

LIN 21/020

Migration (MARA—Extension of eligible period for restricted legal practitioners) Instrument (LIN 21/020) 2021

I, Jason Wood, Assistant Minister for Customs, Community Safety and Multicultural Affairs, make this instrument under subsection 278A(9) of the *Migration Act 1958* (the ***Act***).

Dated 18 October 2021

Jason Wood

Assistant Minister for Customs, Community Safety and Multicultural Affairs

1 Name

 This instrument is the *Migration (MARA—Extension of eligible period for restricted legal practitioners) Instrument (LIN 21/020) 2021.*

2 Commencement

 This instrument commences on the day after registration.

3 Circumstances for extension of eligible period

 For subsection 278A(7) of the Act, the following circumstances are determined:

(a) the employment, business and volunteering commitments of the eligible person who has made the application under subsection 278A(4) of the Act (the ***applicant***);

(b) the applicant’s financial circumstances;

(c) any attempt made by the applicant to secure a supervised legal practice placement on a full-time basis for a two-year period;

(d) the applicant’s study commitments;

(e) the applicant’s family responsibilities, including responsibility to provide care to:

 (i) the applicant’s spouse; or

 (ii) a member of the applicant’s family; or

 (iii) a relative of the applicant;

(f) any medical condition that the applicant has;

(g) any other hardship that applies to the applicant.

*Note* The concepts of spouse, members of a family and relative are defined in sections 5F and 5G of the Act.

4 Details to be included in a written notice

 For subsection 278A(8) of the Act, the notice of the decision must include the following details:

(a) the reasons for the decision to extend the eligible period or to refuse to extend the eligible period;

(b) findings on material questions of fact relied upon in making the decision;

(c) reference to the evidence or other material on which those findings were based.