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# Migration Amendment Regulations 2003 (No. 11)<sup>1</sup>

Statutory Rules 2003 No.  $\surd$ <sup>2</sup>

363

I, PHILIP MICHAEL JEFFERY, 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 18 DEC 2003 2003

PM Jeffery

Governor-General

By His Excellency's Command

AMANDA VANSTONE

Minister for Immigration and Multicultural and Indigenous  
Affairs

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**1 Name of Regulations**

These Regulations are the *Migration Amendment Regulations 2003 (No. 1)*.

11

**2 Commencement**

These Regulations commence on 1 January 2004.

**3 Amendment of *Migration Regulations 1994***

Schedules 1, 2, 3, 4, 5, 6, 7, 8 and 9 amend the *Migration Regulations 1994*.

**4 Amendment of *Migration Amendment Regulations 2003 (No. 9)***

Schedule 10 amends the *Migration Amendment Regulations 2003 (No. 9)*.

**5 Transitional**

- (1) The amendment made by item [1] of Schedule 1 applies in relation to an assessment made for subsection 93 (1) of the *Migration Act 1958* on or after 1 January 2004.
- (2) The amendments made by items [3], [4] and [15] of Schedule 2 apply in relation to a person entering Australia on or after 1 January 2004 who made an application for a visa on or after 1 January 2004.
- (3) The amendments made by items [1], [4], [5], [8], [9], [10], [11], [12], [13], [14] and [15] of Schedule 5 apply in relation to an application for a visa:
  - (a) made but not finally determined (within the meaning of subsection 5 (9) of the *Migration Act 1958*, before 1 January 2004; or
  - (b) made on or after 1 January 2004.

- (4) The amendments made by:
- (a) item [2] of Schedule 1; and
  - (b) items [5], [6], [7], [9], [10], [11], [12], [13] and [14] of Schedule 2; and
  - (c) Schedule 3; and
  - (d) items [2], [3], [6] and [7] of Schedule 5; and
  - (e) Schedule 6; and
  - (f) Schedule 7; and
  - (g) Schedule 8; and
  - (h) Schedule 9;
- apply in relation to an application for a visa made on or after 1 January 2004.

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**Schedule 1      Amendments to regulation  
2.27A and Schedule 1,  
paragraph 1212A (3) (h)**  
(regulation 3)

**[1]      Paragraph 2.27A (2) (a)**

*omit*

7 and 8

*insert*

7, 8 and 10

**[2]      Schedule 1, paragraph 1212A (3) (h)**

*substitute*

(h) Application by an applicant seeking to satisfy the primary criteria must be accompanied by satisfactory evidence that:

(i) the applicant has applied to the relevant assessing authority for an assessment of the suitability of his or her skills for the skilled occupation nominated by the applicant in his or her application; and

(ii) either:

(A) each of the following sub-sub-subparagraphs applies in relation to the applicant:

(I) the applicant has, in the 6 months immediately before the day on which the application is made, completed a degree, diploma or trade qualification (other than a degree, diploma or trade qualification in English language proficiency) for award by an Australian educational institution as a result of at least 2 years of full-time

- 
- study at that institution while the applicant was present in Australia;
- (II) the degree, diploma or trade qualification is relevant to the skilled occupation nominated by the applicant in his or her application;
  - (III) all instruction for that degree, diploma or trade qualification was conducted in English; or
- (B) each of the following sub-sub-subparagraphs applies in relation to the applicant:
- (I) the applicant has, in the 6 months immediately before the day on which the application is made, completed a degree, diploma or trade qualification (other than a degree, diploma or trade qualification in English language proficiency) for award by an Australian educational institution as a result of less than 2 years of full-time study at that institution while the applicant was present in Australia;
  - (II) before completing that degree, diploma or trade qualification, the applicant completed at least 1 other degree, diploma or trade qualification (other than a degree, diploma or trade qualification in English language proficiency) for award by that institution, or another Australian educational institution, while the applicant was present in Australia;
  - (III) the 2 or more degrees, diplomas or trade qualifications mentioned in sub-sub-subparagraphs (I) and (II) were completed as a result of a total of at least 2 years of full-time study while the applicant was present in Australia;

- 
- (IV) each of the degrees, diplomas or trade qualifications mentioned in sub-sub-paragraphs (I) and (II) was completed at the institution at which it was commenced;
  - (V) each of the degrees, diplomas or trade qualifications mentioned in sub-sub-paragraphs (I) and (II) is relevant to the skilled occupation nominated by the applicant in his or her application;
  - (VI) all instruction for each of the degrees, diplomas or trade qualifications mentioned in sub-sub-paragraphs (I) and (II) was conducted in English.

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## Schedule 2      Amendments relating to Business (Long Stay) visas

(regulation 3)

**[1]      Subparagraph 2.43 (1) (I) (i)**

*omit*

1067; or

*insert*

1067, 1196 or 1196 (internet); or

**[2]      Subregulation 2.43 (3), definition of *business sponsor*, paragraph (a)**

*after*

1.20D

*insert*

or 1.20DA

**[3]      Paragraph 3.03 (3) (g)**

*omit*

(5)

*insert*

(5), (6) or (7)

**[4]      After subregulation 3.03 (5)**

*insert*

(6) This subregulation applies to a non-citizen who:

(a) holds a Subclass 457 (Business (Long Stay)) visa on the basis of meeting the requirements of subclause 457.223 (2), (3), (4) or (10) of Schedule 2; and



- 
- (b) was outside Australia when he or she applied for a Temporary Business Entry (Class UC) visa; and
  - (c) is the holder of an ETA-eligible passport.
- (7) This subregulation applies to a non-citizen:
- (a) who holds a Subclass 457 (Business (Long Stay)) visa on the basis of satisfying the secondary criteria; and
  - (b) who was outside Australia when he or she applied for a Temporary Business Entry (Class UC) visa; and
  - (c) who is the holder of an ETA-eligible passport; and
  - (d) whose application for a Temporary Business Entry (Class UC) visa was made as a member of the family unit of a person who seeks, or has been granted, a Subclass 457 (Business (Long Stay)) visa on the basis of meeting the requirements of subclause 457.223 (2), (3), (4) or (10) of Schedule 2.

