

Migration (Required Medical Assessment) Amendment Instrument (LIN 24/032) 2024

I, Dr Grant Pegg, delegate of the Minister, make the following instrument.

Dated 31 May 2024

Dr Grant Pegg

Chief Medical Officer
Department of Home Affairs

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1 Name

 This instrument is the *Migration (Required Medical Assessment) Amendment Instrument (LIN 24/032) 2024*.

2 Commencement

 This instrument commences on 1 July 2024.

3 Authority

 This instrument is made under paragraphs 4005(1)(aa) and 4007(1)(aa) of Schedule 4 to the *Migration Regulations 1994*.

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 Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

Migration Regulations 1994 –Required Medical Assessment – IMMI 15/144

1 At the end of section 3

Add:

 4. for the purposes of this instrument—specify that:

 (a) ***provisional visa*** means a temporary visa of a subclass mentioned in Schedule 4; and

 (b) ***high hepatitis B risk jurisdiction*** means a country or jurisdiction not mentioned in Schedule 5.

 5. specify that the amendments made by the *Migration (Required Medical Assessment) Amendment Instrument (LIN 23/042) 2023* and the *Migration (Required Medical Assessment) Amendment Instrument (LIN 24/032) 2024* do not apply in relation to an application for a Subclass 457 (Temporary Work (Skilled)) visa.

*Note* Part 457 of Schedule 2 to the Regulations and clause 4006A of Schedule 4 to the Regulations were repealed by the *Migration Legislation Amendment (Temporary Skill Shortage Visa and Complementary Reforms) Regulations 2018* on 18 March 2018.

2 Schedule 1

Substitute:

| Column ACountry or jurisdiction of citizenship; or countries or jurisdictions where the person has spent three or more consecutive months in the last five years | Column BTemporary stay in Australia of up to six months | Column CTemporary stay in Australia of six months or more | Column DPermanent and provisional visa applicants | Column EAdditional medical assessments |
| --- | --- | --- | --- | --- |
| Albania;American Samoa;Andorra;Anguilla;Antigua and Barbuda;Argentina;Armenia;Aruba;Australia;Austria;Bahamas, The;Bahrain;Barbados;Belarus;Belgium;Belize;Bermuda;Bonaire;Bosnia and Herzegovina;Bouvet Island;Bulgaria;Cabo Verde;Canada;Cayman Islands;Chile;Christmas Island;Cocos(Keeling) Islands;Comoros;Cook Islands;Costa Rica;Croatia;Cuba;Curacao;Cyprus;Czech Republic;Denmark;Dominica;Egypt;Estonia;Falkland Islands;Faroe Islands;Finland;France;French Polynesia;Germany;Gibraltar;Greece;Grenada;Guadeloupe;Guam; Guatemala;Heard and McDonald Islands;Holy See, TheHonduras;Hungary;Iceland;Iran; Iraq;Ireland;Israel;Italy;Jamaica;Japan;Jordan;Kuwait;Latvia;Lebanon;Liechtenstein;Lithuania;Luxembourg;Malta;Mauritius;Mexico;Monaco;Montenegro;Montserrat;Netherlands;Netherlands Antilles;New Caledonia;New Zealand;Norfolk Island;Norway;Occupied Palestinian Territories;Oman;Pitcairn Island;Poland;Portugal;Puerto Rico;Republic of North Macedonia Republic of Maldives;Reunion;Sint Eustatius & Saba;Saint Helena (Ascension and Tristan da Cunha);Saint Kitts and Nevis;Saint Lucia;Saint Vincent and the Grenadines;Samoa;San Marino;Saudi Arabia;Serbia;Seychelles;Sint Maarten (Dutch part);Slovak Republic;Slovenia;South Georgia and the South Sandwich Islands;Spain;Suriname;Svalbard & Jan Mayen;Sweden;Switzerland;Syria;Togo;Tokelau;Tonga;Trinidad and Tobago;Tunisia;Türkiye;Turks and Caicos Islands;United Arab Emirates;United Kingdom (British citizen);United States of America;Uruguay;Vanuatu;Virgin Islands (British); Virgin Islands (US); Wallis and Futuna | No medical assessment other than the additional medical assessments specified in Column E of this Table | No medical assessment other than the additional medical assessments specified in Column E of this Table | **Under 11 years of age**: Medical examination and any additional medical assessments specified in Column E of this Table**Aged 11 and older and under 15 years of age:** Medical examination, chest x-ray and any additional medical assessments specified in Column E of this Table**Aged 15 years of age or older:**Medical examination, chest x-ray, HIV test, serum creatinine/eGFR, hepatitis B test if born in a ***high hepatitis B risk jurisdiction***, and any additional medical assessments specified in Column E of this Table | **Likely to work or be a trainee at an Australian Childcare centre (including preschool and crèche):** Chest x-ray, medical examination and serum creatinine/eGFR**Intending to work as, or study or train to be a doctor, dentist, nurse or paramedic:** Chest x-ray, medical examination, serum creatinine/eGFR, HIV test, Hepatitis B and C tests**Pregnant and intending to give birth in Australia:** Hepatitis B test**Aged 75 years and older and applying for a Subclass 600 or Subclass 676 visa regardless of length of stay:** Medical examination and serum creatinine/eGFR |

