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Statutory Rules 1995 No. *L*<sup>1</sup>

*258 /*

## Migration Regulations<sup>2</sup> (Amendment)

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Migration Act 1958*.

Dated *L* 1995.

*5 September /*

*L BILL HAYDEN /*  
Governor-General

By His Excellency's Command,

*L*  
Minister for Migration and Ethnic Affairs

*NICK BOLKUS /*  
*Im /*

### PART 1—PRELIMINARY

#### 1. Commencement

1.1 Parts 3 and 4 and the Schedules commence on 1 November 1995.

[NOTE: Parts 1 and 2 commence on gazettal: see *Acts Interpretation Act 1901*, s. 48.]

**2. Amendment**

2.1 The Migration Regulations are amended as set out in Parts 2 and 3.

**PART 2—AMENDMENTS COMMENCING ON GAZETTAL****3. Schedule 2, Part 435 (Sri Lankan)**

3.1 Clauses 435.214 and 435.511:

Omit “30 September 1995.”, substitute “31 July 1996.”.

**4. Schedule 2, Part 443 (Citizens of Former Yugoslavia)**

4.1 Clause 443.211:

Omit “cancelled”, substitute “cancelled,”.

4.2 Clauses 443.214 and 443.511:

Omit “30 September 1995.”, substitute “31 July 1996.”.

**PART 3—AMENDMENTS COMMENCING ON  
1 NOVEMBER 1995****5. Regulation 1.03 (Interpretation)**

5.1 Definition of “AIDAB”:

Omit the definition.

5.2 Definition of “approved appointment”:

Omit “subregulation 5.16 (1)”, substitute “subregulation 5.19 (1)”.

5.3 Definition of “assisted student” (paragraph (b)):

Omit “AIDAB”, substitute “AusAID”.

5.4 Insert:

“‘**AusAID**’ means the Australian Agency for International Development within Foreign Affairs;”;

“‘**Commonwealth Medical Officer**’ means a medical practitioner employed by the Australian government;”;

“**Medical Officer of the Commonwealth**’ means a medical practitioner appointed by the Minister in writing under regulation 1.16AA to be a Medical Officer of the Commonwealth for the purposes of these Regulations;”.

**6. Regulation 1.13 (Nominator)**

6.1 Paragraph 1.13 (c):

Omit “213 or 214”, substitute “213, 214, 215, 216 or 217”.

**7. New regulation 1.16AA (Appointment of Medical Officer of the Commonwealth)**

7.1 After regulation 1.16, insert:

“1.16AA. The Minister may, by writing signed by the Minister, appoint a medical practitioner to be a Medical Officer of the Commonwealth for the purposes of these Regulations.”.

**8. Regulation 1.20 (Sponsorship)**

8.1 Paragraph 1.20 (1) (b):

Omit “213 or 214”, substitute “213, 214, 215, 216 or 217”.

**9. New Division 2.5A**

9.1 After Division 2.5, insert Division 2.5A set out in Schedule 1.

**10. Regulation 2.40 (Persons having a prescribed status—special purpose visas (Act, s. 33 (2) (a)))**

10.1 Paragraph 2.40 (1) (r):

After “citizens” insert “, or persons having a right to return to Indonesia”.

10.2 Paragraph 2.40 (14) (c):

Omit the paragraph, substitute:

“(c) either:

- (i) holds and produces an Indonesian passport that is in force; or

- (ii) holds and produces a passport that is in force and contains a visa that gives the person the right (exercisable for at least 10 days after arrival on Christmas Island) to return to Indonesia; and”.

**11. Regulation 3.09 (Evidence of identity—domestic travel on overseas vessels)**

11.1 Paragraph (3) (c):

Add at the end:

- “or (iii) an officer or employee of a body that is specified for the purpose of this paragraph by Gazette Notice;”.

11.2 Paragraph (3) (e):

Omit the paragraph.

**12. Regulation 3.15 (Medical certificate)**

12.1 Paragraphs 3.15 (1) (c), (d) and (e):

Omit the paragraphs, substitute:

- “(c) tuberculosis; or
- (d) a disease or condition that is, or may result in the applicant being, a threat to public health in Australia or a danger to the Australian community; or
- (e) a disease or condition that, during the person’s proposed period of stay in Australia, would be likely to:
  - (i) result in a significant cost to the Australian community in the areas of health care or community services; or
  - (ii) prejudice the access of an Australian citizen or permanent resident to health care or community services.”.

**13. Regulation 4.14 (Refund of fee for review by Tribunal)**

13.1 Add at the end:

“(3) If an application for review by the Tribunal, being an application made on or after 1 November 1995, is withdrawn (otherwise than for a reason specified in subregulation (2)) before the end of the period referred to in subsection 361 (2) of the Act (which deals with notice to the Tribunal that the applicant wants the Tribunal to obtain oral evidence), 50% of the fee paid on the application is to be refunded.”.

**14. Regulation 5.06 (Arrest of witness failing to appear)**

14.1 Subregulation 5.06 (3):

Omit “vessel”, substitute “vessel, using any force that is necessary and reasonable,”.

**15. Regulation 5.19 (Approved appointments (employer nomination))**

15.1 Subregulation 5.19 (1):

After “subregulation (2)”, insert “or (4)”.

15.2 Paragraph 5.19 (2) (b):

After “highly skilled person”, insert “(within the meaning of subregulation (3))”.

15.3 Subregulation 5.19 (3):

Omit “this regulation”, substitute “subregulation (2)”.

15.4 Add at the end:

“(4) An employer nomination meets the requirements of this subregulation if:

- (a) the employer nomination is made by an employer in respect of a need for a paid employee in a business that is:
  - (i) located in Australia; and
  - (ii) operated by that employer; and

- (b) the appointment:
  - (i) will provide the employee with full-time employment; and
  - (ii) will be for at least 2 years; and
- (c) unless the appointment is exceptional, the work to be performed requires the appointment of a person who has a diploma (within the meaning of subregulation 2.26 (5)) or higher qualification; and
- (d) the applicant is to be employed or engaged in Australia in accordance with the standards for wages and working conditions provided for under relevant Australian legislation and awards; and
- (e) a body, specified for the purpose of this paragraph by Gazette Notice, certifies that the employer nomination meets the requirements of this subregulation.”.

## **16. Regulation 5.37 (Employer nomination fee)**

16.1 Omit the regulation, substitute:

### **Employer nomination fee**

“5.37 (1) The fee payable in respect of an employer nomination to which subregulation 5.19 (2) applies is \$270 and must be paid at the time the nomination is lodged.

“(2) No fee is payable in respect of an employer nomination to which subregulation 5.19 (4) applies.”.

## **17. Schedule 1 (Classes of visas)**

17.1 After item 1101, insert:

### **“1101A. Ahmadi (Special Assistance) (Class BJ)**

- (1) Form: 917
- (2) Fee: Nil.
- (3) Other: (a) Application must be made outside Australia.

- (b) Application by a person claiming to be a member of the family unit of a person who is an applicant for an Ahmadi (Special Assistance) visa may be made at the same time and place as, and combined with, the application by that person.
  - (c) Application must be accompanied by a written undertaking of support from the Ahmadiyya Muslim Association of Australia.
- (4) Subclasses: 216 (Ahmadi)".

17.2 After paragraph 1131 (3) (a), insert:

“(aa) At the time when the application is made, there is lodged at the office of Immigration at which, or with the officer of Immigration to whom, the application is made, documentation that:

- (i) evidences the grant by a Minister to the applicant of territorial asylum in Australia; and
- (ii) was issued by or on behalf of the Commonwealth.”.

17.3 After item 1131, insert:

**“1132. Vietnamese (Special Assistance) (Class BK)**

- (1) Form: 917.
  - (2) Fee: Nil.
  - (3) Other:
    - (a) Application must be made outside Australia.
    - (b) Application by a person claiming to be a member of the family unit of a person who is an applicant for a Vietnamese (Special Assistance) visa may be made at the same time and place as, and combined with, the application by that person.
- (4) Subclasses: 217 (Vietnamese)".

## 17.4 Clause 1218 :

Omit the clause, substitute:

**“1218. Short Stay (Visitor) (Class TR)**

- (1) Form: (a) If the applicant is outside Australia (whether or not the application is made outside Australia): 48 or 48R.  
(b) If the applicant is in Australia: 601.
- (2) Fee: (a) If the applicant is outside Australia (whether or not the application is made outside Australia):  
(i) if the applicant seeks a visa to be in effect for a period of 4 years or the remaining validity of the applicant’s passport (whichever is the shorter), and that remaining period is 12 months or more: \$35; or  
(ii) in any other case: Nil.  
(b) If the applicant is in Australia: \$140.  
(c) The Minister may waive the fee in the case of an application by a non-citizen who applies as the representative of a foreign government.
- (3) Other: (a) Application may be made in or outside Australia, but not in immigration clearance.  
(b) If the applicant is outside Australia, the application may be made in Australia if and only if no fee is payable on the application.  
(c) Application by a person included in the passport of another person may be made at the same time and place as, and combined with, the application by that person.
- (4) Subclasses: 676 (Tourist (Short Stay))”.



17.5 After clause 1223, insert:

**“1223A. Temporary Business Entry (Class UC)**

- (1) Form:
  - (a) If the application is made on the applicant’s behalf by an approved nominator (within the meaning of clause 456.111 of Schedule 2): 1034.
  - (b) In any other case: 456.
- (2) Fee:
  - (a) If the application is made on the applicant’s behalf by an approved nominator: \$35.
  - (b) Any other application:
    - (i) Applicant outside Australia (whether or not the application is made outside Australia):
      - (A) if the applicant seeks a visa to be in effect for more than 1 entry or for a period of more than 1 month: \$35;
      - (B) if the applicant seeks a visa to be in effect for 1 entry and for a period of 1 month or less: Nil.
    - (ii) Applicant in Australia: \$145.
  - (c) The Minister may waive the fee on an application by a non-citizen who applies as a representative of a foreign government.
- (3) Other:
  - (a) Application may be made on an applicant’s behalf by an approved nominator for the purposes of Part 456 of Schedule 2.
  - (b) Application by an approved nominator on behalf of an applicant must be made in Australia.

- (c) Application (other than an application by an approved nominator on an applicant's behalf) may be made in or outside Australia, but not in immigration clearance.
- (d) If the applicant is outside Australia, the application may be made in Australia if and only if:
  - (i) no fee is payable on the application; or
  - (ii) the application is made on the applicant's behalf by an approved nominator.
- (e) Application may be made on an applicant's behalf by an approved nominator only if the applicant is outside Australia at the time of the application.
- (f) Application by a person claiming to be a spouse or dependent child of an applicant may be made at the same time and at the same place as, and combined with, the application by that person.

(4) Subclasses: 456 (Business (Short Stay))”.

## **18. Schedule 2, Part 121 (Employer Nomination)**

[NOTE: The Note in Division 121.1 should be omitted and the following Note substituted:

“[NOTE: ‘approved appointment’ is defined in regulation 5.19. No interpretation provisions specific to this Part.]”.

18.1 Clause 121.211:

Omit the clause, insert:

“121.211 (1) The applicant meets the requirements of subclause (2) or (3).

- “(2) An applicant meets the requirements of this subclause if:
  - (a) the applicant has been nominated by an employer in respect of an appointment in the business of that employer; and

- (b) in accordance with subregulation 5.19 (2), the appointment is an approved appointment; and
- (c) the applicant is a highly skilled person (within the meaning of subregulation 5.19 (3)) in relation to that approved appointment; and
- (d) unless the approved appointment is exceptional, the applicant has not turned 55.

- “(3) An applicant meets the requirements of this subclause if:
- (a) the applicant has been nominated by an employer in respect of an appointment in the business of that employer; and
  - (b) in accordance with subregulation 5.19 (4), the appointment is an approved appointment; and
  - (c) unless the approved appointment is exceptional, the applicant:
    - (i) has not turned 45; and
    - (ii) has functional English; and
    - (iii) has a diploma (within the meaning of subregulation 2.26 (5)) or higher qualification that is relevant to that approved appointment.”.

**19. Schedule 2, new Parts 216 and 217**

19.1 After Part 215, insert Parts 216 and 217 in Schedule 2.

**20. Schedule 2, new Part 456**

20.1 After Part 446, insert Part 456 in Schedule 3.

**21. Schedule 2, Part 672 (Business Visitor (Short Stay))**

21.1 Omit the Part.

**22. Schedule 2, Part 675 (Medical Treatment (Short Stay))**

22.1 Subparagraph 675.221 (2) (f) (i):

Omit the subparagraph, substitute:

- “(i) the applicant satisfies the Minister that the applicant is free from a disease or condition that is, or may result in the applicant being, a threat to public health in Australia or a danger to the Australian community;”.

