



Migration Amendment (Administrative Review Tribunal Consequential Amendments) Regulations 2024

I, the Honourable Sam Mostyn AC, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 15 August 2024

Sam Mostyn AC
Governor-General

By Her Excellency's Command

Tony Burke
Minister for Immigration and Multicultural Affairs

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1 Name

This instrument is the *Migration Amendment (Administrative Review Tribunal Consequential Amendments) Regulations 2024*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	Immediately after the commencement of Schedule 2 to the <i>Administrative Review Tribunal (Consequential and Transitional Provisions No. 1) Act 2024</i> .	

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the *Migration Act 1958*.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Part 1—Main Amendments

Migration Regulations 1994

1 Regulation 1.03 (paragraphs (a) and (b) of the definition of *substituted Subclass 600 visa*)

Omit “section 345, 351, 417 or 501J”, substitute “section 351 or 501J, or repealed section 417,”.

2 Paragraphs 2.08AAA(1)(b) and (e)

Repeal the paragraphs.

3 Subregulations 2.08E(2A) and (2B)

Repeal the subregulations.

4 At the end of subparagraphs 2.08F(3)(b)(i) and (ii)

Add “as in force when the matter is remitted”.

5 After subparagraph 2.08F(3)(b)(ii)

Insert:

- (ia) the ART remits a matter in relation to the pre-conversion application in accordance with subsection 349(2) of the Act;
- (iib) the ART remits a matter in relation to the pre-conversion application in accordance with paragraph 105(c) of the ART Act;

6 At the end of subparagraphs 2.08F(4)(b)(i) and (ii)

Add “as in force when the matter was remitted”.

7 At the end of paragraphs 2.08G(1A)(a), (b) and (c)

Add “as in force when the matter is remitted”.

8 After paragraph 2.08G(1A)(c)

Insert:

- (ca) the ART remits a matter in relation to the pre-conversion application in accordance with subsection 349(2) of the Act;
- (cb) the ART remits a matter in relation to the pre-conversion application in accordance with paragraph 105(c) of the ART Act;

9 At the end of subparagraphs 2.08G(2)(b)(i), (ii) and (iii)

Add “as in force when the matter was remitted”.

10 Subparagraph 2.12C(5)(e)(iii)

Omit “section 195A, 345, 351, 417 or 501J”, substitute “section 195A, 351 or 501J, or repealed section 417,”.

11 Paragraphs 2.12G(1)(b) and 2.12H(2)(c)

Omit “subsection 5(9)”, substitute “section 11A”.

12 Paragraph 2.15(1)(a)

Omit “3 working”, substitute “5”.

13 Sub-subparagraph 2.15(1)(b)(ii)(B)

Repeal the sub-subparagraph.

14 Paragraph 2.15(3)(a)

Omit “3 working”, substitute “5”.

15 Subparagraph 2.15(3)(b)(ii)

Repeal the subparagraph.

16 Paragraph 2.15(4)(a)

Omit “2 working”, substitute “5”.

17 After subregulation 2.74(1)

Insert:

(1A) If the applicant has a right to have the decision reviewed by application under Part 5 of the Act, the notification must state all of the following:

- (a) that the decision can be reviewed by the ART;
- (b) the time in which the application for review may be made;
- (c) who can apply for the review;
- (d) where the application for review may be made.

18 Paragraph 2.98(1)(c)

After “decision reviewed”, insert “by application”.

19 Subparagraph 2.98(1)(c)(i)

After “reviewed”, insert “by the ART”.

20 Division 4.1 (heading)

Repeal the heading (including the note), substitute:

Division 4.1A—Preliminary

21 Before regulation 4.02

Insert:

Division 4.1—Review of reviewable migration decisions

4.01A Application of this Division

This Division applies in relation to the review of reviewable migration decisions.

Note: The review of reviewable protection decisions is dealt with in Division 4.2.

22 Subregulation 4.02(5)

Omit “For paragraph 347(2)(d)”, substitute “For the purposes of paragraph 347A(1)(d)”.

23 Regulations 4.10 and 4.11

Repeal the regulations.

