

Home Affairs Portfolio

HOUSE OF REPRESENTATIVES QUESTION

(Question No. 427)

Mr Julian Hill MP asked the Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs, in writing, on 26 August 2020:

1. What was the migration program planning level (or target or ceiling) for partner visas (including subclasses 300, 309, 100, 820 and 801, or similar predecessor visas) for each of the following financial years:
 - a. 2006-07;
 - b. 2007-08;
 - c. 2008-09;
 - d. 2009-10;
 - e. 2010-11;
 - f. 2011-12;
 - g. 2012-13;
 - h. 2013-14;
 - i. 2014-15;
 - j. 2015-16,
 - k. 2016-17;
 - l. 2017-18;
 - m. 2018-19; and
 - n. 2019-20.
2. Has the Department ever capped or limited the grant of visas for subclasses 300, 309, 100, 820 and 801 (or similar predecessor visas) ; if so, in what year did capping commence.
3. Can confirmation be provided that the only basis for a decision-maker to not grant a visa to an applicant who has met all the legal criteria is if the number of visas that can be granted in that category are capped or limited using the program management tools in ss85-87 of the Migration Act 1958.
4. Has the Department advised individual applicants for subclasses 300, 309, 100, 820 and 801 (or similar predecessor visas) who have met all legal criteria that they cannot be granted a visa because there are no places available.
5. Have any portfolio Ministers sought, or has the Department ever received, legal advice on whether administrative planning levels can override the legal program management tools set out in ss85-87 of the Migration Act 1958 - whether that advice be internal, external or through the Australian Government Solicitor.
6. What total number of (primary and dependent) applicants lodged an application for each subclass 300, 309, 100, 820 and 801 (or similar predecessor visas) in each of the following financial years:
 - a. 2006-07;
 - b. 2007-08;
 - c. 2008-09;
 - d. 2009-10;
 - e. 2010-11;
 - f. 2011-12;

- g. 2012-13;
 - h. 2013-14;
 - i. 2014-15;
 - j. 2015-16;
 - k. 2016-17;
 - l. 2017-18;
 - m. 2018-19; and
 - n. 2019-20.
7. What total number of applications for each subclass 300, 309, 100, 820 and 801 (or similar predecessor visas) were on hand on 30 June in each of the following years:
- a. 2007;
 - b. 2008;
 - c. 2009;
 - d. 2010;
 - e. 2011;
 - f. 2012;
 - g. 2013;
 - h. 2014;
 - i. 2015;
 - j. 2016;
 - k. 2017;
 - l. 2018;
 - m. 2019; and
 - n. 2020.
8. What total number of (primary and dependent) applicants were granted visas for each subclass 300, 309, 100, 820 and 801 (or similar predecessor visas) in each of the following financial years:
- a. 2006-07;
 - b. 2007-08;
 - c. 2008-09;
 - d. 2009-10;
 - e. 2010-11;
 - f. 2011-12;
 - g. 2012-13;
 - h. 2013-14;
 - i. 2014-15;
 - j. 2015-16;
 - k. 2016-17;
 - l. 2017-18;
 - m. 2018-19; and
 - n. 2019-20.
9. What total number of (primary and dependent) applicants were refused visas for each subclass 300, 309, 100, 820 and 801 (or similar predecessor visas) in each of the following financial years:
- a. 2006-07;
 - b. 2007-08;
 - c. 2008-09;
 - d. 2009-10;
 - e. 2010-11;
 - f. 2011-12;
 - g. 2012-13;
 - h. 2013-14;
 - i. 2014-15;
 - j. 2015-16;

- k. 2016-17;
 - l. 2017-18;
 - m. 2018-19;
 - n. and 2019-20.
10. What total number of (primary and dependent) applicants withdrew their application for a visa for each subclass 300, 309, 100, 820 and 801 (or similar predecessor visas) in each of the following financial years:
- a. 2006-07;
 - b. 2007-08;
 - c. 2008-09;
 - d. 2009-10;
 - e. 2010-11;
 - f. 2011-12;
 - g. 2012-13;
 - h. 2013-14;
 - i. 2014-15;
 - j. 2015-16;
 - k. 2016-17;
 - l. 2017-18;
 - m. 2018-19; and
 - n. 2019-20.
11. What total number of applications remain on hand for each subclass 300, 309, 100, 820 and 801 visas (or similar predecessor visas) lodged in each of the following financial years:
- a. 2006-07;
 - b. 2007-08;
 - c. 2008-09;
 - d. 2009-10;
 - e. 2010-11;
 - f. 2011-12;
 - g. 2012-13;
 - h. 2013-14;
 - i. 2014-15;
 - j. 2015-16;
 - k. 2016-17;
 - l. 2017-18;
 - m. 2018-19; and
 - n. 2019-20.
12. What was the total number of days taken to process 75% and 90% of applications for each of subclass 300, 309, 100, 820 and 801 (or similar predecessor visas) from lodgement (or date of eligibility for assessment where relevant) to grant, for visas that were granted in each of the following financial years:
- a. 2006-07;
 - b. 2007-08;
 - c. 2008-09;
 - d. 2009-10;
 - e. 2010-11;
 - f. 2011-12;
 - g. 2012-13;
 - h. 2013-14;
 - i. 2014-15;
 - j. 2015-16;
 - k. 2016-17;
 - l. 2017-18;
 - m. 2018-19; and