**22.2 Subparagraphs 675.221 (2) (g) (i), (ii) and (iii):**

Omit the subparagraphs, substitute:

- “(i) the applicant is free from tuberculosis; and
- (ii) the applicant is free from a disease or condition that is, or may result in the applicant being, a threat to public health in Australia or a danger to the Australian community; and
- (iii) the applicant is not a person who has a disease or condition (other than a disease or condition normally related to the organ transplant for which the applicant proposes coming to Australia) that, during the applicant’s proposed period of stay in Australia, would be likely to:
  - (A) result in a significant cost to the Australian community in the areas of health care or community services; or
  - (B) prejudice the access of an Australian citizen or permanent resident to health care or community services; and”.

**23. Schedule 2, Part 682 (Business Visitor (Long Stay))**

23.1 Omit the Part.

**24. Schedule 2, Part 685 (Medical Treatment (Long Stay))**

24.1 Subparagraph 685.221 (2) (f) (i):

Omit the subparagraph, substitute:

- “(i) the applicant satisfies the Minister that the applicant is free from a disease or condition that is, or may result in the applicant being, a threat to public health in Australia or a danger to the Australian community;”.

24.2 Subparagraphs 685.221 (2) (g) (i), (ii) and (iii):

Omit the subparagraphs, substitute:

- “(i) the applicant is free from tuberculosis; and
- (ii) the applicant is free from a disease or condition that is, or may result in the applicant being, a threat to public health in Australia or a danger to the Australian community; and

- (iii) the applicant is not a person who has a disease or condition (other than a disease or condition normally related to the organ transplant for which the applicant proposes coming to Australia) that, during the applicant's proposed period of stay in Australia, would be likely to:
  - (A) result in a significant cost to the Australian community in the areas of health care or community services; or
  - (B) prejudice the access of an Australian citizen or permanent resident to health care or community services; and”.

**25. Schedule 2, Part 802 (Child)**

25.1 Clause 802.211:

Omit the clause, substitute:

“802.211 If:

- (a) the applicant:
  - (i) was in Australia on 1 September 1994; and
  - (ii) was, immediately before 1 September 1994, a person to whom section 37 of the Act as in force immediately before that date applied; and
  - (iii) has not been granted a substantive visa on or after 1 September 1994; or
- (b) the applicant is a person to whom section 48 of the Act applies;

the applicant:

- (c) has not been refused a visa or had a visa cancelled under section 501 of the Act; and
- (d) has become a dependent child of an Australian citizen, of an Australian permanent resident or of an eligible New Zealand citizen since last applying for an entry permit or substantive visa.”.

**26. Schedule 2, Part 804 (Aged Parent)**

26.1 Clause 804.211:

Omit the clause, substitute:

“804.211 If:

(a) the applicant:

- (i) was in Australia on 1 September 1994; and
- (ii) was, immediately before 1 September 1994, a person to whom section 37 of the Act as in force immediately before that date applied; and
- (iii) has not been granted a substantive visa on or after 1 September 1994; or

(b) the applicant is a person to whom section 48 of the Act applies;

the applicant:

- (c) has not been refused a visa or had a visa cancelled under section 501 of the Act; and
- (d) has become an aged parent of an Australian citizen, of an Australian permanent resident or of an eligible New Zealand citizen since last applying for an entry permit or substantive visa.”.

**27. Schedule 2, Part 805 (Skilled)**

[NOTE: The Note in Division 805.1 should be omitted and the following Note substituted:

“[NOTE: ‘approved appointment’ is defined in regulation 5.19. No interpretation provisions specific to this Part.]”.

27.1 Subclause 805.213 (1):

Omit “(2) or (3)”, substitute “(2), (3) or (4)”.

27.2 Paragraph 805.213 (3) (a):

Omit “regulation 5.19”, substitute “subregulation 5.19 (2)”.

27.3 Clause 805.213:

Add at the end:

- “(4) An applicant meets the requirements of this subclause if:
  - (a) the applicant has been nominated by an employer in respect of an appointment in the business of that employer; and

- (b) in accordance with subregulation 5.19 (4), the appointment is an approved appointment; and
- (c) unless the approved appointment is exceptional, the applicant:
  - (i) has not turned 45; and
  - (ii) has functional English; and
  - (iii) has a diploma (within the meaning of subregulation 2.26 (5)) or higher qualification that is relevant to that appointment.”.

27.4 Subclause 805.222:

After “subclause 805.213 (3)”, insert “ or (4)”.

## **28. Schedule 2, Part 806 (Family)**

28.1 Clause 806.211:

Omit the clause, substitute:

“806.211 If:

- (a) the applicant:
  - (i) was in Australia on 1 September 1994; and
  - (ii) was, immediately before 1 September 1994, a person to whom section 37 of the Act as in force immediately before that date applied; and
  - (iii) has not been granted a substantive visa on or after 1 September 1994; or
- (b) the applicant is a person to whom section 48 of the Act applies;

the applicant:

- (c) has not been refused a visa or had a visa cancelled under section 501 of the Act; and
- (d) has become an aged dependent relative, an orphan relative, a remaining relative or a special need relative of an Australian citizen, of an Australian permanent resident, or of an eligible New Zealand citizen since last applying for an entry permit or substantive visa.”.

**29. Schedule 2, Part 833 (Certain Unlawful Non-Citizens)**

## 29.1 Clause 833.211

Omit the clause, substitute:

“833.211 If:

(a) the applicant:

- (i) was in Australia on 1 September 1994; and
- (ii) was, immediately before 1 September 1994, a person to whom section 37 of the Act as in force immediately before that date applied; and
- (iii) has not been granted a substantive visa on or after 1 September 1994; or

(b) the applicant is a person to whom section 48 of the Act applies;

the applicant:

- (c) has not been refused a visa or had a visa cancelled under section 501 of the Act; and
- (d) has become a person who meets the requirements of clause 833.212 since last applying for an entry permit or substantive visa.”.

**30. Schedule 2, Part 845 (Established Business in Australia)**

## 30.1 Clauses 845.214 and 845.215:

Omit the clauses, substitute:

“845.214 The total value of the net assets in Australia of the applicant, or the applicant and the applicant’s spouse together:

(a) is; and

(b) has been throughout the period of 12 months immediately preceding the making of the application;

at least AUD250,000.

“845.215 The total value of the net assets owned by the applicant, or by the applicant and the applicant’s spouse together, in the main business or main businesses in Australia:

(a) is; and

(b) has been throughout the period of 12 months immediately preceding the making of the application;

at least AUD100,000.”.



**31. Schedule 2, Part 866 (Protection (Residence))**

31.1 After clause 866.111, insert:

“866.112 For the purposes of this Part, a person (‘A’) is a member of the same family unit as another person (‘B’) if:

- (a) A is a member of B’s family unit; or
- (b) B is a member of A’s family unit; or
- (c) A and B are members of the family unit of a third person.”.

31.2 Paragraph 866.211 (b):

Omit “the family unit of”, substitute “the same family unit as”.

31.3 Clauses 866.221 and 866.222:

Omit the clauses, substitute:

“866.221 The Minister is satisfied that the applicant is a person to whom Australia has protection obligations under the Refugees Convention.

“866.222 In the case of an applicant referred to in paragraph 866.211 (b):

- (a) the Minister is satisfied that the applicant is a member of the same family unit as a person who has made specific claims under the Refugees Convention (a ‘claimant’); and
- (b) that claimant has been granted a Protection (Residence) visa.”.

**32. Schedule 3 (Additional criteria applicable to unlawful non-citizens and certain bridging visa holders)**

32.1 Item 3001:

Omit the item, substitute:

“3001. (1) The application is validly made within 28 days after the relevant day (within the meaning of subclause (2)).

(2) For the purposes of subclause (1) and of clause 3002, the relevant day, in relation to an applicant, is:

- (a) if the applicant held an entry permit that was valid up to and including 31 August 1994 but has not subsequently been the holder of a substantive visa—1 September 1994; or

- (b) if the applicant became an illegal entrant before 1 September 1994 (whether or not clause 6002 in Schedule 6 of the Migration (1993) Regulations applied or section 195 of the Act applies) and has not, at any time on or after 1 September 1994, been the holder of a substantive visa—the day when the applicant last became an illegal entrant; or
- (c) if the applicant:
  - (i) ceased to hold a substantive or criminal justice visa on or after 1 September 1994; or
  - (ii) entered Australia unlawfully on or after 1 September 1994;
 whichever is the later of:
  - (iii) the last day when the applicant held a substantive or criminal justice visa; or
  - (iv) the day when the applicant last entered Australia unlawfully.”.

### 32.2 Item 3002:

Omit the item, substitute:

“3002. The application is validly made within 12 months after the relevant day (within the meaning of subclause 3001 (2)).”.

### 32.3 Item 3003:

Omit the item, substitute:

“3003. If:

- (a) the applicant has not, on or after 1 September 1994, been the holder of a substantive visa; and
- (b) on 31 August 1994, the applicant was either:
  - (i) an illegal entrant; or
  - (ii) the holder of an entry permit that was not valid beyond 31 August 1994;

the Minister is satisfied that:

- (c) the applicant last became an illegal entrant, or, in the case of a person referred to in subparagraph (b) (ii), last became a person in Australia without a substantive visa, because of factors beyond the applicant’s control; and
- (d) there are compelling reasons for granting the visa; and

- (e) the applicant complied substantially with any conditions subject to which the last entry permit (if any) was granted (other than a condition of which the applicant was in breach solely because of the expiry of the entry permit); and
- (f) the applicant would have been entitled to be granted an entry permit equivalent to a visa of the class applied for if the applicant had applied for the entry permit immediately before last becoming an illegal entrant or, in the case of a person referred to in subparagraph (b) (ii), if the applicant had applied for the entry permit on 31 August 1994; and
- (g) the applicant intends to comply with any conditions subject to which the visa is granted; and
- (h) the last entry permit (if any) held by the applicant was not granted subject to a condition that the holder would not, after entering Australia, be entitled to be granted an entry permit, or a further entry permit, while the holder remained in Australia.”.

32.4 Item 3004:

Omit the item, substitute:

“3004. If the applicant:

- (a) ceased to hold a substantive or criminal justice visa on or after 1 September 1994; or
- (b) entered Australia unlawfully on or after 1 September 1994 and has not subsequently been granted a substantive visa;

the Minister is satisfied that:

- (c) the applicant is not the holder of a substantive visa because of factors beyond the applicant’s control; and
- (d) there are compelling reasons for granting the visa; and
- (e) the applicant complied substantially with any conditions subject to which the last entry permit or visa (if any) was granted (other than a condition of which the applicant was in breach solely because the entry permit or visa ceased to be in effect); and

- (f) either:
- (i) in the case of an applicant referred to in paragraph (a)—the applicant would have been entitled to be granted a visa of the class applied for if the applicant had applied for the visa on the day when the applicant last held a substantive or criminal justice visa; or
  - (ii) in the case of an applicant referred to in paragraph (b)—the applicant would have satisfied the criteria (other than any Schedule 3 criteria) for the grant of a visa of the class applied for on the day when the applicant last entered Australia unlawfully; and
- (g) the applicant intends to comply with any conditions subject to which the visa is granted; and
- (h) if the last visa (if any) held by the applicant was a transitional (temporary) visa, that visa was not subject to a condition that the holder would not, after entering Australia, be entitled to be granted an entry permit, or a further entry permit, while the holder remained in Australia.”.

[NOTE: The following note should be added at the end of Schedule 3:

“[NOTE: Section 10 of the Act provides that a child who was born in the migration zone and was a non-citizen when he or she was born shall be taken to have entered Australia when he or she was born.]”.]

### **33. Schedule 4 (Public interest criteria)**

#### **33.1 Clause 4005:**

Omit the clause, substitute:

“4005. The applicant:

- (a) is free from tuberculosis; and
- (b) is free from a disease or condition that is, or may result in the applicant being, a threat to public health in Australia or a danger to the Australian community; and
- (c) is not a person who has a disease or condition that, during the applicant’s proposed period of stay in Australia, would be likely to:

- (i) result in a significant cost to the Australian community in the areas of health care or community services; or
  - (ii) prejudice the access of an Australian citizen or permanent resident to health care or community services; and
- (d) if the applicant is a person from whom a Medical Officer of the Commonwealth has requested a signed undertaking to present himself or herself to a health authority in the State or Territory of intended residence in Australia for a follow-up medical assessment, the applicant has provided such an undertaking.”.

33.2 Clause 4006:

Omit the clause.