**[5] Schedule 1, paragraph 1223A (3) (aa)**

*omit*

and (ae),

*insert*

, (ae), (af) and (ag),

**[6] Schedule 1, after paragraph 1223A (3) (ae)**

*insert*

- (af) In the case of an applicant who:
- (i) seeks a visa that will permit the applicant to travel to, enter and remain in Australia for a period, or periods, of more than 3 months; and
  - (ii) seeks to meet the requirements of subclause 457.223 (2), (3), (4) or (10) of Schedule 2;  
the application must be made:
  - (iii) in Australia, but not in immigration clearance; or
  - (iv) as an Internet application.

- 
- (ag) In the case of an applicant who:
- (i) seeks a visa that will permit the applicant to travel to, enter and remain in Australia for a period, or periods, of more than 3 months; and
  - (ii) seeks to meet the requirements of subclause 457.223 (5) of Schedule 2;
- the applicant must be outside Australia and the application must be made outside Australia.

**[7] Schedule 1, after paragraph 1223A (3) (c)**

*insert*

- (ca) An application by an applicant who:
- (i) seeks to satisfy the secondary criteria for the grant of a Subclass 457 (Business (Long Stay)) visa; and
  - (ii) claims to be a member of the family unit of an applicant who seeks to satisfy, or has satisfied, the primary criteria on the basis of meeting the requirements of subclause 457.223 (2), (3), (4) or (10) of Schedule 2;
- must be made:
- (iii) in Australia, but not in immigration clearance; or
  - (iv) as an Internet application.

**[8] Schedule 1, paragraph 1223A (3) (d)**

*omit*

(Business – Long Stay)

*insert*

(Business (Long Stay))

**[9] Schedule 2, clause 457.221**

*omit*

If the application is made in Australia,

*insert*

If the applicant is in Australia at the time of application,

---

**[10] Schedule 2, paragraph 457.225 (a)**

*substitute*

- (a) the applicant is outside Australia at the time of application; and

**[11] Schedule 2, clause 457.322**

*substitute*

457.322 If:

- (a) the applicant is outside Australia; and  
(b) the application is made separately from that of the primary applicant;

the primary applicant is, or is expected soon to be, in Australia.

**[12] Schedule 2, clause 457.323**

*omit*

If the application is made in Australia,

*insert*

If the applicant is in Australia at the time of application,

**[13] Schedule 2, paragraph 457.326 (a)**

*substitute*

- (a) the applicant is outside Australia at the time of application; and

**[14] Schedule 2, subclause 457.611 (2)**

*after*

8303,

*insert*

8403,

**[15] Schedule 9, Part 1, after item 26**

*insert*

27	Person to whom subregulation 3.03 (6) or (7) applies	Passport	Yes
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## Schedule 3      Amendments relating to Student Guardian visas

(regulation 3)

**[1]      Regulation 1.03, definition of *student visa***

*substitute*

*student visa* means a Subclass 560, 562, 563, 570, 571, 572, 573, 574, 575 or 576 visa, whenever granted.

**[2]      Regulation 2.07AF, heading**

*substitute*

**2.07AF    Certain applications for Student (Temporary)  
(Class TU) visas**

**[3]      Subregulation 2.07AF (3)**

*omit*

157A (Internet) or 157E

*insert*

157A (Internet), 157E or 157G

**[4]      Schedule 1, after paragraph 1222 (1) (c)**

*insert*

(ca) In the case of an application by a person who seeks a Subclass 580 visa: 157G.

---

**[5] Schedule 1, paragraph 1222 (3) (aa)**

*omit*

form 157A

*insert*

form 157A or 157G

**[6] Schedule 1, after paragraph 1222 (3) (e)**

*insert*

- (f) If the application is made on form 157G, the application must be accompanied by a form 157N.
- (g) If the application is made on form 157G and the applicant has not, before the date of the application, held a Subclass 580 visa, the applicant must be outside Australia.
- (h) If the application is made in Australia on form 157G, the applicant must meet the requirements of subitem (3A).

**[7] Schedule 1, after subitem 1222 (3)**

*insert*

(3A) For paragraph (3) (h), the requirements are:

- (a) if the person who nominated the applicant on the form 157N mentioned in paragraph (3) (f) has not turned 18:
  - (i) the applicant must hold a Subclass 580 visa; or
  - (ii) if the applicant does not hold a substantive visa:
    - (A) the substantive visa last held by the applicant was a Subclass 580 visa; and
    - (B) the application is made within 28 days (or a longer period specified in a Gazette Notice for this sub-subparagraph) after the visa mentioned in sub-subparagraph (A) ceased to have effect; or

- 
- (b) if the person who nominated the applicant on the form 157N mentioned in paragraph (3) (f) has turned 18:
- (i) the applicant must hold a Subclass 580 visa that was granted on the basis that the applicant met the requirements of subclause 580.222 (3); or
  - (ii) if the applicant does not hold a substantive visa:
    - (A) the substantive visa last held by the applicant was a Subclass 580 visa that was granted on the basis that the applicant met the requirements of subclause 580.222 (3); and
    - (B) the application is made within 28 days (or a longer period specified in a Gazette Notice for this sub-subparagraph) after the visa mentioned in sub-subparagraph (A) ceased to have effect; or
- (c) if the applicant seeks to meet the requirements of subclause 580.222 (4):
- (i) the applicant must hold a Subclass 580 visa that was granted on the basis that the applicant met the requirements of subclause 580.222 (4); or
  - (ii) if the applicant does not hold a substantive visa:
    - (A) the substantive visa last held by the applicant was a Subclass 580 visa that was granted on the basis that the applicant met the requirements of subclause 580.222 (4); and
    - (B) the application is made within 28 days (or a longer period specified in a Gazette Notice for this sub-subparagraph) after the visa mentioned in sub-subparagraph (A) ceased to have effect.

**[8] Schedule 1, subitem 1222 (4)**

*after*

576 AusAID or Defence Sector

*insert*

580 Student Guardian

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[9] **Schedule 2, after Part 576**

*insert*

**Subclass 580                      Student Guardian**

**580.1 Interpretation**

580.111 In this Part:

***acceptable individual*** means one or more of the following:

- (a) the applicant;
- (b) the applicant's spouse;
- (c) the nominating student;
- (d) the nominating student's spouse;
- (e) a parent of the nominating student;
- (f) a grandparent of the nominating student;
- (g) a brother or sister of the nominating student;
- (h) an aunt or uncle of the nominating student, if the aunt or uncle is usually resident in Australia and is:
  - (i) an Australian citizen; or
  - (ii) an Australian permanent resident; or
  - (iii) an eligible New Zealand citizen.