n. 2019-20.

13. What is the median processing time for subclass 300, 309, 100, 820, and 801 (or similar predecessor visas) decisions by the department, and how has this changed since 2006-07.
14. What proportion of subclass 300, 309, 100, 820, and 801 (or similar predecessor visas) application refusal decisions are subsequently appealed to the Administrative Appeals Tribunal, and how has this changed since 2006-07.
15. What is the median processing time for subclass 300, 309, 100, 820, and 801 (or similar predecessor visas) refusal review decisions at the Administrative Appeals Tribunal, and how has this changed since 2006-07.
16. What is the set aside or overturn rate for subclass 300, 309, 100, 820, and 801 (or similar predecessor visas) refusal review decisions at the Administrative Appeals Tribunal, and how has this changed since 2006-07.
17. What is the application fee for subclass 300, 309, 100, 820, and 801 applications (or similar predecessor visas) at the primary and review stages, and how has this changed since 2006-07.

Mr Tudge – The answer to the honourable member’s question is:

1. What was the migration program planning level (or target or ceiling) for partner visas, including subclasses 300, 309, 100, 820 and 801, or similar predecessor visas, for: (a) 2006-07; (b) 2007-08; (c) 2008-09; (d) 2009-10; (e) 2010-11; (f) 2011-12; (g) 2012-13; (h) 2013-14; (i) 2014-15; (j) 2015-16; (k) 2016-17; (l) 2017-18; (m) 2018-19; and (n) 2019-20.

The planning levels for Partner visas for the requested financial years were as follows:

Financial year	Partner visa planning level
2006-07	40,800
2007-08	40,500
2008-09	42,500
2009-10	45,000
2010-11	42,000
2011-12	45,150
2012-13	46,325
2013-14	47,752
2014-15	47,825
2015-16	47,825
2016-17	47,825
2017-18	47,825
2018-19	47,825
2019-20	39,799

2. Has the department ever capped or limited the grant of visas for subclasses 300, 309, 100, 820 and 801 (or similar predecessor visas); if so, in what year did capping commence.

No.

3. Can the Minister confirm that the only basis for a decision-maker to not grant a visa to an applicant who has met all the legal criteria, is if the number of visas that can be granted in that category are capped or limited using the program management tools in ss85-87 of the Migration Act 1958.

Partner visa applications are not subject to capping provisions under sections 85-87 of the *Migration Act 1958* (the Act). Under section 51 of the Act, a delegate of the Minister may consider valid visa applications in such order as he or she considers appropriate. For the purposes of section 51 of the Act, delegates consider visa applications in the Migration Program streams in line with the planning levels and priorities set by Government.

For Family visa applications, delegates are bound by Direction 80 – order for considering and disposing of Family visa applications under sections 47 and 51 of the Act. Direction 80 is made under section 499 of the Act. Before a visa can be granted to an individual, a delegate of the Minister must consider all information in relation to an application and be satisfied that all legal criteria set out in the relevant migration legislation are met.

4. Has the department advised individual applicants for subclasses 300, 309, 100, 820 and 801 (or similar predecessor visas) who have met all legal criteria that they cannot be granted a visa because there are no places available.

No, this would be contrary to the Department's legal authority and established procedures.

5. Have any portfolio Ministers sought, or has the department ever received, legal advice on whether administrative planning levels can override the legal program management tools set out in ss85-87 of the Migration Act 1958 (whether that advice be internal, external or through the Australian Government Solicitor).

Any legal advice provided to the Government on this issue is subject to legal professional privilege.