33.3 Clause 4006A:

Omit the clause, substitute:

“4006A. (1) The applicant:

- (a) is free from tuberculosis; and
- (b) is free from a disease or condition that is, or may result in the applicant being, a threat to public health in Australia or a danger to the Australian community; and
- (c) subject to subclause (2), is not a person who has a disease or condition that, during the applicant’s proposed period of stay in Australia, would be likely to:
  - (i) result in a significant cost to the Australian community in the areas of health care or community services; or
  - (ii) prejudice the access of an Australian citizen or permanent resident to health care or community services; and
- (d) if the applicant is a person from whom a Medical Officer of the Commonwealth has requested a signed undertaking to present himself or herself to a health authority in the State or Territory of intended residence in Australia for a follow-up medical assessment, the applicant has provided such an undertaking.

“(2) The Minister may waive the requirements of paragraph (1) (c) if the relevant employer has given the Minister a written undertaking that the relevant employer will meet all costs related to the disease or condition that causes the applicant to fail to meet the requirements of that paragraph.

“(3) In subclause (2), ‘relevant employer’ means the proposed employer (within the meaning of the relevant Part of Schedule 2) in Australia:

- (a) of the applicant (if the applicant is an applicant to whom the primary criteria apply); or
- (b) if the applicant is an applicant to whom the secondary criteria apply—of the person:
  - (i) who meets the primary criteria; and
  - (ii) of whose family unit the applicant is a member.”.

33.4 Clause 4007:

Omit the clause, substitute:

“4007. (1) The applicant:

- (a) is free from tuberculosis; and
- (b) is free from a disease or condition that is, or may result in the applicant being, a threat to public health in Australia or a danger to the Australian community; and
- (c) subject to subclause (2), is not a person who has a disease or condition that, during the applicant’s proposed period of stay in Australia, would be likely to:
  - (i) result in a significant cost to the Australian community in the areas of health care or community services; or
  - (ii) prejudice the access of an Australian citizen or permanent resident to health care or community services; and
- (d) if the applicant is a person from whom a Medical Officer of the Commonwealth has requested a signed undertaking to present himself or herself to a health authority in the State or Territory of intended residence in Australia for a follow-up medical assessment, the applicant has provided such an undertaking.

“(2) The Minister may waive the requirements of paragraph (1) (c) if:

- (a) the applicant satisfies all other criteria for the grant of the visa applied for; and
- (b) the Minister is satisfied that the granting of the visa would be unlikely to result in:
  - (i) undue cost to the Australian community; or
  - (ii) undue prejudice to the access to health care or community services of an Australian citizen or permanent resident.”.

33.5 Clause 4008:  
Omit the clause.

**34. Schedule 7, Part 1 (Business attributes)**

34.1 Item 7170:  
Omit “During”, substitute “Throughout”.

**35. Schedule 8 (Visa conditions)**

35.1 After clause 8111, insert:

“8112. The holder must not engage in work in Australia that might otherwise be carried out by an Australian citizen or an Australian permanent resident.”.

**36. Schedule 9, Part 1 (Persons to whom special arrangements apply under section 166 of the Act)**

36.1 Add at the end:

|     |   |  |       |
|-----|---|--|-------|
| “19 | persons visiting the casino on Christmas Island and having a right to return to Indonesia | passport that is in force and contains a visa that gives the person the right (exercisable for at least 10 days after arrival on Christmas Island) to return to Indonesia, and valid invitation acceptable to the Minister to visit the casino | Yes”. |
|-----|---|--|-------|

**37. Consequential amendments (AusAID)**

37.1 From the following provisions, omit “AIDAB” and substitute “AusAID”:

Schedule 2—

- Subparagraph 410.227 (c) (ii)
- Paragraph 411.224 (c)
- Subparagraph 412.226 (b) (iii)
- Paragraph 413.228 (1) (e)
- Subparagraph 414.228 (1) (b) (v)
- Paragraph 418.229 (d)
- Paragraph 422.227 (3) (e)
- Subparagraph 560.222 (b) (ii)
- Clause 560.223
- Paragraph 560.224A (1) (b)
- Clause 560.323
- Paragraph 560.328 (b)
- Clause 562.223
- Clause 563.222
- Paragraph 563.228 (b)
- Sub-subparagraph 675.221 (2) (j) (iii) (B)
- Subparagraph 675.221 (2) (j) (iii)
- Sub-subparagraph 676.221 (2) (g) (v) (B)
- Subparagraph 676.221 (2) (g) (v)
- Sub-subparagraph 685.221 (2) (j) (iv) (B)



Subparagraph 685.221 (2) (j) (iv)  
Sub-subparagraph 686.221 (2) (g) (vi) (B)  
Subparagraph 686.221 (2) (g) (vi)

Schedule 5—  
Paragraph 5010 (2) (b).

**38. Consequential amendments (health criteria)**

38.1 Amendments as set out in Schedule 4.

**39. Consequential amendments (Temporary Business Entry (Class UC) visa)**

39.1 Amendments as set out in Schedule 5.

**PART 4—TRANSITIONAL**

**40. Transitional (Subclass 866)**

40.1 The amendments made by regulation 31 apply in relation to applications for Protection (Class AZ) visas that are not finally determined, within the meaning of subsection 5 (9) of the Migration Act, before 1 November 1995 (as well as in relation to applications for visas of that class made on or after that date).

**41. Transitional (Temporary Business Entry (Class UC) visa)**

41.1 If:

- (a) on or after 1 November 1995, a person applies for either a Short Stay (Visitor) (Class TR) visa or a Long Stay (Visitor) (Class TN) visa, using approved form 48 or 601; and
- (b) the person indicates in the application that the person is seeking to remain in Australia for a period of up to 3 months for the purpose of conducting short-term business activities in Australia;

that person is taken to have applied also for a Temporary Business Entry (Class UC) visa.

## SCHEDULE 1

Regulation 9

**NEW DIVISION 2.5A TO BE INSERTED IN THE  
MIGRATION REGULATIONS*****Division 2.5A—Special provisions relating to certain health  
criteria*****Referral to Medical Officers of the Commonwealth**

2.25A. (1) In determining whether an applicant satisfies the criteria for the grant of a visa, the Minister must seek the opinion of a Medical Officer of the Commonwealth on whether a person (whether the applicant or another person) meets the requirements of paragraph 4005 (a), 4005 (b), 4005 (c), 4006A (1) (a), 4006A (1) (b), 4006A (1) (c), 4007 (1) (a), 4007 (1) (b) or 4007 (1) (c) of Schedule 4 unless:

- (a) the application is for a temporary visa and there is no information known to Immigration (either through the application or otherwise) to the effect that the person may not meet any of those requirements; or
- (b) the application is for a permanent visa that is made from a country that is a country specified by Gazette Notice for the purposes of this paragraph and there is no information known to Immigration (either through the application or otherwise) to the effect that the person may not meet any of those requirements.

(2) In determining whether an applicant satisfies the criteria for the grant of a Medical Treatment (Visitor) (Class UB) visa, the Minister must seek the opinion of a Medical Officer of the Commonwealth on whether the applicant meets the requirements of:

- (a) subparagraphs 675.221 (2) (f) (i) and 675.221 (2) (g) (i), (ii) and (iii) of Schedule 2; or
- (b) subparagraphs 685.221 (2) (f) (i) and 685.221 (2) (g) (i), (ii) and (iii) of Schedule 2;

if there is information known to Immigration (either through the application or otherwise) to the effect that the applicant may not meet any of those requirements or be able to satisfy the Minister as to those matters.

**SCHEDULE 1—continued**

(3) The Minister is to take the opinion of the Medical Officer of the Commonwealth on a matter referred to in subregulation (1) or (2) to be correct for the purposes of deciding whether a person meets a requirement or satisfies a criterion.

**Test to be applied**

2.25B. In determining whether or not, during an applicant's proposed period of stay in Australia, a person's disease or condition would be likely to:

- (a) result in a significant cost to the Australian community in the areas of health care or community services; or
- (b) prejudice the access of an Australian citizen or permanent resident to health care or community services;

the Medical Officer of the Commonwealth must consider the person's need and eligibility for health care or community services, without regard to whether that person will use the services.

## SCHEDULE 2

Regulation 19

**NEW PARTS 216 AND 217 TO BE INSERTED  
IN SCHEDULE 2 TO THE MIGRATION REGULATIONS**

**SUBCLASS 216—AHMADI****216.1 INTERPRETATION**

[NOTE: No interpretation provisions specific to this Part.]

**216.2 PRIMARY CRITERIA**

[NOTE: The primary criteria must be satisfied by at least 1 member of a family unit. The other members of the family unit who are applicants for a visa of this subclass need satisfy only the secondary criteria.]

**216.21 Criteria to be satisfied at time of application**

216.211 The applicant:

- (a) is an Ahmadi; and
- (b) is a citizen of Pakistan; and
- (c) is usually resident in Pakistan.

216.212 The Minister is satisfied that the applicant has suffered and continues to suffer substantial discrimination because of his or her religious affiliation.

216.213 The Ahmadiyya Muslim Association of Australia:

- (a) states in writing that it supports the application; and
- (b) gives a written undertaking to the Minister that specifies assistance:
  - (i) that the organisation will provide to the applicant, and the applicant's dependants, after their entry into Australia; and
  - (ii) that is acceptable to the Minister, having regard to the needs of the applicant and the applicant's dependants, in the period of 6 months following the applicant's entry to Australia;
 with regard to the following matters:
  - (iii) food, clothing, accommodation and household goods; and
  - (iv) personal support; and
  - (v) access to community and public services; and
  - (vi) obtaining employment; and

**SCHEDULE 2—continued**

- (vii) language interpretation and securing English language instruction; and
- (viii) community involvement and self-reliance; and
- (ix) reimbursing the Commonwealth for its costs (if any) in providing accommodation services to the applicant.

**216.22 Criteria to be satisfied at time of decision**

216.221 The Minister is satisfied that permanent settlement in Australia:

- (a) is the appropriate course for the applicant; and
- (b) would not be contrary to the interests of Australia.

216.222 The Minister is satisfied that there are compelling reasons for giving special consideration to granting the applicant a visa.

216.223 Grant of the visa would not result in either:

- (a) the number of Subclass 216 visas granted in a financial year exceeding the maximum number of Subclass 216 visas, as determined by Gazette Notice, that may be granted in that financial year; or
- (b) the number of visas of particular classes, including Subclass 216, granted in a financial year exceeding the maximum number of visas of those classes, as determined by Gazette Notice, that may be granted in that financial year.

216.224 The Minister is satisfied, on the basis of the information contained in the application, that the applicant is not eligible for a permanent visa of any other class.

216.225 The applicant satisfies public interest criteria 4001, 4002, 4003, 4004, 4007, 4009 and 4010.

216.226 If the applicant has previously been in Australia, the applicant satisfies special return criteria 5001, 5003, 5005, 5007, 5008 and 5009.

216.227 (1) Each member of the family unit of the applicant who is an applicant for a Subclass 216 visa is a person who:

- (a) satisfies public interest criteria 4001, 4002, 4003, 4004, 4007, 4009 and 4010; and

**SCHEDULE 2—continued**

(b) if he or she has previously been in Australia, satisfies special return criteria 5001, 5003, 5005, 5007, 5008 and 5009.

(2) Each member of the family unit of the applicant who is not an applicant for a Subclass 216 visa is a person who:

(a) satisfies public interest criteria 4001, 4002, 4003 and 4004; and

(b) satisfies public interest criterion 4007, unless the Minister is satisfied that it would be unreasonable to require the person to undergo assessment in relation to that criterion.

216.228 If the family unit of the applicant includes a dependent child whose application was combined with the applicant's, the Minister is satisfied that the grant of the visa to the child would not prejudice the rights and interests of any other person who has custody or guardianship of, or access to, the child.

**216.3 SECONDARY CRITERIA**

[NOTE: These criteria must be satisfied by applicants who are members of the family unit of a person who satisfies the primary criteria.]

**216.31 Criteria to be satisfied at the time of application**

216.311 The applicant is a member of the family unit of, and made a combined application with, a person who satisfies or has satisfied the primary criteria in subdivision 216.21.

216.312 The written undertaking given under clause 216.213 in respect of a person who is a member of the family unit of the applicant, and who satisfies the primary criteria, includes the applicant.

**216.32 Criteria to be satisfied at the time of decision**

216.321 The applicant continues to be a member of the family unit of a person who, having satisfied the primary criteria, is the holder of a Subclass 216 visa.

216.322 The applicant:

(a) satisfies public interest criteria 4001, 4002, 4003, 4004, 4007, 4009 and 4010; and

**SCHEDULE 2—continued**

- (b) if he or she has previously been in Australia, satisfies special return criteria 5001, 5003, 5005, 5007, 5008 and 5009.

216.323 If the applicant is the dependent child of a person who is the holder of a Subclass 216 visa, the Minister is satisfied that the grant of the visa to the applicant would not prejudice the rights and interests of any other person who has custody or guardianship of, or access to, the applicant.

