

QUESTION TAKEN ON NOTICE

ADDITIONAL ESTIMATES HEARING: 24 March 2017

IMMIGRATION AND BORDER PROTECTION PORTFOLIO

(AE17/260) - Rejected permanent residency application reasons - Programme 2.2: Migration

Senator Pratt, Louise (L&CA) written:

Can you explain the reasons an application for permanent residency may be rejected?

Answer:

An application for a permanent visa must be refused if an applicant does not meet the relevant legislative criteria set out in the *Migration Act 1958* and the *Migration Regulations 1994*.

There is a wide range of criteria which differ greatly between visa subclasses. Below are some broad categories which encompass criteria that are commonly not met by applicants and can result in refusal of a permanent visa application:

- **Relationship**
 - Partner visas – applicant not in a genuine and continuing relationship.
 - Child visas – a legal adoption process has not been followed.
- **Age**
 - Skilled visas – applicant is over 50 years of age (unless exemptions apply), or
 - Aged Parent visa – applicant is under 65 years.
- **Skills/qualifications**
 - Skilled visas – applicant does not meet the required points test (skills and qualifications are elements considered as part of the points test).
- **English Language**
 - Skilled visas – applicant does not have the requisite language skills levels as evidenced by specified tests results.
- **Health/Character**
 - All visas – health examination shows the applicant does not meet health requirements.