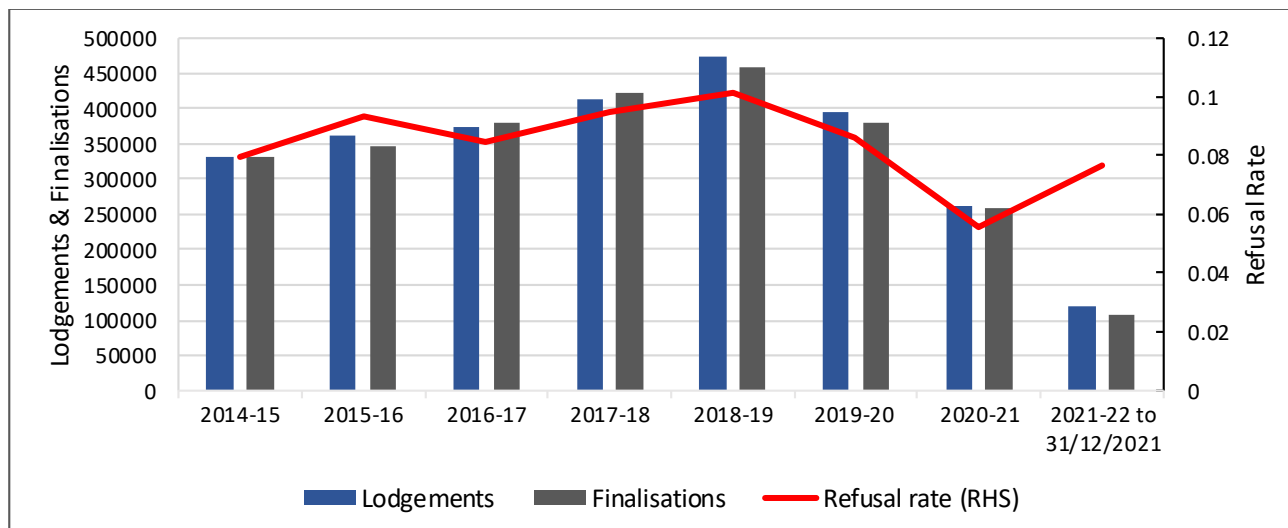


Source: Department of Home Affairs, 2022

Students

54. 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 is subject to Australia's quality assurance framework for international education, set out under the *Education Services for Overseas Students Act 2000*.
55. 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 Education, Skills and Employment, Austrade and education regulators to support a consistent whole-of-government approach to the international education sector.
56. Prior to the pandemic, the Department had supported continued growth in the sector. The consequences of the pandemic, including ongoing travel restrictions, have led to a significant reduction in Student visa applications (see Figure 4 and Table 4).
 - In 2020-21 offshore student visa lodgements fell 55.5 per cent and onshore lodgements by 12.6 per cent, compared to 2019-20.
 - Some Students have chosen to return to their home country during the pandemic, however, almost 315,949 student visa holders remain in Australia (see Table 3).
57. Student visa processing has continued throughout the pandemic. As part of the Government's border reopening plan, the Department is prioritising Student visa applications from students outside of Australia – especially those seeking to commence study in Semester 1 2022.

Figure 4: Student visa program trends, 2014-15 to 2021-22 (to 31 December 2021)⁸



Source: Department of Home Affairs, 2022

Table 3: Number of Student visa holders in Australia, quarterly to 31 December 2021

Sector	30-Jun-20	30-Sep-20	31-Dec-20	31-Mar-21	30-Jun-21	30-Sep-21	31-Dec-21
Foreign Affairs or Defence	4,278	3,471	2,579	2,130	2,084	1,425	1,062
Higher Education	329,720	267,286	250,346	192,716	197,956	153,751	162,658
Independent ELICOS	15,756	9,762	6,436	4,382	3,084	2,262	1,931
Non-Award	2,799	565	348	163	173	152	128
Postgraduate Research	25,645	23,841	22,426	21,193	20,628	19,719	19,327
Schools	17,336	16,565	14,726	10,758	10,664	10,532	9,400
Student (Not Further Specified)	11	11	11	11	11	11	11
Vocational Education and Training	159,765	154,882	153,060	146,432	139,456	130,063	121,432
Total	555,310	476,383	449,932	377,785	374,056	317,915	315,949

Source: Department of Home Affairs, 2022

Table 4: Change in the number of Student visa applications lodged by sector between 2019-20 and 2020-21, and year to date 2021-22 (to 31 December 2021)

Sector	2019-20	2020-21	Difference	% Change	2021-22 (to 31/12/2021)
Foreign Affairs or Defence	3,786	1,639	-2,147	-56.7%	1,100
Higher Education	197,529	143,199	-54,330	-27.5%	68,305
Independent ELICOS	36,285	6,284	-30,001	-82.7%	3,692
Non-Award	12,281	389	-11,892	-96.8%	518
Postgraduate Research	11,790	9,611	-2,179	-18.5%	5,454
Schools	7,903	2,542	-5,361	-67.8%	1,356
Vocational Education and Training	125,572	98,969	-26,603	-21.2%	38,073
Total	395,146	262,633	-132,513	-33.5%	118,498

Source: Department of Home Affairs, 2022

⁸ Includes all primary and secondary Student visa applications.

58. The Government has offered a number of concessions to international students and graduates to ensure they are not disadvantaged by the pandemic and that Australia remains an attractive destination for international students. These include:
- Student visa holders studying online outside Australia due to COVID-19 will be able to count that study towards the Australian Study Requirement for a Temporary Graduate visa
 - visa application charge 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 are unable to undertake tests in their home country
 - temporary relaxation of student work restrictions to allow students to work unlimited hours and to begin working before their course commencement, to alleviate immediate workforce shortages
 - refunding the visa application charge of student visa holders who arrive in Australia between 19 January 2022 and 19 March 2022
59. The Department has also taken a flexible approach in cases where the pandemic has prevented students meeting visa conditions, such as where they are not able to attend classes in person.
60. 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 47,826 Student visa holders being granted a TGV in 2020-21.
61. Since November 2021, the Government has announced a number of additional measures to support international graduates, including:
- allowing TGV holders who lost time in Australia due to COVID-19 international travel restrictions to apply for a second 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 stay period for Masters by research graduates
 - temporarily increasing the stay period for vocational education and training (VET) sector applicants 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.

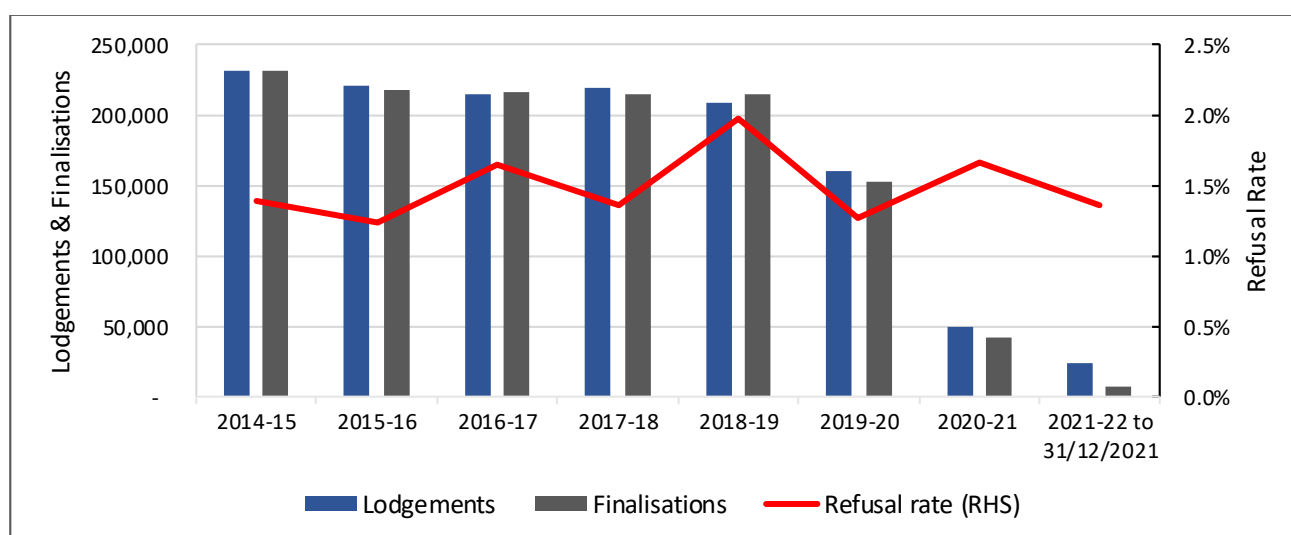
Working Holiday Makers

62. The Working Holiday Maker (WHM) program promotes cultural exchange and boosts people-to-people links between young adults from Australia and 44 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.
63. 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.

64. In response to COVID-19, the Government introduced arrangements allowing WHM holders working in sectors critical to the supply of goods and services to extend their stay in Australia. The definition of 'specified work' for WHMs has been expanded to include critical COVID-19 work in the healthcare and medical sectors and in the tourism and hospitality sectors in northern and remote Australia. From January 2022, all WHMs are also exempt from the six month work limitation with one employer.
65. Visa application charges 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 remain in Australia during the pandemic and apply for a new visa before 31 December 2022. Additionally, there will be a refund of visa application charges for WHMs who travel to Australia and arrive between 19 January 2022 and 19 April 2022.
66. The COVID-19 pandemic has led to a decrease in visa demand for the WHM program (see Figure 5) and the number of WHM visa holders in Australia (see Table 2). 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 2021-22 (to 31 December 2021)



Source: Department of Home Affairs, 2022

67. 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 paragraph 223).
68. Regulations have also recently been made to exclude work undertaken for specified businesses from counting towards eligibility for a second or third WHM visa. The aim of these new Regulations is to remove any incentive for WHM visa holders to work for certain employers who have engaged in the mistreatment of WHMs. Before a business is listed, the business will have an opportunity to make a submission to the Minister outlining any extenuating circumstances to inform the Minister's decision.
69. The Department will also implement enhanced communication channels to allow visa holders to easily check the status of their employer.

70. As part of the Government's border reopening plans, the Department is directing resources to finalising WHM visas. Applications that were on-hand while Australia's borders were closed are now being finalised. As these older applications are finalised, published processing times have increased. However, applications lodged recently are being finalised quickly. For example: 90 per cent of Working Holiday (subclass 417) applications lodged since 1 November 2021 and finalised before 31 December 2021, were finalised within 20 days; 90 per cent of Work and Holiday (subclass 462) applications lodged since 1 November 2021 that were finalised before 31 December 2021 were finalised within 26 days.

Temporary Skilled Work

71. The Temporary Skill Shortage (TSS) visa was introduced in March 2018 to replace the Temporary Work (Skilled) (subclass 457) visa.
72. The visa is underpinned by a robust integrity framework, including ongoing sponsorship obligations for employers to ensure overseas workers are protected from exploitation. The program is designed to meet genuine skills shortages while not undercutting local employment, wages and conditions.
73. 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.
 - 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 responsible for reviewing the lists of occupations eligible for skilled migration to ensure that they remain responsive to Australia's skill needs. This includes labour market analysis and a public consultation process.
74. 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 Education, Skills and Employment manages a national partnership that provides SAF funding to the states and territories.
75. 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.