***financial institution*** means a body corporate that, as part of its normal activities:

- (a) takes money on deposit and makes advances of money; and
- (b) does so under a regulatory regime, governed by the central bank (or its equivalent) of the country in which it operates, that the Minister is satisfied provides effective prudential assurance.

***first 12 months***, for an applicant, means the period that:

- (a) begins:
  - (i) if the application is made outside Australia — on the day of the applicant's expected arrival in Australia; or



- 
- (ii) if the application is made in Australia — on the day that the visa is expected to be granted to the applicant; and
  - (b) ends on the earlier of the following:
    - (i) the day 12 months after the beginning of the period;
    - (ii) the last day of the applicant's proposed stay in Australia.

***first 24 months***, for an applicant, means the period that:

- (a) begins:
  - (i) if the application is made outside Australia — on the day of the applicant's expected arrival in Australia; or
  - (ii) if the application is made in Australia — on the day that the visa is expected to be granted to the applicant; and
- (b) ends on the earlier of the following:
  - (i) the day 24 months after the beginning of the period;
  - (ii) the last day of the applicant's proposed stay in Australia.

***first 36 months***, for an applicant, means the period that:

- (a) begins:
  - (i) if the application is made outside Australia — on the day of the applicant's expected arrival in Australia; or
  - (ii) if the application is made in Australia — on the day that the visa is expected to be granted to the applicant; and
- (b) ends on the earlier of the following:
  - (i) the day 36 months after the beginning of the period;
  - (ii) the last day of the applicant's proposed stay in Australia.

---

**full period**, for an applicant, means the period that:

- (a) begins:
  - (i) if the application is made outside Australia — on the day of the applicant's expected arrival in Australia; or
  - (ii) if the application is made in Australia — on the day that the visa is expected to be granted to the applicant; and
- (b) ends on the last day of the applicant's proposed stay in Australia.

**living costs** means \$12 000 per year.

**money deposit** means a money deposit with a financial institution.

**nominating student**, for an applicant, means a person who:

- (a) nominates the applicant on form 157N; and
- (b) at the time of decision for the applicant, holds a student visa that was granted on the basis that the person met the primary criteria for the grant of the student visa; and
- (c) if, at the time of decision for an applicant, there is more than 1 person who meets the requirements of paragraphs (a) and (b) — is the person mentioned in a written communication given to the Minister by the applicant in accordance with Division 2.3.

**scholarship** means a scholarship that:

- (a) is awarded to a student by his or her education provider or proposed education provider; and
- (b) is awarded on the basis of merit and an open selection process; and
- (c) is awarded to a student who is enrolled in a course leading to a Certificate IV qualification or a higher qualification; and
- (d) is awarded to the greater of:
  - (i) not more than 10% of overseas students in a course intake; and
  - (ii) not more than 3 overseas students in a course intake.

---

**travel costs**, for an applicant, means the sum of:

- (a) if the applicant is not in Australia when the application is made — the cost of travelling to Australia; and
- (b) the cost of returning to the applicant's home country at the end of his or her stay in Australia.

580.112 In subclause 580.226 (3):

**funds from an acceptable source** means one or more of the following:

- (a) a money deposit that an acceptable individual has held for at least the 6 months immediately before the date of the application;
- (b) a loan from a financial institution made to, and held in the name of, an acceptable individual;
- (c) a loan from the government of the home country of the applicant or of the nominating student;
- (d) a scholarship awarded to the nominating student by his or her education provider or proposed education provider;
- (e) financial support from:
  - (i) the Commonwealth Government, or the government of a State or Territory; or
  - (ii) the government of a foreign country; or
  - (iii) unless the nominating student holds a Subclass 570 (Independent ELICOS Sector) visa — a corporation that:
    - (A) conducts commercial activities outside the country in which it is based; and
    - (B) employs the nominating student in a role in relation to which the nominating student's principal course is directly relevant; or
  - (iv) a multilateral agency; or
  - (v) a provincial or state government in a foreign country, provided with the written support of the government of that country; or
  - (vi) an organisation specified by the Minister in a Gazette Notice for this subparagraph.

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580.113 In subclause 580.226 (4):

***funds from an acceptable source*** means one or more of the following:

- (a) a money deposit that the applicant or an individual who is providing support to the applicant has held for at least the 3 months immediately before the date of the application;
- (b) a loan from a financial institution made to, and held in the name of, the applicant or of an individual who is providing support to the applicant;
- (c) a loan from the government of the home country of the applicant or of the nominating student;
- (d) a scholarship awarded to the nominating student by his or her education provider or proposed education provider;
- (e) financial support from:
  - (i) the Commonwealth Government, or the government of a State or Territory; or
  - (ii) the government of a foreign country; or
  - (iii) a corporation that:
    - (A) conducts commercial activities outside the country in which it is based; and
    - (B) employs the nominating student in a role in relation to which the nominating student's principal course is directly relevant; or
  - (iv) a multilateral agency; or
  - (v) a provincial or state government in a foreign country, provided with the written support of the government of that country; or
  - (vi) an organisation specified by the Minister in a Gazette Notice for this subparagraph.

580.114 In subclause 580.226 (5):

***funds from an acceptable source*** does not include the value of an item of property.

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*Note* *Assessment level, AusAID Minister, AusAID recipient, AusAID student, Australian permanent resident, custody, Defence Minister, education provider, eligible New Zealand citizen, home country and relative* are defined in regulation 1.03. *Member of the family unit* is defined in regulation 1.12.

## **580.2 Primary criteria**

### **580.21 Criteria to be satisfied at time of application**

*Note* There are no criteria to be satisfied at the time of application.

