

EXPLANATORY STATEMENT

Issued by authority of the Assistant Minister for Immigration

Migration (2027 Men's Rugby World Cup—Class of Persons for Nil VAC) Instrument 2025

The instrument *Migration (2027 Men's Rugby World Cup—Class of Persons for nil VAC) Instrument 2025* (LIN 25/115) is made under subregulation 2.07(5) of the *Migration Regulations 1994* for paragraph 1237(2)(a)(i) of Schedule 1 and paragraphs 408.229(b) and 408.229(c) of Schedule 2 to the Regulations.

Subsection 33(3) of the *Acts Interpretation Act 1901* provides that where an Act confers a power to make, grant or issue any instrument of a legislative or administrative character, the power shall be construed as including a power exercisable in the like manner and subject to the like conditions (if any) to repeal, rescind, revoke, amend, or vary any such instrument.

An applicant may be eligible for the grant of a Subclass 408 (Temporary Activity) visa (Subclass 408 visa) if they satisfy all of the common criteria and one of the alternative criteria in Subdivision 408.22 of Schedule 2 to the Migration Regulations. Clause 408.229 of Schedule 2 to the Migration Regulations provides the criteria for an applicant who seeks to enter or remain in Australia to undertake work directly associated with an Australian Government endorsed event (AGEE). An AGEE must be specified by a legislative instrument, and an applicant for a Subclass 408 visa who is seeking to satisfy clause 408.299 must be in a specified class of persons.

The purpose of this instrument is to specify the 2027 Men's Rugby World Cup as an AGEE under clause 408.229 of Schedule 2 to the Migration Regulations.

The instrument also specifies the following class of persons for the 2027 Men's Rugby World Cup:

- Rugby World Cup Limited personnel;
- 2027 Rugby World Cup personnel;
- members of a competing team;
- tournament officials;
- other accredited persons required to perform certain tournament functions in Australia.

The instrument will also provide that any person in this class of persons who seeks to satisfy the primary criteria for the Subclass 408 visa under the AGEE stream is also specified to have a visa application charge (VAC) of 'nil' (that is, no VAC is payable when making a visa application). Specifying these persons as being eligible for a nil VAC implements an immigration support commitment made by the Australian Government for participants of the 2027 Men's Rugby World Cup.

This instrument is covered by the exemption from disallowance provided by table item 20(b) of regulation 10 of the *Legislation (Exemptions and Other Matters) Regulations 2015*. A Statement of Compatibility with Human Rights is therefore not required.

The Department of Home Affairs has consulted with Rugby Australia, the Department of Infrastructure, Transport, Regional Development, Communications, Sports and the Arts (Office for Sport), the Department of the Prime Minister and Cabinet and the local organising committee for the 2027 Men's Rugby World Cup in relation to the implementation of this measure. The classes of person and other details specified in the instrument accord with and reflect the outcome of this consultation.

The instrument commences on 5 November 2025. As the 2027 Men's Rugby World Cup will run from 1 October 2027 to 13 November 2027, the instrument also provides that it will be repealed on 14 November 2027, at the conclusion of the event.

Further details of the instrument are set out in Attachment A.

The Migration Regulations specify no conditions that need to be satisfied before the power to make the instrument may be exercised.

Details of the Migration (2027 Men's Rugby World Cup—Class of Persons for Nil VAC) Instrument 2025

Section 1 – Name of instrument

This section provides that the title of the instrument is the *Migration (2027 Men's Rugby World Cup—Class of Persons for Nil VAC) Instrument 2025* (LIN 25/115).

Section 2 – Commencement

This section provides the instrument commences on 5 November 2025.

Section 3 – Authority

This section provides that the instrument is made under subregulation 2.07(5) for paragraph 1237(2)(a)(i) of Schedule 1 and paragraphs 408.229(b) and 408.229(c) of Schedule 2 to the Migration Regulations.

Section 4 – Definitions

This section sets out definitions for certain expressions used in this instrument:

- ***2027 Men's Rugby World Cup*** is defined to mean the 2027 Men's Rugby World Cup hosted by Australia from 1 October 2027 to 13 November 2027;
- ***Local organising committee*** is defined to mean Rugby World Cup (Australia) Pty Ltd (ABN: 33 666 859 641), who are the entity responsible for the operational delivery of the 2027 Men's Rugby World Cup;
- ***Regulations*** means the *Migration Regulations 1994*;
- ***Rugby World Cup Limited*** means the wholly-owned subsidiary of World Rugby that is responsible for the organisation of the Rugby World Cup;
- ***VAC*** means visa application charge;
- ***visa application charge***, as used in the instrument, is defined in section 5 of the *Migration Act 1958*;
- ***World Rugby*** means the global governing body for the sport of rugby union, whose headquarters is located in Dublin, Ireland.

Section 5 – Specified event for paragraph 408.229(b)

Division 408.2 of the Schedule 2 to the Migration Regulations sets out the primary criteria for the Australian Government endorsed event stream of the Subclass 408 (Temporary Activity) visa (Subclass 408 visa). To be eligible for the grant of a Subclass 408 visa, an applicant seeking to satisfy the primary criteria must satisfy all of the common criteria set out in Subdivision 408.21 of Schedule 2 to the Migration Regulations, and one of the alternative criteria in Subdivision 408.22.

Clause 408.229 sets out the alternative criteria for applicants to the Australian Government endorsed event stream, and applies to the applicant if:

- the applicant seeks to enter or remain in Australia to undertake work directly associated with the event; and
- the event is specified in a legislative instrument made by the Minister for the purposes of this paragraph; and
- the applicant is in a class of persons specified in the instrument in relation to the event.

Section 5 of this instrument specifies the 2027 Men's Rugby World Cup as an event for the purposes of paragraph 408.229(b) of Schedule 2 to the Migration Regulations.

Section 6 – Specified class of persons for paragraph 408.229(c)

Section 6 of this instrument operates to specify the classes of persons in relation to the event of the 2027 Men's Rugby World Cup (as mentioned in section 5) for the purposes of paragraph 408.229(c) of Schedule 2 to the Migration Regulations.

These persons must be an applicant for the Subclass 408 visa and have been approved for accreditation by the 2027 Men's Rugby World Cup local organising committee, which is defined in section 4 of this instrument as referring to Rugby World Cup (Australia) Pty Ltd (ABN: 33 666 859 641). In addition, these persons must be any of the following persons:

- Rugby World Cup Limited personnel;
- 2027 Rugby World Cup personnel;
- member of a competing team;
- tournament official;
- other accredited persons required to perform certain tournament functions in Australia.

Specifying these classes of persons would implement an immigration support commitment made by the Australian Government for the 2027 Men's Rugby World Cup.

Section 7 – Visa application charge

Subparagraph 1237(2)(a)(i) of Schedule 1 to the Migration Regulations provides that the first instalment of a visa application charge for an applicant in a class of persons specified by the Minister in a legislative instrument made for the purposes of this subparagraph under subregulation 2.07(5) is nil.

This section provides that an applicant for a Temporary Activity (Class GG) visa is in a specified class of persons if they seek to satisfy clause 408.229 of Schedule 2 to the Migration Regulations, and is in a class of persons specified in section 6.

The effect is to ensure that a primary applicant for a Subclass 408 (Temporary Activity) visa who is in the class of persons mentioned in section 6 will have a visa application charge of nil.

Section 8 – Repeal

This section provides that this instrument is repealed on 14 November 2027, being the day after the 2027 Men’s Rugby World Cup is scheduled to end. This provision reflects the purpose of the instrument, which supports arrangements for visa applications by certain persons covered by the instrument in relation to the event.