**216.4 CIRCUMSTANCES APPLICABLE TO GRANT**

216.411 The applicant must be outside Australia when the visa is granted.

**216.5 WHEN VISA IS IN EFFECT**

216.511 Permanent visa permitting the holder to travel to and enter Australia within 4 years of grant.

**216.6 CONDITIONS**

216.611 First entry must be made before the date specified by the Minister for the purpose.

216.612 Condition 8502 may be imposed.

**216.7 WAY OF GIVING EVIDENCE**

216.711 Visa label affixed to a valid passport.

## SCHEDULE 2—continued

## SUBCLASS 217—VIETNAMESE

## 217.1 INTERPRETATION

217.111 (1) For the purposes of this Part, “**eligible New Zealand citizen**” includes a person who, at all times between 1 September 1992 and 31 August 1994:

- (a) was a New Zealand citizen; and
- (b) was normally resident in Australia; and
- (c) was an exempt non-citizen; and
- (d) met the requirements of subclauses (2) and (3).

(2) A person meets the requirements of this subclause if he or she is not a person who:

- (a) has been convicted of a crime and sentenced to death or to imprisonment, for at least 1 year; or
- (b) has been convicted of 2 or more crimes and sentenced to imprisonment, for periods that add up to at least 1 year if:
  - (i) any period concurrent with part of a longer period is disregarded; and
  - (ii) any periods not disregarded that are concurrent with each other are treated as 1 period; whether or not:
    - (iii) the crimes were of the same kind; or
    - (iv) the crimes were committed at the same time; or
    - (v) the convictions were at the same time; or
    - (vi) the sentencings were at the same time; or
    - (vii) the periods were consecutive; or
- (c) has been charged with a crime and either:
  - (i) found guilty of having committed the crime while of unsound mind; or
  - (ii) acquitted on the ground that the crime was committed while the person was of unsound mind;
- (d) has been removed or deported from Australia or removed or deported from another country; or
- (e) has been excluded from another country in the circumstances set out in regulation 7.12 of the Migration (1993) Regulations;

where “**sentenced to imprisonment**” includes ordered to be confined in a corrective institution.



**SCHEDULE 2—continued**

(3) A person satisfies the requirements of this subclause if he or she is not a person who suffers from a disease or a physical or mental condition of a kind set out in regulation 7.11 of the Migration (1993) Regulations.

**217.2 PRIMARY CRITERIA**

[NOTE: The primary criteria must be satisfied by at least 1 member of a family unit. The other members of the family unit who are applicants for a visa of this subclass need satisfy only the secondary criteria.]

**217.21 Criteria to be satisfied at time of application**

217.211 (1) The applicant:

- (a) is a citizen of Vietnam; and
- (b) meets the requirements of subclause (2) or (3).

(2) An applicant meets the requirements of this subclause if the applicant:

- (a) has been continually resident in Germany since 1 January 1990; and
- (b) has no legal entitlement to remain permanently in Germany; and
- (c) faces repatriation to Vietnam.

(3) An applicant meets the requirements of this subclause if the applicant:

- (a) at any time on or after 14 June 1989, has resided in a camp administered under the Comprehensive Plan of Action adopted by the International Conference on Indo-Chinese Refugees held at Geneva on 13 and 14 June 1989; and
- (b) has returned to Vietnam before 1 January 1996; and
- (c) is resident in Vietnam at the time of application.

217.212 The applicant has a near relative (being a parent, daughter, son, brother, sister, aunt, uncle, nephew or niece of the applicant) who:

- (a) was an Australian citizen, an Australian permanent resident or an eligible New Zealand citizen on 1 January 1994; and

**SCHEDULE 2—continued**

- (b) continues to be an Australian citizen, an Australian permanent resident or an eligible New Zealand citizen; and
- (c) is usually resident in Australia; and
- (d) gives the Minister a written undertaking that specifies assistance:
  - (i) that the near relative will provide to the applicant and the applicant's dependants after their entry to Australia; and
  - (ii) that is acceptable to the Minister, having regard to the needs of the applicant in the period of 6 months following the applicant's entry to Australia;with regard to the following matters:
  - (iii) food, clothing, accommodation and household goods; and
  - (iv) personal support; and
  - (v) access to community and public services; and
  - (vi) obtaining employment; and
  - (vii) language interpretation and securing English language instruction; and
  - (viii) community involvement and self-reliance; and
  - (ix) reimbursing the Commonwealth for its costs (if any) in providing accommodation services to the applicant.

**217.22 Criteria to be satisfied at time of decision**

217.221 The Minister is satisfied that permanent settlement in Australia:

- (a) is the appropriate course for the applicant; and
- (b) would not be contrary to the interests of Australia.

217.222 The Minister is satisfied that there are compelling reasons for giving special consideration to granting the applicant a visa.

217.223 Grant of the visa would not result in either:

- (a) the number of Subclass 217 visas granted in a financial year exceeding the maximum number of Subclass 217 visas, as determined by Gazette Notice, that may be granted in that financial year; or

**SCHEDULE 2—continued**

- (b) the number of visas of particular classes, including Subclass 217, granted in a financial year exceeding the maximum number of visas of those classes, as determined by Gazette Notice, that may be granted in that financial year.

217.224 The Minister is satisfied, on the basis of the information contained in the application, that the applicant is not eligible for a permanent visa of any other class.

217.225 The applicant satisfies public interest criteria 4001, 4002, 4003, 4004, 4007, 4009 and 4010.

217.226 If the applicant has previously been in Australia, the applicant satisfies special return criteria 5001, 5003, 5005, 5007, 5008 and 5009.

217.227 (1) Each member of the family unit of the applicant who is an applicant for a Subclass 217 visa is a person who:

- (a) satisfies public interest criteria 4001, 4002, 4003, 4004, 4007, 4009 and 4010; and
- (b) if he or she has previously been in Australia, satisfies special return criteria 5001, 5003, 5005, 5007, 5008 and 5009.

(2) Each member of the family unit of the applicant who is not an applicant for a Subclass 217 visa is a person who:

- (a) satisfies public interest criteria 4001, 4002, 4003 and 4004; and
- (b) satisfies public interest criterion 4007, unless the Minister is satisfied that it would be unreasonable to require the person to undergo assessment in relation to that criterion.

217.228 If the family unit of the applicant includes a dependent child whose application was combined with the applicant's, the Minister is satisfied that the grant of the visa to the child would not prejudice the rights and interests of any other person who has custody or guardianship of, or access to, the child.

**SCHEDULE 2—continued****217.3 SECONDARY CRITERIA**

[NOTE: These criteria must be satisfied by applicants who are members of the family unit of a person who satisfies the primary criteria.]

**217.31 Criteria to be satisfied at the time of application**

217.311 The applicant is a member of the family unit of, and made a combined application with, a person who satisfies or has satisfied the primary criteria in subdivision 217.21.

217.312 The written undertaking given under paragraph 217.212 (d) in respect of a person who is a member of the family unit of the applicant, and who satisfies the primary criteria, includes the applicant.

**217.32 Criteria to be satisfied at the time of decision**

217.321 The applicant continues to be a member of the family unit of a person who, having satisfied the primary criteria, is the holder of a Subclass 217 visa.

217.322 The applicant:

- (a) satisfies public interest criteria 4001, 4002, 4003, 4004, 4007, 4009 and 4010; and
- (b) if he or she has previously been in Australia, satisfies special return criteria 5001, 5003, 5005, 5007, 5008 and 5009.

217.323 If the applicant is the dependent child of a person who is the holder of a Subclass 217 visa, the Minister is satisfied that the grant of the visa to the applicant would not prejudice the rights and interests of any other person who has custody or guardianship of, or access to, the applicant.

**217.4 CIRCUMSTANCES APPLICABLE TO GRANT**

217.411 The applicant must be outside Australia when the visa is granted.

**217.5 WHEN VISA IS IN EFFECT**

217.511 Permanent visa permitting the holder to travel to and enter Australia within 4 years of grant.

**SCHEDULE 2—continued**

**217.6 CONDITIONS**

217.611 First entry must be made before the date specified by the Minister for the purpose.

217.612 Condition 8502 may be imposed.

**217.7 WAY OF GIVING EVIDENCE**

217.711 Visa label affixed to a valid passport.

## SCHEDULE 3

Regulation 20

**NEW PART 456 TO BE INSERTED IN SCHEDULE 2  
TO THE MIGRATION REGULATIONS****SUBCLASS 456—BUSINESS (SHORT STAY)****456.1 INTERPRETATION**

456.111 In this Part:

**“approved nominator”** means:

- (a) the Government of a State or Territory; or
- (b) a body approved in writing by the Minister for the purposes of this Part.

456.112 For the purposes of this Part, an application that is made on an applicant’s behalf by an approved nominator is taken to be an application made outside Australia.

[NOTE: “work” is defined in regulation 1.03.]

**456.2 PRIMARY CRITERIA****456.21 Criteria to be satisfied at time of application**

456.211 The applicant seeks to enter Australia temporarily, or remain in Australia temporarily, for business purposes and has adequate funds for personal support during the period of the visit.

456.212 The applicant does not intend to engage in work that might otherwise be carried out by an Australian citizen or an Australian permanent resident.

456.213 The applicant does not intend to engage in:

- (a) any course:
  - (i) leading to the completion of a primary or secondary education program; or
  - (ii) leading to a degree, diploma, trade certificate or other formal award; or
- (b) any other course (other than a language training program) completion of which may be unconditionally credited towards, or accepted as a prerequisite for, a course of studies at a higher educational institution within or outside Australia.

**SCHEDULE 3—continued**

- 456.214 If the application is made in Australia:
- (a) the applicant:
    - (i) is the holder of a substantive temporary visa other than a Subclass 426 (Domestic Worker (Temporary)—Diplomatic or Consular) visa; or
    - (ii) does not hold a substantive visa and:
      - (A) immediately before ceasing to hold a substantive visa was the holder of a substantive temporary visa except a visa of Subclass 426; and
      - (B) satisfies Schedule 3 criteria 3001, 3003, 3004 and 3005; and
  - (b) the applicant has complied substantially with the conditions (if any) to which the visa held, or last held, by the applicant is, or was, subject.

**456.22 Criteria to be satisfied at time of decision**

- 456.221 (1) The applicant meets the requirements of subclause (2) or (3).
- (2) The applicant meets the requirements of this subclause if:
    - (a) the applicant continues to satisfy the criteria in clauses 456.211 and 456.212; and
    - (b) the applicant satisfies the Minister that the expressed intention of the applicant only to visit Australia is genuine; and
    - (c) the applicant satisfies public interest criteria 4001, 4002, 4003, 4004, 4005 and 4011; and
    - (d) if the application is made outside Australia, and the applicant has previously been in Australia, the applicant satisfies special return criteria 5001, 5003, 5005, 5007, 5008 and 5009; and
    - (e) if the application is made in Australia:
      - (i) the applicant has complied substantially with the conditions (if any) to which the visa held, or last held, by the applicant is, or was subject; and
      - (ii) the Minister is satisfied that the further period of stay in Australia is not sought for the purpose of commencing, continuing or completing any studies; and

**SCHEDULE 3—continued**

- (iii) the applicant produces evidence of adequate arrangements for health insurance to cover possible medical or hospital expenses; and
- (iv) the Minister is satisfied that the applicant intends to comply with any conditions subject to which the visa is granted; and
- (v) if, at the time of application, the applicant was:
  - (A) the holder of a student visa on the grounds of having satisfied the primary criteria for that visa; and
  - (B) the student is under a scholarship scheme or training program that is approved by AusAID: the applicant has the support of AusAID for the grant of the visa; and
- (f) if the grant of the visa would result in the applicant being authorised to stay in Australia for more than 12 consecutive months as the holder of 1 or more visas of any of the following kinds:
  - (i) Subclass 417 (Working Holiday);
  - (ii) Subclass 456 (Business (Short Stay));
  - (iii) Subclass 670 (Tourist (Short Stay));
  - (iv) Subclass 672 (Business (Short Stay));
  - (v) Subclass 673 (Close Family (Short Stay));
  - (vi) Subclass 674 (Other (Short Stay));
  - (vii) Subclass 676 (Tourist (Short Stay));
  - (viii) Subclass 680 (Tourist (Long Stay));
  - (ix) Subclass 682 (Business (Long Stay));
  - (x) Subclass 683 (Close Family (Long Stay));
  - (xi) Subclass 684 (Other (Long Stay));
  - (xii) Subclass 686 (Tourist (Long Stay));
  - (xiii) a transitional (temporary) visa that the applicant is taken to hold because before 1 September 1994 he or she held, or applied for, a Group 2.3 (visitor) visa or entry permit or a Group 2.4 (visitor (short stay)) visa or entry permit within the meaning of the Migration (1993) Regulations—  
the applicant satisfies the Minister that exceptional reasons exist for the grant of the visa.