24 After regulation 4.12

Insert:

4.12A Prescribed information and documents for review applications

- (1) This regulation is made for the purposes of subsection 347(2) of the Act.
- (2) If the person (the **review applicant**) making an application for review of a reviewable migration decision has a copy of the notification of the decision, the prescribed document is a copy of that notification.
- (3) If the review applicant does not have a copy of that notification and the review applicant is an individual, the prescribed information is:
 - (a) the review applicant's full name; and
 - (b) the review applicant's address and contact details; and
 - (c) the date of the decision (if known to the review applicant) and a description of the decision; and
 - (d) at least one of the following:
 - (i) the review applicant's date of birth;
 - (ii) the review applicant's country of birth;
 - (iii) the review applicant's citizenship or nationality;
 - (iv) the country of issue and number of the review applicant's passport; and
 - (e) if the decision relates to an application for a visa made by a person (the **visa applicant**) who is not the review applicant—the information specified in subregulation (5).
- (4) If the review applicant does not have a copy of that notification and the review applicant is not an individual, the prescribed information is:
 - (a) the review applicant's name; and
 - (b) the review applicant's trading name (if any and if different from the review applicant's name); and
 - (c) if the review applicant has an ABN (within the meaning of the *A New Tax System (Australian Business Number) Act 1999*) or ACN (within the meaning of the *Corporations Act 2001*)—the ABN or ACN; and
 - (d) the review applicant's business address; and
 - (e) the name, position and contact details of a contact person for the review applicant; and
 - (f) the date of the decision (if known to the review applicant) and a description of the decision; and
 - (g) if the decision relates to an application for a visa made by a person (the **visa applicant**) who is not the review applicant—the information specified in subregulation (5).
- (5) For the purposes of paragraphs (3)(e) and (4)(g), the following information is specified:
 - (a) the visa applicant's full name;
 - (b) the visa applicant's address and contact details;

- (c) at least one of the following:
- (i) the visa applicant's date of birth;
 - (ii) the visa applicant's country of birth;
 - (iii) the visa applicant's citizenship or nationality;
 - (iv) the country of issue and number of the visa applicant's passport.

25 Subregulation 4.13(1)

Repeal the subregulation, substitute:

- (1) Subject to this regulation, the prescribed fee for an application for review by the ART of a reviewable migration decision is \$3,496.

Note: The fee in this subregulation is subject to increase under regulation 4.13A.

26 Subregulation 4.13(4)

Repeal the subregulation, substitute:

- (4) If the ART Principal Registrar, having regard to the review applicant's income, expenses, liabilities and assets, considers that the payment of the fee mentioned in subregulation (1) would cause, or has caused, financial hardship to the review applicant, the prescribed fee is 50% of the amount mentioned in subregulation (1).

27 Regulation 4.13A

Repeal the regulation, substitute:

4.13A Annual increases in fees

The fee prescribed by subregulation 4.13(1) is increased, in accordance with regulation 4.13B, on each 1 July starting on 1 July 2025.

28 Subregulation 4.13B(5) (definition of *relevant period*)

Omit "2018", substitute "2024".

29 Subregulation 4.14(1) (subheading before table item 1)

Omit "*severe*".

30 Subregulation 4.14(1) (table item 1)

Omit "the Registrar of the Tribunal has made a determination mentioned in subregulation 4.13(4)", substitute "subregulation 4.13(4) applies".

31 Subregulation 4.14(1) (subheading before table item 5)

Omit "*Tribunal*", substitute "*ART*".

32 Regulation 4.15 (heading)

Repeal the heading, substitute:

4.15 ART's power to remit matters with orders

33 Subregulation 4.15(1)

Omit "paragraph 349(2)(c)", substitute "the purposes of subsection 349(2)".

34 Paragraph 4.15(1)(a)

Omit “or entry permit made on or after 19 December 1989”.

35 Paragraph 4.15(1)(b)

Omit “direction”, substitute “order”.

36 Paragraph 4.15(1)(b)

Omit “or entry permit”.

