

LIN 22/050

Migration (Specified work and areas for subclass 417 and 462 visas) Amendment Instrument (LIN 22/050) 2022

I, Paul Denman, delegate of the Minister, make this instrument under regulations 1.15FA and 1.15FAA of the *Migration Regulations 1994* (the Regulations)*.*

Dated 8 April 2022

Paul Denman

Acting Senior Executive Band 1

Immigration Programs Division

Department of Home Affairs

1 Name

 This instrument is the Migration (Specified work and areas for subclass 417 and 462 visas) Amendment *Instrument (LIN 22/050) 2022*.

2 Commencement

 This instrument commences on 1 July 2022.

3 Amendment

 (1) Schedule 1 amends Migration (Specified work and areas for subclass 417 visas) Instrument (LIN 22/012) 2022.

 (2) Schedule 2 amends Migration (Specified work and areas for subclass 462 visas) Instrument (LIN 22/013) 2022.

Schedule 1 Amendment

(section 3)

[1] Section 4, after definition of *COVID-19*

insert

***flood affected area*** means one or more areas of Australia mentioned in item 5 of Schedule 1.

[2] Subsection 6(1)

omit

Northern

insert

Areas of Australia within postcodes 4406, 4416, 4498 and 7215, Northern

[3] Subsection 6(2)

after

carried out in

insert

areas of Australia within postcodes 4406, 4416, 4498 and 7215,

[4] Paragraph 7(1)(a)

after

work

insert

, paid or volunteer,

[5] Subsection 7(2)

substitute

 (2) Bushfire recovery work:

(a) is specified if carried out in a bushfire affected area; and

(b) includes:

 (i) construction, farming, or any other work in association with recovery or restitution of land, property, farm animals or wildlife;

 (ii) providing support services or assistance to people living, working or volunteering in the affected areas.

[6] Subsection 8(2)

substitute

 (2) Critical COVID-19 work in the healthcare and medical sectors:

(a) is specified if carried out in each area of Australia; and

(b) includes:

 (i) medical treatment, nursing, contact tracing, testing and research;

 (ii) support services such as cleaning of medical and health care facilities and equipment.

[7] After section 8

insert

8A Flood recovery work

 (1) Flood affected area is specified if the work carried out in the area is:

(a) a kind of work, paid or volunteer, mentioned in subsection (2); and

(b) carried out after 31 December 2021.

 (2) Flood recovery work:

(a) is specified if carried out in a flood affected area; and

(b) includes:

 (i) clean-up, construction or any other work in association with restitution or restoration of services, land, waterways, property or infrastructure;

 (ii) providing support services or assistance to people living, working or volunteering in the affected areas.

[8] Schedule 1, item 4

omit

7001,

[9] Schedule 1, after item 4

insert

|  |  |  |  |
| --- | --- | --- | --- |
| 5 | Flood affected areas | New South Wales | Armidale, Ballina, Bayside, Bega Valley, Bellingen, Blacktown, Blue Mountains, Byron, Camden, Campbelltown, Canterbury-Bankstown, Central Coast, Cessnock, Clarence Valley, Coffs Harbour, Cumberland, Dungog, Eurobodalla, Fairfield, Georges River, Glen Innes Severn, Goulburn Mulwaree, Hawkesbury, Hornsby, Inner West, Kempsey, Kiama, Ku-Ring-Gai, Kyogle, Lismore, Lithgow City Council, Liverpool, Maitland, MidCoast, Mid-Western, Muswellbrook, Nambucca, Newcastle, Northern Beaches, Parramatta, Penrith, Port Macquarie-Hastings, Port Stephens, Queanbeyan Palerang, Richmond Valley, Ryde, Shellharbour, Shoalhaven, Singleton, Snowy Monaro, Sutherland, Tenterfield, The Hills, Tweed, Upper Hunter, Wingecarribee, Wollondilly, Wollongong |
| Queensland | Balonne, Brisbane, Bundaberg, Cherbourg, Fraser Coast, Gladstone, Gold Coast, Goondiwindi, Gympie, Ipswich, Lockyer Valley, Logan, Moreton Bay, Noosa, North Burnett, Redland, Scenic Rim, Somerset, South Burnett, Southern Downs, Sunshine Coast, Toowoomba, Western Downs |

Schedule 2 Amendment

(section 3)

[1] Section 4, after definition of *COVID-19*

insert

***flood affected area*** means one or more areas of Australia mentioned in item 5 of Schedule 1.

[2] Subsection 7(1)

omit

Northern

insert

Areas of Australia within postcodes 4406, 4416, 4498 and 7215, Northern

[3] Subsection 7(2)

after

carried out in

insert

areas of Australia within postcodes 4406, 4416, 4498 and 7215,

[4] Paragraph 8(1)(a)

after

work

insert

, paid or volunteer,

[5] Subsection 8(2)

substitute

 (2) Bushfire recovery work:

(a) is specified if carried out in a bushfire affected area; and

(b) includes:

 (i) construction, farming, or any other work in association with recovery or restitution of land, property, farm animals or wildlife;

 (ii) providing support services or assistance to people living, working or volunteering in the affected areas.

[6] Subsection 9(2)

substitute

 (2) Critical COVID-19 work in the healthcare and medical sectors:

(a) is specified if carried out in each area of Australia; and

(b) includes:

 (i) medical treatment, nursing, contact tracing, testing and research;

 (ii) support services such as cleaning of medical and health care facilities and equipment.

[7] After section 9

insert

9A Flood recovery work

 (1) Flood affected area is specified if the work carried out in the area is:

(a) a kind of work, paid or volunteer, mentioned in subsection (2); and

(b) carried out after 31 December 2021.

 (2) Flood recovery work:

(a) is specified if carried out in a flood affected area; and

(b) includes:

 (i) clean-up, construction or any other work in association with restitution or restoration of services, land, waterways, property or infrastructure;

 (ii) providing support services or assistance to people living, working or volunteering in the affected areas.

[8] Schedule 1, item 4

omit

7001,

[9] Schedule 1, after item 4

insert

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| 5 | Flood affected areas | New South Wales | Armidale, Ballina, Bayside, Bega Valley, Bellingen, Blacktown, Blue Mountains, Byron, Camden, Campbelltown, Canterbury-Bankstown, Central Coast, Cessnock, Clarence Valley, Coffs Harbour, Cumberland, Dungog, Eurobodalla, Fairfield, Georges River, Glen Innes Severn, Goulburn Mulwaree, Hawkesbury, Hornsby, Inner West, Kempsey, Kiama, Ku-Ring-Gai, Kyogle, Lismore, Lithgow City Council, Liverpool, Maitland, MidCoast, Mid-Western, Muswellbrook, Nambucca, Newcastle, Northern Beaches, Parramatta, Penrith, Port Macquarie-Hastings, Port Stephens, Queanbeyan Palerang, Richmond Valley, Ryde, Shellharbour, Shoalhaven, Singleton, Snowy Monaro, Sutherland, Tenterfield, The Hills, Tweed, Upper Hunter, Wingecarribee, Wollondilly, Wollongong |  |
| Queensland | Balonne, Brisbane, Bundaberg, Cherbourg, Fraser Coast, Gladstone, Gold Coast, Goondiwindi, Gympie, Ipswich, Lockyer Valley, Logan, Moreton Bay, Noosa, North Burnett, Redland, Scenic Rim, Somerset, South Burnett, Southern Downs, Sunshine Coast, Toowoomba, Western Downs |  |