



LIN 23/061

Migration (COVID-19 Pandemic event for Temporary Activity (Subclass 408) visa) Amendment Instrument (LIN 23/061) 2023

I, Karin Maier, delegate of the Minister, make this instrument under the following provisions of the *Migration Regulations 1994* (the **Regulations**):

- (a) subregulation 2.07(5);
- (b) subparagraph 1237(2)(a)(i) of Schedule 1; and
- (c) paragraph 408.229(c) of Schedule 2.

Dated 31 August 2023

Karin Maier
Senior Executive Service Band 1
Immigration Programs Division
Department of Home Affairs

1 Name

This instrument is the *Migration (COVID-19 Pandemic event for Temporary Activity (Subclass 408) visa) Amendment Instrument (LIN 23/061) 2023*.

2 Commencement

This instrument commences on 2 September 2023.

3 Amendment

Schedule 1 amends *Migration (COVID-19 Pandemic event for Temporary Activity (Subclass 408) visa) Instrument (LIN 22/046) 2022*. (F2022L00316).

Schedule 1 Amendment

(s.3)

[1] After Section 3

insert

3A Application of amendments made by LIN 23/061

The amendments made by the *Migration (COVID-19 Pandemic event for Temporary Activity (Subclass 408) visa) Amendment Instrument (LIN 23/061) 2023* apply to an application for a Subclass 408 (Temporary Activity) visa made on or after the commencement of that instrument.

[2] Section 4 – (definition of *relevant temporary visa*, *Subclass 403 Seasonal Worker visa*, *substantive temporary visa* and *work rights*)

Repeal the following definitions:

- (a) definition of *relevant temporary visa*;
- (b) definition of *Subclass 403 Seasonal Worker visa*;
- (c) definition of *substantive temporary visa*; and
- (d) definition of *work rights*.

[3] Section 4 – (definition *Subclass 408 visa*)

substitute

COVID-19 pandemic event 408 visa has the same meaning as in Division 3 of Part 92 of Schedule 13 to the Regulations.

[4] Section 4 (note)

Repeal the note.

[5] Subsection 6(1)

omit

“, (3), (4) or (5)”

[6] Paragraph 6(2)(c)

substitute

- (c) either:
 - (i) holds a COVID-19 pandemic event 408 visa that is 28 days or less from ceasing to be in effect; or
 - (ii) held a COVID-19 pandemic event 408 visa that ceased to be in effect not more than 28 days before the application for a Subclass 408 (Temporary Activity) visa is made.

[7] Paragraphs 6(3), (4) and (5)

Repeal the subsections.

[8] Section 7

Repeal the section.

[9] Section 7 (note)

Repeal the note.