



Migration Amendment (Clarifying International Obligations for Removal) Regulations 2021

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 05 August 2021

David Hurley
Governor-General

By His Excellency's Command

Alex Hawke
Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs

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1 Name

This instrument is the *Migration Amendment (Clarifying International Obligations for Removal) Regulations 2021*.

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.	7 August 2021

Note: This table relates only to the provisions of this instrument as originally made.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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

Migration Regulations 1994

1 After regulation 4.34

Insert:

4.34A Prescribed period for making certain decisions

For the purposes of subsection 419(1) of the Act, the prescribed period:

- (a) starts when the application for review is received by the Tribunal; and
- (b) ends at the end of 120 days starting on the first working day after the day on which the application is received by the Tribunal.

Note: Subsection 419(1) of the Act provides for the regulations to limit the time in which the Tribunal must review a decision under subsection 197D(2) of the Act that an unlawful non-citizen is no longer a person in respect of whom a protection finding would be made.

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