37 After subregulation 4.15(1)

Insert:

(1A) For the purposes of subsection 349(2) of the Act:

- (a) the following are prescribed matters:
 - (i) a nomination under subsection 140GB(1) of the Act;
 - (ii) a nomination referred to in subregulation 5.19(1); and
- (b) a permissible order is that the nomination must be taken to have met a specified criterion or requirement for approval under subsection 140GB(2) of the Act or subregulation 5.19(3) (as the case may be).

38 Subregulation 4.15(2)

Omit “paragraph 349(2)(c)”, substitute “the purposes of subsection 349(2)”.

39 Subregulation 4.15(3)

Omit “direct”, substitute “order”.

40 Subregulation 4.15(3) (note 1)

Repeal the note.

41 Subregulation 4.15(4)

Repeal the subregulation, substitute:

- (4) If:
 - (a) a person applies for a Prospective Marriage (Temporary) (Class TO) visa; and
 - (b) in the period after the Minister’s decision on the application is made and before the application is finally determined, the applicant:
 - (i) marries the person who was specified in the application as the applicant’s prospective spouse; and
 - (ii) notifies the ART of the marriage; and
 - (c) the marriage is recognised as valid for the purposes of the Act; and
 - (d) the ART decides to remit the application to the Minister for reconsideration;

then, for the purposes of paragraph 349(2)(b) of the Act, the permissible order is that the application must be taken to also be an application:

- (e) for a Partner (Migrant) (Class BC) visa and for a Partner (Provisional) (Class UF) visa; and
- (f) that is made on the day that the application is remitted to the Minister.

42 Regulations 4.17 to 4.25 and 4.27B

Repeal the regulations.

43 Division 4.2 (heading)

Omit “Part 7-reviewable”, substitute “reviewable protection”.

44 Subdivision 4.2.1 (heading)

Repeal the heading.

45 Regulation 4.28

Repeal the regulation, substitute:

4.28 Application of this Division

This Division applies in relation to the review of reviewable protection decisions.

Note: The review of reviewable migration decisions is dealt with in Division 4.1.

46 Subdivision 4.2.3 (heading)

Repeal the heading.

47 Regulations 4.31 and 4.31AA

Repeal the regulations, substitute:

4.31 Prescribed information and documents for review applications

- (1) This regulation is made for the purposes of subsection 347(2) of the Act.
- (2) If the person making an application for review of a reviewable protection decision has a copy of the notification of the decision, the prescribed document is a copy of that notification.
- (3) If the person does not have a copy of that notification, the prescribed information is:
 - (a) the person’s full name; and
 - (b) the person’s address and contact details; and
 - (c) the date of the decision (if known to the person) and a description of the decision; and
 - (d) at least one of the following:
 - (i) the person’s date of birth;
 - (ii) the person’s country of birth;
 - (iii) the person’s citizenship or nationality or a statement that the person is stateless;
 - (iv) the country of issue and number of the person’s passport.

48 Paragraph 4.31A(a)

After “2.08A”, insert “, 2.08AAA”.

49 Subregulations 4.31B(1) and (2)

Repeal the subregulations, substitute:

- (1) The prescribed fee for an application for review by the ART of a reviewable protection decision is \$2,151.

Note: The fee in this subregulation is subject to increase under regulation 4.31BA.

- (2) The fee must be paid within the 7-day period beginning on the day when:
 - (a) if the ART's decision is given to the applicant orally—the applicant is taken, under subsection 368(7) of the Act, to have been notified of that decision; or
 - (b) otherwise—the applicant is taken, under section 379C of the Act, to have received the notification of that decision.

50 Subregulation 4.31B(3)

Omit “direction”, substitute “order”.

51 After subregulation 4.31B(3)

Insert:

- (3AA) No fee is payable for review of a reviewable protection decision if:
 - (a) the decision was referred to the ART under subitem 35(2) or 37(2) of Schedule 16 to the *Administrative Review Tribunal (Consequential and Transitional Provisions No. 1) Act 2024*; or
 - (b) the proceeding for review of the decision was continued and finalised by the ART in accordance with subitem 36(2) of that Schedule.