### **580.22 Criteria to be satisfied at time of decision**

- 580.221 (1) If the application is made in Australia and the nominating student had turned 18 at the time of application:
- (a) the applicant holds a Subclass 580 visa that was granted on the basis that the applicant met the requirements of subclause 580.222 (3); or
  - (b) if the applicant does not hold a substantive visa:
    - (i) the substantive visa last held by the applicant was a Subclass 580 visa that was granted on the basis that the applicant met the requirements of subclause 580.222 (3); and
    - (ii) the application is made within 28 days (or a longer period specified in a Gazette Notice for this subparagraph) after the visa mentioned in subparagraph (i) ceased to have effect.
- (2) If the application is made in Australia and the applicant seeks to meet the requirements of subclause 580.222 (4):
- (a) the applicant holds a Subclass 580 visa that was granted on the basis that the applicant met the requirements of subclause 580.222 (4); or
  - (b) if the applicant does not hold a substantive visa:
    - (i) the substantive visa last held by the applicant was a Subclass 580 visa that was granted on the basis that the applicant met the requirements of subclause 580.222 (4); and

- 
- (ii) the application is made within 28 days (or a longer period specified in a Gazette Notice for this subparagraph) after the visa mentioned in subparagraph (i) ceased to have effect.
- 580.222 (1) The applicant meets the requirements of subclause (2), (3) or (4).
- (2) The applicant meets the requirements of this subclause if:
- (a) the nominating student has not turned 18; and
- (b) the applicant is able to:
- (i) provide appropriate accommodation and support for the nominating student; and
- (ii) provide for the general welfare of the nominating student; and
- (c) the applicant is either:
- (i) a parent of the nominating student or a person who has custody of the nominating student; or
- (ii) a person who:
- (A) is a relative of the nominating student; and
- (B) has turned 21; and
- (d) if subparagraph (c) (ii) applies — the nomination of the applicant is supported in writing by:
- (i) a parent of the nominating student; or
- (ii) a person who has custody of the nominating student.
- (3) The applicant meets the requirements of this subclause if:
- (a) the nominating student has turned 18; and
- (b) the Minister is satisfied that there are exceptional reasons why the nominating student needs the applicant to reside with the nominating student in Australia; and
- (c) the applicant is able to:
- (i) provide appropriate accommodation and support for the nominating student; and
- (ii) provide for the general welfare of the nominating student; and

- 
- (d) the applicant is a person who:
- (i) is a relative of the nominating student; and
  - (ii) has turned 21.
- (4) An applicant meets the requirements of this subclause if:
- (a) the Minister is satisfied that the grant of the visa to the applicant will significantly benefit the relationship between the government of Australia and the government of a foreign country; and
  - (b) the applicant has turned 21; and
  - (c) if the nominating student has not turned 18 — the nomination of the applicant is supported in writing by:
    - (i) a parent of the nominating student; or
    - (ii) a person who has custody of the nominating student.
- 580.223 (1) The applicant meets the requirements of subclauses (2), (3) and (4).
- (2) The applicant meets the requirements of this subclause if:
- (a) the Minister is satisfied that the applicant has a genuine intention to reside in Australia with the nominating student; and
  - (b) the Minister is satisfied that the nominating student has a genuine intention to reside in Australia with the applicant; and
  - (c) the Minister is satisfied that the nominating student does not intend to reside in Australia with:
    - (i) a holder of a Subclass 580 visa other than the applicant; or
    - (ii) a parent of the nominating student, or a person who has custody of the nominating student, other than the applicant; and
  - (d) unless the applicant satisfies subclause 580.222 (4) — each member of the family unit of the applicant has turned 6; and

- 
- (e) the Minister is satisfied that the applicant has made appropriate arrangements, for the period of the applicant's proposed stay in Australia, for the accommodation, support and general welfare of each member of the applicant's family unit:
- (i) who has not turned 18; and
  - (ii) who does not hold a student visa.
- (3) The applicant meets the requirements of this subclause if the applicant:
- (a) satisfies public interest criteria 4001, 4002, 4003, 4004, 4005, 4013 and 4014; and
  - (b) if the applicant seeks to reside in Australia for 12 months or more, satisfies public interest criterion 4010; and
  - (c) if the application was made outside Australia and the applicant has previously been in Australia, satisfies special return criteria 5001, 5002 and 5010.
- (4) The applicant meets the requirements of this subclause if the applicant gives to the Minister evidence of adequate arrangements in Australia for health insurance during the period of the applicant's intended stay in Australia.
- 580.224 If the application was made in Australia, the applicant has complied substantially with the conditions that apply or applied to the last of any substantive visas held by the applicant, and to any subsequent bridging visa.
- 580.225 If the applicant is an AusAID student or an AusAID recipient, the applicant has the support of the AusAID Minister or the Defence Minister for the grant of the visa.
- 580.226 (1) The Minister is satisfied that the applicant is a genuine applicant for entry and stay as a student guardian:
- (a) because the applicant gives to the Minister evidence relating to the applicant's financial capacity in accordance with subclause (2), (3), (4) or (5); and
  - (b) having regard to:
    - (i) the stated intention of the applicant to comply with any conditions subject to which the visa is granted; and



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(ii) any other relevant matter.

(2) If the nominating student was, at the time his or her visa was granted, subject to assessment level 5, the evidence for paragraph (1) (a) is evidence that:

- (a) the applicant has funds that are sufficient to meet living costs for the full period; and
- (b) the applicant has funds that are sufficient to meet travel costs; and
- (c) the funds have been held by the applicant in money deposits for at least the 5 years immediately before the date of the application; and
- (d) the applicant's regular income before the date of the application was sufficient to accumulate the funds.

(3) If the nominating student was, at the time his or her visa was granted, subject to assessment level 4, the evidence for paragraph (1) (a) is:

- (a) evidence that the applicant has funds from an acceptable source that are sufficient to meet living costs for the first 36 months; and
- (b) evidence that the applicant has funds from an acceptable source that are sufficient to meet travel costs; and
- (c) evidence that the regular income of any individual (including the applicant) providing funds to the applicant was sufficient to accumulate the level of funding being provided by that individual; and
- (d) a declaration by the applicant stating that he or she has access to funds from an acceptable source that are sufficient to meet living costs for the remainder of the full period.

