LIN 26/102

Migration (Student Visa Applications to Be Made from outside Australia) Instrument 2026

I, Julian Hill, Assistant Minister for Citizenship, Customs and Multicultural Affairs make the following instrument.

Dated 1 October 2026

Julian Hill
Assistant Minister for Citizenship, Customs and Multicultural Affairs

Authorised Version F2026L01348 registered 01/10/2026

1 Name

This instrument is the *Migration (Student Visa Applications to Be Made from outside Australia) Instrument 2026*.

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 later of: (a) on the day after this instrument is registered; and (b) immediately after the commencement of the *Migration Amendment (Student Visa Reform) Regulations 2026*. However, the instrument does not commence at all if the event mentioned in paragraph (b) does not occur.	

Note: This table relates only to the provisions of this instrument as originally made.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 paragraph 1222(5)(e) of Schedule 1 to the *Migration Regulations 1994* for the purposes of subparagraph 1222(4)(a)(ii) of that Schedule.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

5 Definitions

In this instrument:

Migration Regulations means the *Migration Regulations 1994*.

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stream has the meaning given by subsection 2.03(1B) of the Migration Regulations.

subclass in relation to a visa, has the meaning given by subsection 1.07(1) of the Migration Regulations.

6 Class of persons

(1) For the purposes of subparagraph 1222(4)(a)(ii) of the Migration Regulations, the class of persons to which subsection (2) applies is specified.

(2) This subsection applies in relation to a class of persons where the person:
   (a) holds a visa of a subclass mentioned in Column 1 of an item in the following table; and
   (b) was granted that visa on the basis of criteria set out in a stream mentioned in Column 2 of the same item; and
   (c) satisfies the requirements, if any, mentioned in Column 3 of the same item.

Class of persons

Item	Column 1 Subclass	Column 2 Stream	Column 3 Requirements
1	Subclass 400 (Temporary Work (Short Stay Specialist)	Any stream	–
2	Subclass 403 Temporary Work (International Relations)	Domestic Worker (Diplomatic or Consular) stream only	–
3	Subclass 407 (Training)	Any stream	–
4	Subclass 408 (Temporary Activity)	Any stream	–
5	Subclass 417 (Working Holiday)	Any stream	–
6	Subclass 457 (Temporary Work (Skilled))	Any stream	–
7	Subclass 462 (Work and Holiday)	Any stream	–
8	Subclass 482 (Skills in Demand)	Any stream	–
9	Subclass 482 (Temporary Skill Shortage)	Any stream	–
10	Subclass 485 (Temporary Graduate)	Any stream	–
11	Subclass 600 (Visitor)	Any stream	–
12	Subclass 601 (Electronic Travel Authority)	Any stream	–

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Class of persons			
Item	**Column 1** **Subclass**	**Column 2** **Stream**	**Column 3** **Requirements**
13	Subclass 602 (Medical Treatment)	Any stream	–
14	Subclass 651 (eVisitor)	Any stream	–
15	Subclass 771 (Transit)	Any stream	–
16	Subclass 988 (Maritime Crew)	Any stream	–
17	Subclass 995 (Diplomatic (Temporary))	Any stream	The person was granted the visa mentioned in column 1 of this table item having satisfied the criteria in Division 995.2 of Part 995 of Schedule 2 to the Migration Regulations

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Schedule 1—Repeals

Migration (Visas that Preclude a Person from Lodging a Student Visa Application in Australia) Instrument 2026

1 The whole of the instrument

Repeal the instrument.

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