

## **EXPLANATORY STATEMENT**

### *Migration Regulations 1994*

(Schedule 4, Part 4, Clause 4.1)

#### **CODE OF BEHAVIOUR FOR PUBLIC INTEREST CRITERION 4022**

1. This Instrument is made under Clause 4.1 of Part 4 to Schedule 4 of the *Migration Regulations 1994* ('the Regulations').
2. Clause 4.1 of Part 4 to Schedule 4 of the Regulations provides that for public interest criterion 4022, the Minister must, by instrument in writing, approve one or more codes of behaviour for the subclasses of visas specified in the instrument.
3. The purpose of the Instrument is to specify the wording of a code of behaviour that an applicant must sign, to meet the requirements of public interest criterion 4022. This includes expectations relating to
  - compliance with the laws of Australia;
  - values that are important to Australian society; and
  - co-operation with the department in regard to the resolution of an applicant's status.
4. The Instrument operates to specify, for applicants seeking to satisfy the criteria for the grant of a Subclass 050 Bridging (General) visa, the required wording of the code of behaviour.
5. The Department of Prime Minister and Cabinet, Attorney General's Department and the Australian Federal Police have been consulted in relation to the content of the code of behaviour. Other external agencies were consulted as part of a mutual obligations submission. In addition, extensive consultation has been undertaken with relevant internal stakeholders.
6. The Office of Best Practice Regulation has advised that a Regulation Impact Statement is not required (OBPR Reference 16239).
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. This Instrument number IMMI 13/155, commences on 14 December 2014, immediately after the commencement of *Migration Amendment (Bridging Visas – Code of Behaviour) Regulation 2013*.