



Migration Amendment (Subclass 462 (Work and Holiday) Visa) Regulations 2024

I, the Honourable Frances Adamson AC, Administrator of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 29 August 2024

Frances Adamson AC
Administrator

By Her Excellency's Command

Tony Burke
Minister for Immigration and Multicultural Affairs

Contents

1	Name	1
2	Commencement.....	1
3	Authority	1
4	Schedules.....	1
Schedule 1—Amendments		2
	<i>Migration Regulations 1994</i>	2

1 Name

This instrument is the *Migration Amendment (Subclass 462 (Work and Holiday) Visa) 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	16 September 2024.	16 September 2024

Note: This table relates only to the provisions of this instrument as originally made.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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

Migration Regulations 1994

1 After subitem 1224A(3) of Schedule 1

Insert:

(3A) If:

- (a) the applicant is not, and has not previously been, in Australia as the holder of a Subclass 462 (Work and Holiday) visa; and
- (b) the applicant holds a valid passport issued by a foreign country specified by the Minister in a legislative instrument made for the purposes of this paragraph;

the requirements of the following table must be met.

Requirements for certain applicants

Item	Requirements
1	The applicant is a selected participant for a visa pre-application process (the <i>relevant process</i>) conducted under subsection 46C(1) of the Act in relation to: (a) a Subclass 462 (Work and Holiday) visa; and (b) the foreign country that issued the valid passport held by the applicant
2	At the time the applicant became a registered participant for the relevant process, the applicant held a valid passport issued by the foreign country to which the relevant process relates
3	The application is made on or before the date specified in the notice given to the applicant after becoming a selected participant for the relevant process as the date by which the applicant must make a valid visa application for a Subclass 462 (Work and Holiday) visa

Note: A determination made under subsection 46C(14) of the Act determines rules that apply in relation to the conduct of the relevant process, including when a person is a registered participant, and a selected participant, for the relevant process. It also provides for the giving of the notice referred to in item 3 of the table.

2 In the appropriate position in Schedule 13

Insert:

Part 138—Amendments made by the Migration Amendment (Subclass 462 (Work and Holiday) Visa) Regulations 2024

13801 Operation of amendments

The amendments made by Schedule 1 to the *Migration Amendment (Subclass 462 (Work and Holiday) Visa) Regulations 2024* apply in relation to an application for a visa made on or after the commencement of that Schedule.