52 Regulation 4.31BA

Repeal the regulation, substitute:

4.31BA Annual increases in fees

The fee prescribed by subregulation 4.31B(1) is increased in accordance with regulation 4.31BB, on each 1 July starting on 1 July 2025.

53 Subregulation 4.31BB(5) (paragraph (a) of the definition of fee)

Omit “paragraph 4.31B(1)(c)”, substitute “subregulation 4.31B(1)”.

54 Subregulation 4.31BB(5) (definition of *relevant period*)

Omit “2018”, substitute “2024”.

55 Subparagraph 4.31C(1)(a)(ii)

Omit “direction”, substitute “order”.

56 Paragraph 4.31C(1)(b)

Omit “section 417 of the Act, has substituted for the decision of the Tribunal”, substitute “section 351 or repealed section 417 of the Act, has substituted for the decision of the Administrative Appeals Tribunal or the ART”.

57 Subregulation 4.33(1)

Omit “paragraph 415(2)(c)”, substitute “subsection 349(2)”.

58 Subregulation 4.33(2)

Omit “paragraph 415(2)(c)”, substitute “paragraph 349(2)(b)”.

59 Subregulation 4.33(2)

Omit “direction” (wherever occurring), substitute “order”.

60 Subregulation 4.33(3)

Omit “For paragraph 415(2)(c)”, substitute “For the purposes of paragraph 349(2)(b)”.

61 Subregulation 4.33(3)

Omit “direction” (wherever occurring), substitute “order”.

62 Subregulation 4.33(4)

Omit “For paragraph 415(2)(c)”, substitute “For the purposes of paragraph 349(2)(b)”.

63 Subregulation 4.33(4)

Omit “direction” (wherever occurring), substitute “order”.

64 Subregulation 4.33(5)

Omit “For paragraph 415(2)(c)”, substitute “For the purposes of paragraph 349(2)(b)”.

65 Subregulation 4.33(5)

Omit “direction”, substitute “order”.

66 Regulation 4.34

Omit “subsection 418(2)”, substitute “subsection 352(2)”.

67 Regulations 4.34A to 4.36

Repeal the regulations.

68 Division 4.4

Repeal the Division.

69 Subparagraphs 1129(3)(c)(ii) and (d)(ii) of Schedule 1

Omit “section 345, 351, 417 or 501J”, substitute “section 351 or 501J, or repealed section 417,”.

70 Subparagraph 1222(4)(c)(ii) of Schedule 1

Repeal the subparagraph, substitute:

- (ii) if that last substantive visa was cancelled, and the ART has made a decision to set aside and substitute the cancellation decision or the Minister’s decision not to revoke the cancellation—the later of the day when that last substantive visa ceased to be in effect and the day when:
 - (A) if the ART’s decision is given to the applicant orally—the applicant is taken, under subsection 368(7) of the Act, to have been notified of the decision; or
 - (B) otherwise—the applicant is taken, under section 379C of the Act, to have received the notification of the ART’s decision;

71 Subparagraph 1229(4)(a)(iv) of Schedule 1

Repeal the subparagraph, substitute:

- (iv) if the ART made a decision to set aside and substitute the Minister's decision not to revoke the cancellation of the applicant's eligible student visa—the applicant must:
 - (A) if the ART's decision is given to the applicant orally—have been taken, under subsection 368(7) of the Act, to have been notified of the decision not more than 28 days before the day on which the application is made;
 - (B) otherwise—have been taken, under section 379C of the Act, to have received the notification of the ART's decision not more than 28 days before the day on which the application is made;

72 Subitem 1237(3) of Schedule 1 (table item 5, subparagraph (c)(ii))

Repeal the subparagraph, substitute:

- (ii) if that last substantive visa was cancelled, and the ART has made a decision to set aside and substitute the cancellation decision or the Minister's decision not to revoke the cancellation—within 28 days after the day when:
 - (A) if the ART's decision is given to the applicant orally—the applicant is taken, under subsection 368(7) of the Act, to have been notified of the decision; or
 - (B) otherwise—the applicant is taken, under section 379C of the Act, to have received the notification of the ART's decision

