



Migration Amendment (Pacific Australia Labour Mobility Scheme) Regulations 2024

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 14 March 2024

David Hurley
Governor-General

By His Excellency's Command

Andrew Giles
Minister for Immigration, Citizenship and Multicultural Affairs

Contents

1	Name	1
2	Commencement.....	1
3	Authority	1
4	Schedules.....	1
Schedule 1—Amendments		2
Part 1—Amendments		2
<i>Migration Regulations 1994</i>		2
Part 2—Application of amendments		4
<i>Migration Regulations 1994</i>		4

1 Name

This instrument is the *Migration Amendment (Pacific Australia Labour Mobility Scheme) Regulations 2024*.

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	25 March 2024.	25 March 2024

Note: This table relates only to the provisions of this instrument as originally made.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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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—Amendments

Migration Regulations 1994

1 Subparagraph 1234(2)(a)(iia) of Schedule 1

Repeal the subparagraph, substitute:

- (iia) for an applicant for the grant of a Subclass 403 (Temporary Work (International Relations)) visa in the Pacific Australia Labour Mobility stream:

First instalment		
Item	Component	Amount
1	Base application charge	\$335
2	Additional applicant charge for an applicant who is at least 18	\$335
3	Additional applicant charge for an applicant who is less than 18	\$80

2 After paragraph 1234(3)(cb) of Schedule 1

Insert:

- (cc) If the applicant (the *secondary applicant*) claims to be a member of the family unit of a person who:
- (i) is an applicant for the grant of, or holds, a Subclass 403 (Temporary Work (International Relations)) visa in the Pacific Australia Labour Mobility stream; or
 - (ii) holds a Subclass 403 (Temporary Work (International Relations)) visa in the Pacific Labour Scheme stream;
- the application by the secondary applicant is supported, in writing, by a Department responsible for administering the scheme known as the Pacific Australia Labour Mobility scheme.

3 Paragraph 1234(3)(d) of Schedule 1 (note)

Omit “the Pacific Australia Labour Mobility stream or”.

4 Subitem 1234(3E) of Schedule 1

Omit “Pacific Australia Labour Mobility scheme administered by Foreign Affairs” (wherever occurring), substitute “scheme known as the Pacific Australia Labour Mobility scheme”.

5 Clause 403.111 of Schedule 2 (note)

Omit “*Foreign Affairs* and”.

6 Clause 403.291 of Schedule 2

Omit “Pacific Australia Labour Mobility scheme administered by Foreign Affairs” (wherever occurring), substitute “scheme known as the Pacific Australia Labour Mobility scheme”.

7 At the end of clause 403.311 of Schedule 2

Add:

- ; (d) a Subclass 403 visa in the Pacific Australia Labour Mobility stream that permits the primary applicant to remain in Australia for a period of at least 1 year;
- (e) a Subclass 403 visa in the Pacific Labour Scheme stream.

8 After clause 403.312 of Schedule 2

Insert:

403.312A

- (1) This clause applies if the applicant (the *secondary applicant*) is a member of the family unit of a person (the *primary applicant*) who holds:
 - (a) a Subclass 403 visa in the Pacific Australia Labour Mobility stream that permits the primary applicant to remain in Australia for a period of at least 1 year; or
 - (b) a Subclass 403 visa in the Pacific Labour Scheme stream.
- (2) The primary applicant is participating, as a worker, in the scheme known as the Pacific Australia Labour Mobility scheme.
- (3) The support of the secondary applicant's application mentioned in paragraph 1234(3)(cc) of Schedule 1 has not been withdrawn.

9 After paragraph 403.316(3)(b) of Schedule 2

Insert:

- or (c) a Subclass 403 visa in the Pacific Australia Labour Mobility stream that permits the primary applicant to remain in Australia for a period of at least 1 year; or
- (d) a Subclass 403 visa in the Pacific Labour Scheme stream;

10 Subparagraph 403.316(4)(a)(ii) of Schedule 2

Repeal the subparagraph, substitute:

- (ii) a Subclass 403 visa in the Foreign Government Agency stream; or
- (iii) a Subclass 403 visa in the Pacific Australia Labour Mobility stream that permits the primary applicant to remain in Australia for a period of at least 1 year; or
- (iv) a Subclass 403 visa in the Pacific Labour Scheme stream; and

11 Subclause 403.411(2C) of Schedule 2

Omit "who satisfies the primary criteria".

12 Subparagraph 8611(1)(a)(ii) of Schedule 8

Omit "Foreign Affairs", substitute "a Department responsible for administering the scheme known as the Pacific Australia Labour Mobility scheme".

Part 2—Application of amendments

Migration Regulations 1994

13 In the appropriate position in Schedule 13

Insert:

Part 128—Amendments made by the Migration Amendment (Pacific Australia Labour Mobility Scheme) Regulations 2024

12801 Operation of amendments

- (1) The amendments of Schedules 1 and 2 to these Regulations made by Part 1 of Schedule 1 to the *Migration Amendment (Pacific Australia Labour Mobility Scheme) Regulations 2024* (the **amending Part**) apply in relation to an application for a visa made on or after the commencement of the amending Part.
- (2) Clause 8611 of Schedule 8 to these Regulations, as amended by the amending Part, applies in relation to a visa granted on or after the commencement of the amending Part.