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

Table 5: Most frequently nominated occupations for Temporary Skill Shortage visa, 2020-21 and 2021-22 (to 31 December 2021)

	Nom inated occupation	2020-21 to 31/12/20	2021-22 to 31/12/21	% change from 2020-21	2021-22 as % of total
1	261313 Software Engineer	790	1,110	40.5%	7.7%
2	351311 Chef	200	1,070	450.3%	7.5%
3	253112 Resident Medical Officer	820	880	7.5%	6.1%
4	221111 Accountant (General)	170	500	203.0%	3.5%
5	261312 Developer Programmer	480	440	-7.4%	3.1%
6	261111 ICT Business Analyst	300	430	41.6%	3.0%
7	216311 Analyst Programmer	130	340	159.5%	2.4%
8	225113 Marketing Specialist	270	250	-7.0%	1.7%
9	221213 External Auditor	30	240	637.5%	1.6%
10	224711 Management Consultant	210	220	2.8%	1.5%
11	223112 Recruitment Consultant	140	200	42.0%	1.4%
12	141111 Café or Restaurant Manager	100	190	78.8%	1.3%
13	131112 Sales and Marketing Manager	220	190	-15.1%	1.3%
14	321211 Motor Mechanic (General)	80	170	104.8%	1.2%
15	111211 Corporate General Manager	180	170	-2.8%	1.2%
16	Other occupations	7,100	8,000	12.8%	55.6%
Total		11,210	14,390	28.4%	100.0%

Source: Department of Home Affairs, 2022

76. Demand for the TSS visa has fallen as a result of the COVID-19 pandemic but is beginning to recover (see Table 6 below). TSS applications from those outside Australia are now being prioritised in line with the Government's border reopening plan.

Table 6: Change in the number of Temporary Resident (skilled) primary visa applications lodged between 2019-20 and 2020-21, and year to date 2021-22 (to 31 December 2021)

Visa category	2019-20	2020-21	Difference	% Change	2021-22 (to 31/12/2021)
Temporary Resident (Skilled Employment)	36,334	27,190	-9,144	-25%	15,757

Source: Department of Home Affairs, 2022

Pacific Australia Labour Mobility (PALM) scheme

77. The PALM scheme, including the Seasonal Worker Program (SWP) and Pacific Labour Scheme (PLS), allows eligible Australian businesses to hire workers from nine Pacific islands (including Papua New Guinea) and Timor-Leste when there are not enough local workers available.
78. Following the closure of Australia's international border on 20 March 2020, recruitment for the SWP and PLS schemes was temporarily paused and then restarted in August 2020. Between this restart and 31 December 2021, more than 16,400 visas were granted to Pacific workers employed in critical sectors, particularly the agricultural sector.

79. From 4 April 2022, the two existing PALM initiatives (SWP and PLS) will be consolidated and operated under a single reformed PALM scheme, administered by Department of Foreign Affairs and Trade (DFAT) in partnership with the Pacific Labour Facility (PLF).
- The reforms will support employers to streamline recruitment processes, facilitate retention of workers and ensure efficient use of the available workforce.
 - They will provide a single PALM visa stream with extended duration up to four years.
 - There will be more flexibility to move workers, with their consent, in response to workforce needs.
 - Seasonal workers with a further employment offer for ongoing or higher skilled roles will be able to apply onshore for a further visa.
 - Labour market testing will remain valid for 12 months, and there will be more targeted use of recruitment caps.
80. The PALM scheme will remain the primary program for meeting agricultural workforce shortages while the Australian Agriculture visa will address any labour gaps that cannot be filled by Australian and Pacific labour.

Australian Agriculture Worker (AAW) visa program

81. The Australian Agriculture visa, announced on 23 August 2021, is a new sponsored visa stream within the Temporary Work (International Relations) visa.
82. The Agriculture visa program is a demand driven program designed to be scalable to meet identified labour market gaps in Australia's primary industries including horticulture, meat processing, dairy, wool, grains, fisheries (including aquaculture) and forestry. The program is open to low-skilled, semi-skilled and skilled workers from a range of countries, to be negotiated through bilateral agreements led by DFAT.
83. The number of workers to arrive under the program will be determined in the bilateral agreements, following an assessment of Australia's labour market needs.
84. The Agriculture visa program will be managed by DFAT, leveraging their experience managing PALM.
85. While the regulatory framework for the visa came into effect on 30 September 2021, the arrival of workers will be subject to completion of bilateral negotiations and agreement on the program design, which is now underway through industry consultation.

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

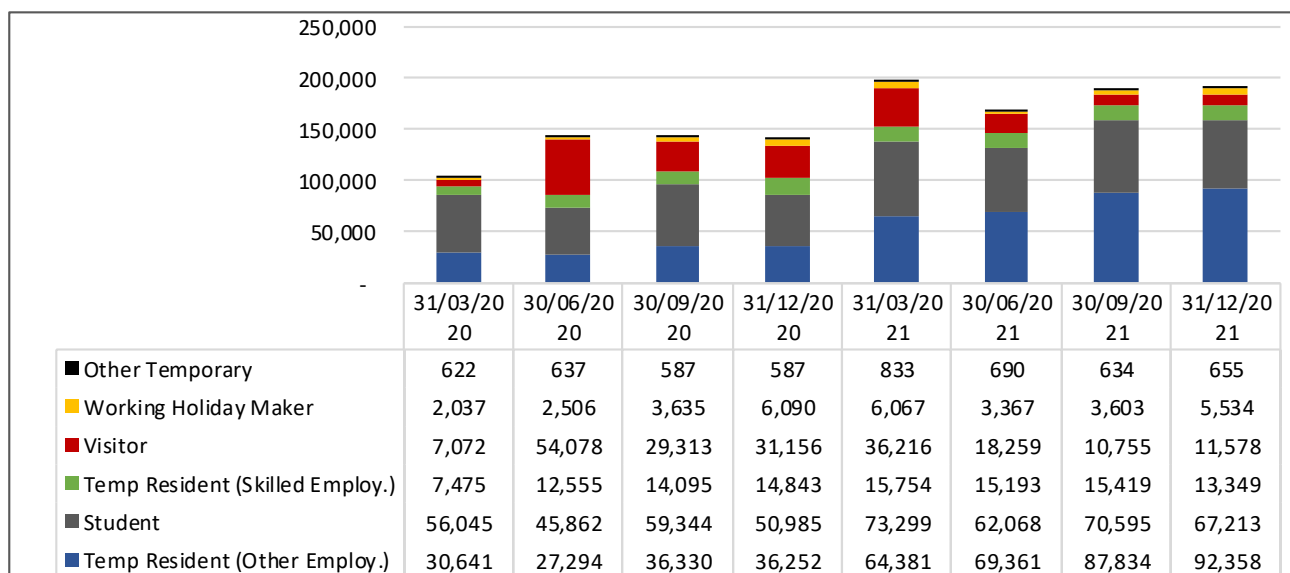
86. Regulations to automatically extended temporary graduate or temporary skilled visas held by Hong Kong passport holders for five years commenced on 21 August 2020. The regulations also provide that future grants of these visas to Hong Kong passport holders will have a validity of five years.
87. On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

Bridging visas

89. 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 December 2021¹⁰

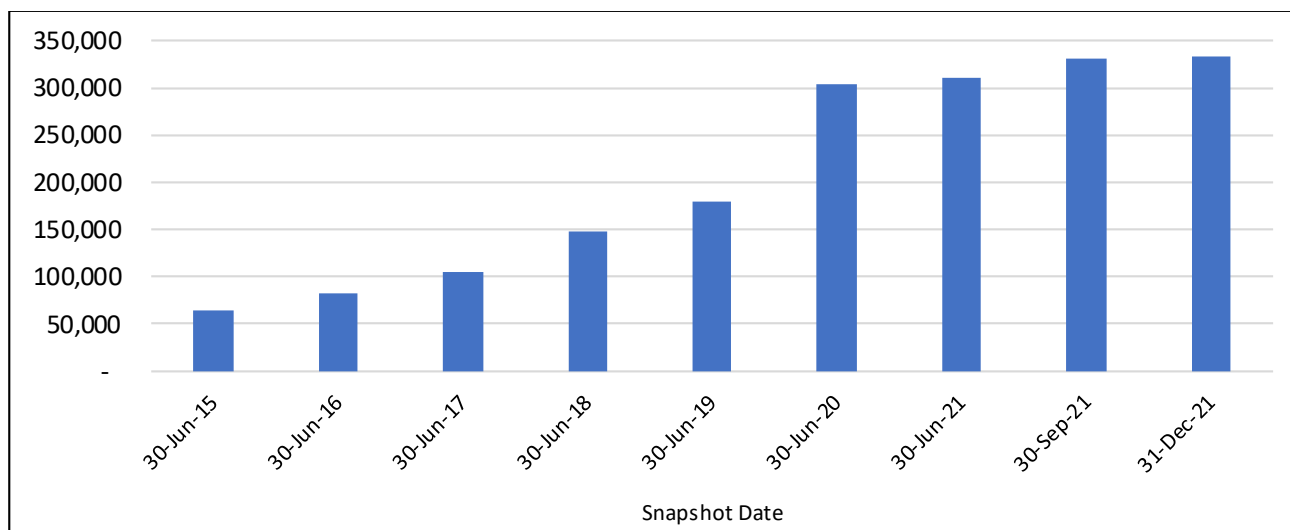


Source: Department of Home Affairs, 2022

90. Bridging visas will generally cease on departure from Australia unless the person holds a Bridging Visa B (BVB). The BVBs permits the holder to depart and return to Australia within a prescribed period.
91. Where a person is not eligible to be granted a bridging visa through normal visa application processes, they may seek Ministerial Intervention.
92. The number of bridging visa holders (excluding Bridging E visas (subclasses 050 and 051)) increased by almost 74 per cent between 31 December 2019 and 31 December 2021 as people unable to depart during COVID-19 applied for new substantive visas to remain in Australia. On 31 December 2021, there were 333,315 bridging visa holders (excluding Bridging E visa holders) in Australia. Information on Bridging E visas is at pages 48-49.

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

Figure 7: Number of bridging visa holders in Australia, 30 June 2015 to 31 December 2021¹¹



Source: Department of Home Affairs, 2022

93. 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 December 2021 (excluding Bridging Visa E holders), 23 per cent had applied for permanent migration, 19 per cent had applied for a protection visa, 27 per cent had applied for a temporary visa, and one per cent had been granted a bridging visa for other reasons.

Applications for merits review

94. 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).
95. The AAT's caseload has grown significantly in recent years, particularly applications for review of migration and refugee visa-related decisions. At 31 March 2020, 66,687 cases were awaiting review by the MRD. Following a decline in applications for review during 2020-21, this had decreased to 57,201 active cases on hand at 31 December 2021.

Domestic and Family Violence (DFV) visa and coordination support

96. As part of the 2021-22 Budget, the Government invested \$2.5 million to support temporary visa holders experiencing DFV through the establishment of a dedicated DFV support team within the Department of Home Affairs. This measure complements a Department of Social Services' (DSS) pilot to assist temporary visa holders experiencing DFV through the provision of financial, legal and migration advice support. Some of the key functions of the new DFV support team are:
- provision of a centralised point of contact on visas in support of the DSS pilot
 - triaging visa applications for victims of DFV, with a view to assisting them to regularise their visa status

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

- gathering and analysing data and feedback to inform future policy responses to further assist temporary visa holder victims of DFV.

Relationship between permanent and temporary migration

97. While Australia's migration system does not offer automatic progression from temporary to permanent visas, increasing numbers of permanent migrants use temporary visa programs as a pathway to gaining permanent residence.
98. 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.

