

## **EXPLANATORY STATEMENT**

### *Migration Regulations 1994*

#### ***Migration (Class of persons and Specified Events for Class GG visa and Subclass 408 (Temporary Activity) visa) Instrument 2019/231***

*(subregulation 2.07(5), subparagraph 1237(2)(a)(i) of Schedule 1, paragraph 408.229(b) and 408.229(c) of Schedule 2)*

1. The instrument, LIN 19/231, is made under subregulation 2.07(5), subparagraph 1237(2)(a)(i) of Schedule 1, and paragraphs 408.229(b) and 408.229(c) of Schedule 2 to the *Migration Regulations 1994* (the Regulations).
2. The instrument is made by a delegate of the Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs. The instrument making power is delegated to all Senior Executive Service, Band One officers of Immigration Programs Division under *Instrument Making Powers (Minister) Instrument 2019 (LIN 19/022)*.
3. The instrument operates to specify:
  - (a) for the purposes of paragraph 1237(2)(a)(i) of Schedule 1 to the Regulations, a class of persons for whom the Visa Application Charge (VAC) amount is nil for a Temporary Activity (Class GG) visa (Class GG visa);
  - (b) for the purposes of paragraph 408.229(b) of Schedule 2 to the Regulations, an event that is an Australian Government Endorsed Event (AGEE) for the purposes of a Subclass 408 (Temporary Activity) visa (Subclass 408 visa); and
  - (c) for the purposes of paragraph 408.229(c) of Schedule 2 to the Regulations, classes of persons in relation to the events specified for paragraph 408.229(b).
4. The instrument's purpose is to specify:
  - (a) for the purposes of paragraph 1237(2)(a)(i) of Schedule 1 to the Regulations, that designated participants of the International Cricket Council Men's Twenty20 World Cup (ICC Men's T20 World Cup 2020), the International Cricket Council Women's Twenty20 World Cup (ICC Women's T20 World Cup 2020), and the International Federation for Intellectual Impairment Sports

(INAS) 2019 Global Games (INAS 2019 Global Games) are a class of persons for whom the VAC amount is nil for a Class GG visa;

- (b) for the purposes of paragraph 408.229(b) of Schedule 2 to the Regulations, that the ICC Men's T20 World Cup 2020, the ICC Women's World T20 World Cup 2020 and the INAS 2019 Global Games, are AGEES; and
- (c) for the purposes of paragraph 408.229(c) of Schedule 2 to the Regulations, that designated participants in the ICC Men's T20 World Cup 2020, the ICC Women's T20 World Cup 2020 and the INAS 2019 Global Games are classes of persons to the above listed events,.

5. Consultation in regard to the:

(a) ICC Men's T20 World Cup 2020 and the ICC Women's T20 World Cup 2020 - the Minister for Sport committed Australia's support of these events and requested the support of the then Minister for Immigration and Border Protection on 6 December 2017 who agreed on 12 December 2017, to specify the ICC Men's T20 World Cup 2020 and the ICC Women's T20 World Cup 2020 as an AGEE and to specify that certain participants designated for these events as classes of persons eligible to apply for a Subclass 408 visa with a nil VAC. The T20 World Cup 2020 Ltd, in conjunction with the International Cricket Council, were also consulted in regards to which participants should be designated for these events as classes of persons eligible to apply for a Subclass 408 visa with a nil VAC.

(b) INAS 2019 Global Games – consultation was undertaken with Sports Inclusion Australia, who requested AGEE status, use of the Subclass 408 visa and a nil VAC for designated participants of the INAS 2019 Global Games. This request was supported by the Minister for Sport. On 26 March 2019, the then Minister for Immigration, Citizenship and Multicultural Affairs agreed to specify the INAS 2019 Global Games as an AGEE and to specify that certain participants designated for this event as a class of persons eligible to apply for a Subclass 408 visa with a nil VAC.

6. The Office of Best Practice Regulation (OBPR) have advised that a Regulatory Impact Statement is not required (OBPR reference for: ICC Men's T20 World Cup

2020 and the ICC Women's T20 World Cup 2020 – 25234; and the INAS 2019 Global Games - 25140).

7. Under section 10 of the *Legislation (Exemptions and Other Matters) Regulation 2015*, the instrument is exempt from disallowance and therefore a Statement of Compatibility with Human Rights is not required.
8. The instrument, LIN 19/231, commences on the day after registration on the Federal Register of Legislation.