



Commonwealth of Australia

Migration Regulations 1994

**SPECIFICATION OF OCCUPATIONS FOR NOMINATIONS IN RELATION
TO SUBCLASS 457 (BUSINESS (LONG STAY)) FOR POSITIONS OTHER
THAN IN THE BUSINESS OF THE NOMINATOR**

(SUB-SUBPARAGRAPHS 2.72(10)(d)(ii)(B), 2.72(10)(d)(iii)(B), 2.72(10)(e)(ii)(B)
AND 2.72(10)(e)(iii)(B), SUBREGULATION 2.86(2B) AND
SUBPARAGRAPH 457.223(4)(ba)(iv))

I, *CHRIS EVANS*, Minister for Immigration and Citizenship, acting pursuant to sub-subparagraphs 2.72(10)(d)(ii)(B), 2.72(10)(d)(iii)(B), 2.72(10)(e)(ii)(B) and 2.72(10)(e)(iii)(B) of Division 2.17 of Part 2A of the *Migration Regulations 1994* ('the Regulations'), subregulation 2.86(2B) of Division 2.19 of Part 2A of the Regulations, and subparagraph 457.223(4)(ba)(iv) of Schedule 2 to the Regulations:

1. REVOKE Instrument number IMMI 09/106 signed on 7 September 2009;
AND
2. SPECIFY for the purposes of sub-subparagraphs 2.72(10)(d)(ii)(B) and 2.72(10)(d)(iii)(B) of the Regulations, the occupations set out in Column 1 of the Schedule to this Instrument; AND
3. SPECIFY for the purposes of sub-subparagraphs 2.72(10)(e)(ii)(B) and 2.72(10)(e)(iii)(B) of the Regulations, the occupations set out in Column 2 of the Schedule to this Instrument; AND
4. SPECIFY for the purposes of subregulation 2.86(2B) of the Regulations the occupations set out in Columns 1 and 2 of the Schedule to this Instrument;
AND
5. SPECIFY for the purposes of subparagraph 457.223(4)(ba)(iv) of Schedule 2 to the Regulations the occupations set out in Columns 1 and 2 of the Schedule to this Instrument.

This Instrument number IMMI 10/030 commences on 1 July 2010 immediately after the commencement of the *Migration Amendment Regulations 2010 (No. 6)*.

Dated 17 June 2010

CHRIS EVANS
Minister for Immigration and Citizenship

- NOTE 1: Subparagraph 2.72(10)(d)(ii) provides that, for an application for the approval of a nomination made before 1 July 2010, by a standard business sponsor, if the person is lawfully operating a business outside Australia but does not lawfully operate a business in Australia, the Minister must be satisfied that the person has certified as part of the nomination, in writing, that the nominated occupation is an occupation specified by the Minister in an instrument in writing for sub-subparagraph 2.72(10)(d)(ii)(B).
- NOTE 2: Subparagraph 2.72(10)(d)(iii) provides that, for an application for the approval of a nomination made before 1 July 2010, by a standard business sponsor, if the person lawfully operates a business in Australia, the Minister must be satisfied that the person has certified as part of the nomination, in writing, that the nominated occupation is an occupation specified by the Minister in an instrument in writing for sub-subparagraph 2.72(10)(d)(iii)(B).
- NOTE 3: Subparagraph 2.72(10)(e)(ii) provides that for an application for the approval of a nomination on or after 1 July 2010, by a standard business sponsor, if the person is lawfully operating a business outside Australia but does not lawfully operate a business in Australia, the Minister must be satisfied that the person has certified as part of the nomination, in writing, that the nomination occupation is an occupation specified by the Minister in an instrument in writing for sub-subparagraph 2.72(10)(e)(ii)(B).
- NOTE 4: Subparagraph 2.72(10)(e)(iii) provides that for an application for the approval of a nomination made on or after 1 July 2010, by a standard business sponsor, if the person lawfully operates a business in Australia, the Minister must be satisfied that the person has certified as part of the nomination, in writing, that the nominated occupation is an occupation specified by the Minister in an instrument in writing for sub-subparagraph 2.72(10)(e)(iii)(B).
- NOTE 5: Subregulation 2.86(2B) provides that if the Minister specifies an occupation in an instrument in writing, a primary sponsored person may be engaged in that occupation as an independent contractor by the approved sponsor or an associated entity of the approved sponsor.
- NOTE 6: Paragraph 457.223(4)(ba) provides that if the business activities of the person who made the approved nomination include activities relating to either or both of the recruitment of labour for supply to other unrelated businesses or the hiring of labour to other unrelated businesses, the Minister must be satisfied that either the occupation must be undertaken in a position with a business, or associated entity, of the person who made the approved nomination, or the occupation is specified by the Minister in an instrument in writing for subparagraph 457.223(4)(ba)(iv).

Schedule

Column 1		Column 2	
Occupation	ASCO Code	Occupation	ANZSCO Code
General Manager	1112-11	Chief Executive or Managing Director	111111
General Medical Practitioner	2311-11	Corporate General Manager	111211
Medical Practitioner in Training	2311-81	General Medical Practitioner	253111
Anaesthetist	2312-11	Resident Medical Officer	253112
Dermatologist	2312-13	Anaesthetist	253211
Emergency Medicine Specialist	2312-15	Specialist Physician (General Medicine)	253311
Obstetrician and Gynaecologist	2312-17	Cardiologist	253312
Ophthalmologist	2312-19	Clinical Haematologist	253313
Paediatrician	2312-21	Medical Oncologist	253314
Pathologist	2312-23	Endocrinologist	253315
Specialist Physician	2312-25	Gastroenterologist	253316
Psychiatrist	2312-27	Intensive Care Specialist	253317
Radiologist	2312-29	Neurologist	253318
Surgeon	2312-31	Paediatrician	253321
Specialist Medical Practitioners nec	2312-79	Paediatrician	253321
		Renal Medicine Specialist	253322
		Rheumatologist	253323
		Thoracic Medicine Specialist	253324
		Specialist Physician nec	253399
		Psychiatrist	253411
		Surgeon (General)	253511
		Cardiothoracic Surgeon	253512
		Neurosurgeon	253513
		Orthopaedic Surgeon	253514
		Otorhinolaryngologist	253515
		Paediatric Surgeon	253516
		Plastic and Reconstructive Surgeon	253517
		Urologist	253518
		Vascular Surgeon	253521
		Dermatologist	253911
		Emergency Medicine Specialist	253912
		Obstetrician and Gynaecologist	253913
		Ophthalmologist	253914
		Pathologist	253915
		Diagnostic and Interventional Radiologist	253917
		Radiation Oncologist	253918
		Medical Practitioners nec	253999

Schedule (Continued)

In this Instrument:

1. *ANZSCO* means, under regulation 1.03 of the Regulations, the Australian and New Zealand Standard Classification of Occupations published by the Australian Bureau of Statistics as current on 1 July 2010. This is the ANZSCO - First Edition, Revision 1 (ABS Catalogue No. 1220.0) and is available online at <http://www.abs.gov.au>.
2. *ASCO* means, under regulation 1.03 of the Regulations, the Australian Standard Classification of Occupations, published by the Australian Bureau of Statistics on 31 July 1997. This is the ASCO - Second Edition (ABS Catalogue No. 1220.0) and is available online at <http://www.abs.gov.au>.
3. *nec* means “not elsewhere classified”.