(4) If the nominating student was, at the time his or her visa was granted, subject to assessment level 3, the evidence for paragraph (1) (a) is:

- (a) evidence that the applicant has funds from an acceptable source that are sufficient to meet living costs for the first 24 months; and
- (b) evidence that the applicant has funds from an acceptable source that are sufficient to meet travel costs; and

- 
- (c) evidence that the regular income of any individual (including the applicant) providing funds to the applicant was sufficient to accumulate the level of funding being provided by that individual; and
  - (d) a declaration by the applicant stating that he or she has access to funds from an acceptable source that are sufficient to meet living costs for the remainder of the full period.
- (5) If the nominating student was, at the time his or her visa was granted, subject to assessment level 1 or 2:
- (a) the evidence for paragraph (1) (a) is:
    - (i) evidence that the applicant has funds from an acceptable source that are sufficient to meet living costs for the first 12 months; and
    - (ii) evidence that the applicant has funds from an acceptable source that are sufficient to meet travel costs; and
    - (iii) a declaration by the applicant stating that he or she has access to funds from an acceptable source that are sufficient to meet living costs for the remainder of the full period; and
  - (b) the Minister must be satisfied that the regular income of any individual (including the applicant) providing funds to the applicant was sufficient to accumulate the level of funding being provided by that individual.

### **580.3 Secondary criteria**

*Note* There are no secondary criteria.

### **580.4 Circumstances applicable to grant**

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

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

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**580.5 When visa is in effect**

580.511 Temporary visa permitting the holder to travel to, enter and remain in Australia until a date specified by the Minister.

**580.6 Conditions**

580.611 Conditions 8101, 8201, 8501, 8516, 8534, 8537 and 8538.

**580.7 Way of giving evidence**

580.711 Visa label affixed to a valid passport.

**[10] Schedule 8, item 8532**

*substitute*

8532 If the holder has not turned 18 and is not an AusAID student or a Defence student:

- (a) the holder must stay in Australia with a person who is:
  - (i) a parent of the holder or a person who has custody of the holder; or
  - (ii) a relative of the holder who:
    - (A) is nominated by a parent of the holder or a person who has custody of the holder; and
    - (B) has turned 21; and
    - (C) is of good character; or
- (b) the arrangements for the holder's accommodation, support and general welfare must be approved by the education provider for the course to which the holder's visa relates.

**[11] Schedule 8, paragraph 8534 (c)**

*substitute*

- (c) a Subclass 497 (Graduate — Skilled) visa; or
- (d) a Subclass 580 (Student Guardian) visa;

---

**[12] Schedule 8, after item 8536***insert*

- 8537 (1) While the nominating student (within the meaning of Part 580 of Schedule 2) in relation to the holder is in Australia, the holder must reside in Australia.
- (2) While the holder is in Australia, the holder must:
- (a) stay with the nominating student (within the meaning of Part 580 of Schedule 2) in relation to the holder; and
  - (b) provide appropriate accommodation and support for the nominating student; and
  - (c) provide for the general welfare of the nominating student.
- 8538 If the holder leaves Australia without the nominating student (within the meaning of Part 580 of Schedule 2) in relation to the holder, the holder must first give to the Minister evidence that:
- (a) there are compelling or compassionate reasons for doing so; and
  - (b) the holder has made alternative arrangements for the accommodation, support and general welfare of the nominating student until the holder's return to Australia; and
  - (c) if the nominating student has not turned 18, the alternative arrangements are approved by the education provider for the course to which the nominating student's visa relates.

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## Schedule 4      Amendment relating to passenger reporting on international cruise ships

(regulation 3)

[1]      **After regulation 3.13A**

*insert*

**3.13B      Information about passengers and crew to be given  
before arrival of international passenger cruise ship**

- (1) For subsection 245I (1) of the Act, an international passenger cruise ship is a kind of ship to which Division 12B of the Act applies.

*Note* The operator of a ship to which Division 12B applies that is due to arrive at a port in Australia from a place outside Australia must, before the arrival of the ship, give the Department a report that includes particular information about passengers and crew aboard the ship (see section 245L of the Act).

- (2) In this regulation:

***international passenger cruise ship*** means a ship that:

- (a) has sleeping facilities for at least 100 persons (other than crew members); and
- (b) is being used to provide an international passenger sea transportation service.

***international passenger sea transportation service*** means a service of providing sea transportation of persons from a place outside Australia to a port in Australia that:

- (a) is provided in return for a fee payable by persons using the service; and
- (b) is available to the general public.

---

## Schedule 5 Amendments relating to Work and Holiday visas

(regulation 3)

### [1] After subregulation 2.05 (4)

*insert*

(4A) However, the Minister must not waive:

- (a) in relation to a Subclass 020 Bridging B visa granted to a person who is an applicant for a Subclass 462 (Work and Holiday) visa — condition 8540; and
- (b) in relation to a Subclass 462 (Work and Holiday) visa — conditions 8503 and 8540.

### [2] Schedule 1, paragraph 1224A (3) (b)

*substitute*

- (b) If the applicant does not hold a Subclass 462 (Work and Holiday) visa at the time of application, the applicant must:
  - (i) be outside Australia; and
  - (ii) not have previously entered Australia as the holder of a Subclass 462 (Work and Holiday) visa; and
  - (iii) provide evidence that the applicant has the support for the grant of the visa from the government of the foreign country mentioned in paragraph (a).
- (c) If the applicant holds a Subclass 462 (Work and Holiday) visa at the time of application, the applicant must:
  - (i) be in Australia, but not in immigration clearance; and
  - (ii) have previously held not more than 2 Subclass 462 (Work and Holiday) visas; and
  - (iii) provide evidence that the applicant has the support for the grant of the visa from:
    - (A) the applicant's current employer; and

---

(B) the government of the foreign country mentioned in paragraph (a).

**[3] Schedule 1, subitem 1301 (1)**

*omit*

or 1096.

*insert*

, 1096 or 1208.

**[4] Schedule 2, paragraph 020.611 (1) (b)**

*after*

subclause (2)

*insert*

or (2A)

**[5] Schedule 2, after subclause 020.611 (2)**

*insert*

(2A) In the case of a visa granted to a person who is an applicant for a Subclass 462 (Work and Holiday) visa, condition 8540.

**[6] Schedule 2, clause 462.211**

*substitute*

462.211 The applicant is at least 18 but has not turned 31.

**[7] Schedule 2, clause 462.214**

*omit*

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**[8] Schedule 2, paragraph 462.221 (a)***omit*

paragraph 462.211 (a) and

**[9] Schedule 2, clause 462.222***substitute*

462.222 If the applicant:

- (a) was outside Australia at the time of application; and
- (b) has previously been in Australia;

the applicant satisfies special return criteria 5001 and 5002.

**[10] Schedule 2, clause 462.411***substitute*

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

462.412 If the applicant is in Australia at the time of application, the applicant must be in Australia, but not in immigration clearance, at the time of grant.