3 Schedule 2

Substitute:

| Column ACountry or jurisdiction of citizenship; or countries and jurisdictions where the applicant has spent three or more consecutive months in the last five years | Column BTemporary stay in Australia of up to six months | Column CTemporary stay in Australia of six months or more | Column DPermanent and provisional visa applicants |
| --- | --- | --- | --- |
| All countries that are not listed in column A of the table in Schedule 1 to the Instrument | No medical assessment other than additional medical assessments specified in Schedule 3 | **Under 11 years of age**:Medical examination and any additional medical assessments specified in Schedule 3**Aged 11 or older and under 15 years of age:**Medical examination,chest x-ray and any additional medical assessments specified in Schedule 3**Aged 15 or older:**Medical examination, chest x-ray, serum creatinine/eGFR and any additional medical assessments specified in Schedule 3 | **Under 2 years of age:**Medical examination and any additional medical assessments specified in Schedule 3**2 years of age to under 11 years of age**: Medical examination, TB screening and any additional medical assessments specified in Schedule 3**Aged 11 or older and under 15 years of age:** Medical examination, chest x-ray and any additional medical assessments specified in Schedule 3**Aged 15 years or older:** Medical examination, serum creatinine/eGFR, chest x-ray, HIV test, hepatitis B test if born in a ***high hepatitis B risk jurisdiction***, and any additional medical assessments specified in Schedule 3 |

4 Schedule 3

Substitute:

| Item | Additional medical assessments for paragraphs 4005(1)(aa) and 4007(1)(aa) |
| --- | --- |
| 1 | An applicant who intends to work as, or study or train to be, a doctor, dentist, nurse or paramedic:(a) if the applicant is not an applicant mentioned in paragraph (b): (i) medical examination; and  (ii) chest X-ray; and (iii) HIV test; and (iv) Hepatitis B test; and (v) Hepatitis C test; and (vi) latent tuberculosis screening; and (vii) serum creatinine/eGFR; or(b) if the applicant has applied for a Subclass 600 (Visitor) visa for temporary stay in Australia of not more than 6 months: (i) medical examination; and  (ii) chest X-ray; and (iii) HIV test; and (iv) Hepatitis B test; and (v) Hepatitis C test; and  (vi) serum creatinine/eGFR. |
| 2 | For an applicant who intends to work as, or study or train to be, a health care worker, or to work within a health care or hospital environment, aged care or disability care facility, in a health care profession not mentioned in item 1:(a) if the applicant is not an applicant mentioned in paragraph (b): (i) medical examination; and  (ii) chest X-ray; and (iii) latent tuberculosis screening;  (iv) serum creatinine/eGFR; or(b) if the applicant has applied for a Subclass 600 (Visitor) visa for temporary stay in Australia of not more than 6 months: (i) medical examination; and  (ii) chest X-ray; and  (iii) serum creatinine/eGFR. |
| 3 | For an applicant who is likely to work or be a trainee at an Australian childcare centre (including preschool and crèche): (i) medical examination; and  (ii) chest X-ray; and (iii) serum creatinine/eGFR. |
| 4 | For an applicant who is likely to enter a health care or hospital environment: (i) medical examination; and  (ii) chest X-ray; and (iii) serum creatinine/eGFR. |
| 5 | For an applicant who is pregnant and intending to give birth in Australia—Hepatitis B test.  |
| 6 | For an applicant who is at least 75 years old, and applying for a Subclass 600 (Visitor) visa or a Subclass 676 (Tourist) visa: (i) medical examination; and  (ii) serum creatinine/eGFR. |

5 After Schedule 3

Insert:

Schedule 4—List of provisional visas

| **Column 1** | **Column 2** |
| --- | --- |
| **Item** | **Type of visa** |
|  | Subclass 159 (Provisional Resident Return) |
|  | Subclass 160 (Business Owner (Provisional)) |
|  | Subclass 161 (Senior Executive (Provisional)) |
|  | Subclass 162 (Investor (Provisional)) |
|  | Subclass 163 (State/Territory Sponsored Business Owner (Provisional)) |
|  | Subclass 164 (State/Territory Sponsored Senior Executive (Provisional)) |
|  | Subclass 165 (State/Territory Sponsored Investor (Provisional)) |
|  | Subclass 173 (Contributory Parent (Temporary)) |
|  | Subclass 188 (Business Innovation and Investment (Provisional)) |
|  | Subclass 300 (Prospective Marriage) |
|  | Subclass 309 (Partner (Provisional)) |
|  | Subclass 445 (Dependent Child) |
|  | Subclass 487 (Skilled Regional Sponsored) |
|  | Subclass 489 (Skilled Regional (Provisional))  |
|  | Subclass 491 (Skilled Work Regional (Provisional)) |
|  | Subclass 494 (Skilled Employer Sponsored Regional (Provisional)) |
|  | Subclass 820 (Partner) |
|  | Subclass 884 (Contributory Aged Parent (Temporary)) |

Schedule 5—Low Hepatitis B risk countries and jurisdictions

| **Column 1** | **Column 2** |
| --- | --- |
| **Item** | **Name** |
|  | Afghanistan |
|  | Algeria |
|  | Andorra |
|  | Anguilla |
|  | Antigua and Barbuda |
|  | Argentina |
|  | Armenia |
|  | Aruba |
|  | Austria |
|  | Bahamas, The |
|  | Bahrain |
|  | Barbados |
|  | Belgium |
|  | Belize |
|  | Bermuda |
|  | Bhutan |
|  | Bolivia  |
|  | Brazil |
|  | British Virgin Islands |
|  | Canada |
|  | Cayman Islands |
|  | Chile |
|  | Colombia |
|  | Costa Rica |
|  | Croatia |
|  | Cuba |
|  | Curacao |
|  | Cyprus |
|  | Czech Republic |
|  | Denmark |
|  | Dominica |
|  | Dominican Republic |
|  | Ecuador |
|  | Egypt |
|  | El Salvador |
|  | Equatorial Guinea |
|  | Estonia |
|  | Falkland Islands  |
|  | Federal Democratic Republic of Nepal |
|  | Faroe Islands |
|  | Fiji |
|  | Finland |
|  | France |
|  | French Guiana |
|  | French Polynesia |
|  | Germany |
|  | Gibraltar |
|  | Greece |
|  | Greenland |
|  | Grenada |
|  | Guadeloupe |
|  | Guatemala |
|  | Haiti |
|  | Holy See, The |
|  | Honduras |
|  | Hungary |
|  | Iceland |
|  | Iran  |
|  | Ireland |
|  | Isle of Man |
|  | Israel |
|  | Italy |
|  | Japan |
|  | Jersey |
|  | Jordan |
|  | Kosovo |
|  | Kuwait |
|  | Latvia |
|  | Lebanon |
|  | Libya |
|  | Liechtenstein |
|  | Luxembourg |
|  | Malta |
|  | Mexico |
|  | Monaco |
|  | Montenegro |
|  | Montserrat |
|  | Morocco |
|  | Netherlands |
|  | New Caledonia |
|  | New Zealand |
|  | Nicaragua |
|  | Norway |
|  | Occupied Palestinian Territories  |
|  | Pakistan |
|  | Panama |
|  | Paraguay |
|  | Peru |
|  | Pitcairn Island |
|  | Poland |
|  | Portugal |
|  | Puerto Rico |
|  | Qatar |
|  | Republic of North Macedonia |
|  | Réunion |
|  | Russia |
|  | Saint Barthélemy |
|  | Saint Helena, Ascension and Tristan da Cunha |
|  | Saint Kitts and Nevis |
|  | Saint Lucia |
|  | Saint Martin (French Part) |
|  | Saint Pierre and Miquelon |
|  | Saint Vincent and the Grenadines |
|  | San Marino |
|  | Saudi Arabia |
|  | Serbia |
|  | Sint Maarten (Dutch part) |
|  | Slovak Republic |
|  | Slovenia |
|  | South Georgia and the South Sandwich Islands |
|  | Spain |
|  | Suriname |
|  | Sweden |
|  | Switzerland |
|  | Taiwan |
|  | Trinidad and Tobago |
|  | Turks and Caicos Islands |
|  | Ukraine |
|  | United Arab Emirates |
|  | United Kingdom  |
|  | United States of America |
|  | Uruguay |
|  | Venezuela  |
|  | Wallis and Futuna |
|  | Western Sahara |
|  | Zambia |

Schedule 2—Repeals

Migration (Required Medical Assessment) Amendment Instrument (LIN 23/042) 2023

1 The whole of the instrument

Repeal the instrument.