6. What total number of (primary and dependent) applicants lodged an application for each of subclass 300, 309, 100, 820 and 801 (or similar predecessor visas) in: (a) 2006-07; (b) 2007-08; (c) 2008-09; (d) 2009-10; (e) 2010-11; (f) 2011-12; (g) 2012-13; (h) 2013-14; (i) 2014-15; (j) 2015-16; (k) 2016-17; (l) 2017-18; (m) 2018-19; and (n) 2019-20.

Total Partner visa applications by subclass (primary and dependent applicants combined) lodged in each financial year between 2006-07 and 2019-20

	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13
Partner (Provisional) (subclass 309) visa	19,982	20,258	22,589	21,264	21,689	22,135	26,103
Partner (Migrant) (subclass 100) visa	23,270	23,808	26,378	25,015	26,105	27,390	37,089
Partner (Temporary) (subclass 820) visa	18,304	19,037	22,146	25,724	28,110	29,521	31,266
Partner (Residence) (subclass 801) visa	18,328	19,069	22,195	25,726	28,111	29,522	31,266
Prospective Marriage (subclass 300) visa	7,877	7,894	9,014	8,489	8,263	7,924	7,899
Interdependency (Provisional) (subclass 310) visa*	204	229	239	0	0	0	0
Interdependency (subclass 110) visa*	229	250	266	0	0	0	0
Interdependency (Temporary) (subclass 826) visa*	413	423	487	0	0	0	0
Interdependency (Residence) (subclass 814) visa*	444	438	516	0	0	0	0

	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20
Partner (Provisional) (subclass 309) visa	28,937	30,353	21,360	22,889	20,885	19,694	15,126
Partner (Migrant) (subclass 100) visa	29,679	30,134	20,733	22,704	20,760	19,708	15,127
Partner (Temporary) (subclass 820) visa	33,345	31,240	30,838	33,203	32,284	38,208	34,156
Partner (Residence) (subclass 801) visa	33,345	31,240	30,838	33,203	32,284	38,208	34,156
Prospective Marriage (subclass 300) visa	7,026	7,070	4,519	4,659	3,975	3,982	3,197
Interdependency (Provisional) (subclass 310) visa*	0	0	0	0	0	0	0
Interdependency (subclass 110) visa*	0	0	0	0	0	0	0
Interdependency (Temporary) (subclass 826) visa*	0	0	0	0	0	0	0
Interdependency (Residence) (subclass 814) visa*	0	0	0	0	0	0	0

* Visa subclasses 310, 110, 826 and 814 have been closed to new applications since 1 July 2009.

Note: Includes applications made by both primary and dependent applicants. Partner visa applications involve a two stage process, and the two applications must be lodged together. That is, the offshore Partner (Provisional) (subclass 309) visa is lodged with the Partner (Migrant) (subclass 100) visa; and the onshore Partner (Temporary) (subclass 820) visa is lodged with the Partner (Residence) (subclass 801) visa. The two applications are counted separately, and in the majority of cases decided at different times.

7. What total number of applications for each of subclass 300, 309, 100, 820 and 801 (or similar predecessor visas) were on hand on 30 June in: (a) 2007; (b) 2008; (c) 2009; (d) 2010; (e) 2011; (f) 2012; (g) 2013; (h) 2014; (i) 2015; (j) 2016; (k) 2017; (l) 2018; 2019; (m) and (n) 2020.

Total Partner visa applications on hand by subclass as at 30 June in each year since 2010

	30/06/10	30/06/11	30/06/12	30/06/13	30/06/14	30/06/15
Partner (Provisional) (subclass 309) visa	12,176	13,841	15,950	25,392	32,876	37,267
Partner (Migrant) (subclass 100) visa	35,880	42,385	41,488	50,318	55,432	59,863
Partner (Temporary) (subclass 820) visa	11,664	19,227	23,481	24,805	28,595	30,374
Partner (Residence) (subclass 801) visa	48,280	55,472	57,853	61,951	66,951	72,806
Prospective Marriage (subclass 300) visa	4,381	4,693	4,790	5,579	5,801	6,573
Interdependency (Provisional) (subclass 310) visa*	<5	0	<5	<5	<5	<5
Interdependency (subclass 110) visa*	242	134	72	<5	<5	<5
Interdependency (Temporary) (subclass 826) visa*	37	6	<5	0	0	0
Interdependency (Residence) (subclass 814) visa*	536	127	11	0	0	0

