



LIN 21/075

**Migration (International trade obligations relating to labour market testing)  
Determination (LIN 21/075) 2021**

---

I, Alex Hawke, Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs, make this instrument under subsection 140GB(2) of the *Migration Act 1958* (the *Act*).

Dated 28 October 2021

**Alex Hawke**

Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs

---

**1 Name**

This instrument is the *Migration (International trade obligations relating to labour market testing) Determination (LIN 21/075) 2021*.

**2 Commencement**

This instrument commences immediately after the commencement of Schedule 1 to the *Customs Amendment (Regional Comprehensive Economic Partnership Agreement Implementation) Act 2021*.

*Note:* See section 2 of that Act, noting that Act will not commence at all if the Regional Comprehensive Economic Partnership Agreement does not enter into force for Australia.

**3 Definitions**

In this instrument:

*ASEAN* means Association of Southeast Asian Nations.

*Note:* Section 46 of the *Acts Interpretation Act 1901* applies to this instrument, meaning that terms defined in the Act have the same meaning in this instrument, including **labour market testing**.

**4 Repeal**

The following instruments are repealed:

- (a) *Migration (LIN 20/029: Determination of International Trade Obligations Relating to Labour Market Testing) Instrument 2020*; and
- (b) *Migration (LIN 18/219: Determination of International Trade Obligations Relating to Labour Market Testing) Instrument 2018*.

**5 International trade obligations**

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

- (a) Agreement Establishing the ASEAN-Australia-New Zealand Free Trade Area (AANZFTA);
- (b) Australia-Chile Free Trade Agreement (ACI-FTA);
- (c) China-Australia Free Trade Agreement (ChAFTA);
- (d) Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP);
- (e) Free Trade Agreement between Australia and Hong Kong, China (A-HKFTA);
- (f) General Agreement on Trade in Services at Annex 1B to the Marrakesh Agreement Establishing the World Trade Organization (GATS);
- (g) Indonesia-Australia Comprehensive Economic Partnership Agreement (IA-CEPA);
- (h) Japan-Australia Economic Partnership Agreement (JAEPA);
- (i) Korea-Australia Free Trade Agreement (KAFTA);
- (j) Malaysia-Australia Free Trade Agreement (MAFTA);
- (k) Pacific Agreement on Closer Economic Relations Plus (PACER Plus);
- (l) Peru-Australia Free Trade Agreement (PAFTA);

- 
- (m) Protocol on Trade in Services to the Australia-New Zealand Closer Economic Relations Trade Agreement (ANZCERTA);
  - (n) Regional Comprehensive Economic Partnership Agreement (RCEP);
  - (o) Singapore-Australia Free Trade Agreement (SAFTA);
  - (p) Thailand-Australia Free Trade Agreement (TAFTA).
-