



Migration Legislation Amendment Regulations 2008 (No. 1)¹

Select Legislative Instrument 2008 No. 91

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* and the *Immigration (Education) Act 1971*.

Dated 30 May 2008

P. M. JEFFERY
Governor-General

By His Excellency's Command

CHRIS EVANS
Minister for Immigration and Citizenship

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1 Name of Regulations

These Regulations are the *Migration Legislation Amendment Regulations 2008 (No. 1)*.

2 Commencement

These Regulations commence on 1 July 2008.

3 Amendment of *Migration Regulations 1994*

- (1) Schedules 1 and 2 amend the *Migration Regulations 1994*.
- (2) The amendments made by Schedule 1 apply in relation to an application for a visa made on or after 1 July 2008.
- (3) The amendments made by Schedule 2 apply in relation to a matter for which an obligation to pay a fee is incurred on or after 1 July 2008.

4 Amendment of *Immigration (Education) Regulations 1992*

- (1) Schedule 3 amends the *Immigration (Education) Regulations 1992*.
- (2) The amendment made by Schedule 3 applies in relation to enrolment in a prescribed English course that occurs on or after 1 July 2008.

Schedule 1 **Amendments of *Migration Regulations 1994***

(regulation 3)

[1] Schedule 1, paragraph 1225 (3B) (c)

omit

seasonal work

insert

specified work

[2] Schedule 1, subitem 1225 (5), definition of *seasonal work*

substitute

specified work means work of a kind specified by the Minister in an instrument in writing for this definition.

[3] Schedule 2, clause 417.111, definition of *seasonal work*

substitute

specified work means work of a kind specified by the Minister in an instrument in writing for the definition of *specified work* in subitem 1225 (5) of Schedule 1.

[4] Schedule 2, Division 417.2, note

substitute

Note All applicants must satisfy the primary criteria.

[5] Schedule 2, subclause 417.211 (5)

omit

seasonal work

insert
specified work

[6] Schedule 2, Division 417.3, note

substitute

Note All applicants must satisfy the primary criteria.

[7] Further amendments relating to instrument in writing

<i>Provision</i>	<i>omit</i>	<i>insert</i>
Schedule 1, paragraph 1225 (3) (a)	a Gazette Notice	an instrument in writing
Schedule 1, subparagraph 1225 (3) (b) (i)	a Gazette Notice	an instrument in writing
Schedule 1, subparagraph 1225 (3) (b) (ii)	a Gazette Notice	an instrument in writing
Schedule 1, subparagraph 1225 (3) (b) (ii)	the Gazette Notice	the instrument in writing
Schedule 1, subitem 1225 (5), definition of <i>regional Australia</i>	a Gazette Notice	an instrument in writing
Schedule 1, subitem 1225 (5), definition of <i>working holiday eligible passport</i>	a Gazette Notice	an instrument in writing
Schedule 2, clause 417.111, definition of <i>regional Australia</i>	a Gazette Notice	an instrument in writing
Schedule 2, clause 417.111, definition of <i>working holiday eligible passport</i>	a Gazette Notice	an instrument in writing
Schedule 2, paragraphs 417.221 (5) (a) and (b)	Gazette Notice	an instrument in writing

[8] Further amendments relating to *Australian Citizenship Act 2007*

<i>Provision</i>	<i>after</i>	<i>insert</i>
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Schedule 2, paragraph 050.212 (4AAA) (b)	<i>Australian Citizenship Act 1948</i>	or the <i>Australian Citizenship Act 2007</i>
Schedule 2, clause 050.511C	<i>Australian Citizenship Act 1948</i>	or the <i>Australian Citizenship Act 2007</i>
Schedule 2, clause 050.511D	<i>Australian Citizenship Act 1948</i>	or the <i>Australian Citizenship Act 2007</i>
Schedule 2, clause 050.511D, note	<i>Australian Citizenship Act 1948</i>	or the <i>Australian Citizenship Act 2007</i>

Schedule 2 **Amendments of *Migration Regulations 1994* relating to fees and charges**

(regulation 3)

