

LIN 21/044

Migration (Specified courses and exams for registration as a migration agent) (Capstone provider) Amendment Instrument (LIN 21/044) 2021

I, Jason Wood, Assistant Minister for Customs, Community Safety and Multicultural Affairs, make this instrument under subregulation 5(4) of the *Migration Agents Regulations 1998* (the Regulations)*.*

Dated 20 September 2021

Jason Wood

Assistant Minister for Customs, Community Safety and Multicultural Affairs

1 Name

 This instrument is the Migration (Specified courses and exams for registration as a migration agent) (Capstone provider) Amendment *Instrument (LIN 21/044)* 2021.

2 Commencement

 This instrument commences on the day after registration.

3 Amendment

 Schedule 1 amends *Migration (IMMI 18/003: Specified courses and exams for registration as a migration agent) Instrument 2018*.

Schedule 1 Amendment

(section 3)

[1] Section 4, definition of *Capstone Assessment*

substitute

***Capstone Assessment*** means an examination with that name offered:

(a) on or after 1 January 2021—by Legal Training Australia Pty Ltd (ABN 81151154639); or

(b) before 1 January 2021—by The College of Law Limited (ABN 61138459015).

[2] Section 4, definition of *common assessment items relating to registration*

omit

[3] Part 2, heading

omit

 exams

insert

 examinations

[4] Section 7, heading

omit

 *exams*

insert

 *examinations*

[5] Subsection 7(1)

omit

[6] Subsection 7(2)

omit

 For the purposes of paragraph 5(3)(a) of the Regulations, each of the following classes of person is specified:

insert

 For paragraph 5(3)(a) of the Regulations, the Capstone Assessment is specified as the prescribed examination for the following persons:

[7] Subsection 7(3)

omit

 specified

insert

 mentioned

[8] Paragraph 7(3)(a)

substitute

(a) the Capstone Assessment; and

[9] Paragraph 7(3)(b)

omit

 exams

insert

 examinations

[10] Section 8, heading

omit

 *exam*

insert

 *examination*

[11] Subsection 9(1)

omit

 a course or exam

substitute

 an examination

[12] Paragraphs 9(1)(a) and (c)

omit

[13] After section 10

insert

Part 3 Savings and transitional

10 Application of *Migration (Specified courses and exams for registration as a migration agent) (Capstone provider) Amendment Instrument (LIN 21/044) 2021*

 The amendments made to this instrument by *Migration (Specified courses and exams for registration as a migration agent) (Capstone provider) Amendment Instrument (LIN 21/044) 2021* (***LIN 21/044***) apply in relation to:

(a) an application for registration under section 288 of the *Migration Act 1958* (the ***Act***) before the commencement of LIN 21/044 in respect of which the Migration Agents Registration Authority had not, before the commencement of this LIN 21/044, registered the applicant under section 289 or refused to register the applicant under section 295; and

(b) an application for registration under section 288 of the Act after the commencement of LIN 21/044.