



## **Migration Amendment (Chest X-ray Requirements) Regulations 2019**

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I, General the Honourable Sir Peter Cosgrove AK MC (Ret'd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 21 February 2019

Peter Cosgrove  
Governor-General

By His Excellency's Command

David Coleman  
Minister for Immigration, Citizenship and Multicultural Affairs

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## 1 Name

This instrument is the *Migration Amendment (Chest X-ray Requirements) Regulations 2019*.

## 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	2 March 2019.	2 March 2019

Note: This table relates only to the provisions of this instrument as originally made.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 the *Migration Act 1958*.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

## Schedule 1—Amendments

### *Migration Regulations 1994*

#### **1 Subclause 785.223(1) of Schedule 2**

Omit “(2) to (4)”, substitute “(2) to (5)”.

#### **2 At the end of clause 785.223 of Schedule 2**

Add:

- (5) The applicant:
- (a) is an unauthorised maritime arrival; and
  - (b) holds or has held a Subclass 785 (Temporary Protection) visa or a Subclass 790 (Safe Haven Enterprise) visa; and
  - (c) at the time the visa was granted, satisfied any of the following:
    - (i) subclause (3) of this clause;
    - (ii) this subclause;
    - (iii) subclause 790.223(3);
    - (iv) subclause 790.223(5).

#### **3 Subclause 790.223(1) of Schedule 2**

Omit “(2) to (4)”, substitute “(2) to (5)”.

#### **4 At the end of clause 790.223 of Schedule 2**

Add:

- (5) The applicant:
- (a) is an unauthorised maritime arrival; and
  - (b) holds or has held a Subclass 785 (Temporary Protection) visa or a Subclass 790 (Safe Haven Enterprise) visa; and
  - (c) at the time the visa was granted, satisfied any of the following:
    - (i) subclause 785.223(3);
    - (ii) subclause 785.223(5);
    - (iii) subclause (3) of this clause;
    - (iv) this subclause.

#### **5 In the appropriate position in Schedule 13**

Insert:

## **Part 82—Amendments made by the Migration Amendment (Chest X-ray Requirements) Regulations 2019**

### **8201 Operation of Schedule 1**

The amendments of these Regulations made by Schedule 1 to the *Migration Amendment (Chest X-ray Requirements) Regulations 2019* apply in relation to:

- (a) applications for Subclass 785 (Temporary Protection) visas or Subclass 790 (Safe Haven Enterprise) visas made, but not finally determined, before 2 March 2019; and
- (b) applications for Subclass 785 (Temporary Protection) visas or Subclass 790 (Safe Haven Enterprise) visas made on or after 2 March 2019.