[1] Amendments

<i>Provision</i>	<i>omit</i>	<i>insert</i>
General regulations		
Subregulation 1.20C (3)	\$280	\$285
Paragraph 1.20G (5) (a)	\$55	\$60
Paragraph 1.20G (5) (b)	\$275	\$280
Paragraph 1.20G (5) (c)	\$275	\$280
Paragraph 1.20G (5) (d)	\$55	\$60
Subregulation 1.20GA (4)	\$275	\$280
Subregulation 1.20GA (5)	\$55	\$60
Subregulation 1.20N (3)	\$1 120	\$1 145
Paragraph 2.18 (3) (b)	\$70	\$100
Subregulation 5.37 (1)	\$365	\$370
Paragraph 5.38 (2) (a)	\$2 700	\$2 750
Paragraph 5.38 (2) (b)	\$270	\$275
Subregulation 5.41 (2)	\$330	\$520
Schedule 1		
Paragraph 1104AA (2) (a)	\$3 995	\$4 090
Sub-subparagraph 1104AA (2) (b) (i) (C)	\$5 735	\$5 865
Sub-subparagraph 1104AA (2) (b) (ii) (C)	\$2 860	\$2 925
Paragraph 1104A (2) (a)	\$3 995	\$4 090
Sub-subparagraph 1104A (2) (b) (i) (C)	\$5 735	\$5 865
Sub-subparagraph 1104A (2) (b) (ii) (C)	\$2 860	\$2 925

<i>Provision</i>	<i>omit</i>	<i>insert</i>
Subparagraph 1104B (2) (a) (i)	\$190	\$195
Subparagraph 1104B (2) (a) (ii)	\$1 145	\$1 175
Sub-subparagraph 1104B (2) (b) (i) (E)	\$2 860	\$2 925
Subparagraph 1108 (2) (a) (ii)	\$850	\$870
Subparagraph 1108 (2) (a) (iii)	\$1 390	\$1 420
Subparagraph 1108A (2) (a) (ii)	\$850	\$870
Subparagraph 1108A (2) (a) (v)	\$2 060	\$2 105
Subparagraph 1111 (2) (a) (i)	\$160	\$165
Paragraph 1112 (2) (a)	\$1 390	\$1 420
Subparagraph 1112 (2) (b) (i)	\$2 860	\$2 925
Paragraph 1113 (2) (a)	\$2 060	\$2 105
Subparagraph 1113 (2) (b) (i)	\$2 860	\$2 925
Subparagraph 1114 (2) (a) (iii)	\$1 390	\$1 420
Sub-subparagraph 1114 (2) (b) (i) (C)	\$5 735	\$5 865
Sub-subparagraph 1114 (2) (b) (ii) (C)	\$2 860	\$2 925
Subparagraph 1114 (2) (b) (iv)	\$1 350	\$1 385
Sub-subparagraph 1114A (2) (a) (ii) (C)	\$190	\$195
Subparagraph 1114A (2) (a) (v)	\$2 060	\$2 105
Sub-subparagraph 1114A (2) (b) (i) (C)	\$5 735	\$5 865
Sub-subparagraph 1114A (2) (b) (ii) (C)	\$2 860	\$2 925
Sub-sub-subparagraph 1114A (2) (b) (iv) (D) (III)	\$2 860	\$2 925
Subparagraph 1118A (2) (a) (i)	\$ 2 060	\$2 105
Subparagraph 1118A (2) (a) (ii)	\$1 390	\$1 420
Subparagraph 1118A (2) (b) (i)	\$2 860	\$2 925
Subparagraph 1121 (2) (a) (iii)	\$1 390	\$1 420
Sub-subparagraph 1121 (2) (b) (i) (C)	\$5 735	\$5 865
Sub-subparagraph 1121 (2) (b) (ii) (C)	\$2 860	\$2 925
Subparagraph 1121 (2) (b) (v)	\$1 350	\$1 385
Subparagraph 1121A (2) (a) (iv)	\$2 060	\$2 105

