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## **Migration (Subclass 192 (Pacific Engagement) Visa Pre-application Process—Treaty Stream) Determination 2025**

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I, Tony Burke, Minister for Immigration and Multicultural Affairs, make the following determination.

Dated 25 February 2025

Tony Burke  
Minister for Immigration and Multicultural Affairs

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## Part 1—Preliminary

### 1 Name

This instrument is the *Migration (Subclass 192 (Pacific Engagement) Visa Pre-application Process—Treaty Stream) Determination 2025*.

### 2 Commencement

This instrument commences on 1 May 2025.

### 3 Authority

This instrument is made under subsection 46C(14) of the *Migration Act 1958*.

### 4 Definitions

Note: A number of expressions used in this instrument are defined in the Act, including visa pre-application process charge.

In this instrument:

*Act* means the *Migration Act 1958*.

**registered participant**, for a particular Treaty stream visa pre-application process, has the meaning given by section 8.

**registration open period**, for a particular Treaty stream visa pre-application process, means the period during which the process is open for registration.

Note: See also section 10, which is about requirements for registration open periods.

**selected participant**, for a particular Treaty stream visa pre-application process, has the meaning given by section 13.

**selection open period**, for a particular Treaty stream visa pre-application process, means the period during which selection of participants for the process may take place.

Note: See also section 14, which is about requirements for selection open periods.

**Treaty stream visa** means a Subclass 192 (Pacific Engagement) visa in the Treaty stream as set out in Subdivision 192.23 of Schedule 2 to the Migration Regulations.

**Treaty stream visa pre-application process** means a process specified under section 6.

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## Part 2—Rules for the conduct of visa pre-application process

### Division 1—Introduction

#### 5 Purpose of this Part

For the purposes of subsection 46C(14) of the Act, this Part sets out the rules that apply in relation to the conduct of a visa pre-application process that is specified in section 6.

#### 6 Specified visa pre-application process to which rules apply

For the purposes of subsection 46C(14) of the Act, this instrument applies in relation to a visa pre-application process conducted under subsection 46C(1) of the Act in relation to a Subclass 192 (Pacific Engagement) visa in the Treaty stream.

### Division 2—Country to which visa pre-application process relates

#### 7 Visa pre-application process must be in relation to a country

- (1) A Treaty stream visa pre-application process must be in relation to a single country.

Note: Multiple Treaty stream visa pre-application processes can be conducted (see subsection 46C(10) of the Act).

- (2) The Minister must cause the country to which the Treaty stream visa pre-application process relates to be published on the Department's website.

### Division 3—Registration of participants

#### 8 Registered participants

A person is a *registered participant* for a particular Treaty stream visa pre-application process if the following requirements are met:

- (a) the person registers as a participant in that process using a computer program made available on the internet for that purpose;
- (b) the registration includes a declaration by the person that they meet the eligibility requirements for that process specified under section 9;
- (c) the person is not already registered as a participant in that process;
- (d) the registration occurs within the registration open period for that process.

Note 1: A part of a visa pre-application process may be conducted by the use of a computer program under the Minister's control: see subsection 46C(11) of the Act.

Note 2: Any visa pre-application process charge that is payable in respect of the registration must be paid at the time of registration: see subsection 46C(22) of the Act.

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## 9 Eligibility requirements

The eligibility requirements for registration of a person as a registered participant in a particular Treaty stream visa pre-application process are all of the following:

- (a) the person holds a valid passport issued by the country to which that process relates;
- (b) at the beginning of the registration open period for that process, the person is aged at least 18;
- (c) the person, or a parent of the person, or a grandparent of the person, was born in the country to which that process relates;
- (d) the person is a citizen of the country to which that process relates and that citizenship was not obtained due to an investment to that country;
- (e) the person is not a citizen of New Zealand.

## 10 Registration open period

- (1) A Treaty stream visa pre-application process must involve a finite registration open period for the process.
- (2) The Minister must cause the registration open period for the process, and any extension of the period, to be published on the Department's website.

## 11 Withdrawal of registration

A registered participant in a particular Treaty stream visa pre-application process may withdraw their registration as a participant in that process using a computer program made available on the internet for that purpose.

Note: A part of a visa pre-application process may be conducted by the use of a computer program under the Minister's control: see subsection 46C(11) of the Act.

## 12 Duration of registration

The registration of a person as a registered participant in a particular Treaty stream visa pre-application process lapses at the earliest of the following times:

- (a) the end of the selection open period for that process;
- (b) if the person is selected as a selected participant for that process—when the person is selected;
- (c) if the person withdraws their registration as a participant in that process—when the withdrawal is lodged;
- (d) if the person dies before the person is selected as a selected participant for that process—when the person dies.

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## Division 4—Selection of registered participants

### 13 Selected participants

A person is a *selected participant* for a particular Treaty stream visa pre-application process if the person is randomly selected for that process by a computer program.

Note 1: The person must be a registered participant in that process: see subsection 46C(2) of the Act.

Note 2: A part of a visa pre-application process may be conducted by the use of a computer program under the Minister's control: see subsection 46C(11) of the Act.

### 14 Selection open period

- (1) A Treaty stream visa pre-application process must involve a finite selection open period for the process.
- (2) The Minister must cause the selection open period for the process, and any extension of the period, to be published on the Department's website.

### 15 Notice of selection

- (1) As soon as practicable after a person is selected as a selected participant for a particular Treaty stream visa pre-application process, the Minister must give the person notice in writing of the selection.
- (2) The notice must specify the date by which the person must make a valid visa application for a Subclass 192 (Pacific Engagement) visa in the Treaty stream.
- (3) The date specified under subsection (2) must be at least 30 days after the day the notice is given.

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