

Migration (IMMI 17/060: Specification of Occupations—Subclass 457 Visa) Instrument 2017

I, Peter Dutton, Minister for Immigration and Border Protection, make the following instrument.

Dated 28 June 2017

The Hon Peter Dutton MP Minister for Immigration and Border Protection



Contents

Part 1—Prelim	inary	1
1	Name	1
2	Commencement	1
3	Authority	1
4	Definitions	1
Part 2—Specifi	cation of occupations	3
5	Specification of occupations	3
6	Medium and Long-term Strategic Skills List	3
7	Short-term Skilled Occupation List	9
8	Certain occupations not applicable to persons who are to work in certain	
	positions	16
Part 3—Transi	tional provisions	18
Q	Application of this instrument	18



Part 1—Preliminary

1 Name

- (1) This instrument is the *Migration (IMMI 17/060: Specification of Occupations—Subclass 457 Visa) Instrument 2017.*
- (2) This instrument may be cited as IMMI 17/060.

2 Commencement

(1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information				
Column 1 Column 2 Column 3				
Provisions	Commencement	Date/Details		
1. The whole of this instrument	1 July 2017.	1 July 2017		

Note:

This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

(2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under paragraph 2.72(10)(aa) of the *Migration Regulations 1994*.

4 Definitions

Note:

A number of expressions used in this instrument are defined in the Regulations, including the following:

- (a) ANZSCO;
- (b) AUD.

In this instrument:

international trade obligation means an obligation of Australia under international law that relates to international trade, including such an obligation that arises under any agreement between Australia and another country, or other countries.

limited service restaurant includes the following:

- (a) a fast food or takeaway food service;
- (b) a fast casual restaurant;

- (c) a drinking establishment that offers only a limited food service;
- (d) a limited service cafe, including a coffee shop or mall cafe;
- (e) a limited service pizza restaurant.

Medium and Long-term Strategic Skills List means the table in section 6.

nec is short for not elsewhere classified.

Regulations means the Migration Regulations 1994.

Short-term Skilled Occupation List means the table in section 7.

university lecturer includes a research associate or research fellow in a university.

Part 2—Specification of occupations

5 Specification of occupations

For the purposes of paragraph 2.72(10)(aa) of the Regulations:

- (a) an occupation and its corresponding 6-digit code mentioned in the Medium and Long-term Strategic Skills List or the Short-term Skilled Occupation List is specified; and
- (b) the occupation is applicable to any person, subject to section 8 of this instrument.

6 Medium and Long-term Strategic Skills List

The following table is the Medium and Long-term Strategic Skills List.

Item	Column 1	Column 2	Column 3
	Occupation	ANZSCO code	Inapplicability conditions (see section 8)
1	chief executive or managing director	111111	5
2	corporate general manager	111211	5
3	construction project manager	133111	
4	engineering manager	133211	
5	child care centre manager	134111	
6	nursing clinical director	134212	
7	primary health organisation manager	134213	
8	welfare centre manager	134214	
9	faculty head	134411	
10	chief information officer	135111	
11	environmental manager	139912	
12	musician (instrumental)	211213	
13	accountant (general)	221111	6, 19, 21
14	management accountant	221112	
15	taxation accountant	221113	6
16	external auditor	221213	
17	internal auditor	221214	
18	actuary	224111	
19	statistician	224113	
20	economist	224311	
21	land economist	224511	
22	valuer	224512	

Medium and Long-term Strategic Skills List			
Item	Column 1 Occupation	Column 2 ANZSCO code	Column 3 Inapplicability conditions (see section 8)
23	architect	232111	
24	landscape architect	232112	
25	surveyor	232212	
26	cartographer	232213	
27	other spatial scientist	232214	
28	chemical engineer	233111	
29	materials engineer	233112	
30	civil engineer	233211	
31	geotechnical engineer	233212	
32	quantity surveyor	233213	
33	structural engineer	233214	
34	transport engineer	233215	
35	electrical engineer	233311	
36	electronics engineer	233411	
37	industrial engineer	233511	
38	mechanical engineer	233512	
39	production or plant engineer	233513	
40	mining engineer (excluding petroleum)	233611	
41	petroleum engineer	233612	
42	aeronautical engineer	233911	
43	agricultural engineer	233912	
44	biomedical engineer	233913	
45	engineering technologist	233914	
46	environmental engineer	233915	
47	naval architect	233916	
48	engineering professionals (nec)	233999	
49	agricultural consultant	234111	
50	agricultural scientist	234112	
51	forester	234113	
52	chemist	234211	
53	food technologist	234212	
54	environmental consultant	234312	
55	environmental research scientist	234313	
56	environmental scientists (nec)	234399	
57	geophysicist	234412	
58	hydrogeologist	234413	
59	life scientist (general)	234511	

