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# **Migration (Liberia — United Nations Security Council Resolution No. 1343) Regulations 2001**

**Statutory Rules 2001 No. 1**

**241**

I, PETER JOHN HOLLINGWORTH, 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 **29 AUG 2001** 2001

**PETER HOLLINGWORTH**  
Governor-General

By His Excellency's Command

**PHILIP RUDDOCK**  
Minister for Immigration and Multicultural Affairs

**1 Name of Regulations**

These Regulations are the *Migration (Liberia — United Nations Security Council Resolution No. 1343) Regulations 2001*.

**2 Commencement**

These Regulations commence on 1 November 2001.

**3 Definitions**

In these Regulations:

***Act*** means the *Migration Act 1958*.

***Committee*** means the committee established under paragraph 14 of the Resolution.

***designated person*** means a person who:

(a) is any of the following:

- (i) a senior member of the Government of Liberia;
- (ii) a senior member of the Liberian armed forces;
- (iii) a spouse of a person mentioned in subparagraph (i) or (ii);
- (iv) an individual providing financial or military support to armed rebel groups in countries neighbouring Liberia, in particular the Revolutionary United Front in Sierra Leone; and

(b) has been designated by the Committee in accordance with paragraph 7 (a) of the Resolution.

***Resolution*** means United Nations Security Council Resolution No. 1343 (2001).

**4 Application**

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

## 5 Special criterion for grant of visas

- (1) This regulation applies in relation to an application for a visa:
  - (a) made, but not finally determined (within the meaning of subsection 5 (9) of the Act), before 1 November 2001; or
  - (b) made on or after 1 November 2001.
- (2) It is a criterion applicable (at the time of decision) to an application for a visa of any class by a designated person that the Minister is satisfied that:
  - (a) the Committee has determined that the designated person's travel:
    - (i) is justified on the grounds of humanitarian need, including religious obligation; or
    - (ii) would assist in the peaceful resolution of the conflict in the West Africa subregion; or
    - (iii) would otherwise promote Liberian compliance with the demands of the United Nations Security Council; or
  - (b) there are compelling reasons to grant the visa to the designated person.

## 6 Prescribed ground for cancelling visas (Act s 116)

- (1) This regulation applies to a visa granted on, before or after 1 November 2001.
- (2) For paragraph 116 (1) (g) of the Act, it is a prescribed ground for cancelling a visa (other than a visa granted on the basis that the applicant satisfied the criterion in subregulation 5 (2)) that the holder of the visa is, or becomes, a designated person.
- (3) However, the Minister is not to cancel a visa on the ground prescribed under subregulation (2) if the Minister is satisfied that:
  - (a) the Committee has determined that the designated person's travel to, or continued stay in, Australia:
    - (i) is justified on the grounds of humanitarian need, including religious obligation; or

## **Regulation 6**

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- (ii) would assist in the peaceful resolution of the conflict in the West Africa subregion; or
- (iii) would otherwise promote Liberian compliance with the demands of the United Nations Security Council; or

(b) there are compelling reasons for the designated person to continue to hold the visa.

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### **Note**

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

1 2001.

5 September