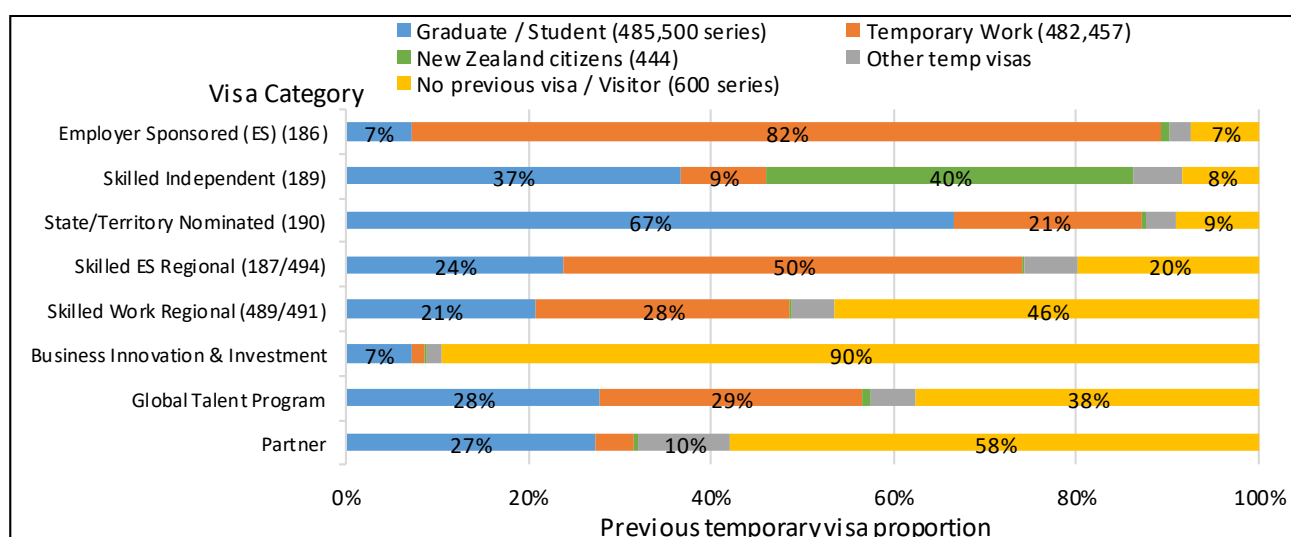
Table 7: Number of permanent primary visa applications lodged by client location, 2020-21

Visa category	In Australia		Outside Australia		Total
Child	717	24.34%	2,229	75.66%	2,946
Family	59,006	57.89%	42,920	42.11%	101,926
Other Permanent	65	53.28%	57	46.72%	122
Resident Return/ADV	44,880	59.56%	30,475	40.44%	75,355
Skilled	82,467	75.32%	27,023	24.68%	109,490
Special Eligibility	61	84.72%	11	15.28%	72
Total	187,196	64.57%	102,715	35.43%	289,911

Source: Department of Home Affairs, 2021

99. 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 Work Regional categories (see Figure 8 below).

Figure 8: Proportion of permanent visas granted where a temporary visa was previously held, 2020-21

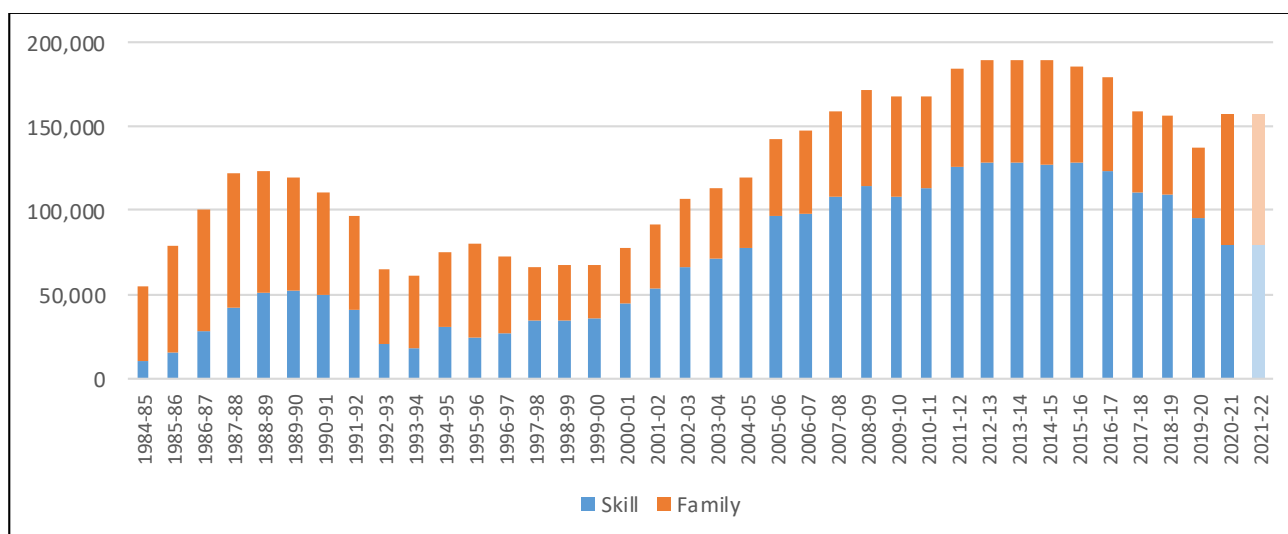


Source: Department of Home Affairs, 2021

Migration Program

100. 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 permanent Migration Program is comprised of three key streams: the Skill program, the Family program and the (much smaller) Special Eligibility program.
101. The Government decides the number of places available in these programs, setting planning levels as part of the annual Budget process. Planning levels are treated as a 'ceiling' rather than a target, ensuring that standards are not lowered to fill places. As a temporary measure, the Government has departed from a two-thirds/one-third distribution across the Skill and Family streams, with the proportion of Family stream visa places increasing to a planning level of approximately 50 per cent of the total Migration Program ceiling. The Department aligns allocation of its decision-making capacity with the Government's priorities as expressed in these planning levels.

Figure 9: Migration Program outcomes by stream, 1984-85 to 2021-22¹²



Source: Department of Home Affairs, 2021

102. A carefully managed Migration Program will help Australia's economy recover from the impacts of COVID-19. The 2021-22 Migration Program is designed to respond and adapt to evolving economic, border and public health challenges in an uncertain environment. The Migration Program ceiling for 2021-22 has been retained at 160,000 places. Planning levels across visa categories are outlined in Table 8.

¹² 2021-2022 numbers are planning levels instead of outcomes.

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 (at 31 December 2021)
Employer Sponsored <i>Employer Nomination Scheme</i>	30,000	29,261	22,000	23,503	22,000	10,683
Skilled Independent	18,652	12,986	6,500	7,213	6,500	2,841
Skilled Regional	23,000	23,372	11,200	13,585	11,200	5,929
State/Territory Nominated	24,968	21,495	11,200	14,268	11,200	5,909
Business Innovation and Investment Program	6,862	4,420	13,500	11,198	13,500	6,494
Global Talent ¹³	5,000	4,109	15,000	9,584	15,000	4,557
Distinguished Talent	200	200	200	269	200	115
Skill total	108,682	95,843	79,600	79,620	79,600	36,528
Partner	39,799	37,118	72,300	72,376	72,300	22,937
Parent	7,371	4,399	4,500	4,500	4,500	2,443
Other Family	562	444	500	496	500	213
Family total	47,732	41,961	77,300	77,372	77,300	25,593
Special Eligibility	236	81	100	54	100	36
Total Migration Program	156,650	137,885	157,000	157,046	157,000	62,157
Child ¹⁴	3,350	2,481	3,000	3,006	3,000	1,599
Total permanent migration places	160,000	140,366	160,000	160,052	160,000	63,756

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

103. 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 2020-21 Migration Program compared with previous years are set out in Table 9 below.

¹³ Commenced in the 2019-20 program year.

¹⁴ Outside the Migration Program ceiling.

Table 9: Migration Program - Top 10¹⁵ countries of citizenship, 2015-16 to 2020-21

Outcome ¹⁶	Program Year					
Citizenship Country ¹⁷	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21
China, Peoples Republic of (excl SARs)	29,008	28,293	25,145	24,282	18,587	22,207
India	40,145	38,854	33,310	33,611	25,698	21,791
United Kingdom	18,950	17,038	13,654	13,689	10,681	12,703
Philippines	11,917	12,209	10,610	9,159	8,965	11,058
Vietnam	5,341	5,493	5,124	5,532	5,398	8,120
United States of America	3,486	3,448	2,782	3,812	3,301	4,780
Nepal	5,095	4,290	3,067	4,096	5,048	4,714
Hong Kong (SAR of the PRC)	1,849	1,795	1,928	1,647	1,391	4,312
Pakistan	6,708	6,556	6,235	4,739	4,136	4,121
Thailand	2,788	2,676	2,486	2,120	1,979	4,002
Other	64,483	62,956	58,076	57,636	55,182	62,244
Total	189,770	183,608	162,417	160,323	140,366	160,052

Source: Department of Home Affairs, 2021

Skilled Migration Program

104. 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. Specific skilled visas for regional Australia help to meet workforce shortages in designated regions.

- Modelling by the Productivity Commission¹⁸ has found that increasing the share of migrants with higher skilled occupations increased 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 population¹⁹.
- Skilled migrants contribute more to Government revenue through taxation than they receive through government services and benefits.

105. The skilled migration visa settings are designed to safeguard the jobs of Australian workers. Policy settings aim to ensure skilled migration complements, not replaces, domestic employment and training initiatives to meet skill needs. While employer-sponsored visas are designed for skilled migrants to fill specific vacancies where no suitable Australian workers are available, non-employer-sponsored skilled visas select migrants based on their human

¹⁵ Top 10 grouping based on 2020-21 outcome.

¹⁶ Includes primary and secondary applicants.

¹⁷ New Zealand grants were not counted toward the Migration Program outcome prior to 2017-18.

¹⁸ 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.

¹⁹ The Treasury (2021), *2021 Intergenerational Report* [online document], Australian Government, accessed October 2021.

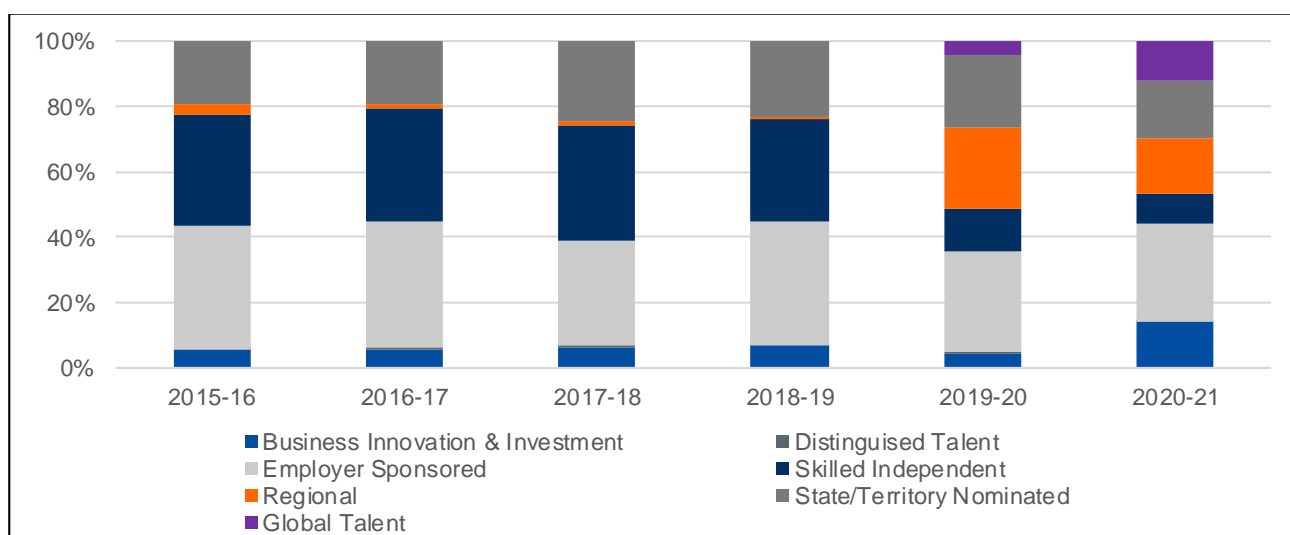
capital attributes and ability to contribute to the Australian economy and labour market in the longer term. Many of them, including entrepreneur, investor and business migrants, are expected to be 'job multipliers' by creating quality jobs for Australians.