Migration (IMMI 17/060: Specification of Occupations—Subclass 457 Visa)
Instrument 2017

Medium and Long-term Strategic Skills List			
Item	Column 1 Occupation	Column 2 ANZSCO code	Column 3 Inapplicability conditions (see section 8)
60	biochemist	234513	
61	biotechnologist	234514	
62	botanist	234515	
63	marine biologist	234516	
64	microbiologist	234517	
65	zoologist	234518	
66	life scientists (nec)	234599	
67	medical laboratory scientist	234611	
68	veterinarian	234711	
69	conservator	234911	
70	metallurgist	234912	
71	meteorologist	234913	
72	physicist	234914	
73	natural and physical science professionals (nec)	234999	
74	early childhood (pre-primary school) teacher	241111	
75	secondary school teacher	241411	
76	special needs teacher	241511	
77	teacher of the hearing impaired	241512	
78	teacher of the sight impaired	241513	
79	special education teachers (nec)	241599	
80	university lecturer	242111	1
81	medical diagnostic radiographer	251211	
82	medical radiation therapist	251212	
83	nuclear medicine technologist	251213	
84	sonographer	251214	
85	optometrist	251411	
86	orthotist or prosthetist	251912	
87	chiropractor	252111	
88	osteopath	252112	
89	occupational therapist	252411	
90	physiotherapist	252511	
91	podiatrist	252611	
92	audiologist	252711	
93	speech pathologist	252712	
94	general practitioner	253111	
95	specialist physician (general medicine)	253311	
96	cardiologist	253312	

Medium and Long-term Strategic Skills List			
Item	Column 1 Occupation	Column 2 ANZSCO code	Column 3 Inapplicability conditions (see section 8)
97	clinical haematologist	253313	
98	medical oncologist	253314	
99	endocrinologist	253315	
100	gastroenterologist	253316	
101	intensive care specialist	253317	
102	neurologist	253318	
103	paediatrician	253321	
104	renal medicine specialist	253322	
105	rheumatologist	253323	
106	thoracic medicine specialist	253324	
107	specialist physicians (nec)	253399	
108	psychiatrist	253411	
109	surgeon (general)	253511	
110	cardiothoracic surgeon	253512	
111	neurosurgeon	253513	
112	orthopaedic surgeon	253514	
113	otorhinolaryngologist	253515	
114	paediatric surgeon	253516	
115	plastic and reconstructive surgeon	253517	
116	urologist	253518	
117	vascular surgeon	253521	
118	dermatologist	253911	
119	emergency medicine specialist	253912	
120	obstetrician and gynaecologist	253913	
121	ophthalmologist	253914	
122	pathologist	253915	
123	diagnostic and interventional radiologist	253917	
124	radiation oncologist	253918	
125	medical practitioners (nec)	253999	
126	midwife	254111	
127	nurse practitioner	254411	
128	registered nurse (aged care)	254412	
129	registered nurse (child and family health)	254413	
130	registered nurse (community health)	254414	
131	registered nurse (critical care and emergency)	254415	
132	registered nurse (developmental disability)	254416	
133	registered nurse (disability and rehabilitation)	254417	

