



**Commonwealth of Australia**

*Migration Regulations 1994*

**CLASSES OF PERSONS (EXEMPT FROM THE AGE CRITERIA)**

(Paragraphs 186.221(b), 186.231(b), 187.221(b), 187.231(b))

I, *BRENDAN O'CONNOR*, Minister for Immigration and Citizenship, acting under paragraphs 186.221(b), 186.231(b), 187.221(b) and 187.231(b) of the *Migration Regulations 1994* ('the Regulations'):

1. REVOKE Instrument IMMI 12/058, signed on 12 June 2012 specifying classes of persons for the purposes of paragraphs 186.221(b), 186.231(b), 187.221(b) and 187.231(b).
2. SPECIFY the following classes of persons for the purposes of paragraphs 186.221(b), 186.231(b), 187.221(b) and 187.231(b) of the Regulations:

**Class 1**

Persons who are employed in certain occupations and industries as follows:

- Ministers of Religion (ANZSCO 272211) who have applied for a visa under the Regulations to occupy a position as nominated by a religious institution; or
- Researchers, scientists and technical specialists at ANZSCO skill levels 1 or 2, who have applied for a visa under the Regulations to occupy a position as nominated by Australian scientific government agencies; or
- Senior academics who have applied for a visa under the Regulations to occupy a position as nominated by a university in Australia. A senior academic is a person to be employed at an Academic Level of B, C, D or E as a University Lecturer (ANZSCO 242111) or Faculty head (ANZSCO 134411).

3. SPECIFY the following classes of persons for the purposes of paragraphs 186.221(b) and 187.221(b):

**Class 2**

Persons:

- who have been working for their nominating employer as the holder of a Subclass 457 visa for at least the four years immediately before applying and whose annual earnings for each year in the four year period was at least equivalent to the Fair Work High Income Threshold; or

Medical practitioners (ANZSCO MINOR GROUP 253):

- who have been working for their nominating employer as the holder of a Subclass 457 visa for at least the four years immediately before applying and whose nominated position is located in regional Australia as prescribed by subregulation 5.19(7); or

Medical practitioners (ANZSCO MINOR GROUP 253):

- who have been working for their nominating employer as the holder of a Subclass 422 visa before becoming a holder of a Subclass 457 visa for the prescribed period of two years in the four years immediately before applying and whose nominated position is located in regional Australia as prescribed by subregulation 5.19(7).

4. SPECIFY the following classes of persons for the purposes of paragraphs 186.231(b) and 187.231(b):

**Class 3**

Persons:

- who hold Subclass 444 or 461 visas who have been working for their nominating employer in their nominated occupation for at least two years (excluding any periods of unpaid leave) in the last three years immediately before making their visa application; or

Medical practitioners (ANZSCO MINOR GROUP 253):

- who have been working for their nominating employer as the holder of a Subclass 422 visa for at least the four years immediately before applying; and whose nominated position is located in regional Australia as prescribed by subregulation 5.19(7); or

Medical practitioners (ANZSCO MINOR GROUP 253):

- who have been working for their nominating employer as the holder of a Subclass 422 visa before becoming a holder of a Subclass 457 visa in the four years immediately before applying and whose nominated position is located in regional Australia as prescribed by subregulation 5.19(7).

This Instrument, IMMI 13/059, commences on 25 June 2013.

Dated 21 June 2013

BRENDAN O'CONNOR  
Minister for Immigration and Citizenship