

EXPLANATORY STATEMENT

Migration Regulations 1994

DEFINITION OF CHEMICALS OF SECURITY CONCERN

(Subclauses 8551(2) and 8560(2))

1. This Instrument is made under subclauses 8551(2) and 8560(2) of the *Migration Regulations 1994* ('the Regulations').
2. Subclauses 8551(2) and 8560(2) of the Regulations provide that chemicals of security concern means chemicals specified by the Minister in an instrument in writing.
3. The purpose of the Instrument is to specify chemicals that are of security concern that have been identified by the Council of Australian Governments.
4. The instrument operates to require that eligible non-citizens who hold a subclass 070 Bridging visa must obtain approval from the Minister before:
 - taking up employment in an occupation that involves the use of, or access to, chemicals of security concern, OR
 - acquiring chemicals of security concern
5. Consultation was undertaken with the Security Law Branch in the Australian Attorney-General's Department to identify the correct list of chemicals of security concern identified by the Council of Australian Governments for use in this instrument.
6. The Office of Best Practice Regulation has advised that a Regulatory Impact Statement is not required (OBPR Reference15067).
7. Under section 44 of the *Legislative Instruments Act 2003* the Instrument is exempt from disallowance and therefore a Human Rights Statement of Compatibility is not required.
8. The instrument, IMMI 13/083, commences on 1 July 2013.