



Migration (IMMI 17/109: Determination of International Trade Obligations Relating to Labour Market Testing) Instrument 2017

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

Dated 22 November 2017

THE HON PETER DUTTON MP
Minister for Immigration and Border Protection

Contents

Part 1 - Preliminary	1
1 Name	1
2 Commencement.....	1
3 Authority	1
4 Definitions.....	1
5 Schedules.....	1
Part 2 - Determination of international trade obligations relating to labour market testing	2
6 International trade obligations with which it would be inconsistent to require labour market testing	2
Schedule 1—Repeals	3
<i>DETERMINATION OF INTERNATIONAL TRADE OBLIGATIONS RELATING TO LABOUR MARKET TESTING (F2014L01510)</i>	3
<i>JAPAN AUSTRALIA ECONOMIC PARTNERSHIP AGREEMENT DETERMINATION 2014 (F2014L01676)</i>	3
<i>DETERMINATION OF INTERNATIONAL TRADE OBLIGATIONS RELATING TO LABOUR MARKET TESTING 2015 (F2015L01940)</i>	3

Part 1 – Preliminary

1 Name

This instrument is the *Migration (IMMI 17/109: Determination of International Trade Obligations relating to Labour Market Testing) Instrument 2017*. It may be cited as IMMI 17/109.

2 Commencement

This instrument commences immediately following the commencement of Schedule 1 to the *Customs Amendment (Singapore-Australia Free Trade Agreement Amendment Implementation) Act 2017*.

3 Authority

This instrument is made under subsection 140GBA(2) of the Act.

4 Definitions

In this instrument:

Act means *Migration Act 1958*.

ASEAN means *Association of Southeast Asian Nations*

5 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Part 2 – Determination of international trade obligations relating to labour market testing

6 International trade obligations with which it would be inconsistent to require labour market testing

- (1) For the purposes of subsection 140GBA(1)(c) of the Act, the imposition of labour market testing would be inconsistent with Australia's international trade obligations arising from the following international trade agreements:
- a. the Protocol on Trade in Services to the Australia-New Zealand Closer Economic Relations Trade Agreement;
 - b. the General Agreement on Trade in Services at Annex 1B to the Marrakesh Agreement Establishing the World Trade Organization;
 - c. the Singapore-Australia Free Trade Agreement;
 - d. the Thailand-Australia Free Trade Agreement;
 - e. the Australia-Chile Free Trade Agreement;
 - f. the ASEAN-Australia-New Zealand Free Trade Agreement;
 - g. the Malaysia-Australia Free Trade Agreement;
 - h. the Korea-Australia Free Trade Agreement;
 - i. the Japan-Australia Economic Partnership Agreement; and
 - j. the China-Australia Free Trade Agreement.

Schedule 1 – Repeals

DETERMINATION OF INTERNATIONAL TRADE OBLIGATIONS RELATING TO LABOUR MARKET TESTING (F2014L01510)

1 The whole of the instrument

Repeal the instrument.

JAPAN AUSTRALIA ECONOMIC PARTNERSHIP AGREEMENT DETERMINATION 2014 (F2014L01676)

2 The whole of the instrument

Repeal the instrument.

DETERMINATION OF INTERNATIONAL TRADE OBLIGATIONS RELATING TO LABOUR MARKET TESTING 2015 (F2015L01940)

3 The whole of the instrument

Repeal the instrument.