Mediu	ım and Long-term Strategic Skills List		
Item	Column 1 Occupation	Column 2 ANZSCO code	Column 3 Inapplicability conditions (see section 8)
134	registered nurse (medical)	254418	
135	registered nurse (medical practice)	254421	
136	registered nurse (mental health)	254422	
137	registered nurse (perioperative)	254423	
138	registered nurse (surgical)	254424	
139	registered nurse (paediatrics)	254425	
140	registered nurses (nec)	254499	
141	ICT business analyst	261111	
142	systems analyst	261112	
143	multimedia specialist	261211	
144	analyst programmer	261311	
145	developer programmer	261312	
146	software engineer	261313	
147	software and applications programmers (nec)	261399	
148	ICT security specialist	262112	
149	computer network and systems engineer	263111	
150	telecommunications engineer	263311	
151	telecommunications network engineer	263312	
152	barrister	271111	
153	solicitor	271311	
154	clinical psychologist	272311	
155	educational psychologist	272312	
156	organisational psychologist	272313	
157	psychologists (nec)	272399	
158	social worker	272511	
159	civil engineering draftsperson	312211	
160	civil engineering technician	312212	
161	electrical engineering draftsperson	312311	
162	electrical engineering technician	312312	
163	radio communications technician	313211	
164	telecommunications field engineer	313212	
165	telecommunications technical officer or technologist	313214	
166	automotive electrician	321111	
167	motor mechanic (general)	321211	
168	diesel motor mechanic	321212	
169	motorcycle mechanic	321213	
170	small engine mechanic	321214	

Mediu	ım and Long-term Strategic Skills List		
Item	Column 1 Occupation	Column 2 ANZSCO code	Column 3 Inapplicability conditions (see section 8)
171	sheetmetal trades worker	322211	
172	metal fabricator	322311	
173	welder (first class)	322313	
174	fitter (general)	323211	
175	fitter and turner	323212	
176	fitter-welder	323213	
177	metal machinist (first class)	323214	
178	locksmith	323313	
179	panelbeater	324111	
180	bricklayer	331111	
181	stonemason	331112	
182	carpenter and joiner	331211	
183	carpenter	331212	
184	joiner	331213	
185	painting trades worker	332211	
186	glazier	333111	
187	fibrous plasterer	333211	
188	solid plasterer	333212	
189	wall and floor tiler	333411	
190	plumber (general)	334111	
191	airconditioning and mechanical services plumber	334112	
192	drainer	334113	
193	gasfitter	334114	
194	roof plumber	334115	
195	electrician (general)	341111	
196	electrician (special class)	341112	
197	lift mechanic	341113	
198	airconditioning and refrigeration mechanic	342111	
199	technical cable jointer	342212	
200	electronic equipment trades worker	342313	
201	electronic instrument trades worker (general)	342314	
202	electronic instrument trades worker (special class)	342315	
203	chef	351311	7, 8
204	horse trainer	361112	., ~
205	cabinetmaker	394111	
206	boat builder and repairer	399111	
207	shipwright	399112	

7 Short-term Skilled Occupation List

The following table is the Short-term Skilled Occupation List.

Item	Column 1	Column 2	Column 3
	Occupation	ANZSCO code	Inapplicability conditions (see section 8)
1	aquaculture farmer	121111	9, 10
2	cotton grower	121211	9, 10
3	flower grower	121212	9, 10
4	fruit or nut grower	121213	9, 10
5	grain, oilseed or pasture grower (Aus) / field crop grower (NZ)	121214	9, 10
6	grape grower	121215	9, 10
7	mixed crop farmer	121216	9, 10
8	sugar cane grower	121217	9, 10
9	vegetable grower (Aus) / market gardener (NZ)	121221	9, 10
10	crop farmers (nec)	121299	9, 10
11	apiarist	121311	9, 10
12	beef cattle farmer	121312	9, 10
13	dairy cattle farmer	121313	9, 10
14	horse breeder	121316	9, 10
15	mixed livestock farmer	121317	9, 10
16	pig farmer	121318	9, 10
17	poultry farmer	121321	9, 10
18	sheep farmer	121322	9, 10
19	livestock farmers (nec)	121399	9, 10
20	mixed crop and livestock farmer	121411	9, 10
21	sales and marketing manager	131112	3, 11, 20
22	advertising manager	131113	
23	corporate services manager	132111	4, 20, 22
24	finance manager	132211	1
25	human resource manager	132311	
26	research and development manager	132511	
27	manufacturer	133411	
28	production manager (forestry)	133511	10
29	production manager (manufacturing)	133512	
30	production manager (mining)	133513	
31	supply and distribution manager	133611	3, 11, 19
32	health and welfare services managers (nec)	134299	
33	school principal	134311	