106. The skilled stream includes the following visa categories:

- General skilled migration, for skilled workers who do not have an employer sponsoring them, but possess desirable skills and attributes and 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 business people to settle in Australia and develop new business opportunities.
- Global Talent and Distinguished Talent for individuals who are internationally recognised as outstanding in their field.

107. Skilled migration program outcomes by category for the previous six years are outlined in Figure 10.

Figure 10: Composition of the Skilled Migration Program, 2015-16 to 2020-21



Source: **Department of Home Affairs, 2021**

108. The 2021-22 Migration Program Skill stream has been set at 79,600 places. Priority will be given to visa cohorts with medical and other skills to support the pandemic response and migrants who will drive economic growth and investment, and provide critical skills to support Australia's economic recovery. The three priority categories within the Skill stream in 2021-22 are the Business Innovation and Investment Program, the Global Talent Program and Employer Sponsored Program.

109. Applicants in Australia were being prioritised over applicants outside Australia to assist in stabilising NOM. With the opening of the borders, there will be increased focus on applicants located offshore.

110. The Department has appointed Business, Industry and Regional Outreach officers to support business, industry and regional engagement and to help businesses understand what visas are available when they cannot find Australian employees. This network expands on the remit

of the former Regional Outreach Officer network, with officers covering all states and territories.

Business Innovation and Investment Program

111. The Business Innovation and Investment Program (BIIP) targets migrants who have a demonstrated history of success or talent in innovation, investment and business and are able to make a significant contribution to the national innovation system and the economy more broadly.
112. Migrants under the BIIP are required to make certain investments while on a provisional visa before being eligible to transition to a permanent visa.
113. Places for BIIP visas have been maintained at 13,500 in 2021-22, reflecting the importance of the program in driving investment into the Australian economy and creating jobs for Australians in the context of the economic recovery from the pandemic.
114. The BIIP is attractive to business and investor migrants internationally and demand for visas has exceeded the number of places available. As at 31 December 2021, there were 25,979 first stage (excluding extensions) applications on hand.
115. On 1 July 2021 changes were made to the BIIP and the Complying Investment Framework (CIF) to support Australia's post-COVID-19 economic recovery by focusing on streams with measurable outcomes, and on investments that directly contribute to innovation, job creation and growing emerging businesses. Details of these changes are available at: <https://www.homeaffairs.gov.au/reports-and-pubs/files/streaming-biip-and-cif-summary-landscape.pdf>.

Global Talent

116. The Global Talent Visa Program (GTVP) aims to attract talented migrants of the highest calibre, with entrepreneurial ideas and cutting-edge skills within target industry sectors, who can relocate to Australia and contribute to the economy by driving innovation and supporting the creation of local jobs.
117. Departmental Global Talent Officers in Australia and key overseas locations work with stakeholders, including universities, professional associations and businesses to identify and market the GTVP to exceptional candidates in key target sectors.
118. To further Australia's efforts to attract global talent, the Government established the Global Business and Talent Attraction Taskforce, hosted by the Department in partnership with Austrade, and drawing from expertise across government and from the private sector. The Taskforce's objective is to attract high-value, pioneering businesses and exceptionally talented individuals to Australia, along with their ideas, networks and capital.
119. There are two pathways for the Global Talent (subclass 858) visa:
 - The Global Talent pathway is a two-stage, prioritised pathway for individuals who receive an invitation to apply for a Global Talent visa based on achievements in one of the priority sectors and their ability to earn an income at least at the Fair Work High Income Threshold²⁰ in Australia. Candidates under the Global Talent pathway submit an EOI for consideration for invitation. This program is designed to complement and not duplicate other Skilled programs.

²⁰ Currently \$158,500 and adjusted annually on 1 July.

- The Distinguished Talent pathway is for other extremely talented individuals who have an internationally recognised record of exceptional and outstanding achievements in either a profession; a sport; the arts; or academia and research.

120. EOIs for the Global Talent pathway are subject to rigorous assessment, including integrity checks to verify supporting information and documentation. Global Talent visa applicants who are invited to apply through the Global Talent pathway receive priority processing.

Table 10: Global Talent Visa pathway EOI assessment outcomes as at 31 December 2021

Program year	Invited	%	Not invited	%	Total
2020-2021	4,143	41.3%	5,886	58.7%	10,029
2021-2022	1,352	42.3%	1,848	57.8%	3,200
Total	5,495	41.5%	7,734	58.5%	13,229

Source: Department of Home Affairs, 2022

Table 11: Global Talent Visa Program average visa processing time for applications finalised between 1 July 2021 and 31 December 2021

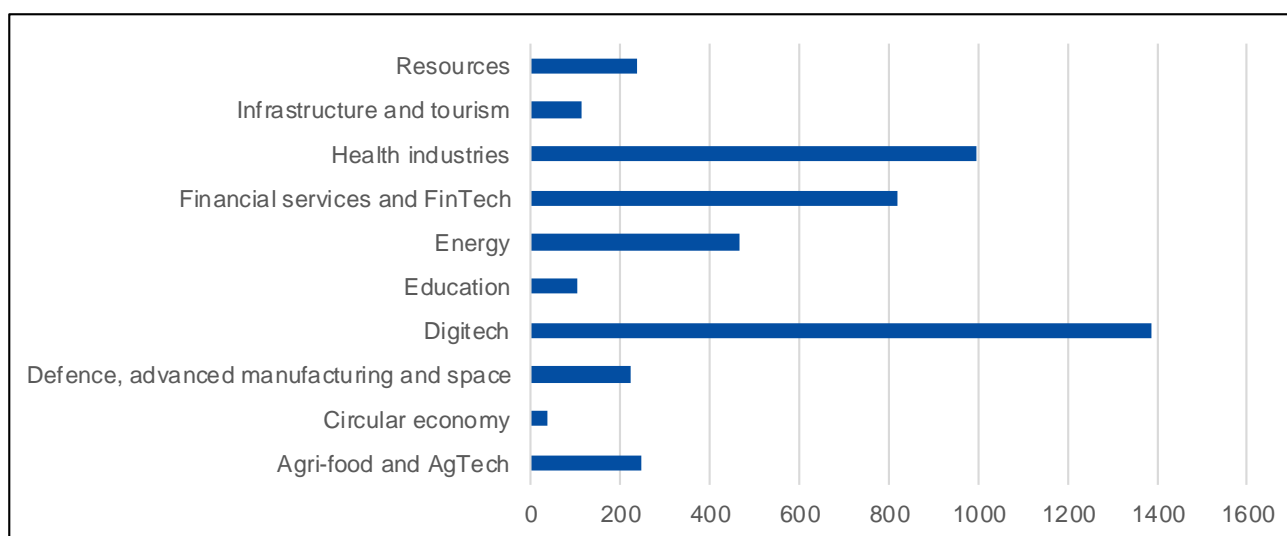
Stream	75th percentile	90th percentile
Global Talent pathway	89 days	145 days

Source: Department of Home Affairs, 2022

121. In 2021-22, 15,000 places have been allocated for the Global Talent program within the Migration Program. As at 31 December 2021, 3,780 applications had been lodged and 4,640 individuals granted visas under the 2021-22 GTVP. During this period, 57.8 per cent of EOIs assessed resulted in a closed or finalised without invitation outcome (see Table 10).

- The current priority sectors are: Resources; Agri-food and AgTech; Energy; Health industries; Defence, advanced manufacturing and space; Circular economy; Digitech; Infrastructure and tourism; Financial Services and FinTech; and Education.

Figure 11: Global Talent Visa pathway, grants by sector as at 31 December 2021²¹



Source: Department of Home Affairs, 2022

²¹ This graph reflects the Global Talent Visa Program priority sectors in place since 17 December 2020.

Employer Sponsorship

122. The Employer Sponsored program drives high workforce participation and provides businesses with access to critical skills where no skilled Australian worker is available.
123. In September 2020, a Priority Migration Skilled Occupation List (PMSOL) was introduced as a temporary measure to prioritise occupations that are considered to be critical for economic recovery from the impacts of COVID-19, based on expert labour market advice from the National Skills Commission. The PMSOL is reviewed on a regular basis and adjusted as Australia recovers from the pandemic.

Regional Migration

124. Immigration to regional Australia assists in meeting local workforce and demographic needs. Temporary, provisional and permanent regional skilled visa options are available. In 2021 -22, 11,200 places have been allocated for the Skilled Regional visa programs.

Table 12: Number of applications lodged for Regional visas, 2020-21 and 2021-22 (to 31 December 2021)

Visa	2020-21	2021-22 (to 31/12/2021)
Skilled Work Regional (Provisional) visa (subclass 491)	16,019	11,537
Skilled Employer Sponsored Regional (Provisional) visa (subclass 494)	1890	1,393
Total	17,909	12,930

Source: Department of Home Affairs, 2022

Table 13: Number of applications finalised for Regional visas, 2020-21 and 2021-22 (to 31 December 2021)

Visa	Outcome	2020-21	2021-22 (to 31/12/2021)
Skilled Work Regional (Provisional) visa (subclass 491)	Granted	8,930	3,982
	Refused and Withdrawn	264	356
	<i>Sub total</i>	<i>9,194</i>	<i>4,338</i>
Skilled Employer Sponsored Regional (Provisional) visa (subclass 494)	Granted	1425	705
	Refused and Withdrawn	85	123
	<i>Sub total</i>	<i>1,510</i>	<i>828</i>
Total		10,704	5,166

Source: Department of Home Affairs, 2022

125. 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 the Horticulture Industry Labour Agreement settings is ongoing.

Designated Area Migration Agreements

126. 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 vacancies. A DAMA provides a two-tier framework: the first consists of an overarching five-year deed of agreement between the Commonwealth and a Designated Area Representative; the second

comprises individual Labour Agreements with employers using the terms and conditions of the overarching agreement.

