

Migration Amendment (Public Interest Criteria 4005 and 4007) 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 10 October 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 (Public Interest Criteria 4005 and 4007) 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 | The day after this instrument is registered. | 16 October 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Note: This table relates only to the provisions of this instrument as originally made.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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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 Paragraph 4005(1)(c) of Schedule 4

Before “free”, insert “, unless the applicant is a minor born in Australia and is ordinarily resident in Australia,”.

2 Paragraph 4007(1)(c) of Schedule 4

Before “free”, insert “, unless the applicant is a minor born in Australia and is ordinarily resident in Australia,”.

3 In the appropriate position in Schedule 13

Insert:

Part 140—Amendments made by the Migration Amendment (Public Interest Criteria 4005 and 4007) Regulations 2024

14001 Operation of amendments

The amendments of these Regulations made by Schedule 1 to the *Migration Amendment (Public Interest Criteria 4005 and 4007) Regulations 2024* apply in relation to an application for a visa:

(a) made, but not finally determined, before the commencement of that Schedule; or

(b) made on or after that commencement.