	30/06/16	30/06/17	30/06/18	30/06/19	30/06/20
Partner (Provisional) (subclass 309) visa	30,996	26,235	26,974	27,881	29,113
Partner (Migrant) (subclass 100) visa	43,365	71,094	65,762	58,130	48,102
Partner (Temporary) (subclass 820) visa	34,452	40,836	47,521	57,205	62,175
Partner (Residence) (subclass 801) visa	80,023	92,746	94,201	103,189	90,289
Prospective Marriage (subclass 300) visa	4,756	4,426	4,235	4,553	5,071
Interdependency (Provisional) (subclass 310) visa*	<5	5	5	<5	<5
Interdependency (subclass 110) visa*	30,996	15	14	12	0
Interdependency (Temporary) (subclass 826) visa*	0	<5	<5	<5	
Interdependency (Residence) (subclass 814) visa*	0	<5	<5	<5	<5

* Visa subclasses 310, 110, 826 and 814 have been closed to new applications since 1 July 2009.

Note: Includes applications made by both primary and dependent applicants. Partner visa applications involve a two stage process, and the two applications must be lodged together. That is, the offshore Partner (Provisional) (subclass 309) visa is lodged with the Partner (Migrant) (subclass 100) visa; and the onshore Partner (Temporary) (subclass 820) visa is lodged with the Partner (Residence) (subclass 801) visa. The two applications are counted separately, and in the majority of cases decided at different times.

Second stage Partner applications (subclasses 801 Partner (Residence) visa and 100 Partner (Migrant) visa) generally become eligible for assessment two years after lodgement of the combined first/second stage application. Figures include on hand applications which are not yet eligible for assessment.

8. What total number of (primary and dependent) applicants were granted visas for each of subclass 300, 309, 100, 820 and 801 (or similar predecessor visas) in: (a) 2006-07; (b) 2007-08; (c) 2008-09; (d) 2009-10; (e) 2010-11; (f) 2011-12; (g) 2012-13; (h) 2013-14; (i) 2014-15; (j) 2015-16; (k) 2016-17; (l) 2017-18; (m) 2018-19; and (n) 2019-20.

Total number of Partner visa applicants (primary and dependent) granted by subclass in each financial year since 2006-07

	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13
Partner (Provisional) (subclass 309) visa	19,503	18,746	18,897	18,879	18,148	18,526	18,859
Partner (Migrant) (subclass 100) visa	18,486	18,673	23,317	20,256	21,688	28,497	30,734
Partner (Temporary) (subclass 820) visa	16,158	17,349	20,313	22,337	19,342	23,860	27,253
Partner (Residence) (subclass 801) visa	13,549	13,272	19,901	17,914	18,995	24,151	24,189
Prospective Marriage (subclass 300) visa	7,103	6,607	7,114	7,078	6,691	6,625	6,023
Interdependency (Provisional) (subclass 310) visa*	190	195	218	61	0	<5	0
Interdependency (subclass 110) visa*	192	185	204	179	150	105	9
Interdependency (Temporary) (subclass 826) visa*	425	439	471	171	21	<5	<5
Interdependency (Residence) (subclass 814) visa*	321	334	464	379	368	89	9

	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20
Partner (Provisional) (subclass 309) visa	18,548	22,222	24,145	22,029	17,446	15,991	11,702
Partner (Migrant) (subclass 100) visa	25,026	23,095	18,476	20,757	24,846	26,705	22,054
Partner (Temporary) (subclass 820) visa	25,868	24,980	23,029	26,541	23,439	26,475	26,320
Partner (Residence) (subclass 801) visa	23,727	20,002	18,593	20,164	26,894	26,312	43,506
Prospective Marriage (subclass 300) visa	5,487	4,816	4,675	4,001	3,130	2,587	1,667
Interdependency (Provisional) (subclass 310) visa*	<5	0	0	0	0	0	0
Interdependency (subclass 110) visa*	0	0	<5	0	0	0	0
Interdependency (Temporary) (subclass 826) visa*	0	0	0	0	0	0	0
Interdependency (Residence) (subclass 814) visa*	<5	0	0	0	0	0	0

* Visa subclasses 310, 110, 826 and 814 have been closed to new applications since 1 July 2009.

Note: Partner visa applications involve a two stage process, and the two applications must be lodged together. That is, the offshore Partner (Provisional) (subclass 309) visa is lodged with the Partner (Migrant) (subclass 100) visa; and the onshore Partner (Temporary) (subclass 820) visa is lodged with the Partner (Residence) (subclass 801) visa. The two applications are counted separately, and in the majority of cases decided at different times.

