



Migration Legislation Amendment (Health Workforce Certificates Measures No. 1) Instrument (LIN 20/273) 2020

I, Alan Tudge, Minister for Population, Cities and Urban Infrastructure, make the following instrument.

Dated 19 November 2020

Alan Tudge
Minister for Population, Cities and Urban Infrastructure
for the Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs

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1 Name

- (1) This instrument is the *Migration Legislation Amendment (Health Workforce Certificates Measures No. 1) Instrument (LIN 20/273) 2020*.
- (2) This instrument may be cited as LIN 20/273.

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	16 December 2020.	16 December 2020

Note: This table relates only to the provisions of this instrument as originally made.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 subregulations 5.19(8), (11) and (13) of the *Migration Regulations 1994*.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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 (LIN 19/047: Specification of Occupations—Subclass 187 Visa) Instrument 2019

1 Section 4 (definition of *health workforce certificate*)

Repeal the definition, substitute:

health workforce certificate means a document that:

- (a) describes itself as a health workforce certificate; and
- (b) is issued by a health workforce certifier.

2 Section 4

Insert:

health workforce certifier means any of the following:

- (a) a person in the Department administered by the Minister administering Part II of the *Health Insurance Act 1973*;
- (b) General Practice Workforce Inc (ABN 33 922 612 254);
- (c) Health Network Northern Territory Ltd (ABN 17 158 970 480);
- (d) Health Workforce Queensland Ltd (ABN 81 065 574 996);
- (e) NSW Rural Doctors Network Ltd (ABN 52 081 388 810);
- (f) Rural Doctors Workforce Agency Incorporated (ABN 68 063 926 518);
- (g) Rural Health West Ltd (ABN 29 123 188 367);
- (h) Rural Workforce Agency, Victoria Limited (ABN 31 081 163 519).

3 Subsection 6(3)

Repeal the subsection, substitute:

(3) An occupation of:

- (a) general practitioner; or
- (b) resident medical officer; or
- (c) medical practitioners (nec);

does not apply to an identified person if a health workforce certificate that meets the requirements of subsection (4) has not been issued for the occupation.

(4) For the purposes of subsection (3), a health workforce certificate must specify:

- (a) the name and date of birth of the identified person; and
- (b) the position in which the identified person is to work; and
- (c) the location of the position; and
- (d) the occupation.

4 At the end of Part 3

Add:

11 Amendments made by LIN 20/273

The amendments of this instrument made by Schedule 1 to the *Migration Legislation Amendment (Health Workforce Certificates Measures No. 1) Instrument (LIN 20/273) 2020* apply in relation to an application for approval of a nomination that is made on or after the commencement of that Schedule.

Migration (LIN 19/049: Specification of Occupations and Assessing Authorities—Subclass 186 Visa) Instrument 2019**5 Section 4 (definition of health workforce certificate)**

Repeal the definition, substitute:

health workforce certificate means a document that:

- (a) describes itself as a health workforce certificate; and
- (b) is issued by a health workforce certifier.

6 Section 4

Insert:

health workforce certifier means any of the following:

- (a) a person in the Department administered by the Minister administering Part II of the *Health Insurance Act 1973*;
- (b) General Practice Workforce Inc (ABN 33 922 612 254);
- (c) Health Network Northern Territory Ltd (ABN 17 158 970 480);
- (d) Health Workforce Queensland Ltd (ABN 81 065 574 996);
- (e) NSW Rural Doctors Network Ltd (ABN 52 081 388 810);
- (f) Rural Doctors Workforce Agency Incorporated (ABN 68 063 926 518);
- (g) Rural Health West Ltd (ABN 29 123 188 367);
- (h) Rural Workforce Agency, Victoria Limited (ABN 31 081 163 519).

7 Section 8

Before “For the purposes of”, insert “(1)”.

8 Section 8 (table item 24)

Repeal the item, substitute:

- 24 A health workforce certificate that meets the requirements of subsection (2) has not been issued for the position.

9 At the end of section 8

Add:

- (2) For the purposes of item 24 of the table in subsection (1), a health workforce certificate must specify:
 - (a) the name and date of birth of the identified person; and
 - (b) the position in which the identified person is to work; and
 - (c) the location of the position; and
 - (d) the occupation.

10 At the end of Part 3

Add:

12 Amendments made by LIN 20/273

The amendments of this instrument made by Schedule 1 to the *Migration Legislation Amendment (Health Workforce Certificates Measures No. 1) Instrument (LIN 20/273) 2020* apply in relation to an application for approval of a nomination that is made on or after the commencement of that Schedule.