



# Migration Amendment (Subclass 202 Visas) 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 18 August 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 *Migration Amendment (Subclass 202 Visas) 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.

<b>Commencement information</b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provisions</b>	<b>Commencement</b>	<b>Date/Details</b>
1. The whole of this instrument	The day after this instrument is registered.	19 August 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Note: This table relates only to the provisions of this instrument as originally made.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 *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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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**

### **Part 1—Visa application charges**

#### *Migration Regulations 1994*

##### **1 Subparagraph 1402(2)(a)(i) of Schedule 1 (table item 1)**

Omit “\$3 005”, substitute “\$490”.

##### **2 Paragraph 1402(2)(b) of Schedule 1 (table item 1)**

Omit “\$16 444”, substitute “\$7 270”.

##### **3 Paragraph 1402(2)(b) of Schedule 1 (table item 2)**

Omit “\$2 680”, substitute “Nil”.

## **Part 2—Assurance of support requirements**

### *Migration Regulations 1994*

#### **4 After subparagraph 202.227A(d)(ii) of Schedule 2**

Insert:

and (iii) the Minister has requested an assurance of support in relation to the additional applicant;

#### **5 After paragraph 202.322A(b) of Schedule 2**

Insert:

and (ba) the Minister has requested an assurance of support in relation to the applicant;

#### **6 Paragraph 202.322A(c) of Schedule 2**

Omit “that person”, substitute “the person who satisfied the primary criteria”.

## **Part 3—Application and transitional provisions**

### ***Migration Regulations 1994***

#### **7 In the appropriate position in Schedule 13**

Insert:

## **Part 112—Amendments made by the Migration Amendment (Subclass 202 Visas) Regulations 2022**

### **11201 Operation of Part 1 of Schedule 1 (Subclass 202 (Global Special Humanitarian) visas)**

The amendments made by Part 1 of Schedule 1 to the *Migration Amendment (Subclass 202 Visas) Regulations 2022* apply in relation to an application for a visa made on or after the commencement of that Part.

### **11202 Transitional provision—application for Subclass 202 (Global Special Humanitarian) visa made on or after 1 July 2022**

- (1) This clause applies to an application for a Subclass 202 (Global Special Humanitarian) visa that is made during the period that:
  - (a) starts on 1 July 2022; and
  - (b) ends immediately before the commencement of Part 1 of Schedule 1 to the *Migration Amendment (Subclass 202 Visas) Regulations 2022*.
- (2) Paragraph 1402(2)(b) of Schedule 1, as in force immediately before the commencement of Part 1 of Schedule 1 to the *Migration Amendment (Subclass 202 Visas) Regulations 2022*, applies in relation to the application as if:
  - (a) the reference to \$16 444 were instead a reference to \$4 755; and
  - (b) the reference to \$2 680 were instead a reference to Nil.

### **11203 Operation of Part 2 of Schedule 1 (Subclass 202 (Global Special Humanitarian) visas)**

The amendments made by Part 2 of Schedule 1 to the *Migration Amendment (Subclass 202 Visas) Regulations 2022* apply in relation to a decision to grant or not to grant a Subclass 202 (Global Special Humanitarian) visa made on or after the commencement of that Part, whether the application for the visa was made before, on or after that commencement.

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