



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

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Note: This table relates only to the provisions of this instrument as originally made.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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

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## **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

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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