<i>Provision</i>	<i>omit</i>	<i>insert</i>
Sub-subparagraph 1121A (2) (b) (i) (C)	\$5 735	\$5 865
Sub-subparagraph 1121A (2) (b) (ii) (C)	\$2 860	\$2 925
Subparagraph 1123A (2) (a) (i)	\$850	\$870
Subparagraph 1123A (2) (a) (ii)	\$1 390	\$1 420
Subparagraph 1123A (2) (b) (ii)	\$1 205	\$1 235
Subparagraph 1123B (2) (a) (i)	\$850	\$870
Subparagraph 1123B (2) (a) (ii)	\$2 060	\$2 105
Subparagraph 1123B (2) (b) (ii)	\$1 205	\$1 235
Paragraph 1124 (2) (a)	\$1 390	\$1 420
Paragraph 1124 (2) (b)	\$1 205	\$1 235
Paragraph 1124A (2) (a)	\$2 060	\$2 105
Paragraph 1124A (2) (b)	\$1 205	\$1 235
Subparagraph 1124B (2) (a) (ii)	\$240	\$245
Sub-subparagraph 1124B (2) (a) (iii) (D)	\$850	\$870
Sub-subparagraph 1124B (2) (a) (iv) (C)	\$850	\$870
Sub-subparagraph 1124B (2) (a) (v) (C)	\$670	\$685
Sub-subparagraph 1124B (2) (a) (vi) (D)	\$850	\$870
Subparagraph 1124B (2) (a) (vii)	\$2 060	\$2 105
Subparagraph 1128 (2) (a) (i)	\$120	\$240
Subparagraph 1128 (2) (a) (ii)	\$120	\$240
Subparagraph 1128AA (2) (b) (i)	\$2 005	\$2 050
Subparagraph 1128AA (2) (b) (ii)	\$2 860	\$2 925
Subparagraph 1128B (2) (a) (ii)	\$2 060	\$2 105
Subparagraph 1128B (2) (b) (i)	\$2 860	\$2 925
Paragraph 1128BA (2) (a)	\$2 060	\$2 105
Subparagraph 1128BA (2) (b) (i)	\$2 860	\$2 925
Subparagraph 1128C (2) (a) (ii)	\$190	\$195
Subparagraph 1128C (2) (a) (iii)	\$2 060	\$2 105
Subparagraph 1128C (2) (b) (i)	\$2 860	\$2 925

<i>Provision</i>	<i>omit</i>	<i>insert</i>
Paragraph 1128CA (2) (a)	\$2 060	\$2 105
Subparagraph 1128CA (2) (b) (i)	\$2 860	\$2 925
Paragraph 1128D (2) (a)	\$2 060	\$2 105
Subparagraph 1128D (2) (b) (i)	\$2 860	\$2 925
Subparagraph 1129 (2) (a) (ii)	\$1 390	\$1 420
Subparagraph 1130 (2) (a) (i)	\$190	\$195
Sub-subparagraph 1130 (2) (a) (ia) (B)	\$190	\$195
Subparagraph 1130 (2) (a) (ib)	\$190	\$195
Subparagraph 1130 (2) (a) (ic)	\$1 390	\$1 420
Subparagraph 1130 (2) (a) (iii)	\$1 390	\$1 420
Subparagraph 1130A (2) (a) (ii)	\$190	\$195
Sub-subparagraph 1130A (2) (a) (iia) (B)	\$190	\$195
Subparagraph 1130A (2) (a) (iib)	\$190	\$195
Subparagraph 1130A (2) (a) (iic)	\$2 060	\$2 105
Subparagraph 1130A (2) (a) (iii)	\$2 060	\$2 105
Paragraph 1134 (2) (a)	\$190	\$195
Sub-subparagraph 1134 (2) (b) (i) (D)	\$ 2 860	\$2 925
Sub-subparagraph 1134 (2) (b) (ii) (C)	\$2 860	\$2 925
Paragraph 1135 (2) (a)	\$2 060	\$2 105
Sub-subparagraph 1135 (2) (b) (i) (B)	\$ 2 860	\$2 925
Sub-sub-subparagraph 1136 (2) (a) (i) (E) (II)	\$190	\$195
Subparagraph 1136 (2) (a) (ii)	\$2 060	\$2 105
Sub-subparagraph 1136 (2) (b) (i) (C)	\$2 860	\$2 925
Paragraph 1202A (2) (a)	\$2 735	\$2 800
Sub-subparagraph 1202A (2) (b) (i) (C)	\$5 735	\$5 865
Sub-subparagraph 1202A (2) (b) (ii) (C)	\$2 860	\$2 925
Subparagraph 1205 (2) (a) (iv)	\$1 900	\$2 500
Subparagraph 1205 (2) (a) (iva)	\$1 900	\$2 500
Subparagraph 1205 (2) (a) (v)	\$190	\$250