73 Subitem 1238(3) of Schedule 1 (table item 7, subparagraph (c)(ii))

Repeal the subparagraph, substitute:

- (ii) if that last substantive visa was cancelled, and the ART has made a decision to set aside and substitute the cancellation decision or the Minister's decision not to revoke the cancellation—within 28 days after the day when:
 - (A) if the ART's decision is given to the applicant orally—the applicant is taken, under subsection 368(7) of the Act, to have been notified of the decision; or
 - (B) otherwise—the applicant is taken, under section 379C of the Act, to have received the notification of the ART's decision

74 Divisions 010.1, 020.1, 030.1 and 050.1 of Schedule 2 (note to Division heading)

Repeal the note, substitute:

Note: *ART* is defined in subsection 5(1) of the Act. *Compelling need to work* and *criminal detention* are defined in regulation 1.03. For *eligible non-citizen*, see regulation 2.20. There are no interpretation provisions specific to this Part.

75 Subclause 050.212(1) of Schedule 2

Omit “(6B),”.

76 Subparagraph 050.212(5B)(c)(ii) of Schedule 2

Omit “section 345, 351 or 417”, substitute “section 351, or repealed section 417,”.

77 Subparagraph 050.212(6)(b)(i) of Schedule 2

Omit “section 345, 351 or 417”, substitute “section 351”.

78 Subparagraphs 050.212(6)(b)(ii) and (c)(i) of Schedule 2

Omit “section 345, 351 or 417”, substitute “section 351, or repealed section 417,”.

79 Subclause 050.212(6AA) of Schedule 2

Omit “section 345, 351 or 417 of the Act, to substitute a more favourable decision for the decision of the Tribunal”, substitute “section 351 or repealed section 417 of the Act, to substitute a more favourable decision for the decision of the Administrative Appeals Tribunal or the ART”.

80 Paragraph 050.212(6A)(b) of Schedule 2

Omit “section 345, 351 or 417 of the Act, to substitute a more favourable decision for the decision of the Tribunal”, substitute “section 351 or repealed section 417 of the Act, to substitute a more favourable decision for the decision of the Administrative Appeals Tribunal or the ART”.

81 Subclause 050.212(6B) of Schedule 2

Repeal the subclause.

82 Subparagraph 050.511(1)(b)(iiia) of Schedule 2

After “subsection 473CC(2) of the Act”, insert “, as in force at the time of the decision,”.

83 Subparagraph 050.511(1)(b)(iiia) of Schedule 2

After “section 473CA of the Act”, insert “as in force at the time of the referral”.

84 Subparagraphs 050.615(1)(b)(i) and 050.615A(1)(b)(i) of Schedule 2

Omit “section 345, 351 or 417”, substitute “section 351, or repealed section 417,”.

85 Clause 050.616 of Schedule 2

Repeal the clause.

86 Division 051.1 of Schedule 2 (note 1 to Division heading)

Repeal the note, substitute:

Note 1: *ART* is defined in subsection 5(1) of the Act. *Compelling need to work* and *criminal detention* are defined in regulation 1.03. For *eligible non-citizen*, see regulation 2.20. For *finally determined*, see section 11A of the Act. There are no interpretation provisions specific to this Part.

87 Paragraph 051.511(1)(bb) of Schedule 2

After “subsection 473CC(2) of the Act”, insert “, as in force at the time of the decision,”.

88 Paragraph 051.511(1)(bb) of Schedule 2

After “section 473CA of the Act”, insert “as in force at the time of the referral”.

89 Paragraph 051.513(1)(bb) of Schedule 2

After “subsection 473CC(2) of the Act”, insert “, as in force at the time of the decision,”.

90 Paragraph 051.513(1)(bb) of Schedule 2

After “section 473CA of the Act”, insert “as in force at the time of the referral”.

91 Clause 100.111 of Schedule 2 (paragraph (b) of the definition of *sponsoring partner*)

Omit “section 345, 351, 417 or 501J”, substitute “section 351 or 501J, or repealed section 417,”.

