



LIN 21/048

**Migration (Income Threshold and Exemptions for Subclass 189 Visa (New Zealand Stream)) Amendment Instrument (LIN 21/048) 2021**

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I, Alex Hawke, Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs, make this instrument under subclause 189.233(2) of Schedule 2 to the *Migration Regulations 1994*.

Dated 9 November 2021

Alex Hawke  
Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs

**1 Name**

This instrument is the *Migration (Income Threshold and Exemptions for Subclass 189 Visa (New Zealand Stream)) Amendment Instrument (LIN 21/048) 2021*.

**2 Commencement**

This instrument commences on the later of:

- (a) the day after registration; and
- (b) 1 July 2021.

**3 Amendment**

Schedule 1 amends *Migration (Income Threshold and Exemptions for Subclass 189 Visa (New Zealand Stream)) Instrument (LIN 21/018) 2021 (F2021L00596)*.

## Schedule 1 Amendment

(s.3)

### [1] Subparagraph 7(1)(b)(i)

*omit*

income year;

*insert*

or 2020–21 income year, and seeks to be an exempt applicant for one of those income years;

### [2] Subparagraph 7(1)(b)(iii)

*substitute*

(iii) provides the evidence mentioned in paragraph (a) of item 4 of Schedule 1 for the 2019–20 or 2020–21 income years; and

(iv) provides the evidence mentioned in paragraph (b) of item 4 of Schedule 1 for the income year for which the applicant is not able to meet the income requirement.

### [3] Schedule 1, item 4

*Substitute*

Item	Classes of exempt applicants	Evidence
4	<p>The applicant:</p> <p>(a) would have likely met the minimum amount of the income requirement for the 2019–20 or 2020–21 income year if not for the effects of the COVID-19 pandemic on the Australian economy; and</p> <p>(b) could not meet the minimum amount of the income requirement for the 2019–20 or 2020–21 income year because of the effects of the COVID-19 pandemic on the Australian economy.</p>	<p>(a) either:</p> <p>(i) a signed letter written on a company letterhead by the applicant's current or former employer stating the applicant's salary before 1 February 2020; or</p> <p>(ii) the applicant's pay slips, salary advices or employment contracts (stating the applicant's salary) for a period in the 2019–20 or 2020–21 income year to demonstrate that the applicant was likely to meet the income threshold in the 2019–20 or 2020–21 income year; and</p> <p>(b) any of the following documents:</p> <p>(i) a statutory declaration by the applicant's employer acknowledging the applicant's 2019–20 or 2020–21 taxable income has reduced, due to:</p> <p>(A) reduced availability of shifts/hours resulting in a drop in income; or</p> <p>(B) the applicant contracting COVID-19 or having caring responsibilities for a person who contracted COVID-19, preventing the applicant from working and resulted in a drop in income; or</p> <p>(C) medically directed orders to self-isolate, preventing the applicant from working and resulting in a drop in income; or</p> <p>(D) caring responsibilities as a result of COVID-19 pandemic shutdowns (eg schools, childcare centres) that prevented the applicant from working and resulted in a drop in income;</p>

		<ul style="list-style-type: none"> <li>(ii) if the applicant's employment was terminated—a statutory declaration by the applicant's former employer stating that the circumstances of the applicant's dismissal were related to the COVID-19 pandemic effects on the business;</li> <li>(iii) documentation proving that the applicant had access to the JobKeeper Wage Subsidy for a period in the 2019–20 or 2020–21 income year including: <ul style="list-style-type: none"> <li>(A) employee nomination form or other statements or documents provided by the Australian Taxation Office demonstrating that the applicant had access to the JobKeeper Wage Subsidy; or</li> <li>(B) alternative statements provided by the Australian Taxation Office at the applicant's request;</li> </ul> </li> <li>(iv) Services Australia-Centrelink letters showing the applicant claimed and received JobSeeker payments for a period in the 2019–20 or 2020–21 income year.</li> </ul>
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