



Migration Amendment (Clarifying International Obligations for Removal) Regulations 2021

I, General the Honourable David Hurley AC DSC (Retd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 05 August 2021

David Hurley
Governor-General

By His Excellency's Command

Alex Hawke
Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs

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1 Name

This instrument is the *Migration Amendment (Clarifying International Obligations for Removal) Regulations 2021*.

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	The day after this instrument is registered.	7 August 2021

Note: This table relates only to the provisions of this instrument as originally made.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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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 After regulation 4.34

Insert:

4.34A Prescribed period for making certain decisions

For the purposes of subsection 419(1) of the Act, the prescribed period:

- (a) starts when the application for review is received by the Tribunal; and
- (b) ends at the end of 120 days starting on the first working day after the day on which the application is received by the Tribunal.

Note: Subsection 419(1) of the Act provides for the regulations to limit the time in which the Tribunal must review a decision under subsection 197D(2) of the Act that an unlawful non-citizen is no longer a person in respect of whom a protection finding would be made.