9. What total number of (primary and dependent) applicants were refused visas for each of subclass 300, 309, 100, 820 and 801 (or similar predecessor visas) in: (a) 2006-07; (b) 2007-08; (c) 2008-09; (d) 2009-10; (e) 2010-11; (f) 2011-12; (g) 2012-13; (h) 2013-14; (i) 2014-15; (j) 2015-16; (k) 2016-17; (l) 2017-18; (m) 2018-19; and (n) 2019-20.

Total number of Partner visa applicants (primary and dependent) refused by subclass in each financial year since 2006-07

	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13
Partner (Provisional) (subclass 309) visa	1,633	1,386	1,285	1,163	1,560	1,612	1,634
Partner (Migrant) (subclass 100) visa	614	447	669	594	686	801	934
Partner (Temporary) (subclass 820) visa	210	190	317	280	525	456	748
Partner (Residence) (subclass 801) visa	587	449	892	637	1,004	1,392	1,386
Prospective Marriage (subclass 300) visa	846	723	754	796	817	829	789
Interdependency (Provisional) (subclass 310) visa*	15	11	18	8	<5	0	0
Interdependency (subclass 110) visa*	5	5	10	10	9	0	12
Interdependency (Temporary) (subclass 826) visa*	5	<5	7	5	<5	<5	0
Interdependency (Residence) (subclass 814) visa*	15	7	15	14	18	15	<5

	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20
Partner (Provisional) (subclass 309) visa	1,746	1,607	1,717	1,998	1,870	1,934	1,489
Partner (Migrant) (subclass 100) visa	878	1,392	1,732	2,052	2,559	2,867	2,257
Partner (Temporary) (subclass 820) visa	1,672	2,209	1,724	2,172	2,285	2,116	1,387
Partner (Residence) (subclass 801) visa	2,241	2,814	2,344	2,853	3,531	2,751	1,969
Prospective Marriage (subclass 300) visa	879	825	851	803	714	638	586
Interdependency (Provisional) (subclass 310) visa*	0	0	0	0	0	0	0
Interdependency (subclass 110) visa*	0	<5	0	0	0	0	<5
Interdependency (Temporary) (subclass 826) visa*	<5	0	<5	0	0	0	0
Interdependency (Residence) (subclass 814) visa*	<5	0	<5	0	0	0	0

* Visa subclasses 310, 110, 826 and 814 have been closed to new applications since 1 July 2009.

Note: Partner visa applications involve a two stage process, and the two applications must be lodged together. That is, the offshore Partner (Provisional) (subclass 309) visa is lodged with the Partner (Migrant) (subclass 100) visa; and the onshore Partner (Temporary) (subclass 820) visa is lodged with the Partner (Residence) (subclass 801) visa. The two applications are counted separately, and in the majority of cases decided at different times.

10. What total number of (primary and dependent) applicants withdrew their application for a visa for each of subclass 300, 309, 100, 820 and 801 (or similar predecessor visas) in: (a) 2006-07; (b) 2007-08; (c) 2008-09; (d) 2009-10; (e) 2010-11; (f) 2011-12; (g) 2012-13; (h) 2013-14; (i) 2014-15; (j) 2015-16; (k) 2016-17; (l) 2017-18; (m) 2018-19; and (n) 2019-20.

Total Partner visa applications (primary and dependent applicants) withdrawn by subclass in each financial year since 2006-07

	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13
Partner (Provisional) (subclass 309) visa	641	565	694	799	676	342	408
Partner (Migrant) (subclass 100) visa	418	369	345	266	306	424	403
Partner (Temporary) (subclass 820) visa	285	275	325	342	504	638	719
Partner (Residence) (subclass 801) visa	806	730	822	901	1,101	1,328	1,241
Prospective Marriage (subclass 300) visa	389	359	370	384	410	435	456
Interdependency (Provisional) (subclass 310) visa*	5	11	7	6	0	0	0
Interdependency (subclass 110) visa*	14	11	8	5	7	5	<5
Interdependency (Temporary) (subclass 826) visa*	10	<5	5	12	<5	0	0
Interdependency (Residence) (subclass 814) visa*	33	13	22	26	22	8	<5

	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20
Partner (Provisional) (subclass 309) visa	416	1,316	1,128	822	561	465	549
Partner (Migrant) (subclass 100) visa	389	721	760	757	702	795	852
Partner (Temporary) (subclass 820) visa	865	863	827	868	836	834	935
Partner (Residence) (subclass 801) visa	1,428	1,378	1,389	1,473	1,491	1,520	1,583
Prospective Marriage (subclass 300) visa	502	878	905	632	538	577	511
Interdependency (Provisional) (subclass 310) visa*	0	0	0	0	0	0	0
Interdependency (subclass 110) visa*	0	<5	0	0	0	0	0
Interdependency (Temporary) (subclass 826) visa*	<5	0	0	0	0	0	0
Interdependency (Residence) (subclass 814) visa*	<5	0	0	0	0	0	0

* Visa subclasses 310, 110, 826 and 814 have been closed to new applications since 1 July 2009.

