

DEPARTMENT OF HOME AFFAIRS

PARLIAMENTARY INQUIRY SPOKEN QUESTION ON NOTICE

Joint Standing Committee on Migration
Inquiry into the Working Holiday Maker program

3 August 2020

QoN Number: 04

Subject: Working Holiday Makers Program - fee refunds

Asked by: Julian Hill

Question:

Mr HILL: I'll move on in a second, but just to finish that point: is there any provision for a refund? I have a constituent who got a visa on 16 March. The borders are closed, and they now have only a very short amount of time to use that visa. Are you telling me that the department just says, 'Bad luck, you're out of \$7,700,' or is there some provision for a refund in those circumstances?

Mr Willard: I don't want to give advice on the specific circumstance, but, in general, if someone's paid a visa application charge and the visa has been processed and granted, there's not a provision under the Migration Regulations for a refund at that point.

Mr HILL: Right. Okay. Maybe you can take that on notice and consider it. It's those at the pointy end of the issues that are being raised more broadly in relation to working holiday-makers.

Answer:

A Visa Application Charge (VAC) refund is generally not available to a person whose visa application has been lawfully assessed and decided.

A VAC must be paid in order to lodge a valid visa application. The VAC relates to the processing of the application and does not guarantee that the applicant will be able to meet the criteria for grant of a visa.

In general, VACs can only be refunded in a very limited range of circumstances, for example where the Department made an error, or the visa was refused because a sponsorship was not approved, or because the applicant died before the Department made a decision.