

Migration (Approved Activities) Instrument (LIN 24/054) 2024

I, Stephanie Foster PSM, Secretary of the Department of Home Affairs, make this instrument.

Dated 25 June 2024

Stephanie Foster PSM

Secretary of the Department of Home Affairs

Contents

1 Name 1

2 Commencement 1

3 Authority 1

4 Definitions 1

5 Schedules 1

6 Approved activities 1

Schedule 1—Repeals 3

Migration (Approved Activities) Instrument (LIN 20/053) 2020 3

1 Name

This instrument is the *Migration (Approved Activities) Instrument (LIN 24/054) 2024*.

2 Commencement

This instrument commences on 1 July 2024.

3 Authority

This instrument is made under paragraph 245AF(a) of the *Migration Act 1958*.

4 Definitions

Note: A number of expressions used in this instrument are defined in subsection 5(1) of the Act, including the following:

(a) ***detainee***;

(b) ***immigration detention***.

In this instrument:

***Act*** means the *Migration Act 1958*.

***Regulations*** means the *Migration Regulations 1994*.

5 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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

6 Approved activities

(1) For the purposes of paragraph 245AF(a) of the Act, the following activities, when voluntarily engaged in by a detainee in immigration detention, are approved:

(a) for personal purposes—activities including but not limited to:

(i) gardening;

(ii) cleaning; or

(iii) painting;

(b) cooking and food preparation;

(c) community activities for charitable and other not-for-profit organisations, including fundraising activities that provide a benefit to the local community;

(d) educational classes and activities;

(e) computer activities;

(f) arts or crafts activities;

(g) excursions outside of the immigration detention centre;

(h) religious services and cultural activities;

(i) recreational activities including any of the following:

(i) games;

(ii) physical fitness activities;

(iii) reading;

(iv) music;

(v) sport and sporting competitions;

(vi) television and movies.

Note:  Paragraph 245AF(a) of the Act provides that Subdivision C of Division 12 of Part 2 of the Act does not apply where a detainee in immigration detention voluntarily engages in an activity of a kind approved in writing by the Secretary.

Schedule 1—Repeals

Migration (Approved Activities) Instrument (LIN 20/053) 2020

1 The whole of the instrument

Repeal the instrument.