Short-	term Skilled Occupation List		
Item	Column 1 Occupation	Column 2 ANZSCO code	Column 3 Inapplicability conditions (see section 8)
34	education managers (nec)	134499	
35	ICT project manager	135112	1
36	ICT managers (nec)	135199	
37	arts administrator or manager	139911	
38	laboratory manager	139913	
39	quality assurance manager	139914	
40	specialist managers (nec) except:	139999	
	(a) ambassador; or		
	(b) archbishop; or		
	(c) bishop		
41	cafe or restaurant manager	141111	8
42	hotel or motel manager	141311	9
43	accommodation and hospitality managers (nec)	141999	
44	hair or beauty salon manager	142114	13, 21
45	post office manager	142115	10
46	fitness centre manager	149112	10
47	sports centre manager	149113	10
48	customer service manager	149212	2, 11, 19
49	conference and event organiser	149311	2, 19
50	transport company manager	149413	9, 19, 21
51	facilities manager	149913	14
52	dancer or choreographer	211112	
53	music director	211212	
54	music professionals (nec)	211299	
55	photographer	211311	
56	visual arts and crafts professionals (nec)	211499	
57	artistic director	212111	
58	book or script editor	212212	
59	director (film, television, radio or stage)	212312	
60	film and video editor	212314	
61	program director (television or radio)	212315	
62	stage manager	212316	
63	technical director	212317	
64	video producer	212318	
65	copywriter	212411	
66	newspaper or periodical editor	212412	
67	print journalist	212413	

	term Skilled Occupation List		
Item	Column 1 Occupation	Column 2 ANZSCO code	Column 3 Inapplicability conditions (see section 8)
68	technical writer	212415	
69	television journalist	212416	
70	journalists and other writers (nec)	212499	
71	company secretary	221211	
72	commodities trader	222111	
73	finance broker	222112	
74	insurance broker	222113	
75	financial brokers (nec)	222199	
76	financial market dealer	222211	
77	stockbroking dealer	222213	
78	financial dealers (nec)	222299	
79	financial investment adviser	222311	
80	financial investment manager	222312	
81	recruitment consultant	223112	2, 19, 21
82	ICT trainer	223211	
83	mathematician	224112	
84	gallery or museum curator	224212	
85	health information manager	224213	
86	records manager	224214	
87	librarian	224611	
88	management consultant	224711	19, 21
89	organisation and methods analyst	224712	
90	patents examiner	224914	
91	information and organisation professionals (nec)	224999	1
92	advertising specialist	225111	1
93	marketing specialist	225113	2, 11, 19
94	ICT account manager	225211	
95	ICT business development manager	225212	
96	ICT sales representative	225213	
97	public relations professional	225311	
98	technical sales representatives (nec) including education sales representatives	225499	2, 15
99	aeroplane pilot	231111	10
100	flying instructor	231113	10
101	helicopter pilot	231114	10
102	fashion designer	232311	
103	industrial designer	232312	

Short-	Short-term Skilled Occupation List		
Item	Column 1 Occupation	Column 2 ANZSCO code	Column 3 Inapplicability conditions (see section 8)
104	jewellery designer	232313	
105	graphic designer	232411	1
106	illustrator	232412	
107	web designer	232414	
108	interior designer	232511	
109	urban and regional planner	232611	
110	wine maker	234213	10
111	geologist	234411	
112	primary school teacher	241213	
113	middle school teacher (Aus) / intermediate school teacher (NZ)	241311	
114	education adviser	249111	
115	art teacher (private tuition)	249211	
116	dance teacher (private tuition)	249212	
117	music teacher (private tuition)	249214	
118	private tutors and teachers (nec)	249299	
119	teacher of English to speakers of other languages	249311	
120	dietitian	251111	
121	nutritionist	251112	
122	occupational health and safety adviser	251312	
123	orthoptist	251412	
124	hospital pharmacist	251511	
125	industrial pharmacist	251512	
126	retail pharmacist	251513	
127	health promotion officer	251911	
128	health diagnostic and promotion professionals (nec)	251999	
129	acupuncturist	252211	
130	naturopath	252213	
131	traditional Chinese medicine practitioner	252214	
132	complementary health therapists (nec)	252299	
133	dental specialist	252311	
134	dentist	252312	
135	resident medical officer	253112	
136	anaesthetist	253211	
137	nurse educator	254211	
138	nurse researcher	254212	
139	nurse manager	254311	

