

# Contributory Parent Visas

This article looks at the contributory parent visa arrangements which result in a significant increase in the number of places available for the parent migration program in Australia.

## 1. Contributory Parent Visa – Visa Arrangements for Parent Migration

In March 2003, the Minister for Immigration and Multicultural and Indigenous Affairs, announced that legislation has been passed for the introduction of contributory parent visas.

The introduction of the *contributory parent visa category* resulted in a further 5,500 places for parents to migrate to Australia in the 2003-2004 program year; and 3,500 places a year thereafter.

The *existing* parent categories will also increase from 500 to 1,500 in the 2003-2004 program year; and to 1,000 in the subsequent program years.

In the media release MPS 12/2003, Mr Ruddock stated that:

“The significant increase over the current 500 parent visa places meets our election commitment for more parent migrants whose sponsors are willing to meet a fairer share of their health and welfare costs”.

## 2. The Contributory Parent Visa Subclasses

In addition to the *existing* parent visas (Subclass 103 offshore Parent (Migrant) Visa and Subclass 804 onshore Aged Parent (Residence) Visa), *four* contributory parent visas have been introduced – Subclasses 143 and 173 are for those applicants who reside outside Australia; and Subclasses 864 and 884 are for aged parents who reside in Australia.

### 2.1 Residing outside Australia (Offshore) –

Subclass 143 Contributory Parent (Migrant) Visa  
Subclass 173 Contributory Parent (Temporary) Visa

Applicants residing overseas must lodge their application at the Perth Offshore Parents Centre in Australia. Parents of *any* age residing outside Australia are eligible to apply under Subclass 143 or Subclass 173.

### 2.2 Residing in Australia (Onshore) –

Subclass 864 Contributory Aged Parent (Residence) Visa  
Subclass 884 Contributory Aged Parent (Temporary) Visa

Only *aged parents* residing in Australia can apply in Australia. Currently, the definition of aged parent is 65 years of age for men; and 62 years for women. Applicants residing in Australia should lodge their application at the nearest Department of Immigration and Multicultural and Indigenous Affairs office in Australia.

## 3. Commencement of the new Contributory Visas

27 June 2003            For applicants residing outside Australia.

1 July 2003             For applicants residing in Australia

## 4. Comparison between the Contributory Parent Visas Category and the Existing Category

### 4.1 First Visa Application Charge

From 1 July 2009, the first **Visa Application Charge** (“VAC”) for applicants applying outside Australia (Subclasses 103, 143 and 173) is A\$1,705.00 per application.

For applicants applying in Australia (Subclasses 804, 864 and 884), the first VAC is A\$2,525.00.

### 4.2 Second Visa Application Charge

The second VAC for each applicant in the *existing* parent category (Subclasses 103 and 804) is A\$1,480.00.

In contrast, the second VAC is significantly higher for each adult included in a *contributory* parent visa application. The total second VAC payable is **A\$34,330.00**; and is payable either in two instalments or in a single lump sum depending on whether a temporary visa or permanent visa is applied for (*See Section 5 of this Article for discussion about the distinctions between temporary and permanent contributory parent visas*)

#### 4.3 Assurance of Support

An assurance of support is a commitment to provide financial support to the person applying to migrate so that the migrant will not have to rely on certain social security payments.

Under the *existing* parent category, the assurance of support bond is A\$5,000.00 (and A\$2,000.00 for adult dependent). The bond is held by the Commonwealth Bank of Australia for a 2 year assurance of support period. The bond is released by Centrelink at the end of that time, less any amount needed to repay recoverable welfare payments.

For the contributory parent visas, a **10 year, A\$10,000.00 assurance of support bond** applies for the main applicant (and A\$4,000.00 for adult dependent).

#### 4.4 Threshold Criteria

The same criteria that apply to the existing parent visa categories apply to the new contributory parent visa categories. In essence, the threshold criteria are as follows:

- the applicant is sponsored by a “settled” Australian citizen, a permanent resident or eligible New Zealand citizen;
- the applicant meets the standard health and character requirements; and
- the applicant meets the Balance of Family test.

#### 5. Temporary Contributory Visa and Permanent Contributory Visa

Under the new regime, there are two options for contributory parent visa applicants: temporary visa or permanent visa.

Applicants can apply for a two-year temporary parent visa (Subclasses 173 or 884) (cheaper). At the time of temporary visa application, the applicants are required to pay the first VAC. Before a decision is made, the applicants are to pay a second VAC of A\$19,635.00 per person for adult applicants. Subject to available places and assuming that the applicants meet all other requirements, the temporary visa is granted for two years. Applicants may apply at any time during the two-year period for a permanent visa. Before the decision is made, the remaining second VAC payment of A\$13,090.00 is required. The assurance of support bond is payable

before the grant of the permanent visa.

Alternatively, contributory parent visa applicants can apply for a permanent visa (Subclasses 143 or 864) by paying the first VAC (A\$1,705.00 outside Australia or A\$2,525.00 in Australia) and the second VAC of A\$34,330.00 per person.

(The fees payable to the Immigration Department are subject to change as the Immigration Department revises its fees structures on 1 July of each year.)

#### 6. Special Arrangements for Parents with existing Parent Visa Application

Applicants with an existing parent visa application may elect to apply for a contributory parent visa. They may apply free of the first VAC if they elect to apply for a contributory parent visa of the same type as their existing visa application i.e.

- If the applicants have an existing Subclass 103 offshore Parent (Migrant) Visa application, they may only receive the concession if they elect to apply for the new offshore Subclass 143 or Subclass 173 contributory parent visa.
- If the applicants have an existing Subclass 804 onshore Aged Parent (Residence) Visa application, they may only receive the concession when applying for a onshore Subclass 864 or Subclass 884 contributory parent visa.

To make a valid application for the new contributory visa, the applicants must withdraw the existing category parent visa application at the same time that they apply for the new contributory parent visa.

#### Summary

In essence, applications pursuant to contributory parent visas, require an amount of about \$50,000.00 per person, of which \$10,000.00 may be refunded if unused over 10 years.

*Comasters is able to prepare comprehensive applications to the Immigration Department on behalf of clients.*

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**Important:** This is not advice. Clients should not act solely on the basis of the material contained in this paper. Our formal advice should be sought before acting on any aspect of the above information.

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