



Migration (IMMI 18/059: Period within which labour market testing is required to be undertaken) Instrument 2018

I, Alan Tudge, Minister for Citizenship and Multicultural Affairs, make the following instrument.

Dated 15 March 2018

Alan Tudge

The Hon Alan Tudge MP
Minister for Citizenship and Multicultural Affairs

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Part 1 – Preliminary

1 Name

- (1) This instrument is the *Migration (IMMI 18/059: Period within which labour market testing is required to be undertaken) Instrument 2018*.
- (2) This instrument may be cited as IMMI 18/059.

2 Commencement

This instrument commences on 18 March 2018.

3 Authority

This instrument is made under subsection 140GBA(4) of the *Migration Act 1958*.

4 Definitions

In this instrument:

Act means the *Migration Act 1958*.

5 Schedules

Each instrument that is specified in a Schedule to this instrument is repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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 – Period within which labour market testing is required to be undertaken

6 Period within which labour market testing is required to be undertaken

For the purposes of paragraph 140GBA(3)(a) of the Act, the period within which labour market testing is required to be undertaken in relation to a nominated occupation is:

- (a) for a nomination application lodged on or after 18 March 2018 and before 18 June 2018 – the 12 month period immediately before the nomination application form is lodged.
- (b) for a nomination application lodged on or after 18 June 2018 – the 6 month period immediately before the nomination application form is lodged.

Note: Subsection 140GBA(4A) of the Act establishes the requirements for labour market testing where there have been redundancies or retrenchments as mentioned in subparagraph 140GBA(3)(b)(ii) of the Act.

Schedule 1—Repeals

SPECIFIED PERIOD IN WHICH LABOUR MARKET TESTING MUST BE UNDERTAKEN – IMMI 13/136 (F2013L01953)

1 The whole of the instrument

Repeal the instrument.