



Your Lodgment Buddy

July 2019

Pretoria Processing Times

- The good news – Pretoria post has reduced the processing times for subclass 600 applications to 28 days.
- This is now in line with the 90% global average processing time frame listed on www.homeaffairs.gov.au.

Children travelling to Australia on a Visitor visa? What are the requirements?

Australian visa processing officers take the best interests of the child seriously, and need to satisfy themselves that all child custody matters have been addressed before granting a visa.

Migration law requires officers to consider the effect that granting a visa to a minor may have on the objectives of the Hague Convention. Generally, officers are expected to ensure that, as far as possible, a visa is not granted to a child if doing so would conflict with parental rights/responsibilities that a person may have under the laws of the minor's home country (including local court orders).

For officers to be satisfied of the custody arrangements for a minor visa applicant, evidence must be provided by the applicant. To ensure that the application can be processed as quickly as possible, we request that the evidence is uploaded to ImmiAccount at the time of application, so that the visa processing officer can make a decision without requesting additional information. Please note that a South African National ID document does not provide evidence of its holder's signature, and that a document with its holder's signature is a requirement to prove identity.

As child custody arrangements can vary, so do the documentary evidence requirements. There is a table on page two with examples of documents required in various scenarios (see page 2).

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New Visa Application Charges for the period July—December 2019

	AUD	ZAR
Visitor	145	1,540
Student	620	
Short Stay specialist—400, 408	310	3,280
Partner	7,715	81,410
Child	2,665	28,130

Children travelling to Australia on a Visitor visa? What are the requirements?

<p>Minor travelling with both biological parents</p> <p>Birth certificate of child showing parents' details in full.</p> <p>Proof of identity of both parents (incl photo/signature):</p> <p>Passports, or</p> <p>Drivers licences, or</p> <p>National ID cards.</p> <p>Form 1229 completed by both parents.</p>	<p>Minor travelling with one biological parent</p> <p>Birth certificate of child showing parents' details in full.</p> <p>Proof of identity of both parents (incl photo/signature):</p> <p>Passports, or</p> <p>Drivers licences, or</p> <p>National ID cards.</p> <p>Form 1229 completed by parent not travelling.</p>	<p>Minor travelling with both adoptive parents</p> <p>Birth certificate of child showing biological and/or adoptive parents' details in full.</p> <p>Confirmation that the adoption is a formal adoption conferring full and permanent parental rights:</p> <p>Court order.</p> <p>Proof of identity of the adoptive parents (incl photo/signature):</p> <p>Passports, or</p> <p>Drivers licences, or</p> <p>National ID cards.</p>
<p>Minor travelling with one adoptive parent</p> <p>Birth certificate of child showing biological and/or adoptive parent(s)' details in full.</p> <p>Confirmation that the adoption is a formal adoption conferring full and permanent parental rights:</p> <p>Court order.</p> <p>Proof of identity of the adoptive parent travelling (incl photo/signature):</p> <p>Passport, or</p> <p>Drivers licence, or</p> <p>National ID card.</p> <p>Form 1229 completed by adoptive parent not travelling (if applicable).</p>	<p>Minor is travelling with, or visiting, a legal guardian</p> <p>Birth certificate of child showing parents' details in full.</p> <p>Proof of identity of the legal guardian (incl photo/signature):</p> <p>Passport, or</p> <p>Drivers licence, or</p> <p>National ID card.</p> <p>Confirmation that the person presenting is the legal guardian:</p> <p>Court order.</p> <p>Confirmation no other person has legal guardianship:</p> <p>Statutory declaration, or</p> <p>Court documents.</p> <p>Form 1257 Undertaking declaration.</p> <p>Letter of support from person the minor will be staying with in Australia.</p>	<p>Minor is travelling alone</p> <p>Birth certificate of child showing parents' details in full.</p> <p>Proof of identity of both parents (incl photo/signature):</p> <p>Passport, or</p> <p>Drivers licence, or</p> <p>National ID card.</p> <p>Form 1229 completed by both parents.</p> <p>Confirmation no other person has legal guardianship:</p> <p>Statutory declaration, or</p> <p>Court documents.</p> <p>Form 1257 Undertaking declaration.</p> <p>Letter of support from person the minor will be staying with in Australia.</p> <p>Please note that air carriers may have different/additional requirements.</p>

