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Statutory Rules 1994 No. L1

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Migration (Iraq—United Nations Security Council Resolutions) Regulations

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Migration Act 1958*.

Dated L 1994.

21 July/

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BILL HAYDEN/

Governor-General

By His Excellency's Command,

L

NICK BOLKUS/

Minister for Immigration and Ethnic Affairs

Citation

1. These Regulations may be cited as the Migration (Iraq—United Nations Security Council Resolutions) Regulations.

Commencement

2. These Regulations commence on 1 September 1994.

Interpretation

3. In these Regulations, unless the contrary intention appears:

“Act” means the *Migration Act 1958*;

“alien” means a person who is not:

- (a) an Australian citizen; or
- (b) an Australian permanent resident (within the meaning of the Migration Regulations).

Application

4. These provisions apply in addition to, and despite any provision to the contrary in, any other Regulations under the Act.

Special criterion for grant of visa

5. (1) Subject to subregulation (2), it is a criterion applicable (at the time of decision) to an application for a visa of any class that the Minister is satisfied that the applicant will not engage, or would, if permitted to enter Australia, be unlikely to engage within Australia, in an activity that:

- (a) involves the sale or supply of any commodity or product:
 - (i) to any person or organisation in Iraq; or
 - (ii) to any person or organisation, whether in Australia or overseas, for the purposes (whether direct or indirect) of any business carried on in, or operated from, Iraq; or
- (b) promotes, or is calculated to promote, a sale or supply of that kind.

(2) Subregulation (1) does not apply to an activity that:

- (a) relates solely to the sale or supply of:
 - (i) foodstuffs; or
 - (ii) goods intended solely for medical purposes; or
- (b) is done in accordance with a permission under subregulation (3).

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(3) The Minister may grant a permission in writing to an alien to engage in an activity specified in subregulation (1) if the Minister is satisfied that permitting the activity will not infringe Australia's obligations under international law.

Cancellation of visa

6. For the purposes of paragraph 116 (1) (g) of the Act, if the Minister is satisfied that an alien has engaged, within Australia, in an activity to which subregulation 5 (1) applies, that is a prescribed ground for the Minister to cancel a visa held by the alien.

Repeal

7. Statutory Rules 1991 No. 222 are repealed.

NOTE

1. Notified in the *Commonwealth of Australia Gazette* on

L 1994.

28 July/