**[11] Schedule 2, clause 462.511***omit*

Temporary

*insert*

If the applicant is outside Australia at the time of application — temporary

**[12] Schedule 2, after clause 462.511***insert*

462.512 If the applicant is in Australia at the time of application — temporary visa permitting the holder to travel to, enter and remain in Australia until 12 months after the date of grant.



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**[13] Schedule 2, clause 462.611***omit*

, 8201 and 8503.

*insert*

and 8201.

**[14] Schedule 2, after clause 462.612***insert*

462.613 If, at the time of grant, the holder has previously held not more than 1 Subclass 462 (Work and Holiday) visa, condition 8540.

462.614 If, at the time of grant, the holder has previously held 2 Subclass 462 (Work and Holiday) visas, condition 8503.

**[15] Schedule 8, after item 8538***insert*

8540 The holder will not, after entering Australia, be entitled to be granted a substantive visa, other than a protection visa or a Subclass 462 (Work and Holiday) visa, while the holder remains in Australia.

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**Schedule 6**      **Amendment relating to  
Contributory Parent  
(Temporary) (Class UT) visas**  
(regulation 3)

**[1]      Schedule 1, after paragraph 1221 (3) (b)**

*insert*

- (c) If the applicant has previously made a valid application for another parent visa:
- (i) a decision to grant or to refuse to grant that visa has been made; or
  - (ii) the application for that visa has been withdrawn.

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**Schedule 7      Amendments relating to  
Subclass 410 (Retirement)  
visas**  
(regulation 3)

**[1]      Schedule 2, sub-subparagraph 410.221 (9) (a) (i) (A)**  
*substitute*

(A)    \$870 000; or

**[2]      Schedule 2, sub-subparagraph 410.221 (9) (a) (i) (B)**  
*omit*

\$600 000; or

*insert*

\$800 000; or

**[3]      Schedule 2, subparagraph 410.221 (9) (a) (ii)**  
*omit*

\$200 000,

*insert*

\$350 000,

**[4]      Schedule 2, subparagraph 410.221 (9) (a) (ii)**  
*omit*

\$45 000; or

*insert*

\$52 000; or

**[5] Schedule 2, subparagraph 410.221 (9) (a) (iii)***omit*

\$180 000,

*insert*

\$315 000,

**[6] Schedule 2, subparagraph 410.221 (9) (a) (iii)***omit*

\$42 000; and

*insert*

\$50 000; and

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## Schedule 8      Amendments relating to Witness Protection visas

(regulation 3)

### [1]      Regulation 1.12AA

*omit*

For these Regulations,

*insert*

- (1) For these Regulations,

### [2]      Regulation 1.12AA

*insert*

- (2) In addition to subregulation (1), a person is a member of the immediate family of an applicant for a Witness Protection (Trafficking) (Permanent) (Class DH) visa if, at the time of application:
- (a) the person holds a visa:
    - (i) of a subclass included in Witness Protection (Trafficking) (Temporary) (Class UM); and
    - (ii) that was granted on the basis that the person was a member of the immediate family of the applicant, if the applicant held a visa of a subclass included in Witness Protection (Trafficking) (Temporary) (Class UM); and
  - (b) the person is included in the application for the Witness Protection (Trafficking) (Permanent) (Class DH) visa.

---

**[3] After regulation 2.07AI**

*insert*

**2.07AJ Applications for Witness Protection (Trafficking) (Temporary) (Class UM) visas**

- (1) For subsection 46 (2) of the Act, a Witness Protection (Trafficking) (Temporary) (Class UM) visa is a prescribed class of visa.

*Note* Section 46 of the Act sets out the circumstances in which an application for a visa is valid. Under subsection 46 (2) of the Act, an application for a visa is valid if:

- it is an application for a class of visa that is prescribed for that subsection; and
  - under the regulations, the application is taken to have been validly made.
- (2) An application for a visa of a class mentioned in subregulation (1) is taken to have been validly made by a person only if the requirements of subregulation (3) or (4) are met.
- (3) The requirements of this subregulation are met for a person if:
- (a) the person is in Australia; and
  - (b) the person holds a criminal justice stay visa; and
  - (c) the Attorney-General has issued a certificate in relation to the person to the effect that:
    - (i) the person made a significant contribution to, and cooperated closely with, the prosecution of a person who was alleged to have trafficked a person or who was alleged to have forced a person into exploitative conditions (whether or not the person was convicted); or
    - (ii) the person made a significant contribution to, and cooperated closely with, an investigation in relation to which the Director of Public Prosecutions has decided not to prosecute a person who was alleged to have trafficked a person or who was alleged to have forced a person into exploitative conditions; and

- 
- (d) the Attorney-General's certificate is in force; and
  - (e) the person is not the subject of a prosecution for an offence that is directly connected to the prosecution mentioned in the Attorney-General's certificate; and
  - (f) the Minister is satisfied that the person would be in danger if he or she returned to his or her home country; and
  - (g) an offer of temporary stay in Australia is made to the person by an authorised officer; and
  - (h) the person indicates, in writing, to an officer that he or she accepts the Australian Government's offer of a temporary stay in Australia.

*Note* A criminal justice stay visa is a kind of criminal justice visa — see section 38 and Division 4 of Part 2 of the Act.

- (4) The requirements of this subregulation are met for a person (the *first person*) if:
  - (a) a person (the *second person*) is taken to have validly made an application for a visa of a class mentioned in subregulation (1) in accordance with subregulation (3); and
  - (b) the second person identifies the first person as being a member of the immediate family of the second person in the second person's written acceptance under paragraph (3) (h); and
  - (c) the first person is in Australia.

## **2.07AK Applications for Witness Protection (Trafficking) (Permanent) (Class DH) visas**

- (1) For subsection 46 (2) of the Act, a Witness Protection (Trafficking) (Permanent) (Class DH) visa is a prescribed class of visa.

*Note* Section 46 of the Act sets out the circumstances in which an application for a visa is valid. Under subsection 46 (2) of the Act, an application for a visa is valid if:

- it is an application for a class of visa that is prescribed for that subsection; and
- under the regulations, the application is taken to have been validly made.

