

EXPLANATORY STATEMENT

Migration Act 1958

**GRANTING OF CONTRIBUTORY PARENT, PARENT AND OTHER FAMILY
VISAS IN THE 2017/2018 FINANCIAL YEAR INSTRUMENT 2018/054**

(section 85)

1. Instrument IMMI 18/054 is made under section 85 of the *Migration Act 1958* (the Act).
2. The instrument revokes *Granting of Parent and Other Family Visas in the 2016/2017 Financial Year Determination 2016/092* (IMMI 16/092) (F2016L01634) in accordance with 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 instrument operates to determine the maximum number of visas that may be granted in the financial year 1 July 2017 to 30 June 2018 for the specified classes of visas.
4. The purpose of the instrument is to determine the maximum number of visas for the following specified classes of visa:
 - a. Item 1124 - Parent (Migrant) (Class AX) visas;
 - b. Item 1124A - Aged Parent (Residence) (Class BP) visas; and
 - c. Item 1123A - Other Family (Migrant) (Class BO) visas; and
 - d. Item 1123B - Other Family (Residence) (Class BU) visas; and
 - e. Item 1130 - Contributory Parent (Migrant) (Class CA) visas; and
 - f. Item 1130A - Contributory Aged Parent (Residence) (Class DG) visas; and
 - g. Item 1221 - Contributory Parent (Temporary) (Class UT) visas; and
 - h. Item 1221A - Contributory Aged Parent (Temporary) (Class UU) visas.

5. Extensive consultation is undertaken through the Budget and Migration Program planning process which is undertaken each year by the Department of Home Affairs. The maximum numbers established by the instrument are consistent with the Migration Planning levels for 2017-2018.
6. The Office of Best Practice Regulation (OBPR) has advised that a Regulatory Impact Statement is not required (OBPR Reference 20835).
7. 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.
8. The instrument commences the day after registration on the Federal Register of Legislation.