Note: Partner visa applications involve a two stage process, and the two applications must be lodged together. That is, the offshore Partner (Provisional) (subclass 309) visa is lodged with the Partner (Migrant) (subclass 100) visa; and the onshore Partner (Temporary) (subclass 820) visa is lodged with the Partner (Residence) (subclass 801) visa. The two applications are counted separately, and in the majority of cases decided at different times.

11. What total number of applications for each of subclass 300, 309, 100, 820 and 801 visas (or similar predecessor visas) lodged in the following years remain on hand: (a) 2006-07; (b) 2007-08; (c) 2008-09; (d) 2009-10; (e) 2010-11; (f) 2011-12; (g) 2012-13; (h) 2013-14; (i) 2014-15; (j) 2015-16; (k) 2016-17; (l) 2017-18; (m) 2018-19; and (n) 2019-20.

Partner visa applications remaining on hand by subclass at 30 June 2020 by financial year of lodgement

	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13
Partner (Provisional) (subclass 309) visa	12	35	85	93	111	65	484
Partner (Migrant) (subclass 100) visa	73	24	37	37	44	81	1,370
Partner (Temporary) (subclass 820) visa	<5	<5	<5	<5	<5	5	11
Partner (Residence) (subclass 801) visa	<5	<5	<5	<5	6	14	30
Prospective Marriage (subclass 300) visa	5	<5	10	17	27	12	11
Interdependency (Provisional) (subclass 310) visa*	0	0	<5	0	0	0	0

	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20
Partner (Provisional) (subclass 309) visa	1,523	979	310	804	2,378	7,198	13,619
Partner (Migrant) (subclass 100) visa	1,397	1,380	1,034	2,770	7,354	14,663	14,312
Partner (Temporary) (subclass 820) visa	24	69	199	1,266	3,383	22,460	30,790
Partner (Residence) (subclass 801) visa	68	377	834	3,178	9,267	34,929	33,617
Prospective Marriage (subclass 300) visa	42	14	33	64	243	1,470	2,907
Interdependency (Provisional) (subclass 310) visa*	0	0	0	0	0	0	0

* Visa subclass 310 has been closed to new applications since 1 July 2009.

Note: Partner visa applications involve a two stage process, and the two applications must be lodged together. That is, the offshore Partner (Provisional) (subclass 309) visa is lodged with the Partner (Migrant) (subclass 100) visa; and the onshore Partner (Temporary) (subclass 820) visa is lodged with the Partner (Residence) (subclass 801) visa. The two applications are counted separately, and in the majority of cases decided at different times. The total on hand figures above therefore represent the total of on hand applications, and not the total of individuals.

Second stage Partner applications (subclasses 801 Partner (Residence) visa and 100 Partner (Migrant) visa) generally become eligible for assessment two years after lodgement of the combined first/second stage application. Figures include on hand applications which are not yet eligible for assessment.

12. What was the total number of days taken to process 75 per cent and 90 per cent of applications for each of subclass 300, 309, 100, 820 and 801 (or similar predecessor visas) from lodgement (or date of eligibility for assessment where relevant) to grant, for visas that were granted in: (a) 2006-07; (b) 2007-08; (c) 2008-09; (d) 2009-10; (e) 2010-11; (f) 2011-12; (g) 2012-13; (h) 2013-14; (i) 2014-15; (j) 2015-16; (k) 2016-17; (l) 2017-18; (m) 2018-19; and (n) 2019-20.

Table 1: Processing times for subclasses 309, 100 and 300.

