



LIN 24/057

## **Migration (Strengthening Reporting Protections—LIN 24/057) Instrument 2024**

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I, Andrew Giles, Minister for Immigration, Citizenship and Multicultural Affairs, make the following instrument.

Dated 23 July 2024

Andrew Giles  
Minister for Immigration, Citizenship and Multicultural Affairs

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## 1 Name

This instrument is the *Migration (Strengthening Reporting Protections—LIN 24/057) Instrument 2024*.

## 2 Commencement

This instrument commences on the day after it is registered.

## 3 Authority

This instrument is made under subregulations 1.15R(1) and (2) of the *Migration Regulations 1994*.

## 4 Definitions

Note: A number of expressions used in this instrument are defined in the *Migration Act 1958* or in the Regulations, including the following:

- (a) **arrangement in relation to work**, which has the meaning given by section 245AGA of the *Migration Act 1958*;
- (b) **government entity**, which has the meaning given by regulation 1.03 of the Regulations.

In this instrument:

**Office of the Fair Work Ombudsman** has the same meaning as in section 12 of the *Fair Work Act 2009*.

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

## 5 Persons, bodies and government entities

For the purposes of regulations 2.43A and 2.43B and under subregulation 1.15R(1) of the Regulations, a person, body or government entity mentioned in column 1 of an item in the following table is determined to be a certifying entity.

Item No.	Column 1 Name of entity	Column 2 Type of entity	Column 3 ABN
1	The Office of the Fair Work Ombudsman	government	43 884 188 232
2	Australian Rail, Tram and Bus Industry Union (ARTBIU)	body	28 921 128 419
3	Australian Workers' Union	body	28 853 022 982
4	Australasian Meat Industry Employees' Union	body	12 206 758 691
5	Electrical Trades Union of Australia National Council	body	60 429 406 804
6	Human Rights Law Centre	body	31 117 719 267
7	Migrant Workers Centre	body	75 362 088 900
8	Redfern Legal Centre Ltd	body	31 001 442 039
9	SA Unions	body	49 207 741 085

<b>Item No.</b>	<b>Column 1 Name of entity</b>	<b>Column 2 Type of entity</b>	<b>Column 3 ABN</b>
10	Shop, Distributive and Allied Employees' Association (the Association)	body	99 789 302 470
11	Unions Tasmania	body	55 482 384 108
12	The Association of Professional Engineers, Scientists and Managers	body	99 589 872 974
13	UnionsACT	body	31 724 041 495
14	Transport Workers' Union of Australia	body	18 559 030 246
15	Unions NSW	body	43 132 138 531
16	UnionsWA	body	64 950 883 305
17	United Workers Union (UWU)	body	52 728 088 684
18	Western Community Legal Centre Ltd (Westjustice)	body	72 604 181 071

## 6 Matters relating to workplace exploitation

For the purposes of regulations 2.43A and 2.43B and under subregulation 1.15R(2) of the Regulations, each of the following matters is determined to be a workplace exploitation matter:

- (a) underpayment or non-payment of wages or other workplace entitlements;
- (b) unlawful, unpaid or underpaid training or trials;
- (c) up-front payment or deposit for a job;
- (d) misclassification of workers as independent contractors instead of employees;
- (e) unlawful deductions from wages;
- (f) unfair dismissal;
- (g) non-compliance with workplace health and safety requirements;
- (h) bullying, in relation to work or an arrangement in relation to work;
- (i) sexual harassment, in relation to work or an arrangement in relation to work;
- (j) discrimination, in relation to work or an arrangement in relation to work;
- (k) coercion, undue influence or pressure, or misrepresentation, in relation to work or an arrangement in relation to work.