**SCHEDULE 3—continued**

(3) An applicant satisfies the requirements of this subclause if the applicant:

- (a) is in Australia; and
- (b) satisfies the Minister that the expressed intention of the applicant only to visit Australia is genuine; and
- (c) satisfies the Minister that the applicant intends to comply with any conditions subject to which the visa is granted; and
- (d) has compelling personal reasons for the grant of the visa; and
- (e) satisfies public interest criterion 4005.

**456.3 SECONDARY CRITERIA****456.31 Criteria to be satisfied at the time of application**

456.311 The applicant is a spouse or dependent child of a person who is an applicant for a Temporary Business Entry (Class UC) visa.

456.312 If the application is made in Australia, the applicant has complied substantially with the conditions (if any) to which the visa held, or last held, by the applicant is, or was, subject.

456.313 The applicant does not intend to engage in:

- (a) any course:
  - (i) leading to the completion of a primary or secondary education program; or
  - (ii) leading to a degree, diploma, trade certificate or other formal award; or
- (b) any other course (other than a language training program) completion of which may be unconditionally credited towards, or accepted as a prerequisite for, a course of studies at a higher educational institution within or outside Australia.

**456.32 Criteria to be satisfied at time of decision**

456.321 The applicant is a spouse or dependent child of a person who, having satisfied the primary criteria, is the holder of a Subclass 456 visa.

**SCHEDULE 3—continued**

456.322 The applicant, or the person who satisfies the primary criteria, produces to the Minister evidence of adequate means to support the applicant during the period of stay applied for by the applicant.

456.323 The applicant satisfies public interest criteria 4001, 4002, 4003, 4004, 4005 and 4011.

456.324 If the grant of the visa would result in the applicant being authorised to stay in Australia for more than 12 consecutive months as the holder of 1 or more visas of any of the following kinds:

- (a) Subclass 417 (Working Holiday);
- (b) Subclass 456 (Business (Short Stay));
- (c) Subclass 670 (Tourist (Short Stay));
- (d) Subclass 672 (Business (Short Stay));
- (e) Subclass 673 (Close Family (Short Stay));
- (f) Subclass 674 (Other (Short Stay));
- (g) Subclass 676 (Tourist (Short Stay));
- (h) Subclass 680 (Tourist (Long Stay));
- (i) Subclass 682 (Business (Long Stay));
- (j) Subclass 683 (Close Family (Long Stay));
- (k) Subclass 684 (Other (Long Stay));
- (l) Subclass 686 (Tourist (Long Stay));
- (m) a transitional (temporary) visa that the applicant is taken to hold because before 1 September 1994 he or she held, or applied for, a Group 2.3 (visitor) visa or entry permit or a Group 2.4 (visitor (short stay)) visa or entry permit within the meaning of the Migration (1993) Regulations—

the applicant satisfies the Minister that exceptional reasons exist for the grant of the visa.

456.325 If the application is made outside Australia and the applicant has previously been in Australia, the applicant satisfies special return criteria 5001, 5003, 5005, 5007, 5008 and 5009.

456.326 The Minister is satisfied that the grant of the visa would not prejudice the rights and interests of any person who has custody or guardianship of, or access to, the applicant.

456.327 The applicant satisfies the Minister that the expressed intention of the applicant only to visit Australia is genuine.

**SCHEDULE 3—continued****456.4 CIRCUMSTANCES APPLICABLE TO GRANT**

456.411 If the applicant is outside Australia at the time of application, the applicant must be outside Australia at the time of grant.

456.412 If the applicant is in Australia at the time of application, the applicant must be in Australia at the time of grant.

**456.5 WHEN VISA IS IN EFFECT**

456.511 Subject to clause 456.514, if:

- (a) at the time of grant, the applicant is outside Australia; and
- (b) the visa is granted outside Australia (otherwise than to a non-citizen who applies as the representative of a foreign government); and
- (c) no fee is paid in respect of the application—

a temporary visa permitting the holder:

- (d) to travel to, and enter, Australia on one occasion within 1 month from the date of grant of the visa; and
- (e) to remain in Australia for a period (not exceeding 1 month) specified by the Minister, from the date of entry.

456.512 Subject to clause 456.514, if, at the time of grant, the applicant is outside Australia and:

- (a) the visa is granted outside Australia to a non-citizen who applied as the representative of a foreign government; or
- (b) the visa is granted outside Australia and a fee was paid in respect of the application; or
- (c) the visa is granted in Australia to an applicant on behalf of whom the application for the visa was made by an approved nominator—

a temporary visa permitting the holder:

- (d) to travel to, and enter, Australia on multiple occasions for 5 years or the life of the applicant's passport (to a limit of 10 years), whichever period is greater, from the date of grant of the visa; and

**SCHEDULE 3—continued**

- (e) to remain in Australia for 3 months from the date of entry.

456.513 Subject to clause 456.514, if, at the time of grant, the applicant is in Australia—a temporary visa permitting the holder:

- (a) to remain in Australia for 3 months from the date of grant; and
- (b) if the holder leaves Australia during the visa period:
  - (i) to travel to and enter Australia on multiple occasions until a date specified by the Minister for the purpose; and
  - (ii) to remain in Australia for a period of 3 months from the date of entry on each occasion.

456.514 If the visa is granted to the spouse or a dependent child of another person who is the holder of a Subclass 456 visa—a temporary visa having the same effect as the visa granted to that other person.

**456.6 CONDITIONS**

456.611 Condition 8112 must be imposed.

**456.7 WAY OF GIVING EVIDENCE**

456.711 Visa label affixed to a valid passport.

## SCHEDULE 4

Regulation 38

**CONSEQUENTIAL AMENDMENTS—HEALTH CRITERIA**

| Provision amended            | Omit                                   | Substitute  |
|------------------------------|--|---|
| Paragraph<br>051.212 (2) (a) | health and public<br>interest criteria | public interest criteria                          |
| Clause 100.225               | 4001 to 4004 and<br>4007 to 4009       | 4001, 4002, 4003,<br>4004, 4007 and 4009          |
| Paragraph<br>100.228 (1) (a) | 4001 to 4004 and<br>4007 to 4009       | 4001, 4002, 4003,<br>4004, 4007 and 4009          |
| Paragraph<br>100.228 (2) (b) | criteria 4007 and 4008                 | criterion 4007                                    |
| Paragraph<br>100.228 (2) (b) | those criteria                         | that criterion                                    |
| Clause 100.323               | 4001 to 4004 and<br>4007 to 4009       | 4001, 4002, 4003,<br>4004, 4007 and 4009          |
| Clause 101.223               | 4001 to 4004 and<br>4007 to 4009       | 4001, 4002, 4003,<br>4004, 4007 and 4009          |
| Paragraph<br>101.227 (1) (a) | 4001 to 4004 and<br>4007 to 4009       | 4001, 4002, 4003,<br>4004, 4007 and 4009          |
| Paragraph<br>101.227 (2) (b) | criteria 4007 and 4008                 | criterion 4007                                    |
| Paragraph<br>101.227 (2) (b) | those criteria                         | that criterion                                    |
| Clause 101.323               | 4001 to 4004 and<br>4007 to 4009       | 4001, 4002, 4003,<br>4004, 4007 and 4009          |
| Clause 102.223               | 4001 to 4004 and<br>4007 to 4010       | 4001, 4002, 4003,<br>4004, 4007, 4009 and<br>4010 |

## SCHEDULE 4—continued

| Provision amended            | Omit                             | Substitute  |
|------------------------------|----------------------------------|---|
| Paragraph<br>102.226 (1) (a) | 4001 to 4004 and<br>4007 to 4010 | 4001, 4002, 4003,<br>4004, 4007, 4009 and<br>4010 |
| Paragraph<br>102.226 (2) (b) | criteria 4007 and 4008           | criterion 4007                                    |
| Paragraph<br>102.226 (2) (b) | those criteria                   | that criterion                                    |
| Clause 102.323               | 4001 to 4004 and<br>4007 to 4010 | 4001, 4002, 4003,<br>4004, 4007, 4009 and<br>4010 |
| Clause 103.224               | 4001 to 4006                     | 4001, 4002, 4003,<br>4004, 4005                   |
| Paragraph<br>103.227 (1) (a) | 4001 to 4006                     | 4001, 4002, 4003,<br>4004, 4005                   |
| Paragraph<br>103.227 (2) (b) | criteria 4005 and 4006           | criterion 4005                                    |
| Paragraph<br>103.227 (2) (b) | those criteria                   | that criterion                                    |
| Clause 103.323               | 4001 to 4006                     | 4001, 4002, 4003,<br>4004, 4005                   |
| Clause 104.223               | 4001 to 4006                     | 4001, 4002, 4003,<br>4004, 4005                   |
| Paragraph<br>104.226 (1) (a) | 4001 to 4006                     | 4001, 4002, 4003,<br>4004, 4005                   |
| Paragraph<br>104.226 (2) (b) | criteria 4005 and 4006           | criterion 4005                                    |
| Paragraph<br>104.226 (2) (b) | those criteria                   | that criterion                                    |

## SCHEDULE 4—continued

| Provision amended            | Omit                   | Substitute                      |
|------------------------------|------------------------|---------------------------------|
| Clause 104.323               | 4001 to 4006           | 4001, 4002, 4003,<br>4004, 4005 |
| Clause 105.225               | 4001 to 4006           | 4001, 4002, 4003,<br>4004, 4005 |
| Paragraph<br>105.228 (1) (a) | 4001 to 4006           | 4001, 4002, 4003,<br>4004, 4005 |
| Paragraph<br>105.228 (2) (b) | criteria 4005 and 4006 | criterion 4005                  |
| Paragraph<br>105.228 (2) (b) | those criteria         | that criterion                  |
| Clause 105.323               | 4001 to 4006           | 4001, 4002, 4003,<br>4004, 4005 |
| Clause 110.224               | 4007, 4008             | 4007                            |
| Paragraph<br>110.227 (1) (a) | 4007, 4008             | 4007                            |
| Paragraph<br>110.227 (2) (b) | criteria 4007 and 4008 | criterion 4007                  |
| Paragraph<br>110.227 (2) (b) | those criteria         | that criterion                  |
| Clause 110.323               | 4007, 4008             | 4007                            |
| Paragraph<br>120.222 (a)     | 4001 to 4006           | 4001, 4002, 4003,<br>4004, 4005 |
| Paragraph<br>120.224 (1) (a) | 4001 to 4006           | 4001, 4002, 4003,<br>4004, 4005 |
| Paragraph<br>120.224 (2) (b) | criteria 4005 and 4006 | criterion 4005                  |

## SCHEDULE 4—continued

| Provision amended            | Omit                   | Substitute                      |
|------------------------------|------------------------|---------------------------------|
| Paragraph<br>120.224 (2) (b) | those criteria         | that criterion                  |
| Clause 120.322               | 4001 to 4006           | 4001, 4002, 4003,<br>4004, 4005 |
| Paragraph<br>121.224 (a)     | 4001 to 4006           | 4001, 4002, 4003,<br>4004, 4005 |
| Paragraph<br>121.226 (1) (a) | 4001 to 4006           | 4001, 4002, 4003,<br>4004, 4005 |
| Paragraph<br>121.226 (2) (b) | criteria 4005 and 4006 | criterion 4005                  |
| Paragraph<br>121.226 (2) (b) | those criteria         | that criterion                  |
| Paragraph<br>121.322 (b)     | criteria 4005 and 4006 | criterion 4005                  |
| Paragraph<br>121.322 (b)     | those criteria         | that criterion                  |
| Clause 124.221               | 4001 to 4006           | 4001, 4002, 4003,<br>4004, 4005 |
| Paragraph<br>124.224 (1) (a) | 4001 to 4006           | 4001, 4002, 4003,<br>4004, 4005 |
| Paragraph<br>124.224 (2) (b) | criteria 4005 and 4006 | criterion 4005                  |
| Paragraph<br>124.224 (2) (b) | those criteria         | that criterion                  |
| Clause 124.322               | 4001 to 4006           | 4001, 4002, 4003,<br>4004, 4005 |
| Clause 125.221               | 4001 to 4006           | 4001, 4002, 4003,<br>4004, 4005 |



