

EXPLANATORY STATEMENT

Migration Regulations 1994

INSTITUTIONS AND DISCIPLINES FOR SUBCLASS 476 (SKILLED – RECOGNISED GRADUATE) VISAS (Clause 476.212)

1. This Instrument is made under clause 476.212 of the *Migration Regulations 1994* ('the Regulations').
2. Clause 476.212 of the Regulations provides that the applicant must have (a) completed a course in the period of 24 months ending immediately before the day on which the application is made; and (b) at an institution specified by the Minister in an instrument in writing for the paragraph, for the award of a degree or higher qualification in a discipline specified in an instrument in writing for the clause.
3. The purpose of the Instrument is to increase numbers of graduate engineers working in Australia and address the current skills shortage in this occupation. The Instrument specifies that applicants for a subclass 476 visa must have completed their engineering degree at a Recognised Institution under the Washington Accord as specified in the Instrument.
4. The Instrument operates to specify institutions whose names are published on the website of an accrediting body that is a signatory to the Washington Accord and courses, which are accredited by that accrediting body, for the purposes of paragraph 476.212(b).
5. The Canadian High Commission made representations to the department before the Instrument was made. Once the Instrument is confirmed as taking effect on 14 February 2014, the Department of Foreign Affairs and Trade and Engineers Australia will be advised of the change.
6. The Office of Best Practice Regulation has advised that a Regulation Impact Statement is not required (OBPR Reference 16387).
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 commences on 14 February 2014.