



Migration Amendment (Subclass 202 Visas) Regulations 2022

I, General the Honourable David Hurley AC DSC (Retd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 18 August 2022

David Hurley
Governor-General

By His Excellency's Command

Andrew Giles
Minister for Immigration, Citizenship and Multicultural Affairs

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1 Name

This instrument is the *Migration Amendment (Subclass 202 Visas) Regulations 2022*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

| Commencement information | | |
|---------------------------------|--|----------------|
| Column 1 | Column 2 | Column 3 |
| Provisions | Commencement | Date/Details |
| 1. The whole of this instrument | The day after this instrument is registered. | 19 August 2022 |

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (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 the *Migration Act 1958*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Part 1—Visa application charges

Migration Regulations 1994

1 Subparagraph 1402(2)(a)(i) of Schedule 1 (table item 1)

Omit “\$3 005”, substitute “\$490”.

2 Paragraph 1402(2)(b) of Schedule 1 (table item 1)

Omit “\$16 444”, substitute “\$7 270”.

3 Paragraph 1402(2)(b) of Schedule 1 (table item 2)

Omit “\$2 680”, substitute “Nil”.

Part 2—Assurance of support requirements

Migration Regulations 1994

4 After subparagraph 202.227A(d)(ii) of Schedule 2

Insert:

and (iii) the Minister has requested an assurance of support in relation to the additional applicant;

5 After paragraph 202.322A(b) of Schedule 2

Insert:

and (ba) the Minister has requested an assurance of support in relation to the applicant;

6 Paragraph 202.322A(c) of Schedule 2

Omit “that person”, substitute “the person who satisfied the primary criteria”.

Part 3—Application and transitional provisions

Migration Regulations 1994

7 In the appropriate position in Schedule 13

Insert:

Part 112—Amendments made by the Migration Amendment (Subclass 202 Visas) Regulations 2022

11201 Operation of Part 1 of Schedule 1 (Subclass 202 (Global Special Humanitarian) visas)

The amendments made by Part 1 of Schedule 1 to the *Migration Amendment (Subclass 202 Visas) Regulations 2022* apply in relation to an application for a visa made on or after the commencement of that Part.

11202 Transitional provision—application for Subclass 202 (Global Special Humanitarian) visa made on or after 1 July 2022

- (1) This clause applies to an application for a Subclass 202 (Global Special Humanitarian) visa that is made during the period that:
 - (a) starts on 1 July 2022; and
 - (b) ends immediately before the commencement of Part 1 of Schedule 1 to the *Migration Amendment (Subclass 202 Visas) Regulations 2022*.
- (2) Paragraph 1402(2)(b) of Schedule 1, as in force immediately before the commencement of Part 1 of Schedule 1 to the *Migration Amendment (Subclass 202 Visas) Regulations 2022*, applies in relation to the application as if:
 - (a) the reference to \$16 444 were instead a reference to \$4 755; and
 - (b) the reference to \$2 680 were instead a reference to Nil.

11203 Operation of Part 2 of Schedule 1 (Subclass 202 (Global Special Humanitarian) visas)

The amendments made by Part 2 of Schedule 1 to the *Migration Amendment (Subclass 202 Visas) Regulations 2022* apply in relation to a decision to grant or not to grant a Subclass 202 (Global Special Humanitarian) visa made on or after the commencement of that Part, whether the application for the visa was made before, on or after that commencement.