

**EXPLANATORY STATEMENT***Migration Regulations 1994***ARRANGEMENTS FOR WORK AND HOLIDAY AND WORKING HOLIDAY****VISA APPLICATIONS 2016/056***(Items 1224A and 1225 and paragraphs 462.221(c))*

1. Instrument IMMI 16/056 is made under subregulation 2.07(5) of the *Migration Regulations 1994* (the Regulations), for Items 1224A and 1225 of Schedule 1 to the Regulations and paragraph 462.221(c) of Schedule 2 to the Regulations.
2. The Instrument revokes IMMI 15/146 (F2015L02082) under subsection 33(3) of the *Acts Interpretation Act 1901*, which states where an Act confers a power to make, grant or issue any instrument of a legislative or administrative character, the power shall be construed as including a power exercisable in the like manner and subject to the like conditions (if any) to repeal, rescind, revoke, amend, or vary any such instrument.
3. The purpose of the Instrument is:
  - a. to include the state of Israel as a country that is considered to be a work and holiday visa eligible country;
  - b. to include the educational qualifications relevant to applicants of the state of Israel;
  - c. to specify for applicants of the state of Israel the address to which an applicant must be made for making a valid application for work and holiday (Subclass 462) visa.
4. The Instrument operates to:
  - a. specify education qualifications applicable to an applicant lodging a Work and Holiday (subclass 462) visa application;
  - b. specify the address which an application must be made for making a valid application for a Work and Holiday (Subclass 462) visa;
  - c. specify that applicants holding a passport issued by the state of Israel are a class of persons who do not have to provide evidence of government support for the grant of a Work and Holiday (subclass 462) visa.

5. Consultation was undertaken before the instrument was made with the Government of the state of Israel.
6. The Office of Best Practice Regulation (OBPR) has advised that a Regulatory Impact Statement is not required (OBPR Reference 17867)
7. The Senior Executive Service, Band one, Temporary Visa Programme Branch was delegated the powers contained in subitem 1224A(1) of Schedule 1 and Paragraph 462.221(c) of Schedule to the Regulations in Instrument of Delegation DEL 16/007, signed on 18 March 2016.
8. Under section 10 of the *Legislation (Exemptions and Other Matters) Regulation 2015*, the Instrument is exempt from disallowance and therefore a Statement of Compatibility with Human Rights is not required.
9. The Instrument commences on 1 June 2016