



Migration (LIN 20/045: Class of persons for Visitor (Class FA) visa applications) Instrument 2020

I, Michael Willard, Delegate of the Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs, make the following instrument.

Dated 24 February 2020

Michael Willard
Senior Executive Service, Band Two
Immigration and Community Protection Policy Division
Department of Home Affairs

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Part 1—Preliminary

1 Name

- (1) This instrument is the *Migration (LIN 20/045: Class of persons for Visitor (Class FA) visa applications) Instrument 2020*.
- (2) This instrument may be cited as LIN 20/045.

2 Commencement

This instrument commences the day after it is registered on the Federal Register of Legislation.

3 Authority

This instrument is made under subparagraph 1236(2)(a)(iv) of the Regulations.

4 Definitions

Note : A number of expressions used in this instrument are defined in subsection 5(1) of the *Migration Act 1958*, including *in Australia*.

In this instrument:

application means an application for a Subclass 600 (Visitor) visa that is not in the Frequent Traveller stream.

PHEIC means Public Health Emergency of International Concern designated by the World Health Organisation.

reapplying applicant means an applicant:

- (a) whose 600 (Visitor) visa was cancelled under paragraph 116(1)(e) of the Act as a result of the risk, in relation to a relevant PHEIC, to the health, safety or good order the Australian community, or a segment of the Australian community; and
- (b) who is seeking to apply for a 600 (Visitor) visa .

Regulations means the *Migration Regulations 1994*.

relevant PHEIC means the PHEIC on the basis of which a subsequent applicant's 600 (Visitor) visa was cancelled.

Part 2—Classes of persons

5 Class of persons

For the purposes of subparagraph 1236(2)(a) of Schedule 1 to the Regulations, section 6 specifies classes of persons to whom subparagraph 1236(2)(a)(iv) of Schedule 1 to the Regulations applies.

6 Class of persons 1—Applicants who are former visa holders affected by a PHEIC

An applicant who:

- (a) is in Australia; and
- (b) is a reapplying applicant; and
- (c) makes an application for the 600 (Visitor) visa no later than 3 months after the cancellation of the applicant's Subclass 600 (Visitor) visa.