127. Employers are able to sponsor workers, via a DAMA Labour Agreement, under temporary, provisional or permanent visas (depending on the circumstances), with a range of concessions not available under the standard visa programs. Some standard requirements, including payment of the SAF levy and demonstration of genuine labour market need, must be met.
128. Currently nine DAMAs are in place: Adelaide City; Far North Queensland; the Goldfields region of Western Australia; the Goulburn Valley region of Victoria; the Great South Coast of Victoria; the Northern Territory; Orana, New South Wales; Regional South Australia and the South West region of Western Australia. The Department is engaging with a number of other interested regional areas and two have submitted formal business cases.
129. As at 31 December 2021, 441 labour agreement requests had been lodged under DAMAs, with 280 in effect as at that date (DAMA labour agreements are in effect for five years). The number of nominations available for overseas workers under each existing DAMA ranges from 100 to 750 per year. A total of 538 visas had been granted under a DAMA.
130. The number of visa grants under each DAMA reflects individual employer demand in those areas. In some circumstances, there are long lead up 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

131. Australia's Family Migration Program facilitates the reunification of family members of 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.
132. The permanent Family Migration Program is comprised of four categories:
 - 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, aged dependent relatives or orphan relatives to live with them in Australia
 - the Child category, which allows parents to sponsor their dependent or adopted child to live with them in Australia. While the Child category is counted towards overall Migration numbers, it is managed outside of the Migration Program and is demand-driven and not subject to a ceiling.

Family Migration: Capping and queuing and priority processing

133. Section 85 of the Migration Act allows the Minister to determine the maximum number of visas which may be granted in each financial 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 financial year.

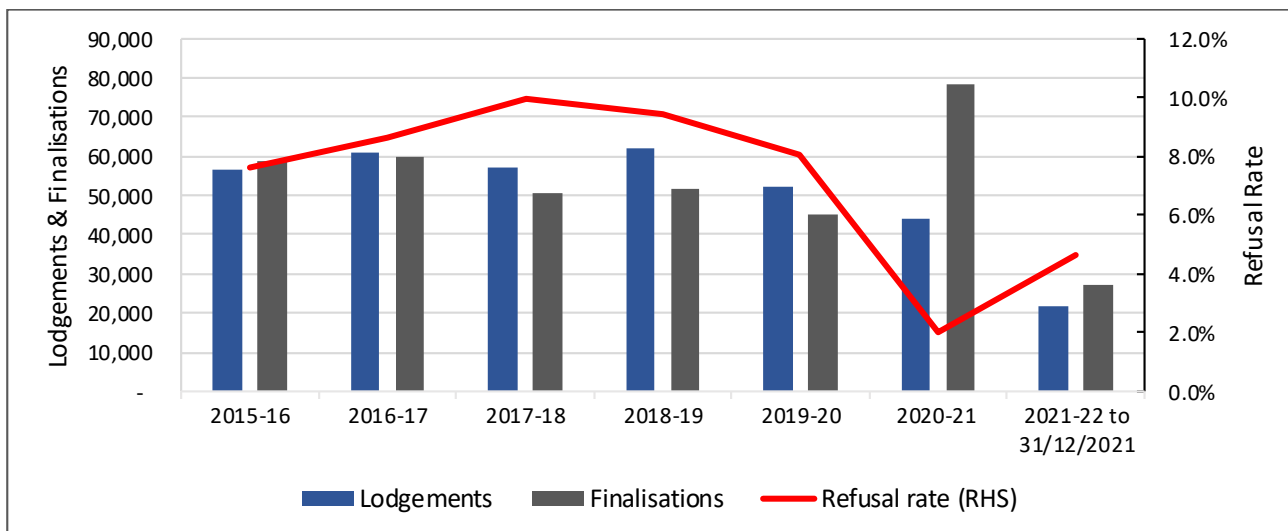
134. The 'cap and queue' power allows the annual Migration Program to be managed more efficiently by:
- limiting the number of visas that may be granted under a specific class, while queueing additional applications which meet the core criteria for possible visa grant in a later year
 - ensuring that 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.
135. Section 87 of the Act prevents capping of the Partner or Child visa categories and these visas have never been capped. There is, however, scope in administering the program to consider planning levels and prioritise processing accordingly.
136. The high level of demand for Family category, 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 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.
137. 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.
138. 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 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

139. The Partner category has consistently made up the majority of Australia's Family Migration Program. Since July 2020, increased planning levels for Partner visas (see paragraph 101) have supported the reunification of Australians with immediate family members during the COVID-19 pandemic. In 2020-21, the Department approved around 72,300 Partner visas, which was the largest Partner Program delivered in over 25 years.
140. 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 in migration legislation, including assessment of their relationship, character, identity, health and security criteria.

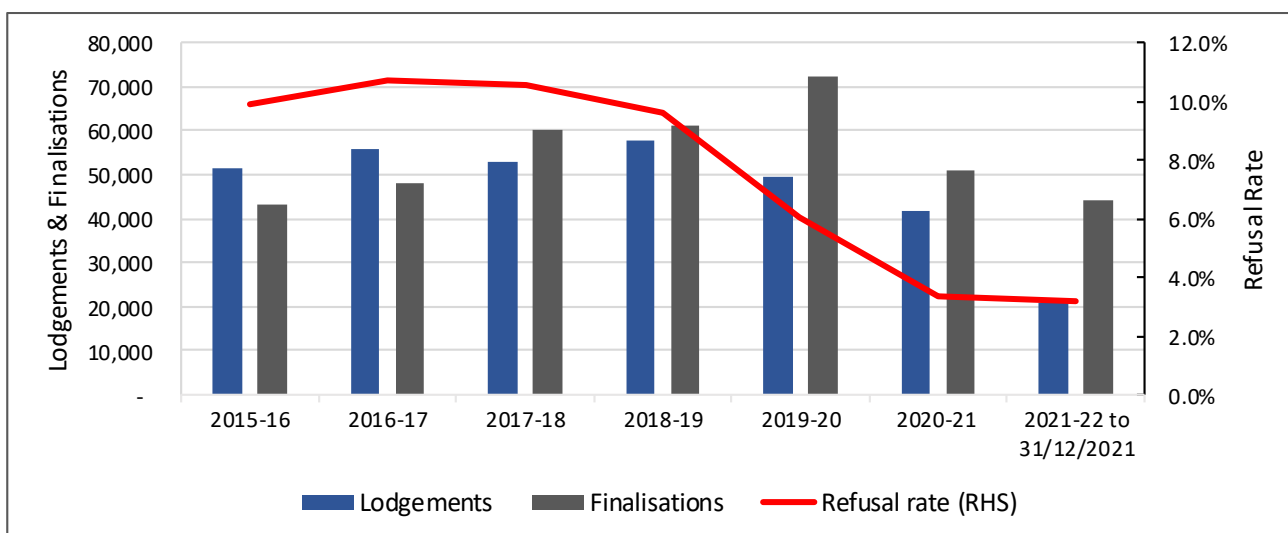
141. The expanded Partner planning level for 2020-21 enabled the Department to reduce the size of the pipeline for both first stage and second stage Partner visas. As at 31 December 2021, there were just over 59,500 first stage visa applications on-hand, compared to approximately 64,100 applications as at 30 June 2021. As at 31 December 2021, there were approximately 34,650 second stage eligible visa applications on hand, compared to approximately 54,100 as at 30 June 2021.

Figure 12: First Stage Partner visa program trends, 2015-16 to 2021-22 (to 31 December 2021)



Source: Department of Home Affairs, 2022

Figure 13: Second Stage Partner visa program trends, 2015-16 to 2021-22 (to 31 December 2021)



Source: Department of Home Affairs, 2022

Parent visas

142. The planning level for Parent visas has been retained at 4,500 places in 2021-22.

143. 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 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.

144. 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 Act to grant a visa, or where the Administrative Appeals Tribunal has remitted the application to the Department).
145. 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

146. 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 not subject to the capping and queuing arrangement.
147. 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 approval, unless the visa applicant has permission to apply in Australia.

Child visas

148. 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. However, a small cohort of children are processed in the Child program who are in the care of a State or Territory Government Welfare Authority.
149. Child visas are demand-driven and not subject to a planning level, but are included in the total Migration Program numbers.

Processing times

150. 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. Processing times are published on the Department's website at <https://immi.homeaffairs.gov.au/visas/getting-a-visa/visa-processing-times/global-visa-processing-times>.

Family Violence Provisions

151. 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 2020-21 program year, 747 Partner visa applicants sought access to the family violence provisions and 614 permanent Partner visas were granted based on claims of family violence.
152. The Department's Community Liaison Officer Network connects with multicultural communities, DFV service providers and government partners and has continued to provide information sessions throughout the COVID-19 period.

Humanitarian Program

153. Australia is consistently ranked among the world's most generous refugee resettlement countries, successfully resettling more than 920,000 refugees and others in humanitarian need since the end of the Second World War. The Humanitarian Program aims to:

- provide permanent resettlement to those most in need
- reunite refugees, and people in refugee-like situations overseas, with their family in Australia
- 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 efforts
- fulfil Australia's international protection obligations.

154. 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 lawfully to Australia who engage Australia's international protection obligations.

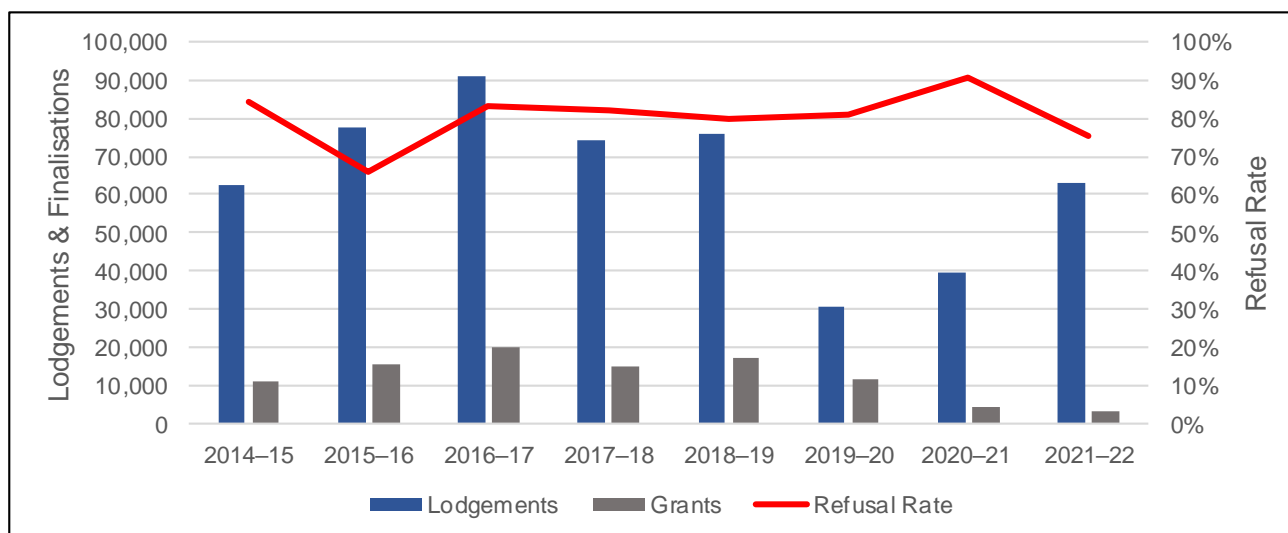
155. The 2020-21 Humanitarian Program, set at a ceiling of 13,750 planned places, was not delivered in full, which reflected the global impacts of COVID-19. In all, 5,947 visas were granted under the 2020-21 Humanitarian Program.

- Of the 11,750 places nominally set aside for the offshore (resettlement) component of the Program, 4,558 were delivered.
- Of the 2,000 places nominally set aside for the onshore (protection) component of the Program, 1,389 were delivered.

156. The Humanitarian Program for 2021-22 has also been set at ceiling of 13,750 places. This maintains the long-term commitment to a generous resettlement program while also taking account of the continuing challenges associated with COVID-19. Australia's program will be one of the largest resettlement programs on both an absolute and per capita basis.