Short-term Skilled Occupation List			
Item	Column 1 Occupation	Column 2 ANZSCO code	Column 3 Inapplicability conditions (see section 8)
140	web developer		1
141	software tester	261314	1
142	database administrator	262111	
143	systems administrator	262113	
144	network administrator	263112	
145	network analyst	263113	
146	ICT quality assurance engineer	263211	
147	ICT support engineer	263212	1
148	ICT systems test engineer	263213	1
149	ICT support and test engineers (nec)	263299	
150	judicial and other legal professionals (nec)	271299	
151	careers counsellor	272111	
152	drug and alcohol counsellor	272112	
153	family and marriage counsellor	272113	
154	rehabilitation counsellor	272114	
155	student counsellor	272115	
156	counsellors (nec)	272199	
157	interpreter	272412	
158	social professionals (nec)	272499	
159	recreation officer	272612	
160	welfare worker	272613	
161	agricultural technician	311111	10
162	anaesthetic technician	311211	
163	cardiac technician	311212	
164	medical laboratory technician	311213	
165	pharmacy technician	311215	
166	medical technicians (nec)	311299	
167	meat inspector	311312	
168	primary products inspectors (nec)	311399	10
169	chemistry technician	311411	
170	earth science technician	311412	
171	life science technician	311413	
172	science technicians (nec)	311499	
173	architectural draftsperson	312111	
174	building associate	312112	
175	building inspector	312113	
176	architectural, building and surveying technicians (nec)	312199	

	Short-term Skilled Occupation List			
Item	Column 1 Occupation	Column 2 ANZSCO code	Column 3 Inapplicability conditions (see section 8)	
177	mechanical engineering technician	312512	16	
178	metallurgical or materials technician	312912		
179	mine deputy	312913		
180	hardware technician	313111		
181	ICT customer support officer	313112		
182	web administrator	313113		
183	ICT support technicians (nec)	313199		
184	farrier	322113		
185	aircraft maintenance engineer (avionics)	323111		
186	aircraft maintenance engineer (mechanical)	323112		
187	aircraft maintenance engineer (structures)	323113		
188	textile, clothing and footwear mechanic	323215		
189	metal fitters and machinists (nec)	323299		
190	precision instrument maker and repairer	323314		
191	watch and clock maker and repairer	323316		
192	toolmaker	323412		
193	vehicle body builder	324211		
194	vehicle trimmer	324212		
195	roof tiler	333311		
196	business machine mechanic	342311		
197	cabler (data and telecommunications)	342411		
198	telecommunications linesworker	342413		
199	baker	351111	17	
200	pastrycook	351112	17	
201	butcher or smallgoods maker	351211		
202	cook	351411	7, 8	
203	dog handler or trainer	361111		
204	animal attendants and trainers (nec)	361199	18	
205	veterinary nurse	361311		
206	florist	362111		
207	gardener (general)	362211		
208	arborist	362212		
209	landscape gardener	362213		
210	greenkeeper	362311		
211	hairdresser	391111	1	
212	print finisher	392111		
213	printing machinist	392311		

Short-term Skilled Occupation List				
Item	Column 1 Occupation	Column 2 ANZSCO code	Column 3 Inapplicability conditions (see section 8)	
214	dressmaker or tailor	393213		
215	upholsterer	393311		
216	furniture finisher	394211		
217	wood machinist	394213		
218	wood machinists and other wood trades workers (nec)	394299		
219	chemical plant operator	399211		
220	power generation plant operator	399213		
221	library technician	399312		
222	jeweller	399411		
223	camera operator (film, television or video)	399512		
224	make up artist	399514		
225	sound technician	399516		
226	performing arts technicians (nec)	399599		
227	signwriter	399611		
228	ambulance officer	411111		
229	intensive care ambulance paramedic	411112		
230	dental technician	411213		
231	diversional therapist	411311		
232	enrolled nurse	411411		
233	massage therapist	411611	12	
234	community worker	411711		
235	disabilities services officer	411712		
236	family support worker	411713		
237	residential care officer	411715		
238	youth worker	411716		
239	diving instructor (open water)	452311		
240	gymnastics coach or instructor	452312		
241	horse riding coach or instructor	452313		
242	snowsport instructor	452314		
243	swimming coach or instructor	452315		
244	tennis coach	452316		
245	other sports coach or instructor	452317		
246	sports development officer	452321		
247	footballer	452411		
248	sportspersons (nec)	452499		
249	contract administrator	511111	1	
250	program or project administrator	511112	-	