<i>Provision</i>	<i>omit</i>	<i>insert</i>
Paragraph 1207 (2) (a)	\$190	\$250
Subparagraph 1208 (2) (a) (ii)	\$190	\$250
Subparagraph 1211 (2) (a) (ii)	\$150	\$155
Paragraph 1212A (2) (a)	\$190	\$195
Paragraph 1212B (2) (a)	\$190	\$195
Paragraph 1212B (2) (b)	\$8 505	\$8 700
Paragraph 1214AA (2) (a)	\$190	\$250
Subparagraph 1214A (2) (a) (ii)	\$185	\$190
Paragraph 1214AA (2) (a)	\$190	\$250
Paragraph 1214BA (2) (a)	\$190	\$195
Paragraph 1215 (2) (a)	\$1 390	\$1 420
Subparagraph 1216A (2) (a) (ii)	\$2 365	\$2 415
Sub-subparagraph 1216A (2) (b) (i) (D)	\$5 225	\$5 345
Sub-subparagraph 1216A (2) (b) (ii) (D)	\$2 620	\$2 680
Sub-subparagraph 1216A (2) (b) (iii) (C)	\$2 620	\$2 680
Subparagraph 1217 (2) (a) (ii)	\$190	\$250
Subparagraph 1217A (2) (a) (i)	\$75	\$100
Sub-subparagraph 1218 (2) (a) (ii) (A)	\$75	\$100
Subparagraph 1218A (2) (a) (i)	\$190	\$195
Subparagraph 1218A (2) (a) (ii)	\$190	\$195
Subparagraph 1218A (2) (a) (iii)	\$2 060	\$2 105
Sub-subparagraph 1218A (2) (b) (i) (D)	\$2 860	\$2 925
Sub-subparagraph 1218A (2) (b) (ii) (C)	\$2 860	\$2 925
Paragraph 1220B (2) (a)	\$190	\$250
Subparagraph 1221 (2) (a) (iii)	\$1 390	\$1 420
Subparagraph 1221A (2) (a) (iii)	\$2 060	\$2 105
Subparagraph 1223A (2) (a) (i)	\$75	\$100
Subparagraph 1223A (2) (a) (iii)	\$190	\$250
Paragraph 1224A (2) (a)	\$180	\$195

<i>Provision</i>	<i>omit</i>	<i>insert</i>
Subregulation 1225 (2)	\$190	\$195
Subparagraph 1226 (2) (a) (ii)	\$190	\$195
Subparagraph 1226 (2) (a) (iii)	\$2 060	\$2 105
Sub-subparagraph 1226 (2) (b) (i) (D)	\$2 860	\$2 925
Sub-subparagraph 1226 (2) (b) (ii) (C)	\$2 860	\$2 925
Subparagraph 1228 (2) (a) (i)	\$2 060	\$2 105
Subparagraph 1228 (2) (a) (ii)	\$190	\$195
Sub-subparagraph 1228 (2) (b) (i) (C)	\$2 860	\$2 925
Subparagraph 1229 (2) (a) (i)	\$190	\$195
Sub-subparagraph 1229 (2) (a) (ii) (D)	\$190	\$195
Subparagraph 1229 (2) (a) (iii)	\$2 060	\$2 105
Sub-subparagraph 1229 (2) (b) (i) (D)	\$2 860	\$2 925

Schedule 3 **Amendment of *Immigration (Education) Regulations 1992***

(regulation 4)

[1] **Paragraph 4 (1) (a)**

omit

\$325

insert

\$335

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See <http://www.frli.gov.au>.