

EXPLANATORY STATEMENT

Migration Regulations 1994

SPECIFICATION OF OCCUPATIONS AND ASSESSING AUTHORITIES (Paragraph 187.234(b))

1. This Instrument is made under Paragraph 187.234(b) of the *Migration Regulations 1994* ('the Regulations').
2. Paragraph 187.234(b) provides that at the time of application for a Subclass 187 visa, if an applicant's occupation is specified by the Minister in an instrument in writing for this paragraph and the applicant did not obtain the necessary qualification in Australia, that the applicant's skills have been assessed as suitable for the occupation by an assessing authority specified by the Minister in the same instrument in writing as the assessing authority for the occupation.
3. The purpose of the Instrument is to make some minor technical changes to the assessing authorities relevant to applications for a Subclass 187 visa at the time of application as provided at Paragraph 187.234(b).
4. The effect of the Instrument is at the time of application an applicant for a Subclass 187, who has a qualification obtained outside of Australia, the assessing authority must have assessed the applicant's skill as suitable for that occupation.
5. Pursuant to subsection 18(1) of the *Legislative Instruments Act 2003* consultation was not necessary. The Instrument is of a minor or machinery nature and does not substantially alter existing arrangements.
6. The Office of Best Practice Regulation has advised that a Regulatory Impact Statement is/is not required (OBPR Reference 14165).
7. Under section 44 of the *Legislative Instruments Act 2003* the Instrument is exempt from disallowance and therefore a Human Rights Statement of Compatibility is not required.
8. The Instrument, IMMI 12/096, commences on 1 October 2012.