**SCHEDULE 4**—continued

| Provision amended            | Omit                   | Substitute                      |
|------------------------------|------------------------|---------------------------------|
| Paragraph<br>125.224 (1) (a) | 4001 to 4006           | 4001, 4002, 4003,<br>4004, 4005 |
| Paragraph<br>125.224 (2) (b) | criteria 4005 and 4006 | criterion 4005                  |
| Paragraph<br>125.224 (2) (b) | those criteria         | that criterion                  |
| Clause 125.322               | 4001 to 4006           | 4001, 4002, 4003,<br>4004, 4005 |
| Clause 126.223               | 4001 to 4006           | 4001, 4002, 4003,<br>4004, 4005 |
| Paragraph<br>126.226 (1) (a) | 4001 to 4006           | 4001, 4002, 4003,<br>4004, 4005 |
| Paragraph<br>126.226 (2) (b) | criteria 4005 and 4006 | criterion 4005                  |
| Paragraph<br>126.226 (2) (b) | those criteria         | that criterion                  |
| Clause 126.322               | 4001 to 4006           | 4001, 4002, 4003,<br>4004, 4005 |
| Clause 127.223               | 4001 to 4006           | 4001, 4002, 4003,<br>4004, 4005 |
| Paragraph<br>127.225 (1) (a) | 4001 to 4006           | 4001, 4002, 4003,<br>4004, 4005 |
| Paragraph<br>127.225 (2) (b) | criteria 4005 and 4006 | criterion 4005                  |
| Paragraph<br>127.225 (2) (b) | those criteria         | that criterion                  |
| Clause 127.322               | 4001 to 4006           | 4001, 4002, 4003,<br>4004, 4005 |

**SCHEDULE 4**—continued

| Provision amended            | Omit                   | Substitute                      |
|------------------------------|------------------------|---------------------------------|
| Clause 128.223               | 4001 to 4006           | 4001, 4002, 4003,<br>4004, 4005 |
| Paragraph<br>128.225 (1) (a) | 4001 to 4006           | 4001, 4002, 4003,<br>4004, 4005 |
| Paragraph<br>128.225 (2) (b) | criteria 4005 and 4006 | criterion 4005                  |
| Paragraph<br>128.225 (2) (b) | those criteria         | that criterion                  |
| Clause 128.322               | 4001 to 4006           | 4001, 4002, 4003,<br>4004, 4005 |
| Clause 129.223               | 4001 to 4006           | 4001, 4002, 4003,<br>4004, 4005 |
| Paragraph<br>129.225 (1) (a) | 4001 to 4006           | 4001, 4002, 4003,<br>4004, 4005 |
| Paragraph<br>129.225 (2) (b) | criteria 4005 and 4006 | criterion 4005                  |
| Paragraph<br>129.225 (2) (b) | those criteria         | that criterion                  |
| Clause 129.322               | 4001 to 4006           | 4001, 4002, 4003,<br>4004, 4005 |
| Clause 130.223               | 4001 to 4006           | 4001, 4002, 4003,<br>4004, 4005 |
| Paragraph<br>130.225 (1) (a) | 4001 to 4006           | 4001, 4002, 4003,<br>4004, 4005 |
| Paragraph<br>130.225 (2) (b) | criteria 4005 and 4006 | criterion 4005                  |
| Paragraph<br>130.225 (2) (b) | those criteria         | that criterion                  |

## SCHEDULE 4—continued

| Provision amended            | Omit                             | Substitute  |
|------------------------------|----------------------------------|---|
| Clause 130.322               | 4001 to 4006                     | 4001, 4002, 4003,<br>4004, 4005                   |
| Clause 131.224               | 4001 to 4006                     | 4001, 4002, 4003,<br>4004, 4005                   |
| Paragraph<br>131.226 (1) (a) | 4001 to 4006                     | 4001, 4002, 4003,<br>4004, 4005                   |
| Paragraph<br>131.226 (2) (b) | criteria 4005 and 4006           | criterion 4005                                    |
| Paragraph<br>131.226 (2) (b) | those criteria                   | that criterion                                    |
| Clause 131.322               | 4001 to 4006                     | 4001, 4002, 4003,<br>4004, 4005                   |
| Clause 150.221               | 4001 to 4004 and<br>4007 to 4010 | 4001, 4002, 4003,<br>4004, 4007, 4009 and<br>4010 |
| Paragraph<br>150.223 (1) (a) | 4001 to 4004 and<br>4007 to 4010 | 4001, 4002, 4003,<br>4004, 4007, 4009 and<br>4010 |
| Paragraph<br>150.223 (2) (b) | criteria 4007 and 4008           | criterion 4007                                    |
| Paragraph<br>150.223 (2) (b) | those criteria                   | that criterion                                    |
| Clause 150.322               | 4001 to 4004 and<br>4007 to 4010 | 4001, 4002, 4003,<br>4004, 4007, 4009 and<br>4010 |
| Clause 151.221               | 4001 to 4006                     | 4001, 4002, 4003,<br>4004, 4005                   |
| Paragraph<br>151.224 (1) (a) | 4001 to 4006                     | 4001, 4002, 4003,<br>4004, 4005                   |

## SCHEDULE 4—continued

| Provision amended            | Omit                             | Substitute  |
|------------------------------|----------------------------------|---|
| Paragraph<br>151.224 (2) (b) | criteria 4005 and 4006           | criterion 4005                                    |
| Paragraph<br>151.224 (2) (b) | those criteria                   | that criterion                                    |
| Clause 151.322               | 4001 to 4006                     | 4001, 4002, 4003,<br>4004, 4005                   |
| Clause 152.222               | 4001 to 4004 and<br>4007 to 4009 | 4001, 4002, 4003,<br>4004, 4007 and 4009          |
| Clause 152.223               | 4001 to 4006                     | 4001, 4002, 4003,<br>4004, 4005                   |
| Paragraph<br>152.226 (1) (a) | 4001 to 4006                     | 4001, 4002, 4003,<br>4004, 4005                   |
| Paragraph<br>152.226 (2) (b) | criteria 4005 and 4006           | criterion 4005                                    |
| Paragraph<br>152.226 (2) (b) | those criteria                   | that criterion                                    |
| Clause 152.322               | 4001 to 4006                     | 4001, 4002, 4003,<br>4004, 4005                   |
| Clause 200.226               | 4001 to 4004 and<br>4007 to 4010 | 4001, 4002, 4003,<br>4004, 4007, 4009 and<br>4010 |
| Paragraph<br>200.229 (1) (a) | 4001 to 4004 and<br>4007 to 4010 | 4001, 4002, 4003,<br>4004, 4007, 4009 and<br>4010 |
| Paragraph<br>200.229 (2) (b) | criteria 4007 and 4008           | criterion 4007                                    |
| Paragraph<br>200.229 (2) (b) | those criteria                   | that criterion                                    |

## SCHEDULE 4—continued

| Provision amended            | Omit                             | Substitute  |
|------------------------------|----------------------------------|---|
| Paragraph<br>200.323 (a)     | 4001 to 4004 and<br>4007 to 4010 | 4001, 4002, 4003,<br>4004, 4007, 4009 and<br>4010 |
| Clause 201.226               | 4001 to 4004 and<br>4007 to 4010 | 4001, 4002, 4003,<br>4004, 4007, 4009 and<br>4010 |
| Paragraph<br>201.229 (1) (a) | 4001 to 4004 and<br>4007 to 4010 | 4001, 4002, 4003,<br>4004, 4007, 4009 and<br>4010 |
| Paragraph<br>201.229 (2) (b) | criteria 4007 and 4008           | criterion 4007                                    |
| Paragraph<br>201.229 (2) (b) | those criteria                   | that criterion                                    |
| Paragraph<br>201.323 (a)     | 4001 to 4004 and<br>4007 to 4010 | 4001, 4002, 4003,<br>4004, 4007, 4009 and<br>4010 |
| Subclause<br>202.227 (1)     | 4001 to 4004 and<br>4007 to 4010 | 4001, 4002, 4003,<br>4004, 4007, 4009 and<br>4010 |
| Paragraph<br>202.229 (1) (a) | 4001 to 4004 and<br>4007 to 4010 | 4001, 4002, 4003,<br>4004, 4007, 4009 and<br>4010 |
| Paragraph<br>202.229 (2) (b) | criteria 4007 and 4008           | criterion 4007                                    |
| Paragraph<br>202.229 (2) (b) | those criteria                   | that criterion                                    |
| Paragraph<br>202.323 (a)     | 4001 to 4004 and<br>4007 to 4010 | 4001, 4002, 4003,<br>4004, 4007, 4009 and<br>4010 |

**SCHEDULE 4**—continued

| Provision amended            | Omit                             | Substitute  |
|------------------------------|----------------------------------|---|
| Clause 203.226               | 4001 to 4004 and<br>4007 to 4010 | 4001, 4002, 4003,<br>4004, 4007, 4009 and<br>4010 |
| Paragraph<br>203.229 (1) (a) | 4001 to 4004 and<br>4007 to 4010 | 4001, 4002, 4003,<br>4004, 4007, 4009 and<br>4010 |
| Paragraph<br>203.229 (2) (b) | criteria 4007 and 4008           | criterion 4007                                    |
| Paragraph<br>203.229 (2) (b) | those criteria                   | that criterion                                    |
| Paragraph<br>203.323 (a)     | 4001 to 4004 and<br>4007 to 4010 | 4001, 4002, 4003,<br>4004, 4007, 4009 and<br>4010 |
| Clause 204.226               | 4001 to 4004 and<br>4007 to 4010 | 4001, 4002, 4003,<br>4004, 4007, 4009 and<br>4010 |
| Paragraph<br>204.229 (1) (a) | 4001 to 4004 and<br>4007 to 4010 | 4001, 4002, 4003,<br>4004, 4007, 4009 and<br>4010 |
| Paragraph<br>204.229 (2) (b) | criteria 4007 and 4008           | criterion 4007                                    |
| Paragraph<br>204.229 (2) (b) | those criteria                   | that criterion                                    |
| Paragraph<br>204.323 (a)     | 4001 to 4004 and<br>4007 to 4010 | 4001, 4002, 4003,<br>4004, 4007, 4009 and<br>4010 |
| Clause 205.223               | 4001 to 4004 and<br>4007 to 4010 | 4001, 4002, 4003,<br>4004, 4007, 4009 and<br>4010 |

**SCHEDULE 4**—continued

| Provision amended            | Omit                             | Substitute  |
|------------------------------|----------------------------------|---|
| Paragraph<br>205.226 (1) (a) | 4001 to 4004 and<br>4007 to 4010 | 4001, 4002, 4003,<br>4004, 4007, 4009 and<br>4010 |
| Paragraph<br>205.226 (2) (b) | criteria 4007 and 4008           | criterion 4007                                    |
| Paragraph<br>205.226 (2) (b) | those criteria                   | that criterion                                    |
| Paragraph<br>205.322 (a)     | 4001 to 4004 and<br>4007 to 4010 | 4001, 4002, 4003,<br>4004, 4007, 4009 and<br>4010 |
| Clause 208.223               | 4001 to 4004 and<br>4007 to 4010 | 4001, 4002, 4003,<br>4004, 4007, 4009 and<br>4010 |
| Paragraph<br>208.226 (1) (a) | 4001 to 4004 and<br>4007 to 4010 | 4001, 4002, 4003,<br>4004, 4007, 4009 and<br>4010 |
| Paragraph<br>208.226 (2) (b) | criteria 4007 and 4008           | criterion 4007                                    |
| Paragraph<br>208.226 (2) (b) | those criteria                   | that criterion                                    |
| Paragraph<br>208.323 (a)     | 4001 to 4004 and<br>4007 to 4010 | 4001, 4002, 4003,<br>4004, 4007, 4009 and<br>4010 |
| Clause 209.224               | 4001 to 4004 and<br>4007 to 4010 | 4001, 4002, 4003,<br>4004, 4007, 4009 and<br>4010 |
| Paragraph<br>209.226 (1) (a) | 4001 to 4004 and<br>4007 to 4010 | 4001, 4002, 4003,<br>4004, 4007, 4009 and<br>4010 |

## SCHEDULE 4—continued

| Provision amended            | Omit                             | Substitute  |
|------------------------------|----------------------------------|---|
| Paragraph<br>209.226 (2) (b) | criteria 4007 and 4008           | criterion 4007                                    |
| Paragraph<br>209.226 (2) (b) | those criteria                   | that criterion                                    |
| Paragraph<br>209.322 (a)     | 4001 to 4004 and<br>4007 to 4010 | 4001, 4002, 4003,<br>4004, 4007, 4009 and<br>4010 |
| Clause 210.224               | 4001 to 4004 and<br>4007 to 4010 | 4001, 4002, 4003,<br>4004, 4007, 4009 and<br>4010 |
| Paragraph<br>210.226 (1) (a) | 4001 to 4004 and<br>4007 to 4010 | 4001, 4002, 4003,<br>4004, 4007, 4009 and<br>4010 |
| Paragraph<br>210.226 (2) (b) | criteria 4007 and 4008           | criterion 4007                                    |
| Paragraph<br>210.226 (2) (b) | those criteria                   | that criterion                                    |
| Paragraph<br>210.322 (a)     | 4001 to 4004 and<br>4007 to 4010 | 4001, 4002, 4003,<br>4004, 4007, 4009 and<br>4010 |
| Clause 211.223               | 4001 to 4004 and<br>4007 to 4010 | 4001, 4002, 4003,<br>4004, 4007, 4009 and<br>4010 |
| Paragraph<br>211.225 (1) (a) | 4001 to 4004 and<br>4007 to 4010 | 4001, 4002, 4003,<br>4004, 4007, 4009 and<br>4010 |
| Paragraph<br>211.225 (2) (b) | criteria 4007 and 4008           | criterion 4007                                    |
| Paragraph<br>211.225 (2) (b) | those criteria                   | that criterion                                    |



