



Migration (LIN 18/219: Determination of International Trade Obligations Relating to Labour Market Testing) Instrument 2018

I, David Coleman, Minister for Immigration, Citizenship and Multicultural Affairs, make the following legislative instrument.

Dated 13/12/18

David Coleman
The Hon David Coleman MP
Minister for Immigration, Citizenship and Multicultural Affairs

Contents

Part 1 – Preliminary	1
1 Name.....	1
2 Commencement	1
3 Authority.....	1
4 Definitions	1
Part 2 – Determination of international trade obligations relating to labour market testing	2
5 International trade obligations	2

Part 1 – Preliminary

1 Name

- (1) This instrument is the *Migration (LIN 18/219: Determination of International Trade Obligations Relating to Labour Market Testing) Instrument 2018*.
- (2) This instrument may be cited as LIN 18/219.

2 Commencement

This instrument commences immediately following the commencement of Schedule 1 to the *Customs Amendment (Pacific Agreement on Closer Economic Relations Plus Implementation) Act 2018*.

3 Authority

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

4 Definitions

In this instrument:

Act means *Migration Act 1958*.

labour market testing is defined in subsection 140GBA(7) of the Act.

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

5 International trade obligations

For the purposes of paragraph 140GBA(1)(c) of the Act, each obligation of Australia under international law, that relates to international trade, under the Pacific Agreement on Closer Economic Relations Plus is determined as an international trade obligation of Australia.

Note: Paragraph 140GBA(1)(c) of the Act provides that section 140GBA applies to a nomination by an approved sponsor if it would not be inconsistent with any international trade obligation of Australia determined under subsection 140GBA(2) to require the sponsor to satisfy the labour market testing condition in section 140GBA in relation to the nominated position.