	Partner (Provisional) (subclass 309) visa		Partner (Migrant) (subclass 100) visa		Prospective Marriage (subclass 300) visa	
	75th Percentile	90th Percentile	75th Percentile	90th Percentile	75th Percentile	90th Percentile
2006-07	6 Months	10 Months	6 Months	13 Months	6 Months	10 Months
2007-08	6 Months	10 Months	9 Months	14 Months	6 Months	9 Months
2008-09	5 Months	9 Months	9 Months	15 Months	5 Months	9 Months
2009-10	6 Months	9 Months	7 Months	13 Months	6 Months	9 Months
2010-11	7 Months	10 Months	9 Months	17 Months	7 Months	10 Months
2011-12	7 Months	11 Months	9 Months	15 Months	7 Months	11 Months
2012-13	8 Months	10 Months	6 Months	11 Months	7 Months	11 Months
2013-14	9 Months	12 Months	7 Months	12 Months	9 Months	13 Months
2014-15	11 Months	13 Months	9 Months	15 Months	10 Months	15 Months
2015-16	11 Months	14 Months	10 Months	16 Months	11 Months	15 Months
2016-17	11 Months	14 Months	13 Months	23 Months	11 Months	15 Months
2017-18	10 Months	14 Months	18 Months	28 Months	11 Months	14 Months
2018-19	12 Months	16 Months	17 Months	24 Months	12 Months	17 Months
2019-20	15 Months	19 Months	18 Months	27 Months	15 Months	20 Months

Note: For second stage Partner applications (subclasses 801 Partner (permanent) visa and 100 Partner (permanent) visa) processing times are generally calculated from date of eligibility for assessment (2 years after the combined 820/801 or 309/100 application is lodged).

Table 2: Processing times for subclasses 820, 801, 310

	Partner (Temporary) (subclass 820)		Partner (Residence) (subclass 801) visa		Interdependency (Provisional) (subclass 310) visa*	
	75th Percentile	90th Percentile	75th Percentile	90th Percentile	75th Percentile	90th Percentile
2006-07	5 Months	8 Months	5 Months	9 Months	4 Months	7 Months
2007-08	6 Months	10 Months	7 Months	12 Months	3 Months	6 Months
2008-09	6 Months	12 Months	7 Months	11 Months	4 Months	6 Months
2009-10	5 Months	9 Months	4 Months	8 Months	6 Months	9 Months
2010-11	9 Months	12 Months	3 Months	9 Months	No Visa Decisions	No Visa Decisions
2011-12	12 Months	14 Months	3 Months	9 Months	Processing times are not available	Processing times are not available
2012-13	14 Months	18 Months	3 Months	9 Months	No Visa Decisions	No Visa Decisions
2013-14	15 Months	20 Months	4 Months	11 Months	Processing times are not available	Processing times are not available
2014-15	15 Months	18 Months	7 Months	12 Months	No Visa Decisions	No Visa Decisions
2015-16	15 Months	17 Months	11 Months	14 Months	No Visa Decisions	No Visa Decisions
2016-17	17 Months	20 Months	14 Months	19 Months	No Visa Decisions	No Visa Decisions
2017-18	17 Months	22 Months	16 Months	20 Months	No Visa Decisions	No Visa Decisions
2018-19	20 Months	25 Months	19 Months	25 Months	No Visa Decisions	No Visa Decisions
2019-20	21 Months	27 Months	14 Months	22 Months	No Visa Decisions	No Visa Decisions

Note: For second stage Partner applications (subclasses 801 Partner (permanent) visa and 100 Partner (permanent) visa) processing times are generally calculated from date of eligibility for assessment (2 years after the combined 820/801 or 309/100 application is lodged).

* Visa subclasses 310 has been closed to new applications since 1 July 2009.

Table 3: Processing times for subclasses 110, 826, 814

	Interdependency (subclass 110) visa*		Interdependency (Temporary) (subclass 826) visa*		Interdependency (Residence) (subclass 814) visa*	
	75th Percentile	75th Percentile	75th Percentile	75th Percentile	75th Percentile	90th Percentile
2006-07	28 Months	28 Months	4 Months	8 Months	28 Months	30 Months
2007-08	29 Months	29 Months	4 Months	10 Months	29 Months	33 Months
2008-09	31 Months	31 Months	4 Months	9 Months	29 Months	33 Months
2009-10	28 Months	28 Months	11 Months	17 Months	26 Months	29 Months
2010-11	33 Months	33 Months	Processing times are not available	Processing times are not available	26 Months	29 Months
2011-12	34 Months	34 Months	Processing times are not available	Processing times are not available	29 Months	36 Months
2012-13	Processing times are not available	Processing times are not available	Processing times are not available	Processing times are not available	Processing times are not available	Processing times are not available
2013-14	No Visa Decisions	No Visa Decisions	No Visa Decisions	No Visa Decisions	No Visa Decisions	No Visa Decisions
2014-15	No Visa Decisions	No Visa Decisions	No Visa Decisions	No Visa Decisions	No Visa Decisions	No Visa Decisions
2015-16	Processing times are not available	Processing times are not available	No Visa Decisions	No Visa Decisions	No Visa Decisions	No Visa Decisions
2016-17	No Visa Decisions	No Visa Decisions	No Visa Decisions	No Visa Decisions	No Visa Decisions	No Visa Decisions
2017-18	No Visa Decisions	No Visa Decisions	No Visa Decisions	No Visa Decisions	No Visa Decisions	No Visa Decisions
2018-19	No Visa Decisions	No Visa Decisions	No Visa Decisions	No Visa Decisions	No Visa Decisions	No Visa Decisions
2019-20	No Visa Decisions	No Visa Decisions	No Visa Decisions	No Visa Decisions	No Visa Decisions	No Visa Decisions

