

Migration (LIN 20/029: Determination of International Trade Obligations Relating to Labour Market Testing) Instrument 2020

I, Alan Tudge, Minister for Population, Cities and Urban Infrastructure, on behalf of the Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs, make the following instrument.

Dated: 28.01.2020

Alan Tudge

The Hon Alan Tudge MP

Minister for Population, Cities and Urban Infrastructure

on behalf of the Minister for Immigration, Citizenship, Migrant Services and  
Multicultural Affairs

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Part 1 – Preliminary

1 Name

(1) This instrument is the *Migration (LIN 20/029: Determination of International Trade Obligations Relating to Labour Market Testing) Instrument 2020*.

(2) This instrument may be cited as LIN 20/029.

2 Commencement

1. Each provision specified in column 1 of the table below commences, or is taken to have commenced, in accordance with column 2 of the table.

| Commencement information | | |
| --- | --- | --- |
| Column 1 | Column 2 | Column 3 |
| Provisions | Commencement | Date/Details |
| Sections 1 to 6 except subsections 6(g) and 6(c) | At the same time as Schedule 1 to the *Customs Amendment (Growing Australian Export Opportunities Across the Asia-Pacific) Act 2019* commences. |  |
| Subsection 6(g) | At the same time as Schedule 2 to the *Customs Amendment (Growing Australian Export Opportunities Across the Asia-Pacific) Act 2019* commences. |  |
| Subsection 6(c) | At the same time as Schedule 3 to the *Customs Amendment (Growing Australian Export Opportunities Across the Asia-Pacific) Act 2019* commences. |  |

(2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under subsection 140GBA(2) of the Act.

4 Definitions

In this instrument:

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

***ASEAN*** means *Association of Southeast Asian Nations.*

***labour market testing*** is defined in subsection 140GBA(7) of the Act.

5 Repeal

According to section 33 of the *Acts Interpretation Act 1901*, the instrument *Migration (LIN 18/183: Determination of International Trade Obligations Relating to Labour Market Testing) Instrument 2018,* (F2018L01479), is repealed.

Part 2 – Determination of international trade obligations relating to labour market testing

6 International trade obligations

For the purposes of paragraph 140GBA(1)(c) of the Act, each obligation of Australia under international law, that relates to international trade, under the following agreements is determined as an international trade obligation of Australia:

* 1. Agreement Establishing the ASEAN-Australia-New Zealand Free Trade Area (AANZFTA);
  2. Australia-Chile Free Trade Agreement (ACl-FTA);
  3. Free Trade Agreement between Australia and Hong Kong, China (A‑HKFTA);
  4. China-Australia Free Trade Agreement (ChAFTA);
  5. Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP);
  6. General Agreement on Trade in Services at Annex 1B to the Marrakesh Agreement Establishing the World Trade Organization (GATS);
  7. Indonesia-Australia Comprehensive Economic Partnership Agreement   
     (IA-CEPA);
  8. Japan-Australia Economic Partnership Agreement (JAEPA);
  9. Korea-Australia Free Trade Agreement (KAFTA);
  10. Malaysia-Australia Free Trade Agreement (MAFTA);
  11. Peru-Australia Free Trade Agreement (PAFTA);
  12. Protocol on Trade in Services to the Australia-New Zealand Closer Economic Relations Trade Agreement (ANZCERTA);
  13. Singapore-Australia Free Trade Agreement (SAFTA);
  14. Thailand-Australia Free Trade Agreement (TAFTA).