Offshore Humanitarian visas

Figure 14: Offshore Humanitarian program trends, 2014-15 to 2021-22 (to 31 December 2021)



Source: Department of Home Affairs, 2022

157. There are ongoing challenges to program delivery as a result of restrictions on Australia's offshore operations and partner agencies due to COVID-19, such as an inability to conduct interviews in-person or organise medical clearances. 3,369 Humanitarian (Class XB) visas were granted between 1 July 2021 and 31 December 2021.

Australia's evacuation response in Afghanistan

158. The 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. This included Australian citizens, permanent residents, visa holders and former Locally Engaged Employees (LEE).
159. 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 humanitarian places for Afghan nationals

160. On 21 January 2022, the Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs announced that the Australian Government will provide at least 15,000 places for Afghan nationals, through the Humanitarian Program and the Family Stream of the Migration Program over four years. This increased allocation includes 10,000 places for Afghan nationals within Australia's existing Humanitarian Program and at least 5,000 visas within the Family stream. It follows an initial allocation of 3,000 places announced by the Government in August 2021.
161. All visa applications will be processed in accordance with Government announcements and within program priorities, and assessed on an individual basis. Within the 10,000 places under the Humanitarian Program, priority will be given to:
- former LEE and their immediate family members
 - Humanitarian Stay (Temporary) (subclass 449) visa holders (current and former) and their immediate family members
 - those with enduring links to Australia (such as Afghans who were employed by Australian non-government organisations or who worked on Australian Government funded projects, and Coalition partner LEE and their immediate family who come to Australia's attention)
 - women and girls, ethnic minorities, and LGBTQI+ and other identified minority groups.

Settlement services for evacuees and humanitarian entrants

162. Humanitarian entrants are offered immediate settlement support through the Humanitarian Settlement Program (HSP) to help access essential services and integrate into Australian life. The HSP is delivered by contracted service providers that have long-standing experience working with new arrivals.
163. 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.

164. On 14 October 2021, the 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.

Unaccompanied Humanitarian Minors

165. 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's guardianship under the *Immigration (Guardianship of Children Act) 1946*. Currently, there are 210 minors receiving UHM Program services in Australia, 80 of whom are under the Minister's guardianship.

166. There were 76 offshore Humanitarian visa grants to unaccompanied minors in 2018-19, 40 grants in 2019-20, seven grants in 2020-21, and 16 grants in 2021-22 to 31 December 2021.

Onshore Protection

167. There has always been a small proportion of people who arrive 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.

168. From about 49 million temporary visas granted between 1 July 2014 and 31 December 2021, about 133,000 Protection visa applications were subsequently lodged (representing about 125,000 individual applicants). This equates to about 0.27 per cent of total temporary visa grants.

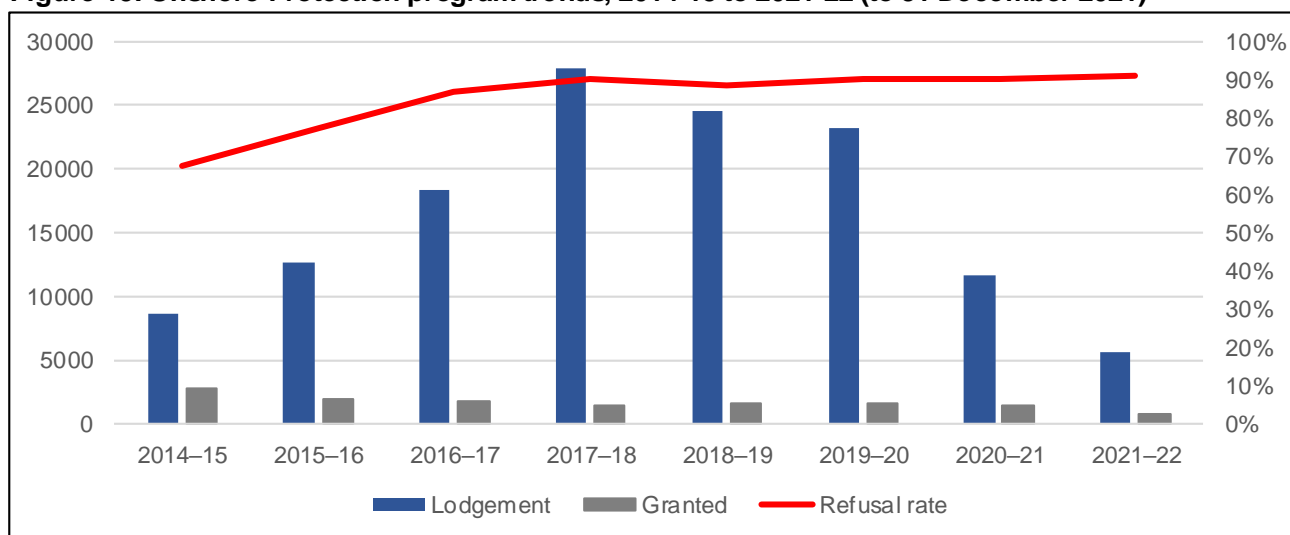
169. More than 94 per cent of the individuals who applied for protection in the same period have either departed Australia, been granted a visa, or remain lawfully here while they have ongoing matters before the Department or under a merits review or judicial review. Individuals who do not have a valid visa and have no matters ongoing are expected to either voluntarily return home or be removed from Australia by the ABF.

170. 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, many 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.

171. The Department has consistently refused about 90 per cent of applications for a permanent Protection visa since 2017-18 (see Figure 15). 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.

Figure 15: Onshore Protection program trends, 2014-15 to 2021-22 (to 31 December 2021)



Source: Department of Home Affairs, 2022

172. The Department uses a holistic approach to detect, disrupt and respond to fraud and other attempts to undermine the integrity of the onshore Protection program. This includes intelligence-informed risk profiling of visa applications, disrupting non-genuine travel through the ABF's network of airline liaison officers, and ABF enforcement action onshore.
173. The information available to the Department indicates that most applications for protection involve individuals opportunistically seeking entry to Australia to engage in low-skilled work, and some of these individuals are facilitated by unlawful providers of immigration assistance. More information on these and related matters are detailed in the modern slavery and human trafficking, people smuggling, and migrant worker exploitation sections of this paper.

IMA Legacy Caseload

174. People who arrive in Australia unlawfully (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.
175. When temporary protection visas were re-introduced in 2014, there were approximately 30,000 illegal maritime arrivals (IMAs) in Australia seeking protection. This cohort is referred to as the IMA Legacy caseload. At 31 December 2021, the IMA Legacy Caseload is 31,122 cases. Of these:
- 29,012 cases have been decided or otherwise resolved (approximately 93 per cent of the caseload):

- 18,327 have been granted a visa, comprising 5,191 TPV and 13,136 SHEV grants
 - 7,510 require resolution
 - 870 have been refused and are seeking merits review
 - 2,305 have been otherwise resolved (including IMAs who have departed before a final determination, failed to lodge or withdrawn an application)
 - 2,110 cases are initially on-hand with the Department.
176. TPVs and SHEVs are valid for three and five years respectively. IMAs who continue to seek Australia's protection, must apply for a further TPV or SHEV before their current visa ceases. As at 31 December 2021, 5,784 subsequent TPV and SHEV applications have been received, 692 subsequent visas granted, and no applications refused.
177. The Government has provided a concession period 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

178. 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.
179. 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.

Citizenship by conferral

180. Australian citizenship by conferral is available to permanent residents and eligible New Zealand citizens who meet relevant eligibility requirements, including residence, knowledge of Australia, language and character requirements.
181. More than 183,000 citizenship by conferral applications were finalised in 2020-21, a decrease of 20 per cent in comparison to the 2019-20 program year.
182. In 2021-22 to 31 December 2021, more than 66,700 citizenship by conferral applications have been finalised, representing an increase of one per cent in comparison to the same period in the 2020-21 program year.

Table 14: Number of Australian citizenship by conferral applications finalised, by decision type and financial year, 2011-12 to 2021-22 (to 31 December 2021)²²

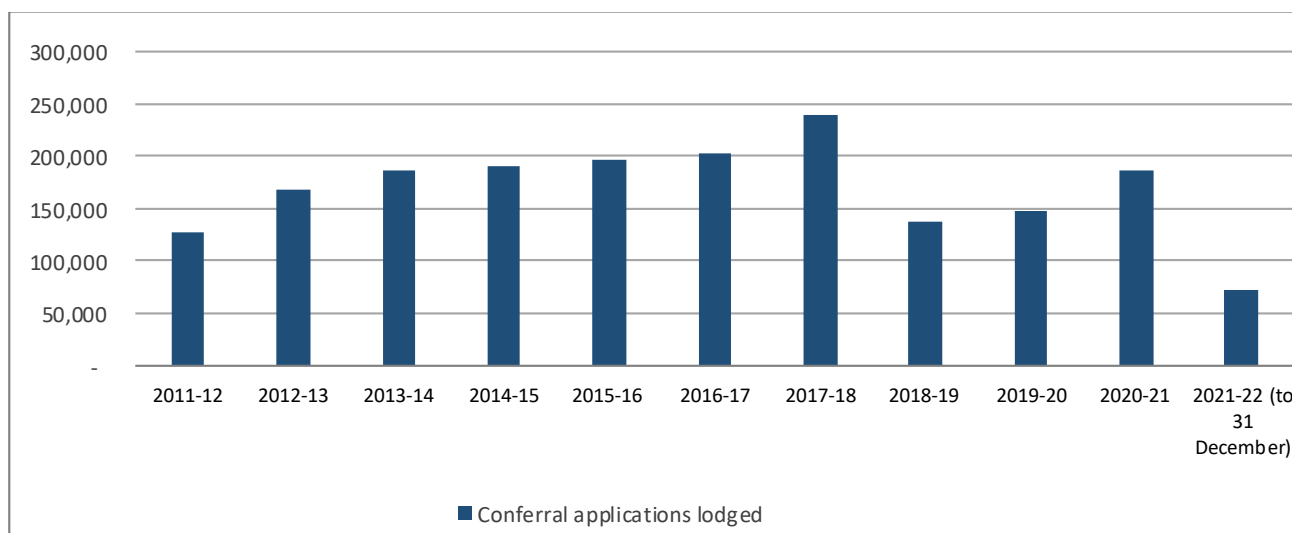
Financial year	Approved	Refused	Invalid	Other ²³	Total
2011-12	95,837	2,208	13,897	763	112,705
2012-13	137,079	3,270	16,561	643	157,553
2013-14	158,907	5,728	26,611	783	192,029
2014-15	148,862	5,197	34,987	795	189,841
2015-16	129,515	4,749	32,612	792	167,668
2016-17	127,013	4,089	22,035	742	153,879
2017-18	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 (to 31/12/2021)	61,415	3,104	1,363	847	66,729

Source: **Department of Home Affairs, 2021**

183. Once citizenship is conferred, it can be revoked only in extremely limited circumstances. From July 2014 to 31 December 2021, 54 individuals had their Australian citizenship revoked for criminal conduct, including for citizenship or migration fraud.

184. There continues to be strong interest from migrants applying to become Australian citizens. Lodgement of applications for citizenship by conferral increased by 27 per cent in 2020-21 compared to 2019-20 and more than 70,000 applications were lodged in 2021-22 to 31 December 2021.

