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Statutory Rules 1995 No. 1

411/

Migration Regulations² (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.

12 December

L BILL HAYDEN/
Governor-General

By His Excellency's Command,

L

NICK BOLKUS/

Minister for Immigration and Ethnic Affairs

1. Commencement

- 1.1 Regulations 6 and 13 commence on 19 December 1995.
- 1.2 Regulations 10, 11 and 12 commence on 1 February 1996.
- 1.3 Regulation 9 commences on 1 April 1996.

[NOTE: Regulations 3, 4, 5, 7 and 8 commence on gazettal: see *Acts Interpretation Act 1901*, s. 48.]

2. Amendment

2.1 The Migration Regulations are amended as set out in these Regulations.

3. Regulation 1.03 (Interpretation)

3.1 Definition of “review authority”:
Omit “041, 042”, substitute “041”.

4. Regulation 2.12 (Certain non-citizens whose applications refused in Australia (Act, s. 48))

4.1 Paragraph 2.12 (1) (c):
Omit “subject to subregulation (2),”.

4.2 Subregulation 2.12 (2):
Omit the subregulation.

5. Regulation 2.22 (Invalid application for substantive visa)

5.1 Add at the end:

“; and (d) the invalidity of the application is not by reason of its purporting to have been made contrary to section 48A of the Act (whether or not the Minister has made a determination under subsection 48B (1) of the Act in relation to the application or action has been taken by any person to seek the making of such a determination).”.

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

6.1 Paragraph 2.40 (1) (r):
Omit the paragraph, substitute:

- “(r) Indonesian citizens, or persons having a right to return to Indonesia, visiting the casino on Christmas Island;
- (s) Singaporean citizens visiting the casino on Christmas Island.”.

6.2 Add at the end:

“(15) A person included in a class of persons specified in paragraph (1) (s) has a prescribed status only:

- (a) while he or she is travelling directly from Singapore or Indonesia to Christmas Island; and**
 - (b) either:**
 - (i) until the end of 5 days after his or her arrival on Christmas Island; or**
 - (ii) until he or she leaves the island;**
- whichever is the sooner; and**

if and only if he or she:

- (c) holds and produces a Singaporean passport that is in force; and**
- (d) carries a valid invitation acceptable to the Minister to visit the casino.”.**

7. Schedule 1 (Classes of visas)**7.1 Subitem 1304 (4):**

Omit “042 (Prospective Protection Visa Applicant)”.

8. Schedule 2, Part 042 (Bridging Visa (Prospective Protection Visa Applicant))**8.1 Omit the Part.****9. Schedule 2, Part 417 (Working Holiday)****9.1 Clause 417.511:**

Omit the clause, substitute:

“417.511 Temporary visa permitting the holder:

- (a) to travel to and enter Australia until a date specified by the Minister; and**
- (b) to remain in Australia for a period, or until a date, specified by the Minister.”.**

10. Schedule 2, Part 435 (Sri Lankan)

10.1 Clause 435.213:

Omit the clause.

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

11.1 Clause 443.213:

Omit the clause.

12. Schedule 2, Part 456 (Business (Short Stay))

12.1 Clause 456.711:

Omit the clause, substitute "No evidence need be given."

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

13.1 Add at the end:

"20	Singaporean citizens visiting the casino on Christmas Island	Singaporean passport and valid invitation acceptable to the Minister to visit the casino	Yes"
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NOTES

1. Notified in the *Commonwealth of Australia Gazette* on *L* 1995. *19 December*
2. Statutory Rules 1994 No. 268 as amended by 1994 Nos. 280, 322, 376 and 452; 1995 Nos. 3, 38, 117, 134, 268 and 302.