

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES HEARING: 27 - 28 MAY 2009

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(92) Program 1.1: Visa and Migration

Senator Fierravanti-Wells asked:

How many spouse or partner visa sponsors in the past two years have previously sponsored a spouse or partner visa holder/applicant? Could you please group the results by the initially sponsored visa holder's country of origin and also by the subsequent visa holder's nationality?

Answer:

The Department is unable to provide the details requested as departmental systems cannot report this data.

However, since 1996, the *Migration Regulations 1994* have provided for limitations on the number of partner visa sponsorships that can be undertaken by an Australian citizen, Australian permanent resident or eligible New Zealand citizen.

The limitations for all Partner category visas relate to those sponsors who previously:

- in their lifetime have had two approved sponsorships for a partner (or spouse or interdependency prior to 1 July 2009) or fiancé(e) visa (including withdrawn sponsorships where the former partner obtained permanent residence on family violence grounds after their arrival in Australia);
- sponsored one other person as a partner (or spouse or interdependent partner prior to 1 July 2009) or fiancé(e) - the second sponsorship cannot be approved until at least five years after the first application was made;
- have been sponsored as a partner (or spouse or interdependent partner prior to 1 July 2009) or fiancé(e) - they cannot sponsor a partner for a Partner category visa until at least five years after their own application was made.

There is a waiver provision available in compelling circumstances, which centres around the hardship that the sponsor and/or children may suffer as a consequence of the imposition of the sponsorship limitation.