



Commonwealth of Australia

Migration Regulations 1994

CRITERIA FOR APPROVAL OF NOMINATION AND OCCUPATIONAL TRAINING FOR THE PURPOSES OF SUBCLASS 407 (TRAINING) VISA 2016/108

(Subregulation 2.72A(12))

I, *PETER DUTTON*, Minister for Immigration and Border Protection, acting under paragraphs 2.72A(12)(c) and 2.72A(12)(d) of the *Migration Regulations 1994* (the Regulations):

1. SPECIFY for the purposes of paragraph 2.72A(12)(c) of the Regulations, the following sponsors:
 - a) an agency of:
 - i) a State; or
 - ii) a Territory;
 - b) a higher education provider listed from time to time under Subdivision 16-B of the *Higher Education Support Act 2003* as a:
 - i) Table A provider; and
 - ii) Table B provider;

unless the body ceases to be a higher education provider because of section 16-5 of the *Higher Education Support Act 2003*; and
 - c) an entity engaged in the field of:
 - i) health care;
 - ii) scientific research;
 - iii) social assistance;
 - iv) religious services.
2. SPECIFY for the purposes of paragraph 2.72A(12)(d) of the Regulations, the occupational training will be provided:
 - a) in circumstances where:
 - i) the occupational training is necessary for the nominee to obtain registration,

- membership or licensing in Australia, or in the home country of the nominee, in relation to the occupation of the nominee;
- ii) the registration, membership or licensing is required in order for the nominee to be employed in the occupation of the nominee in Australia or in the home country of the nominee;
 - iii) the duration of the occupational training is necessary for the nominee to obtain registration, membership or licensing in Australia, or in the home country of the nominee, in relation to the occupation of the nominee, taking into account the prior experience of the nominee;
 - iv) the occupational training is workplace based; and
 - v) the nominee has appropriate qualifications and experience to undertake the occupational training; or
- b) in circumstances where the provider is an associated entity of the sponsor as defined in section 50AAA of the *Corporations Act 2001*.

This Instrument, Criteria for Approval of Nomination and Occupational Training for the Purposes of Subclass 407 (Training) Visa 2016/108, IMMI 16/108, commences immediately after the commencement of the *Migration Amendment (Temporary Activity Visas) Regulation 2016*.

Dated: 16 November 2016

Peter Dutton

THE HON PETER DUTTON MP
Minister for Immigration and Border Protection