Item	Column 1	Column 2	Column 3
	Occupation	ANZSCO code	Inapplicability conditions (see section 8)
251	insurance loss adjuster	599612	·
252	insurance agent	611211	
253	retail buyer	639211	11

8 Certain occupations not applicable to persons who are to work in certain positions

For the purposes of paragraph 2.72(10)(aa) of the Regulations, an occupation is not applicable to a person if:

- (a) the occupation is mentioned in column 1 of an item of the Medium and Long-term Strategic Skills List or the Short-term Skilled Occupation List; and
- (b) column 3 (inapplicability conditions) of that item mentions one or more numbers; and
- (c) the item of the following table with that number, or an item of the following table with one of those numbers, applies to the position in which the person is to work.

Positio	ons for which o	ecupation is inapplicable	
Item	Position		
1	The position of	loes not require a minimum of 2 years' relevant work experience.	
2	The position has a nominated base salary of less than AUD65,000.		
3	(a) the position has a nominated base salary of less than AUD65,000; and		
		on is to be transferred to fill the position—the transfer is not an intra-corporate which an international trade obligation applies.	
4	(a) the position	n has a nominated base salary of less than AUD80,000; and	
	· /	on is to be transferred to fill the position—the transfer is not an intra-corporate which an international trade obligation applies.	
5	(a) the position has a nominated base salary of less than AUD180,001; and		
	· /	on is to be transferred to fill the position—the transfer is not an intra-corporate which an international trade obligation applies.	
6	The position is a clerical, bookkeeper or accounting clerk position.		
7	The position is involved in mass production in a factory setting.		
8	The position is in a limited service restaurant.		
9	The position predominantly involves responsibility for low-skilled tasks.		
	Example 1:	Rostering, maintaining records, reception duties and allocating duties to housekeepers, porters or doorpersons.	
	Example 2:	Fruit picking or packing or feeding of livestock or animals.	
	Example 3:	Truck driving.	
10	The position i	s not located in regional Australia (within the meaning of	

Positio	ons for which occupation is inapplicable	
Item	Position	
	subregulation 5.19(7) of the Regulations).	
11	The position:	
	(a) is based in a front-line retail setting; or	
	(b) predominantly involves direct client transactional interaction on a regular basis.	
12	The position:	
	(a) is not a full-time position; or	
	(b) is not based in a therapeutic setting; or	
	(c) involves the provision of non-medical relaxation massage; or	
	(d) is not in a retail setting.	
13	The position predominantly involves hairdressing or beauty therapy related non-managerial tasks.	
14	The position:	
	(a) is not located in a commercial building or shopping centre environment; or	
	(b) predominantly involves managing the provision of only one particular service to a facility or managing one particular relationship.	
	Example: Managing the cleaning contract for a facility but not other contracts relevant to the facility.	
15	The position:	
	(a) is based in a front-line retail setting; or	
	(b) is based in a call centre and does not require a significant technical knowledge of products; or	
	(c) predominantly involves selling educational courses to individual students.	
16	The position relates to mobile phone repairs.	
17	The position relates to mass or standardised production (as opposed to specialist production), including the following:	
	(a) a position based in a franchise or factory;	
	 (b) a position that: (i) involves full or partial production of food product for distribution to another location; or (ii) predominantly involves the use of pre-prepared food product from another 	
10	location. The position relates to enimal hydrogram including earing for livesteek on a form	
18	The position relates to animal husbandry, including caring for livestock on a farm.	
19	The position is in a business that has an annual turnover of less than AUD1,000,000. (a) the position is in a business that has an annual turnover of less than AUD1,000,000; and	
20	(a) the position is in a business that has an annual turnover of less than AOD1,000,000, and (b) if the person is to be transferred to fill the position—the transfer is not an intra-corporate transfer to which an international trade obligation applies.	
21	The position is in a business that has fewer than 5 employees.	
22	(a) the position is in a business that has fewer than 5 employees; and	
	(b) if the person is to be transferred to fill the position—the transfer is not an intra-corporate transfer to which an international trade obligation applies.	

Part 3—Transitional provisions

9 Application of this instrument

This instrument applies in relation to nominations of occupations:

- (a) made on or after 1 July 2017; or
- (b) made and not finally determined before 1 July 2017; regardless of whether, for a nomination in relation to an applicant for a visa, the application was made before, on or after 1 July 2017.