



LIN 21/020

Migration (MARA—Extension of eligible period for restricted legal practitioners) Instrument (LIN 21/020) 2021

I, Jason Wood, Assistant Minister for Customs, Community Safety and Multicultural Affairs, make this instrument under subsection 278A(9) of the *Migration Act 1958* (the *Act*).

Dated 18 October 2021

Jason Wood

Assistant Minister for Customs, Community Safety and Multicultural Affairs

1 **Name**

This instrument is the *Migration (MARA—Extension of eligible period for restricted legal practitioners) Instrument (LIN 21/020) 2021*.

2 **Commencement**

This instrument commences on the day after registration.

3 **Circumstances for extension of eligible period**

For subsection 278A(7) of the Act, the following circumstances are determined:

- (a) the employment, business and volunteering commitments of the eligible person who has made the application under subsection 278A(4) of the Act (the *applicant*);
- (b) the applicant’s financial circumstances;
- (c) any attempt made by the applicant to secure a supervised legal practice placement on a full-time basis for a two-year period;
- (d) the applicant’s study commitments;
- (e) the applicant’s family responsibilities, including responsibility to provide care to:
 - (i) the applicant’s spouse; or
 - (ii) a member of the applicant’s family; or
 - (iii) a relative of the applicant;
- (f) any medical condition that the applicant has;
- (g) any other hardship that applies to the applicant.

Note The concepts of spouse, members of a family and relative are defined in sections 5F and 5G of the Act.

4 **Details to be included in a written notice**

For subsection 278A(8) of the Act, the notice of the decision must include the following details:

- (a) the reasons for the decision to extend the eligible period or to refuse to extend the eligible period;
- (b) findings on material questions of fact relied upon in making the decision;
- (c) reference to the evidence or other material on which those findings were based.

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