92 Paragraph 100.221(2A)(a) of Schedule 2

Omit “section 345, 351, 417 or 501J”, substitute “section 351 or 501J, or repealed section 417,”.

93 Subparagraph 100.321(d)(i) of Schedule 2

Omit “section 345, 351, 417 or 501J”, substitute “section 351 or 501J, or repealed section 417,”.

94 Clause 801.111 of Schedule 2 (paragraph (b) of the definition of *sponsoring partner*)

Omit “section 345, 351, 417 or 501J”, substitute “section 351 or 501J, or repealed section 417,”.

95 Paragraph 801.221(2A)(a) of Schedule 2

Omit “section 345, 351, 417 or 501J”, substitute “section 351 or 501J, or repealed section 417,”.

96 Paragraph 801.311(3)(a) of Schedule 2

Omit “section 345, 351, 417 or 501J”, substitute “section 351 or 501J, or repealed section 417,”.

97 Subparagraph 801.321(a)(iii) of Schedule 2

Omit “section 345, 351, 417 or 501J”, substitute “section 351 or 501J, or repealed section 417,”.

98 Paragraph 3001(2)(d) of Schedule 3

Repeal the paragraph, substitute:

- (d) if the last substantive visa held by the applicant was cancelled, and the ART has made a decision to set aside and substitute the cancellation decision or the Minister’s decision not to revoke the cancellation—the later of the day when that last substantive visa ceased to be in effect and the day when:
 - (i) if the ART’s decision is given to the applicant orally—the applicant is taken, under subsection 368(7) of the Act, to have been notified of the decision; or
 - (ii) otherwise—the applicant is taken, under section 379C of the Act, to have received the notification of the ART’s decision.

Part 2—Bulk amendments

Migration Regulations 1994

99 Amendments of listed provisions

The provisions listed in the following table are amended as set out in the table.

Amendments		
Provision	Omit (wherever occurring)	Substitute
1.03 (definition of <i>outstanding</i>)	Tribunal	ART
1.13A(2)(e)	Tribunal	ART
2.11(3)	Tribunal	ART
2.43(1)(1)(ii)	Tribunal	ART
2.90(2)	Tribunal	ART
4.02 (heading)	Part 5-reviewable	Reviewable migration
4.02(4), (4A) and (4B)	Part 5-reviewable	reviewable migration
4.12 (heading)	Tribunal	ART
4.12(2)(c)	Part 5-reviewable	reviewable migration
4.12(2)	Tribunal	ART
4.12(4)(c)	Part 5-reviewable	reviewable migration
4.12(4)	Tribunal	ART
4.12(5)	Tribunal of:	ART of:
4.12(5)(b)	Part 5-reviewable	reviewable migration
4.12(5)	Tribunal of the	ART of the
4.12(6)(c)	Part 5-reviewable	reviewable migration
4.12(6)	Tribunal	ART
4.13 (heading)	Tribunal	ART
4.13(2) and (3)	Tribunal	ART
4.14 (heading)	Tribunal	ART
4.14(1) (table items 2 and 3)	Tribunal	ART
4.14(2)	Tribunal	ART
4.15(1)	Tribunal's	ART's
4.15(3)	Tribunal	ART
4.16	Registrar	ART
4.16	Tribunal	ART
4.27	Tribunal	ART
4.31A (heading)	Tribunal	ART
4.31A(c)	Part 7-reviewable	reviewable protection
4.31A	Tribunal	ART
4.31B (heading)	Tribunal	ART
4.31B(3)	Tribunal	ART
4.31B(3A)(b)	Tribunal's	ART's
4.31B(3A)(b)	Tribunal	ART
4.31C (heading)	Tribunal	ART
4.31C(1)(a)	Tribunal	ART