Figure 16: Citizenship by conferral lodgement trends, 2011-12 to 2021-22 (to 31 December 2021)



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

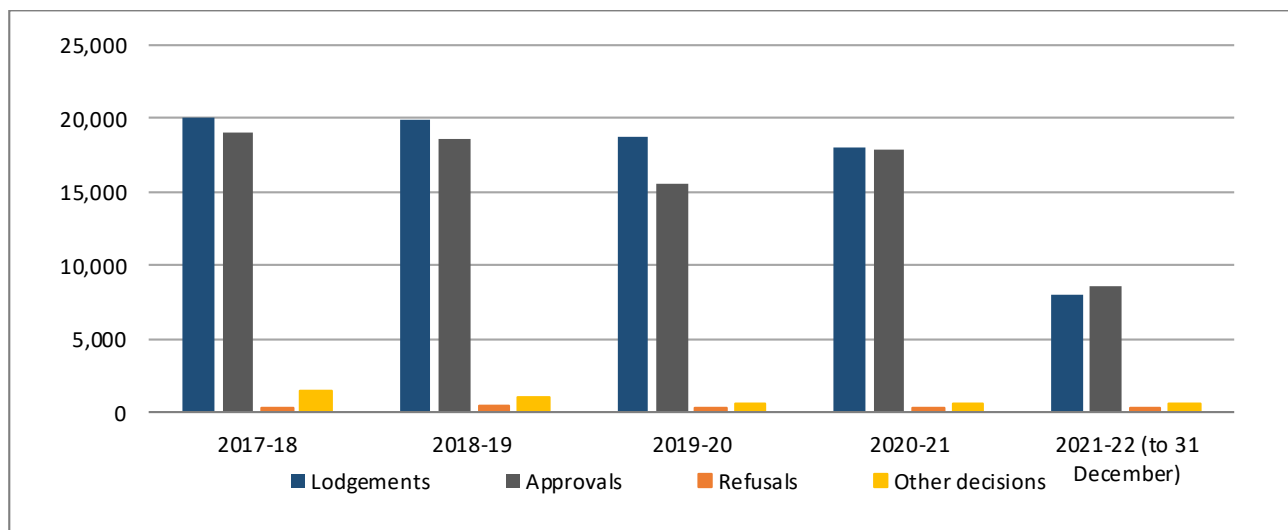
²² Data may differ from previous or other reports due to the use of dynamic database in the current financial year.

²³ Other includes applications withdrawn by the client and minor numbers of administrative finalisations.

Citizenship by descent

185. 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.
186. In 2020-21, 17,846 people acquired Australian citizenship by descent (see Figure 17 below). This represents a 15 per cent increase over the 2019-20 program year. In 2021-22 to 31 December 2021, 8,537 people acquired Australian citizenship by descent.

Figure 17: Citizenship by descent applications lodged and finalised, 2017-18 to 2021-22 (to 31 December 2021)²⁴



Source: Department of Home Affairs, 2022

187. In 2021-22 to 31 December 2021, 104 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 Georgia.

Citizenship by adoption

188. Children adopted outside of Australia by an Australian citizen under the Hague Convention or a bilateral arrangement, can obtain Australian citizenship. Twenty children acquired Australian citizenship by adoption in 2021-22 to 31 December 2021, a decrease from 23 in the same period in the previous program year.

Citizenship by resumption

189. 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 to 31 December 2021, 25 people had resumed Australian citizenship, compared to 46 in the same period in the previous program year.

Citizenship service delivery

190. Most applicants for Australian citizenship by conferral need to attend an appointment and sit the Australian citizenship test in-person. High demand for Australian citizenship combined

²⁴ Other decisions include invalidated applications, applications withdrawn by the client and administrative finalisations.

with the increased complexity of applications and enhanced integrity checks resulted in an increase in the citizenship by conferral on-hand caseload, which peaked in July 2018.

191. Significant business improvements (including systems, processes and service delivery partnership arrangements) and the resulting efficiencies, combined with increased staffing, saw the on-hand caseload reduce by approximately 50 per cent by 31 March 2020, prior to the impacts of COVID19.
192. In response to COVID-19 risks and restrictions, citizenship test appointments and in-person citizenship ceremonies were placed on hold in March 2020, with online ceremonies introduced on 31 March 2020. While in-person citizenship ceremonies recommenced in June 2020, where COVID-Safe arrangements could be met, online ceremonies continue to occur and 133,416 people acquired Australian citizenship through online ceremonies from 31 March 2020 to 31 December 2021.
193. In 2021-22, in-person citizenship test appointments are being offered in all locations across Australia, including the regional locations where Services Australia offers testing services on behalf of the Department. However, the availability of appointments, and the volume of appointments the Department is able to offer, continues to be subject to COVID-19 risks and restrictions that apply in different locations at various times. The Department continues to work on increasing citizenship test availability to decrease the on-hand caseload and reduce processing times, while ensuring COVID-Safe requirements are met.
194. Notwithstanding the impacts of COVID-19 on face-to-face client services, including the availability of citizenship appointments, and a 27 per cent increase in application lodgements in 2020-21, the citizenship by conferral on-hand caseload had decreased at 31 December 2021 compared to the previous year, although processing times had increased.
 - There were 144,847 applications for Australian citizenship by conferral on-hand on 31 December 2021, a 10 per cent decrease on the number of applications on-hand on 31 December 2020.
 - The average processing time from lodgement to decision for applications decided in December 2021 was 377 days, an increase of 24 per cent from December 2020. This reflects the increased age of the applications now being finalised in those locations most impacted by COVID-19 disruptions through 2020 and 2021.

Special residence requirement

195. To be approved for Australian citizenship by conferral, applicants must meet all legal requirements, including residence requirements, as set out in the *Australian Citizenship Act 2007* (the Citizenship Act). On 13 October 2021, changes to the special residence requirement came into effect. The special residence requirement is one of the three residence requirements that an applicant can satisfy when applying for citizenship by conferral.
196. For applications lodged on and after 13 October 2021, the changes provide greater flexibility by broadening eligibility under the special residence requirement to include the following additional activities, organisations and kinds of work:
 - people who work in a profession, sport, the arts, or academia and research and who hold, or have held, a Distinguished Talent visa or a Global Talent visa administered via the Distinguished Talent pathway for achievements in the same area
 - athletes seeking to represent Australia in the Commonwealth Games who have a letter of support from Commonwealth Games Australia but where there is insufficient time for them to satisfy the general residence requirement in order to compete.

Managing threats, risk and community protection

Threat and risk environment

197. The majority of non-citizens entering Australia are genuine entrants who comply with their visa conditions. While this is unlikely to change as borders re-open, threats to visa and citizenship programs from individuals and syndicates motivated by criminal gain or fraudulent purpose are ever-present. Although temporarily restricted, these threats have remained throughout the pandemic and their scope and substance will increase as Australia's travel restrictions continue to ease.
198. Globally, pandemic-related measures have contributed to a dynamic threat environment: frequent and extended border closures, intrusive checks, and disruptions to air travel and supply chains have required threat actors to innovate. In Australia, effective responses will require awareness of developments in global migration and transnational crime, and the ability to translate analysis into threat identification and responsive risk management.
199. Economic stress, strained health systems and reduced employment are creating migration 'push factors' in regions hit hard by the pandemic. Elsewhere, critical labour shortages are seeing countries introduce measures to 'pull' willing migrant workers into their economies. More generous conditions for some visas, financial incentives and employment opportunities will advantage Australia in this regard, however, heightened vigilance will be required in relation to aspiring migrants who cannot meet visa criteria and who may turn to fraud, corrupt professional facilitators and people smugglers.
200. More visas available to more people will also see organised crime groups mobilise to reinvigorate stalled criminal endeavours or establish new ones. Eased restrictions will be probed for weaknesses that could allow entry and stay, or opportunities for exploitation of visa processes, supply chains and visa holders. Syndicates will rely on complicit facilitators and trusted insiders to identify systemic vulnerabilities and to shroud criminal endeavours with false legitimacy.
201. Unscrupulous employers and labour hire intermediaries – often linked to organised crime and corrupt facilitators – are also likely to manipulate visa holders' motivation to work in Australia in the context of strong demand for labour to exploit migrant workers. Temporary visa holders with poor English language skills and unlawful non-citizens are particularly vulnerable.

Detecting threats within the Immigration Program

202. Australia's visa, citizenship and border management processes are continuously probed for vulnerabilities by people who intend to enter or remain on a fraudulent basis or for a criminal purpose. In a dynamic environment where threats are constant and the dexterity of threat actors requires innovative mitigation approaches, vigilance and agility are key attributes in providing responses that enhance, rather than constrain immigration.
203. Since 2020, a multi-layered approach to threat detection across the border continuum has seen risk and integrity capability expanded in footprint and scope, and improved partnership between program delivery areas and intelligence analysis functions. The sophisticated interrogation of data holdings and systems allows analysts to assess anomalies in visa- and border-related transactions, to better identify fraud-enabled visa exploitation and tailor reporting to meet specific targeting, visa decision-making and operational planning requirements.
204. 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

205. Over the past 10 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 51 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.
206. The biometrics collected from applicants are automatically checked against departmental and law enforcement data, with higher-risk cohorts checked against data held by M5 partners. Data sharing in 2019-20 and 2020-21 was impacted by COVID-19.
- In 2019-20, the Department queried more than 1.58 million fingerprint records with one or more M5 partners. In 2020-21, the Department queried more than 0.31 million fingerprint records.
 - 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. In 2020-21, the Department received more than 0.78 million fingerprint queries from one or more M5 partners.

Modern slavery and human trafficking

207. Human trafficking and modern slavery are addressed under the *Criminal Code Act 1995*. Human trafficking offences cover trafficking in all its forms, including debt bondage and trafficking for harvesting human organs. Offences of slavery and slavery-like practices include servitude, forced labour and deceptive recruitment for labour or services, and they can apply regardless of whether the conduct occurs within or outside Australia.
208. 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-offences to the Australian Federal Police (AFP) in accordance with a joint agency *Human Trafficking, Slavery, and Slavery-like Practices Referral Protocol (Referral Protocol)*.
209. Between 1 July 2021 and 31 December 2021, the ABF referred 17 suspected cases of human trafficking and modern slavery to the AFP for investigation under the established Referral Protocol.
210. 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
 - a 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.

211. Victims' 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 a victim of human trafficking, slavery or slavery-like practices themselves.

People smuggling

212. 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.
213. The Joint Agency Task Force (JATF) Operation Sovereign Borders (OSB) was established on 18 September 2013 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.
214. Under OSB, the Australian Government's policy is to intercept any vessel seeking to reach Australia illegally 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.
215. Since the establishment of OSB, there have been 23 successful people smuggling ventures to Australia carrying 1,309 illegal maritime arrivals and crew. The last successful maritime people smuggling venture to Australia arrived on 27 July 2014. It has been more than seven years since the last known death at sea from maritime people smuggling ventures en-route to Australia.
216. Between 18 September 2013 and 31 December 2021, Australia intercepted and safely returned 873 potential illegal immigrants (PIIs) from 38 maritime people smuggling ventures to their country of departure or their home country.
217. Over the same period, close cooperation with regional partners has resulted in foreign law enforcement disruptions of an additional 84 maritime people smuggling ventures, 2,674 PIIs, and 634 arrests in source and transit countries²⁵.

Migrant worker exploitation

218. The Australian Government has zero tolerance for the exploitation of workers, regardless of their visa status – this includes the underpayment of wages and entitlements.
219. 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

²⁵ Statistics are provided by AFP posts, resulting from advice provided by foreign law enforcement and are indicative only as they are subject to a range of issues in terms of accuracy and quality. Post experience is that results are typically under-reported because arrests in regional locations are occasionally not reported.