- 
- (2) An application for a visa of a class mentioned in subregulation (1) is taken to have been validly made by a person only if the requirements of subregulation (3) or (4) are met.
- (3) The requirements of this subregulation are met for a person if:
- (a) the person is in Australia; and
  - (b) the person holds a Witness Protection (Trafficking) (Temporary) (Class UM) visa; and
  - (c) the Attorney-General has issued a certificate in relation to the person to the effect that:
    - (i) the person made a significant contribution to, and cooperated closely with, the prosecution of a person who was alleged to have trafficked a person or who was alleged to have forced a person into exploitative conditions (whether or not the person was convicted); or
    - (ii) the person made a significant contribution to, and cooperated closely with, an investigation in relation to which the Director of Public Prosecutions has decided not to prosecute a person who was alleged to have trafficked a person or who was alleged to have forced a person into exploitative conditions; and
  - (d) the Attorney-General's certificate is in force; and
  - (e) the person is not the subject of a prosecution for an offence that is directly connected to the prosecution mentioned in the Attorney-General's certificate; and
  - (f) the Minister is satisfied that the person would be in danger if he or she returned to his or her home country; and
  - (g) an offer of stay in Australia is made to the person by an authorised officer; and
  - (h) the person indicates, in writing, to an officer that he or she accepts the Australian Government's offer of a stay in Australia.



- 
- (4) The requirements of this subregulation are met for a person (the **first person**) if:
- (a) a person (the **second person**) is taken to have validly made an application for a visa of a class mentioned in subregulation (1) in accordance with subregulation (3); and
  - (b) the second person identifies the first person as being a member of the immediate family of the second person in the second person's written acceptance under paragraph (3) (h); and
  - (c) the first person holds a Witness Protection (Trafficking) (Temporary) (Class UM) visa; and
  - (d) the first person is in Australia.

**[4] Schedule 1, after item 1131**

*insert*

**1133. Witness Protection (Trafficking) (Permanent) (Class DH)**

- (1) Form: Nil.
- (2) Visa application charge: Nil.
- (3) Subclasses:
  - 852 (Witness Protection (Trafficking) (Permanent))

*Note* See regulation 2.07AK for how an application for a Witness Protection (Trafficking) (Permanent) (Class DH) visa is taken to have been validly made.

**[5] Schedule 1, after item 1224**

*insert*

**1224AA. Witness Protection (Trafficking) (Temporary) (Class UM)**

- (1) Form: Nil.
- (2) Visa application charge: Nil.

---

(3) Subclasses:

787 (Witness Protection (Trafficking) (Temporary))

*Note* See regulation 2.07AJ for how an application for a Witness Protection (Trafficking) (Temporary) (Class UM) visa is taken to have been validly made.

[6] **Schedule 2, after Part 786**

*insert*

**Subclass 787                      Witness Protection (Trafficking)  
(Temporary)**

**787.1 Interpretation**

*Note 1* Regulation 1.03 provides that *member of the immediate family* has the meaning set out in regulation 1.12AA.

*Note 2* There are no interpretation provisions specific to this Part.

**787.2 Primary criteria**

*Note* The primary criteria must be satisfied by at least one member of an immediate family. The other members of the immediate family who are applicants for a visa of this subclass need satisfy only the secondary criteria.

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

787.211 The applicant is taken to have made a valid application for a Witness Protection (Trafficking) (Temporary) (Class UM) visa under subregulation 2.07AJ (2) in accordance with subregulation 2.07AJ (3).

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

787.221 The applicant satisfies public interest criteria 4001, 4002, 4003 and 4007.

787.222 The requirements of paragraphs 2.07AJ (3) (d), (e) and (f) continue to be met in relation to the applicant.

- 
- 787.223 Each member of the immediate family of the applicant who is an applicant for a Subclass 787 (Witness Protection (Trafficking) (Temporary)) visa is a person who satisfies public interest criteria 4001, 4002, 4003 and 4007.

### **787.3 Secondary criteria**

*Note* These criteria must be satisfied by applicants who are members of the immediate family of a person who satisfies the primary criteria.

#### **787.31 Criteria to be satisfied at time of application**

- 787.311 The applicant is a member of the immediate family of a person who is taken, under subregulation 2.07AJ (2), to have made a valid application for a Witness Protection (Trafficking) (Temporary) (Class UM) visa in accordance with subregulation 2.07AJ (3).

*Note* See regulation 2.07AJ for how an application for a Witness Protection (Trafficking) (Temporary) (Class UM) visa is taken to have been validly made.

- 787.312 The Minister has not decided to grant or refuse to grant a Subclass 787 (Witness Protection (Trafficking) (Temporary)) visa to the person mentioned in clause 787.311.

#### **787.32 Criteria to be satisfied at time of decision**

- 787.321 The applicant satisfies public interest criteria 4001, 4002, 4003 and 4007.
- 787.322 The applicant continues to be a member of the immediate family of the person mentioned in clause 787.311.
- 787.323 The person mentioned in clause 787.311 has been granted a Subclass 787 (Witness Protection (Trafficking) (Temporary)) visa.
- 787.324 If the applicant has not turned 18, public interest criteria 4017 and 4018 are satisfied in relation to the applicant.

### **787.4 Circumstances applicable to grant**

- 787.411 The applicant must be in Australia when the visa is granted.

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**787.5 When visa is in effect**

787.511 Temporary visa permitting the holder to travel to, enter and remain in Australia until a date specified by the Minister.

**787.6 Conditions**

787.611 Conditions 8401 and 8506.

**787.7 Way of giving evidence**

787.711 Visa label affixed to a valid passport.

**[7] Schedule 2, after Part 851**

*insert*

**Subclass 852                      Witness Protection (Trafficking)  
(Permanent)****852.1 Interpretation**

*Note 1* Regulation 1.03 provides that *member of the immediate family* has the meaning set out in regulation 1.12AA.

*Note 2* There are no interpretation provisions specific to this Part.

**852.2 Primary criteria**

*Note* The primary criteria must be satisfied by at least one member of an immediate family. The other members of the immediate family who are applicants for a visa of this subclass need satisfy only the secondary criteria.

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

852.211 The applicant is taken to have made a valid application for a Witness Protection (Trafficking) (Permanent) (Class DH) visa under subregulation 2.07AK (2) in accordance with subregulation 2.07AK (3).