SPOTLIGHT — Our character requirements

We will not grant you a visa to enter Australia if there is a risk you will:

- ☹ engage in criminal conduct
- ☹ harass, molest, intimidate or stalk another person
- ☹ vilify a segment of the Australian community
- ☹ incite discord in the Australian community
- ☹ be a danger to the Australian community

The Department's character requirements are set out under Section 501 of the Migration Act 1958. You must meet the character requirements to be granted a visa or Australian citizenship.

You may not pass the character requirements in some circumstances. These include if:

1. you have a **substantial criminal record**
2. you have been convicted of escaping from immigration detention, or convicted for an offence that you committed:

- while you were in immigration detention
- during an escape from immigration

detention

-after an escape, but before you were taken into immigration detention again.

3. you are or have been a member of a group or organisation, or had or have an association with a person, group or organisation that the Minister reasonably suspects of being involved in criminal conduct
4. the Minister reasonably suspects that you have been involved in people smuggling, people trafficking, genocide, a war crime, a crime against humanity, a crime involving torture or slavery, or a crime that is of serious international concern, whether or not you have been convicted of such an offence
5. your past and present criminal or general conduct shows that you are not of good character there is a risk that while you are in Australia you would:

- engage in criminal conduct
- harass, molest, intimidate or stalk another person

- vilify a segment of the Australian community
 - incite discord in the Australian community or in a part of it
 - be a danger to the Australian community or a part of it.
6. you have been convicted, found guilty or had a charge proven for, one or more sexually based offences involving a child
 7. you are subject to an adverse security assessment by the Australian Security Intelligence Organisation
 8. you are subject to an Interpol notice, from which it is reasonable to infer that you are a direct or indirect risk to the Australian community, or a segment of the Australian community.

When applying:

- ✓ declare all criminal conduct you have engaged in
- ✓ truthfully answer all questions
- ✓ provide all requested information

We consider all circumstances of a case. **Even if you do not meet the character requirements, we, or the Minister for Home Affairs can choose to grant your visa following consultations.**

If you are not completely honest about your criminal history, we may refuse your application.

After applying:

We may ask you to :

- Provide a police certificate
- Complete For 80 Personal particulars for character assessment
- Complete a Character Statutory declaration
- Provide a military certificate
- Provide a letter of good conduct from an employer.

What is a substantial criminal record?

You have a substantial criminal record for the purposes of the character test in the Migration Act if you have been:

- sentenced to death or imprisonment for life
- sentenced to a term of imprisonment of 12 months or more
- sentenced to two or more terms of imprisonment (even if served concurrently) where the total is 12 months or more
- found by a court to not be fit to plead in relation to an offence but found to have committed the offence and detained in a facility or institution



For our Agents—

As agents who contact us regularly you will have noticed that we have revamped our auto response to emails sent to the immigration.pretoria@dcat.gov.au mail box. Please use the links that we have provided.

We would appreciate your assistance with the wider public in explaining that the Department of Home Affairs as a whole, is moving towards self help solutions for clients. We are providing more tools for clients to take control of their visa lodgement experience. As this expands the immigration mailboxes will provide more links to clients. The self help approach means that emails will not be responded to if the answers can be found within the auto response. The department now considers auto responses to be an official response to an enquiry.

Web links & email



Listed below are a number of web links and contact numbers to assist locating commonly needed information or for general assistance.

[Department of Home Affairs](#)

[Australian High Commission, Pretoria](#)

[VFS Global](#)

[Panel Physicians](#)

[ImmiAccount Technical Assistance](#)

[Visa finder](#)

Tempentry.pretoria@dfat.gov.au

Students.pretoria@dfat.gov.au

Immigration.pretoria@dfat.gov.au

Global Service Centre—+61 2 6196 0196