Amendments		
Provision	Omit (wherever occurring)	Substitute
4.33 (heading)	Tribunal	ART
4.39(1) (definition of <i>lodge an address for service</i>)	Tribunal	ART
4.39(2)	Part 5-reviewable	reviewable migration
4.39(2)	Part 7-reviewable	reviewable protection
4.39(3)	Tribunal	ART
5.19(15)(b)(ii)	Part 5-reviewable	reviewable migration
5.19(15) (note)	Part 5-reviewable	reviewable migration
5.41(1)	Tribunal	ART
1111(3A)(e)(ii) of Schedule 1	Tribunal	ART
1128(3)(e)(ii) of Schedule 1	Tribunal	ART
1216(3)(d)(ii) of Schedule 1	Tribunal	ART
1229(5)(e)(iv) of Schedule 1	Tribunal	ART
1301(3)(e) of Schedule 1	Tribunal	ART
010.511(1)(b) of Schedule 2	Tribunal	ART
010.513(c) of Schedule 2	Tribunal	ART
020.511(1)(b) of Schedule 2	Tribunal	ART
020.512(ba) of Schedule 2	Tribunal	ART
030.511(1)(b) of Schedule 2	Tribunal	ART
030.512(c) of Schedule 2	Tribunal	ART
050.511(1)(b) of Schedule 2	Tribunal	ART
050.511C(1)(b)(ii) of Schedule 2	Tribunal	ART
050.511D(1) of Schedule 2	Tribunal	ART
050.512(c) of Schedule 2	Tribunal	ART
050.513(1) of Schedule 2	Tribunal	ART
050.513B(1) of Schedule 2	Tribunal	ART
050.514(1) of Schedule 2	Tribunal	ART
050.514AB(1) of Schedule 2	Tribunal	ART
051.511(1) of Schedule 2	Tribunal	ART
051.512(d) of Schedule 2	Tribunal	ART
051.513(1) of Schedule 2	Tribunal	ART
051.513(2)(d) of Schedule 2	Tribunal	ART
100.221(4A)(b) of Schedule 2	Tribunal	ART
192.112(2)(e) of Schedule 2	Tribunal	ART
309.321(2)(b)(iii) of Schedule 2	Tribunal	ART
408.112(2)(e) of Schedule 2	Tribunal	ART
801.221(8)(b) of Schedule 2	Tribunal	ART
820.321(b)(iii) of Schedule 2	Tribunal	ART
4020(1) of Schedule 4	Tribunal	ART
4020(1) of Schedule 4	Part 5-reviewable	reviewable migration

Part 3—Application and transitional provisions

Migration Regulations 1994

100 In the appropriate position in Schedule 13

Insert:

Part 139—Amendments made by the Migration Amendment (Administrative Review Tribunal Consequential Amendments) Regulations 2024

13901 Definition

In this Part:

amending Part means Part 1 of Schedule 1 to the *Migration Amendment (Administrative Review Tribunal Consequential Amendments) Regulations 2024*.

13902 Application provision—invitation to give additional information or comments

The amendments made to paragraphs 2.15(1)(a), (3)(a) and (4)(a) by the amending Part apply in relation to an invitation given under section 56 or 57 of the Act on or after the commencement of the amending Part.

13903 Transitional provision—invitation to give additional information or comments

- (1) This clause applies if:
 - (a) an invitation was given under section 56 or 57 of the Act before the commencement of the amending Part; and
 - (b) the prescribed period for the invitation was the period prescribed by sub-subparagraph 2.15(1)(b)(ii)(B) or subparagraph 2.15(3)(b)(ii) of these Regulations (as the case may be); and
 - (c) immediately before that commencement, that period has not ended.
- (2) The prescribed period for the invitation is taken, on and after the commencement of the amending Part, to be the period prescribed by sub-subparagraph 2.15(1)(b)(ii)(C) or subparagraph 2.15(3)(b)(iii) of these Regulations (as the case may be).

13904 Application and saving provisions—review application fee

- (1) Subregulation 4.31B(2), as inserted by the amending Part, applies in relation to an application for review made on or after the commencement of the amending Part.
- (2) Despite the repeal of subregulation 4.31B(2) as in force immediately before the commencement of the amending Part, that subregulation continues to apply, on and after that commencement, in relation to an application for review made before that commencement, as if the repeal had not happened.