- the Fair Work Ombudsman (FWO), which is the lead agency for advice, education, compliance and enforcement activities under the Fair Work Act.
220. These laws and minimum standards apply to all employers, including third party providers (such as labour hire intermediaries).
221. 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 is 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 removal from Australia. The Migrant Workers' Taskforce Report²⁶ cited research that has shown that up to 50 per cent of temporary migrant workers may have been subject to underpayment.²⁷
222. Recognising the serious nature of the issue, the Australian Government has taken a whole of government approach to address migrant worker exploitation. The Department works collaboratively with a range of agencies including the Attorney General's Department, the FWO, the Department of Foreign Affairs and Trade, the Department of Education, Skills and Employment, the Australian Taxation Office and the Australian Federal Police.
223. The Department's role is to prevent the misuse of Australia's visa programs to exploit migrant workers. It administers three legislative frameworks to achieve this goal:
- The 'Employer' scheme, which seeks to ensure employers only employ visa holders with appropriate work rights, recognising that visa programs are designed for specific purposes.
 - Between 1 July 2021 and 31 December 2021, the ABF conducted 311 employer awareness activities, focusing on ensuring employers know their legal obligations and that workers hold valid visas with appropriate work rights.
 - Between 1 July 2021 and 31 December 2021, the ABF issued 40 Illegal Worker Warning Notices and 10 Infringement notices for breaches of these obligations.
 - The 'Paying for Visa Sponsorship' scheme, which 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 which seeks to ensure sponsored visa holders are not exploited by their sponsors.
 - Between 1 July 2021 and 31 December 2021, the ABF sanctioned 178 businesses for breaching their sponsorship obligations²⁸.
 - A breach may include 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.

²⁶ Attorney-General's Department (2019), *Report of the Migrant Workers' Taskforce* [online document], Australian Government, accessed March 2020.

²⁷ 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.

²⁸ 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).

- Sanctions can include the cancellation of a sponsorship approval, barring a business from further sponsorship, issuing infringement notices, and civil prosecution.

224. On 24 November 2021, the Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs, introduced the Migration Amendment (Protecting Migrant Workers) Bill 2021 (the Bill) to Parliament. This Bill seeks to strengthen and build on existing work-related offences and sanctions that are already available under the Migration Act. It includes:

- new criminal offences to penalise employers who use the migration status of workers to exploit them in the workplace
- a mechanism to prohibit certain employers from employing additional migrant workers for a specified period, where the employer has engaged in a serious work related breach under the Migration Act or remuneration related breach under the *Fair Work Act*
- new compliance tools for the ABF, allowing them to respond proportionately to cases of non-compliance, and to help employers comply with their obligations
- clarification and strengthening of existing obligations that require employers to conduct appropriate checks on a prospective employees' immigration status and work-related visa conditions
- increases in some civil penalties to better align all penalties for breaches of work-related provisions in the Migration Act.

225. 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
- 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).

226. The aim is to balance the ongoing integrity of the migration program with encouraging increased reporting. As at 31 December 2021, 77 migrant workers have been referred under the Assurance Protocol (since its commencement in February 2017) and none had their visas cancelled.

227. 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 December 2021, a total of 135,568 organisations had registered with VEVO.

Ensuring immigration integrity and community protection

228. Heightened levels of risk and fraud have been a feature across most visa programs and, prior to COVID-19 related travel restrictions, had led to an increase in refusal decisions. Between 2015-16 and 2019-20, the refusal rate across the temporary and permanent visa programs increased from 2.5 per cent to 4.5 per cent (see Table 15).

229. Between 1 July 2015 and 31 December 2021, the Department and ABF:

- refused more than 1.53 million visa applications
- refused the entry of 19,081 travellers at an Australian airport

- prevented more than 3,943 people from boarding flights to Australia through the ABF's network of airline liaison officers.

Table 15: 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 to 31/12/21
Granted or Refused	8,339,513	9,052,096	9,386,838	9,607,025	7,169,298	1,338,656	757,026
Refused only	209,657	237,154	308,150	377,469	325,637	50,956	27,573
Refusal rate	2.5%	2.6%	3.3%	3.9%	4.5%	3.8%	3.6%

Source: Department of Home Affairs, 2022

Unlawful Non-Citizens

230. 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.

231. The number of UNCs in Australia as at 30 June 2021 (excluding non-citizens who may have arrived prior to the commencement of the *Migration Reform Act 1994*, which established the current legislative framework, and persons in detention) is estimated to be 73,100. 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 cancelled.

232. 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 UNCs 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.

233. The ABF's operational activity is focused towards UNCs 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

234. 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.

235. 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.

236. 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 16: Adverse section 501 (character) cancellations, 2019-20 to 2021-22 (to 31 December 2021)

Character Cancellation	2019-20	2020-21	2021-22
Mandatory Cancellation (s501(3A))	965	922	376
Natural Justice – (s501(2))	39	7	9
Cancellation without Natural Justice – National Interest (s501(3)(b))	10	13	<5
Minister's personal power – without notice (s501A(3)(b))	0	<5	<5
Minister's personal power – with notice (s501B(2))	<5	<5	<5
Minister's personal power – without notice (s501BA(2))	<5	0	<5
Character refusal	354	786	65
Character revocations (not revoked) ²⁹	452	439	228
Total	1820	2167	683

Source: Department of Home Affairs, 2022

Table 17: Top five Citizenships with adverse section 501 (character) outcomes, 2019-20 to 2021-22 (to 31 December 2021)

Character Cancellation	2019-2020	2020-2021	2021-2022	Total
New Zealand	476	402	159	1037
United Kingdom	99	101	50	250
Vietnam	62	60	22	144
China	22	37	12	71
Sudan	31	16	10	57
Other	328	330	137	795
Total	1,018	946	390	2,354
Character refusal	2019-2020	2020-2021	2021-2022	Total
United Kingdom	152	350	15	517
United States of America	39	114	5	158
New Zealand	45	82	<5	<130
India	7	14	<5	<25
Ireland, Republic of	6	18	5	29
Other	105	208	37	350
Total	354	786	65	1,205
Character revocations (not revoked)	2019-2020	2020-2021	2021-2022	Total
New Zealand	214	196	96	506
United Kingdom	34	38	20	92
Vietnam	18	29	11	58
Sudan	18	22	<5	<45
China	17	13	<5	<35
Other	151	141	95	387
Total	452	439	228	1,119

Source: Department of Home Affairs, 2022

237. 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

²⁹ This refers to where a non-citizen's request for reinstatement of a visa (revocation of the character cancellation) is not successful.

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.

Table 18: General Cancellation decisions, 2019-20 to 2021-22 (to 31 December 2021)³⁰

General Cancellation decisions	2019-20	2020-21	2021-22
Incorrect information (s109)	216	276	368
General power (s116)	4,155	1,201	384
Holder overseas (s128)	46,253	19,373	10,378
Business visa (s134)	102	83	51
All other powers ³¹	7,490	4,841	1,679
Total	58,216	25,774	12,860

Source: Department of Home Affairs, 2022

Status resolution

238. The Department works with non-citizens who require assistance to resolve their immigration status, including non-citizens who:

- do not hold a valid visa (through having overstayed their visa or having their visa cancelled)
- entered Australia without authorisation or
- hold a current valid visa that is about to expire.

239. 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.

Table 19: People who entered the Status Resolution program, 2019-20 to 2021-22 (to 31 December 2021)

	2019-20	2020-21	2021-22
Persons who voluntarily approached the Department	16,918	16,128	7,205
Persons located by the Australian Border Force or Police	2,231	1,835	777
Total	19,149	17,963	7,982

Source: Department of Home Affairs, 2022

240. The Department works with clients to try to ensure they retain their lawful status in Australia. With the closure of international borders due to the COVID-19 pandemic some temporary visa holders and unlawful non-citizens have been unable to depart Australia. This has resulted in a large increase in the volume of Bridging E visas (subclass 050 and 051) granted to individuals seeking lawful status while they remain temporarily in Australia.

³⁰ 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, etc. Duplicates may exist. As data has been drawn from a live systems environment, the figures provided may differ slightly in previous or future reporting.

³¹ Does not include any s501 character statistics, only s501Fs are included.

241. The Department granted an average of 4,245 Bridging E visas per month in the period from 1 April 2020 to 31 December 2021, an increase of 52 per cent compared to the 12 months prior to the introduction of border restrictions.

Table 20: Change in the number of Bridging E Visa (BVE) holders between 2019-20 and 2021-22

	2019-20	2020-21	2021-22	Difference since 2019-20
Visa holders as at 31 December	25,284	30,188	31,877	6,593

Source: Department of Home Affairs, 2022

242. Amendments were made to the *Migration Regulations 1994* on 16 April and 1 July 2021, to provide discretion to:

- apply a number of existing visa conditions, relating to safety and security of the Australian community, to certain Bridging E visa (subclass 050) and Removal Pending Bridging visas (subclass 070)
- reduce face-to-face contact with the Department through waived interviews for certain bridging visa applicants, and allowing certain bridging visa holders to fulfil their reporting requirements electronically or by telephone.

243. The Department continues to assist non-citizens to return to their countries through the Return and Reintegration Assistance program (RRAP). Due to the COVID-19 pandemic, the RRAP saw an initial increase in referrals from non-citizens and family groups seeking to return home but without the financial means to do so. Service providers are managing flights and the acquisition of travel documents to facilitate the return of eligible non-citizens.

244. Between 1 July 2021 and 31 December 2021, the Department referred 308 non-citizens to RRAP's two service providers and facilitated the return of 156 non-citizens.

Table 21: Return and Reintegration Assistance program (RRAP) referrals, 2018-19 to 2021-22 (to 31 December 2021)

	2018-19	2019-20	2020-21	2021-22
RRAP referrals	1,345	1,484	1,117	308

Source: Department of Home Affairs, 2022

245. The Status Resolution Support Services (SRSS) program provides short-term support to individuals while they engage with the Department to resolve their immigration status, either through the grant of a substantive visa or departure from Australia. Types of support services provided include financial, accommodation, access to health care, caseworker support, and access to education for school-aged children.

Table 22: Status Resolution Support Services recipients, as at 31 December 2021

	30 June 2019	30 June 2020	30 June 2021	31 December 2021
Illegal Maritime Arrivals (IMAs)	3,907	2,769	1,311	1,028
Non-IMAs	1,575	1,509	1,018	826
Total	5,482	4,278	2,329	1,854

Source: Department of Home Affairs, 2022

Management of transitory persons

246. 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 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.
247. Efforts to return transitory persons to a regional processing country at the conclusion of their temporary purpose have been impacted by active litigation. Despite this, 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 23: Transitory persons onshore, as at 31 December 2021³²

	Bridging visa E	Residence Determination	Held detention	Babies not detained	Total
Transitory persons brought to Australia for medical reasons	511	470	<70	0	1,048
Babies born onshore to medical transitory persons	34	<70	0	<5	107
All transitory persons	564	541	<70	<5	1,177

Source: Department of Home Affairs, 2022

248. Consistent with Australian Government policy regarding settlement of illegal maritime arrivals in Australia, transitory persons will not be settled permanently in Australia. Transitory persons will remain subject to third country migration outcomes and are encouraged to actively engage with the Department on their options.

³² Table 23 lists the total number of transitory persons onshore, with medical transitory persons as a subset of this group.