## SCHEDULE 4—continued

| Provision amended         | Omit                          | Substitute                                  |
|---------------------------|-------------------------------|---|
| Paragraph 211.323 (a)     | 4001 to 4004 and 4007 to 4010 | 4001, 4002, 4003, 4004, 4007, 4009 and 4010 |
| Clause 212.224            | 4001 to 4004 and 4007 to 4010 | 4001, 4002, 4003, 4004, 4007, 4009 and 4010 |
| Paragraph 212.226 (1) (a) | 4001 to 4004 and 4007 to 4010 | 4001, 4002, 4003, 4004, 4007, 4009 and 4010 |
| Paragraph 212.226 (2) (b) | criteria 4007 and 4008        | criterion 4007                              |
| Paragraph 212.226 (2) (b) | those criteria                | that criterion                              |
| Paragraph 212.322 (a)     | 4001 to 4004 and 4007 to 4010 | 4001, 4002, 4003, 4004, 4007, 4009 and 4010 |
| Clause 213.223            | 4001 to 4004 and 4007 to 4010 | 4001, 4002, 4003, 4004, 4007, 4009 and 4010 |
| Paragraph 213.225 (1) (a) | 4001 to 4004 and 4007 to 4010 | 4001, 4002, 4003, 4004, 4007, 4009 and 4010 |
| Paragraph 213.225 (2) (b) | criteria 4007 and 4008        | criterion 4007                              |
| Paragraph 213.225 (2) (b) | those criteria                | that criterion                              |
| Paragraph 213.323 (a)     | 4001 to 4004 and 4007 to 4010 | 4001, 4002, 4003, 4004, 4007, 4009 and 4010 |

## SCHEDULE 4—continued

| Provision amended            | Omit                             | Substitute  |
|------------------------------|----------------------------------|---|
| Clause 214.225               | 4001 to 4004 and<br>4007 to 4010 | 4001, 4002, 4003,<br>4004, 4007, 4009 and<br>4010 |
| Paragraph<br>214.227 (1) (a) | 4001 to 4004 and<br>4007 to 4010 | 4001, 4002, 4003,<br>4004, 4007, 4009 and<br>4010 |
| Paragraph<br>214.227 (2) (b) | criteria 4007 and 4008           | criterion 4007                                    |
| Paragraph<br>214.227 (2) (b) | those criteria                   | that criterion                                    |
| Paragraph<br>214.323 (a)     | 4001 to 4004 and<br>4007 to 4010 | 4001, 4002, 4003,<br>4004, 4007, 4009 and<br>4010 |
| Clause 215.225               | 4001 to 4004 and<br>4007 to 4010 | 4001, 4002, 4003,<br>4004, 4007, 4009 and<br>4010 |
| Paragraph<br>215.227 (1) (a) | 4001 to 4004 and<br>4007 to 4010 | 4001, 4002, 4003,<br>4004, 4007, 4009 and<br>4010 |
| Paragraph<br>215.227 (2) (b) | criteria 4007 and 4008           | criterion 4007                                    |
| Paragraph<br>215.227 (2) (b) | those criteria                   | that criterion                                    |
| Paragraph<br>215.322 (a)     | 4001 to 4004 and<br>4007 to 4010 | 4001, 4002, 4003,<br>4004, 4007, 4009 and<br>4010 |
| Clause 300.223               | 4001 to 4004 and<br>4007 to 4010 | 4001, 4002, 4003,<br>4004, 4007, 4009 and<br>4010 |

## SCHEDULE 4—continued

| Provision amended                    | Omit                             | Substitute  |
|--------------------------------------|----------------------------------|---|
| Paragraph<br>300.226 (1) (a)         | 4001 to 4004 and<br>4007 to 4010 | 4001, 4002, 4003,<br>4004, 4007, 4009 and<br>4010 |
| Paragraph<br>300.226 (2) (b)         | criteria 4007 and 4008           | criterion 4007                                    |
| Paragraph<br>300.226 (2) (b)         | those criteria                   | that criterion                                    |
| Clause 300.323                       | 4001 to 4004 and<br>4007 to 4010 | 4001, 4002, 4003,<br>4004, 4007, 4009 and<br>4010 |
| Clause 445.222                       | 4001 to 4004 and<br>4007 to 4009 | 4001, 4002, 4003,<br>4004, 4007 and 4009          |
| Clause 800.221<br>(second occurring) | 4001 to 4006                     | 4001, 4002, 4003,<br>4004, 4005                   |
| Clause 800.221<br>(second occurring) | 800.221                          | 800.221A  |
| Subclause<br>800.222 (1)             | 4001 to 4006                     | 4001, 4002, 4003,<br>4004, 4005                   |
| Subclause<br>800.222 (2)             | criteria 4005 and 4006           | criterion 4005                                    |
| Subclause<br>800.222 (2)             | those criteria                   | that criterion                                    |
| Clause 800.322                       | 4001 to 4006                     | 4001, 4002, 4003,<br>4004, 4005                   |
| Subclause<br>801.223 (1)             | 4001 to 4004 and<br>4007 to 4009 | 4001, 4002, 4003,<br>4004, 4007 and 4009          |
| Subclause<br>801.224 (1)             | 4001 to 4004 and<br>4007 to 4009 | 4001, 4002, 4003,<br>4004, 4007 and 4009          |

**SCHEDULE 4**—continued

| Provision amended         | Omit                          | Substitute                            |
|---------------------------|-------------------------------|---------------------------------------|
| Paragraph 801.224 (2) (b) | criteria 4007 and 4008        | criterion 4007                        |
| Paragraph 801.224 (2) (b) | those criteria                | that criterion                        |
| Subclause 801.323 (1)     | 4001 to 4004 and 4007 to 4009 | 4001, 4002, 4003, 4004, 4007 and 4009 |
| Clause 802.223            | 4001 to 4004, 4007 and 4008   | 4001, 4002, 4003, 4004 and 4007       |
| Subclause 802.224 (1)     | 4001 to 4004, 4007 and 4008   | 4001, 4002, 4003, 4004 and 4007       |
| Subclause 802.224 (2)     | criteria 4007 and 4008        | criterion 4007                        |
| Subclause 802.224 (2)     | those criteria                | that criterion                        |
| Clause 802.322            | 4001 to 4004, 4007 and 4008   | 4001, 4002, 4003, 4004 and 4007       |
| Clause 804.225            | 4001 to 4006                  | 4001, 4002, 4003, 4004, 4005          |
| Subclause 804.226 (1)     | 4001 to 4006                  | 4001, 4002, 4003, 4004, 4005          |
| Paragraph 804.226 (2) (b) | criteria 4005 and 4006        | criterion 4005                        |
| Paragraph 804.226 (2) (b) | that criteria                 | that criterion                        |
| Clause 804.322            | 4001 to 4006                  | 4001, 4002, 4003, 4004, 4005          |
| Clause 805.224            | 4001 to 4006                  | 4001, 4002, 4003, 4004, 4005          |

## SCHEDULE 4—continued

| Provision amended            | Omit                             | Substitute                               |
|------------------------------|----------------------------------|--|
| Subclause<br>805.226 (1)     | 4001 to 4006                     | 4001, 4002, 4003,<br>4004, 4005          |
| Paragraph<br>805.226 (2) (b) | criteria 4005 and 4006           | criterion 4005                           |
| Paragraph<br>805.226 (2) (b) | those criteria                   | that criterion                           |
| Clause 805.322               | 4001 to 4006                     | 4001, 4002, 4003,<br>4004, 4005          |
| Clause 806.223               | 4001 to 4006                     | 4001, 4002, 4003,<br>4004, 4005          |
| Subclause<br>806.224 (1)     | 4001 to 4006                     | 4001, 4002, 4003,<br>4004, 4005          |
| Paragraph<br>806.224 (2) (b) | criteria 4005 and 4006           | criterion 4005                           |
| Paragraph<br>806.224 (2) (b) | those criteria                   | that criterion                           |
| Clause 806.322               | 4001 to 4006                     | 4001, 4002, 4003,<br>4004, 4005          |
| Clause 814.223               | 4001 to 4004 and<br>4007 to 4009 | 4001, 4002, 4003,<br>4004, 4007 and 4009 |
| Subclause<br>814.224 (1)     | 4001 to 4004 and<br>4007 to 4009 | 4001, 4002, 4003,<br>4004, 4007 and 4009 |
| Paragraph<br>814.224 (2) (b) | 4007 and 4008                    | 4007                                     |
| Paragraph<br>814.224 (2) (b) | those criteria                   | that criterion                           |
| Clause 814.323               | 4001 to 4004 and<br>4007 to 4009 | 4001, 4002, 4003,<br>4004, 4007 and 4009 |

## SCHEDULE 4—continued

| Provision amended                    | Omit                             | Substitute                               |
|--------------------------------------|----------------------------------|--|
| Subclause<br>820.223 (1)             | 4001 to 4004 and<br>4007 to 4009 | 4001, 4002, 4003,<br>4004, 4007 and 4009 |
| Paragraph<br>820.224 (1) (a)         | 4001 to 4004 and<br>4007 to 4009 | 4001, 4002, 4003,<br>4004, 4007 and 4009 |
| Subparagraph<br>820.224 (1) (b) (ii) | 4007 to 4008                     | 4007                                     |
| Subparagraph<br>820.224 (1) (b) (ii) | those criteria                   | that criterion                           |
| Subclause<br>820.323 (1)             | 4001 to 4004 and<br>4007 to 4009 | 4001, 4002, 4003,<br>4004, 4007 and 4009 |
| Clause 826.223                       | 4001 to 4004 and<br>4007 to 4009 | 4001, 4002, 4003,<br>4004, 4007 and 4009 |
| Subclause<br>826.224 (1)             | 4001 to 4004 and<br>4007 to 4009 | 4001, 4002, 4003,<br>4004, 4007 and 4009 |
| Paragraph<br>826.224 (2) (b)         | 4007 and 4008                    | 4007                                     |
| Paragraph<br>826.224 (2) (b)         | those criteria                   | that criterion                           |
| Clause 826.324                       | 4001 to 4004 and<br>4007 to 4009 | 4001, 4002, 4003,<br>4004, 4007 and 4009 |
| Paragraph<br>832.221 (4) (b)         | 4001 to 4006                     | 4001, 4002, 4003,<br>4004, 4005          |
| Paragraph<br>832.222 (a)             | 4001 to 4006                     | 4001, 4002, 4003,<br>4004, 4005          |
| Subparagraph<br>832.222 (b) (ii)     | criteria 4005 and 4006           | criterion 4005                           |
| Subparagraph<br>832.222 (b) (ii)     | those criteria                   | that criterion                           |

**SCHEDULE 4**—continued

| Provision amended            | Omit                     | Substitute                            |
|------------------------------|--------------------------|---------------------------------------|
| Clause 832.322               | 4001 to 4006 and<br>4009 | 4001, 4002, 4003,<br>4004, 4005, 4009 |
| Clause 840.223               | 4001 to 4006             | 4001, 4002, 4003,<br>4004, 4005       |
| Subclause<br>840.224 (1)     | 4001 to 4006             | 4001, 4002, 4003,<br>4004, 4005       |
| Paragraph<br>840.224 (2) (b) | criteria 4005 and 4006   | criterion 4005                        |
| Paragraph<br>840.224 (2) (b) | those criteria           | that criterion                        |
| Clause 840.322               | 4001 to 4006             | 4001, 4002, 4003,<br>4004, 4005       |
| Clause 841.223               | 4001 to 4006             | 4001, 4002, 4003,<br>4004, 4005       |
| Subclause<br>841.224 (1)     | 4001 to 4006             | 4001, 4002, 4003,<br>4004, 4005       |
| Paragraph<br>841.224 (2) (b) | criteria 4005 and 4006   | criterion 4005                        |
| Paragraph<br>841.224 (2) (b) | those criteria           | that criterion                        |
| Clause 841.322               | 4001 to 4006             | 4001, 4002, 4003,<br>4004, 4005       |
| Clause 842.223               | 4001 to 4006             | 4001, 4002, 4003,<br>4004, 4005       |
| Subclause<br>842.224 (1)     | 4001 to 4006             | 4001, 4002, 4003,<br>4004, 4005       |
| Paragraph<br>842.224 (2) (b) | criteria 4005 and 4006   | criterion 4005                        |