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

- 852.221 The applicant has held a Witness Protection (Trafficking) (Temporary) (Class UM) visa for at least 2 years.
- 852.222 The applicant satisfies public interest criteria 4001, 4002, 4003 and 4007.
- 852.223 The requirements of paragraphs 2.07AK (3) (d), (e) and (f) continue to be met in relation to the applicant.
- 852.224 Each member of the immediate family of the applicant who is an applicant for a Subclass 852 (Witness Protection (Trafficking) (Permanent)) visa is a person who satisfies public interest criteria 4001, 4002, 4003 and 4007.

**852.3 Secondary criteria**

*Note* These criteria must be satisfied by applicants who are members of the immediate family of a person who satisfies the primary criteria.

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

- 852.311 The applicant is a member of the immediate family of a person who is taken, under subregulation 2.07AK (2), to have made a valid application for a Witness Protection (Trafficking) (Permanent) (Class DH) visa in accordance with subregulation 2.07AK (3).

*Note* See regulation 2.07AK for how an application for a Witness Protection (Trafficking) (Permanent) (Class DH) visa is taken to have been validly made.

- 852.312 The Minister has not decided to grant or refuse to grant a Subclass 852 (Witness Protection (Trafficking) (Permanent)) visa to the person mentioned in clause 852.311.

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

- 852.321 The applicant satisfies public interest criteria 4001, 4002, 4003 and 4007.
- 852.322 The applicant continues to be a member of the immediate family of the person mentioned in clause 852.311.

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852.323 The person mentioned in clause 852.311 has been granted a Subclass 852 (Witness Protection (Trafficking) (Permanent)) visa.

852.324 If the applicant has not turned 18, public interest criteria 4017 and 4018 are satisfied in relation to the applicant.

#### **852.4 Circumstances applicable to grant**

852.411 The applicant must be in Australia when the visa is granted.

#### **852.5 When visa is in effect**

852.511 Permanent visa permitting the holder to travel to and enter Australia for a period of 5 years from the date of grant.

#### **852.6 Conditions: Nil.**

#### **852.7 Way of giving evidence**

852.711 Visa label affixed to a valid passport.

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## Schedule 9      Amendments relating to the definition of *course of study*

(regulation 3)

### [1]      Schedule 2, clause 571.111, after definition of *course fees*

*insert*

*course of study* means:

- (a) in relation to a secondary exchange student — a full-time course of study under a secondary school student exchange program approved by the State or Territory education authority that administers the program; or
- (b) in any other case — a full-time registered course of study.

*Note 1* *secondary exchange student* is defined in regulation 1.03.

*Note 2* To work out whether a course of study is a principal course, see subregulation 1.40 (2).

### [2]      Schedule 2, clause 572.111, after definition of *course fees*

*insert*

*course of study* means a full-time registered course of study.

*Note* To work out whether a course of study is a principal course, see subregulation 1.40 (2).

### [3]      Schedule 2, clause 573.111, after definition of *course fees*

*insert*

*course of study* means a full-time registered course of study.

*Note* To work out whether a course of study is a principal course, see subregulation 1.40 (2).

---

**[4] Schedule 2, clause 574.111, after definition of *course fees***

*insert*

***course of study*** means a full-time registered course of study.

*Note* To work out whether a course of study is a principal course, see subregulation 1.40 (2).

**[5] Schedule 2, clause 575.111, after definition of *course fees***

*insert*

***course of study*** means a full-time registered course of study.

*Note 1 non-award course* is defined in regulation 1.03.

*Note 2* To work out whether a course of study is a principal course, see subregulation 1.40 (2).

**[6] Schedule 2, clause 576.111, after definition of *course fees***

*insert*

***course of study*** means a full-time course of study or training under a scholarship scheme or training program approved by the AusAID Minister or the Defence Minister.



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**Schedule 10      Amendments of *Migration  
Amendment Regulations 2003  
(No. 9)***  
(regulation 4)

- [1]      **Schedule 1, item [276], amendment of clause 571.111,  
definition of *course of study*, paragraph (a)**  
*omit*
- [2]      **Schedule 1, item [276], amendment of clause 571.111,  
note 1**  
*omit*
- [3]      **Schedule 1, item [277], amendment of paragraph  
5A304 (2) (a)**  
*omit*

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**Notes**

1. These Regulations amend Statutory Rules 1994 No. 268, as amended by 1994 Nos. 280, 322, 376 and 452; 1995 Nos. 3, 38, 117, 134, 268, 302 and 411; 1996 Nos. 12, 75 (regulations 7 and 8 were disallowed by the Senate on 11 September 1996), 76, 108, 121, 135, 198, 211 (regulations 4, 10, 11, 13.3, 14-37, 47-49, 51, 53-55, 74, 77.16, 77.19, 78, 85, 119 and 114 were disallowed by the Senate on 7 November 1996) and 276; 1997 Nos. 17, 64, 91, 92, 109, 137, 184, 185, 216, 263, 279, 288, 301 and 354; 1998 Nos. 36, 37, 104 (regulation 15 was disallowed by the Senate on 2 July 1998), 139, 210, 214, 284, 285 (disallowed by the Senate on 31 March 1999), 304, 305, 306 and 322; 1999 Nos. 8, 58, 64, 68 (as amended by 1999 Nos. 81 and 132), 76 (as amended by 1999 Nos. 81 and 132), 81 (as amended by 1999 No. 132), 82, 132, 155, 198, 220 (as amended by 1999 Nos. 259 and 321), 243, 259 (as amended by 2000 No. 259 and 2002 No. 213), 260 (as amended by 1999 No. 321), 321 and 325; 2000 Nos. 52, 62, 108, 192, 259 (as amended by 2000 No. 284) (item [4108] of Schedule 4 was disallowed by the Senate on 1 November 2000), 284 and 335; 2001 Nos. 27, 47, 86, 142, 162, 206, 239, 246, 283, 284, 285 and 291; Act No. 128, 2001; Statutory Rules 2001 No. 344; 2002 Nos. 10, 86, 121, 129 (disallowed by the Senate on 19 June 2002), 213, 230, 299, 323, 347, 348 and 354; Act No. 5, 2003; Statutory Rules 2003 Nos. 57, 94, 106, 122, 154, 224 (disallowed by the Senate on 9 October 2003), 239, 283 (disallowed by the Senate on 24 November 2003) ~~and 296~~

, and 362

These Regulations also amend (in Schedule 10) Statutory Rules 2003 No. 296.

2. Notified in the *Commonwealth of Australia Gazette* on / 2003.

23 December