



Home Affairs Legislation Amendment (2022 Measures No. 1) Regulations 2022

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 23 June 2022

David Hurley
Governor-General

By His Excellency's Command

Andrew Giles
Minister for Immigration, Citizenship and Multicultural Affairs

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1 Name

This instrument is the *Home Affairs Legislation Amendment (2022 Measures No. 1) Regulations 2022*.

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	1 July 2022.	1 July 2022

Note: This table relates only to the provisions of this instrument as originally made.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 following:

- (a) the *Australian Citizenship Act 2007*;
- (b) 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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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—Removal of payment of citizenship fees in foreign currencies

Australian Citizenship Regulation 2016

1 Section 5 (definitions of *credit card surcharge*, *PayPal surcharge* and *Schedule 3 amount*)

Omit “subsection 16(1)”, substitute “section 16”.

2 Subsection 16(1)

Omit “(1)”.

3 Paragraphs 16(1)(b) and (c)

Omit “(other than a payment made in New Zealand currency or Singaporean currency)”.

4 Subsections 16(2) to (7)

Repeal the subsections.

5 Subsection 17(8)

Repeal the subsection.

6 In the appropriate position in Part 4

Insert:

31 Application of amendments made by Schedule 1 to the Home Affairs Legislation Amendment (2022 Measures No. 1) Regulations 2022

The amendments of sections 16 and 17 made by Schedule 1 to the *Home Affairs Legislation Amendment (2022 Measures No. 1) Regulations 2022* apply in relation to an application made on or after 1 July 2022.

7 Schedule 3 (note to Schedule heading)

Omit “subsection 16(1)”, substitute “section 16”.

Schedule 2—New Zealand Citizen Family Relationship (Temporary) visas

Migration Regulations 1994

1 Paragraphs 1214BA(3)(ab) and (b) of Schedule 1

Repeal the paragraphs.

2 Clause 461.213 of Schedule 2

Omit “If the application is made in Australia”, substitute “If the applicant is in Australia at the time of application”.

3 Paragraph 461.213(a) of Schedule 2

Omit “at the time of application”, substitute “at that time”.

4 Clause 461.225 of Schedule 2

Omit “If the application is made in Australia”, substitute “If the applicant is in Australia at the time of application”.

5 Clause 461.226 of Schedule 2

Omit “If the application is made outside Australia”, substitute “If the applicant is outside Australia at the time of application”.

6 Clauses 461.411 and 461.412 of Schedule 2

Repeal the clauses, substitute:

461.411

The applicant may be in or outside Australia, but not in immigration clearance, at the time of grant.

7 In the appropriate position in Schedule 13

Insert:

Part 109—Amendments made by the Home Affairs Legislation Amendment (2022 Measures No. 1) Regulations 2022

10901 Operation of Schedule 2 (New Zealand Citizen Family Relationship (Temporary) visas)

- (1) The amendments of these Regulations made by items 1 to 5 of Schedule 2 to the *Home Affairs Legislation Amendment (2022 Measures No. 1) Regulations 2022* apply in relation to an application for a visa made on or after 1 July 2022.
- (2) The amendment of these Regulations made by item 6 of Schedule 2 to the *Home Affairs Legislation Amendment (2022 Measures No. 1) Regulations 2022* applies

Schedule 2 New Zealand Citizen Family Relationship (Temporary) visas

in relation to a visa granted on or after 1 July 2022, whether the application for the visa was made before, on or after that date.

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