Note: For second stage Partner applications (subclasses 801 Partner (permanent) visa and 100 Partner (permanent) visa) processing times are generally calculated from date of eligibility for assessment (2 years after the combined 820/801 or 309/100 application is lodged).

* Visa subclasses 110, 826 and 814 have been closed to new applications since 1 July 2009.

13. What is the median processing time for subclass 300, 309, 100, 820, and 801 (or similar predecessor visas) decisions by the department, and how has this changed since 2006-07.

Median Partner visa processing times by subclass in 2006-07 and 2019-20

	Partner (Provisional) (subclass 309) visa	Partner (Migrant) (subclass 100) visa	Partner (Temporary) (subclass 820) visa	Partner (Residence) (subclass 801) visa	Prospective Marriage (subclass 300) visa
2006-07	4 Months	3 Months	88 Days	84 Days	4 Months
2019-20	11 Months	9 Months	17 Months	10 Months	11 Months

	Interdependency (Provisional) (subclass 310) visa*	Interdependency (subclass 110) visa*	Interdependency (Temporary) (subclass 826) visa*	Interdependency (Residence) (subclass 814) visa*
2006-07	75 Days	26 Months	52.5 Days	26 Months
2019-20	No Visa Decisions	Processing times are not available	No Visa Decisions	No Visa Decisions

Note: For second stage Partner applications (subclasses 801 Partner (permanent) visa and 100 Partner (permanent) visa) processing times are generally calculated from date of eligibility for assessment (2 years after the combined 820/801 or 309/100 application is lodged).

* Visa subclasses 310, 110, 826 and 814 have been closed to new applications since 1 July 2009.

14. What proportion of subclass 300, 309, 100, 820, and 801 (or similar predecessor visas) application refusal decisions are subsequently appealed to the Administrative Appeals Tribunal, and how has this changed since 2006-07.

This question should be referred to the Attorney-General, the Hon Christian Porter MP.

15. What is the median processing time for subclass 300, 309, 100, 820, and 801 (or similar predecessor visas) refusal review decisions at the Administrative Appeals Tribunal, and how has this changed since 2006-07.

This question should be referred to the Attorney-General, the Hon Christian Porter MP.

16. What is the set aside or overturn rate for subclass 300, 309, 100, 820, and 801 (or similar predecessor visas) refusal review decisions at the Administrative Appeals Tribunal, and how has this changed since 2006-07.

This question should be referred to the Attorney-General, the Hon Christian Porter MP.

17. What is the application fee for subclass 300, 309, 100, 820, and 801 applications (or similar predecessor visas) at the primary and review stages, and how has this changed since 2006-07.

	Visa Application Charges	
	July 2006	July 2020
Prospective Marriage subclass 300		
Primary Applicant	\$1,340	\$7,715
Adult Dependant	Nil	\$3,860
Child Dependant	Nil	\$1,935
Partner (offshore) subclass 309/100 and Interdependency (offshore) subclass 310/110		
Primary Applicant	\$1,340	\$7,715
Adult Dependant	Nil	\$3,860
Child Dependant	Nil	\$1,935
Partner (onshore) subclass 820/801 and Interdependency (onshore) subclass 826/814		
Primary Applicant	\$1,990	\$7,715
Adult Dependant	Nil	\$3,860
Child Dependant	Nil	\$1,935

Notes:

Interdependency (offshore) subclass 310/110 visas and Interdependency (onshore) subclass 826/814 visas have been closed to new applications since 1 July 2009.

Visa application charges for additional applicants were introduced on 1 July 2013.

The Department of Home Affairs does not have data regarding application fees for review. This question should be referred to the Attorney-General, the Hon Christian Porter MP.