



Migration (Approved Activities) Instrument (LIN 20/053) 2020

I, Michael Pezzullo, Secretary of the Department of Home Affairs, make the following instrument:

Dated 25 September 2020

Michael Pezzullo
Secretary of the Department of Home Affairs

1 Name

- (1) This instrument is the *Migration (Approved Activities) Instrument (LIN 20/053) 2020*.
- (2) This instrument may be cited as LIN 20/053.

2 Commencement

This instrument commences on the day after it is registered on the Federal Register of Legislation.

3 Authority

This instrument is made under paragraph 235(7)(a) and subsection 245AF(a) of the *Migration Act 1958*.

4 Definitions

Note 1: A number of expressions used in this instrument are defined in subsection 5(1) of the Act including *detainee* and *immigration detention*.

Note 2: For the purposes of Subdivision C of Division 12 of Part 2 of the Act, *work* is defined in subsection 245AG(1) of the Act.

In this instrument:

Act means the *Migration Act 1958*.

Regulations means the *Migration Regulations 1994*.

5 Repeal

In accordance with section 33(3) of the *Acts Interpretation Act 1901*, *Migration (IMMI 10/019: Approval of Activities) Instrument 2010* (F2010L01570) is repealed.

6 Approved activities

For the purpose of subsections 235(7)(a) and 245AF(a) of the Act, the following activities, when voluntarily engaged in by a detainee in immigration detention, are approved:

- (a) for personal purposes including but not limited to:
 - (i) gardening;
 - (ii) cleaning; or
 - (iii) painting;
- (b) cooking and food preparation;
- (c) community activities for charitable and other non for profit organisations, which include fundraising activities that provide a benefit to the local community;
- (d) educational classes and activities;
- (e) computer activities;
- (f) arts or crafts;
- (g) excursions outside of the immigration detention centre;
- (h) religious services and cultural activities;
- (i) recreational activities including any of the following:
 - (i) games;
 - (ii) physical fitness activities;
 - (iii) reading;
 - (iv) music;
 - (v) sport and sporting competitions;
 - (vi) television and movies.

Note: Paragraph 245AF(a) of the Act provides that no offence or civil penalty in relation to work by non-citizens under subdivision C of Division 12 of Part 2 of the Act is committed where a detainee in immigration detention voluntarily engages in an activity of a kind approved in writing by the Secretary.