**SCHEDULE 4**—continued

| Provision amended            | Omit                   | Substitute                      |
|------------------------------|------------------------|---------------------------------|
| Paragraph<br>842.224 (2) (b) | those criteria         | that criterion                  |
| Clause 842.322               | 4001 to 4006           | 4001, 4002, 4003,<br>4004, 4005 |
| Clause 843.223               | 4001 to 4006           | 4001, 4002, 4003,<br>4004, 4005 |
| Subclause<br>843.224 (1)     | 4001 to 4006           | 4001, 4002, 4003,<br>4004, 4005 |
| Paragraph<br>843.224 (2) (b) | criteria 4005 and 4006 | criterion 4005                  |
| Paragraph<br>843.224 (2) (b) | those criteria         | that criterion                  |
| Clause 843.322               | 4001 to 4006           | 4001, 4002, 4003,<br>4004, 4005 |
| Clause 844.224               | 4001 to 4006           | 4001, 4002, 4003,<br>4004, 4005 |
| Subclause<br>844.225 (1)     | 4001 to 4006           | 4001, 4002, 4003,<br>4004, 4005 |
| Paragraph<br>844.225 (2) (b) | criteria 4005 and 4006 | criterion 4005                  |
| Paragraph<br>844.225 (2) (b) | those criteria         | that criterion                  |
| Clause 844.322               | 4001 to 4006           | 4001, 4002, 4003,<br>4004, 4005 |
| Clause 845.223               | 4001 to 4006           | 4001, 4002, 4003,<br>4004, 4005 |
| Subclause<br>845.224 (1)     | 4001 to 4006           | 4001, 4002, 4003,<br>4004, 4005 |



**SCHEDULE 4**—continued

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| Provision amended            | Omit                   | Substitute                      |
|------------------------------|------------------------|---------------------------------|
| Paragraph<br>845.224 (2) (b) | criteria 4005 and 4006 | criterion 4005                  |
| Paragraph<br>845.224 (2) (b) | those criteria         | that criterion                  |
| Clause 845.322               | 4001 to 4006           | 4001, 4002, 4003,<br>4004, 4005 |

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**SCHEDULE 5**

Regulation 39

**CONSEQUENTIAL AMENDMENTS—TEMPORARY  
BUSINESS ENTRY (CLASS UC) VISA**

| Provision amended                      | Omit  | Substitute  |
|--|---|---|
| Regulation 2.07AA                      | Short Stay (Visitor) (Class TR) visa<br><br>approved nominator for the purposes of clause 672.111 of Schedule 2 | Temporary Business Entry (Class UC) visa<br><br>approved nominator (within the meaning of clause 456.111 of Schedule 2) |
| Regulation 2.07A (b)                   | 672.221 (4),<br>675.221 (4),<br>676.221 (4),<br>682.221 (4),  | 675.221 (4),<br>676.221 (4),  |
| Subparagraph 2.10 (1) (a) (ii)         | for a   | for a Temporary Business Entry (Class UC) visa,   |
| Sub-subparagraph 2.15 (1) (b) (ii) (A) | for a   | for a Temporary Business Entry (Class UC) visa,   |
| Subparagraph 2.15 (3) (b) (i)          | for a   | for a Temporary Business Entry (Class UC) visa,   |
| Subparagraph 4.08 (1) (a) (i)          | concerning a  | concerning a Temporary Business Entry (Class UC) visa,  |

## SCHEDULE 5—continued

| Provision amended                           | Omit  | Substitute  |
|---|---|---|
| Subparagraph<br>4.08 (3) (a) (i)            | concerning a  | concerning a<br>Temporary Business<br>Entry (Class UC)<br>visa, |
| Schedule 1—<br>Subitem<br>1214(4)           | 682 (Business (Long<br>Stay))<br>686 (Tourist (Long<br>Stay)) | 686 (Tourist (Long<br>Stay))                                    |
| Schedule 2—<br>Paragraph<br>410.211 (2) (b) | of a  | of a Temporary<br>Business Entry (Class<br>UC),                 |
| Paragraph<br>411.211 (a)                    | Business,   | Business (Temporary)<br>(Class TB),                             |
| Paragraph<br>411.211 (b)                    | of a  | of a Temporary<br>Business Entry (Class<br>UC),                 |
| Paragraph<br>412.211 (a)                    | Business,   | Business (Temporary)<br>(Class TB),                             |
| Paragraph<br>412.211 (b)                    | of a  | of a Temporary<br>Business Entry (Class<br>UC),                 |

**SCHEDULE 5**—continued

| Provision amended                   | Omit      | Substitute                                      |
|-------------------------------------|-----------|---|
| Paragraph<br>413.211 (a)            | Business, | Business (Temporary)<br>(Class TB),             |
| Paragraph<br>413.211 (b)            | of a      | of a Temporary<br>Business Entry (Class<br>UC), |
| Subparagraph<br>413.229 (1) (a) (i) | Business, | Business (Temporary)<br>(Class TB),             |
| Subclause<br>413.230 (1)            | of a      | of a Temporary<br>Business Entry (Class<br>UC), |
| Paragraph<br>414.211 (a)            | Business, | Business (Temporary)<br>(Class TB),             |
| Paragraph<br>414.211 (b)            | of a      | of a Temporary<br>Business Entry (Class<br>UC), |
| Subparagraph<br>414.229 (1) (a) (i) | Business, | Business (Temporary)<br>(Class TB),             |
| Subclause<br>414.229 (2)            | of a      | of a Temporary<br>Business Entry (Class<br>UC), |
| Paragraph<br>415.211 (a)            | Business, | Business (Temporary)<br>(Class TB),             |

**SCHEDULE 5—continued**

| Provision amended                | Omit      | Substitute                                |
|----------------------------------|-----------|---|
| Paragraph 415.211 (b)            | of a      | of a Temporary Business Entry (Class UC), |
| Subparagraph 415.229 (1) (a) (i) | Business, | Business (Temporary) (Class TB),          |
| Paragraph 416.211 (a)            | Business, | Business (Temporary) (Class TB),          |
| Paragraph 416.211 (b)            | of a      | of a Temporary Business Entry (Class UC), |
| Paragraph 418.211 (a)            | Business, | Business (Temporary) (Class TB),          |
| Paragraph 418.211 (b)            | of a      | of a Temporary Business Entry (Class UC), |
| Subparagraph 418.230 (a) (i)     | Business, | Business (Temporary) (Class TB),          |
| Clause 418.231                   | of a      | of a Temporary Business Entry (Class UC), |
| Paragraph 419.211 (a)            | Business, | Business (Temporary) (Class TB),          |

**SCHEDULE 5**—continued

| Provision amended        | Omit                     | Substitute                                      |
|--------------------------|--------------------------|---|
| Paragraph<br>419.211 (b) | of a                     | of a Temporary<br>Business Entry (Class<br>UC), |
| Paragraph<br>420.211 (a) | Business,                | Business (Temporary)<br>(Class TB),             |
| Paragraph<br>420.211 (b) | of a                     | of a Temporary<br>Business Entry (Class<br>UC), |
| Paragraph<br>421.211 (a) | Business,                | Business (Temporary)<br>(Class TB),             |
| Paragraph<br>421.211 (b) | of a                     | of a Temporary<br>Business Entry (Class<br>UC), |
| Paragraph<br>422.211 (a) | Business<br>(Temporary), | Business (Temporary)<br>(Class TB),             |
| Paragraph<br>422.211 (b) | of a                     | of a Temporary<br>Business Entry (Class<br>UC), |
| Subclause<br>422.227 (4) | of a                     | of a Temporary<br>Business Entry (Class<br>UC), |

**SCHEDULE 5**—continued

| Provision amended               | Omit      | Substitute                                      |
|---------------------------------|-----------|---|
| Paragraph<br>423.211 (a)        | Business, | Business (Temporary)<br>(Class TB),             |
| Paragraph<br>423.211 (b)        | of a      | of a Temporary<br>Business Entry (Class<br>UC), |
| Subparagraph<br>423.229 (a) (i) | Business, | Business (Temporary)<br>(Class TB),             |
| Paragraph<br>424.211 (a)        | Business, | Business (Temporary)<br>(Class TB),             |
| Paragraph<br>424.211 (b)        | of a      | of a Temporary<br>Business Entry (Class<br>UC), |
| Subparagraph<br>424.229 (a) (i) | Business, | Business (Temporary)<br>(Class TB),             |
| Paragraph<br>425.211 (a)        | Business, | Business (Temporary)<br>(Class TB),             |
| Paragraph<br>425.211 (b)        | of a      | of a Temporary<br>Business Entry (Class<br>UC), |
| Paragraph<br>427.211 (a)        | Business, | Business (Temporary)<br>(Class TB),             |

**SCHEDULE 5—continued**

| Provision amended        | Omit      | Substitute                                      |
|--------------------------|-----------|---|
| Paragraph<br>427.211 (b) | of a      | of a Temporary<br>Business Entry (Class<br>UC), |
| Paragraph<br>428.211 (a) | Business, | Business (Temporary)<br>(Class TB),             |
| Paragraph<br>428.211 (b) | of a      | of a Temporary<br>Business Entry (Class<br>UC), |
| Paragraph<br>430.211 (a) | Business, | Business (Temporary)<br>(Class TB),             |
| Paragraph<br>430.211 (b) | of a      | of a Temporary<br>Business Entry (Class<br>UC), |
| Paragraph<br>432.211 (a) | Business, | Business (Temporary)<br>(Class TB),             |
| Paragraph<br>432.211 (b) | of a      | of a Temporary<br>Business Entry (Class<br>UC), |
| Paragraph<br>442.211 (a) | Business, | Business (Temporary)<br>(Class TB),             |



## SCHEDULE 5—continued

| Provision amended                   | Omit   | Substitute   |
|-------------------------------------|--|--|
| Paragraph<br>442.211 (b)            | of a   | of a Temporary<br>Business Entry (Class<br>UC),  |
| Paragraph<br>560.212 (1) (a)        | (xvii) a Long Stay<br>(Visitor)<br>visa; or  | (xvii) a Long Stay<br>(Visitor)<br>(Class TN)<br>visa; or<br><br>(xviii) a Temporary<br>Business<br>Entry (Class<br>UC) visa; or   |
| Paragraph<br>560.212 (3) (a)        | (xvii) a Long Stay<br>(Visitor)<br>visa; and | (xvii) a Long Stay<br>(Visitor)<br>(Class TN)<br>visa; and<br><br>(xviii) a Temporary<br>Business<br>Entry (Class<br>UC) visa; and |
| Subparagraph<br>560.228 (1) (b) (i) | (T) a Long Stay<br>(Visitor)<br>visa;        | (T) a Long Stay<br>(Visitor)<br>(Class TN)<br>visa; or<br><br>(U) a Temporary<br>Business<br>Entry (Class<br>UC) visa;             |

## SCHEDULE 5—continued

| Provision amended                     | Omit  | Substitute   |
|---------------------------------------|---|--|
| Paragraph<br>560.230 (b)              | (xv) a Long Stay<br>(Visitor)<br>visa;      | (xv) a Long Stay<br>(Visitor)<br>(Class TN)<br>visa; or<br><br>(xvi) a Temporary<br>Business<br>Entry (Class<br>UC) visa;        |
| Paragraph<br>560.312 (1) (a)          | (xvii) a Long Stay<br>(Visitor)<br>visa; or | (xvii) a Long Stay<br>(Visitor)<br>(Class TN)<br>visa; or<br><br>(xviii) a Temporary<br>Business<br>Entry (Class<br>UC) visa; or |
| Subparagraph<br>773.213 (1) (g) (iii) | eligible for a                              | eligible for a<br>Temporary Business<br>Entry (Class UC)<br>visa,  |
| Subclause<br>805.211 (1)              | holder of a                                 | holder of a Subclass<br>456 (Business (Short<br>Stay)) visa,   |
| Paragraph<br>805.211 (2) (b)          | was not a                                   | was not a Subclass<br>456 (Business (Short<br>Stay)) visa,   |

**NOTES**

1. Notified in the *Commonwealth of Australia Gazette* on *L* 1995. *12 September*
2. Statutory Rules 1994 No. 268 as amended by 1994 Nos. 280, 322, 376 and 452; 1995 Nos. 3, 38, 117 and 134.