

EXPLANATORY STATEMENT

Migration Regulations 1994

Migration (Temporary Activity (Class GG) Visa and Visitor (Class FA) Visa) Specified Class of Persons (Virtus Oceania Asia Games) Instrument 2022

- 1 The instrument, Departmental reference LIN 22/084, is made under subregulation 2.07(5) of the *Migration Regulations 1994* (the Migration Regulations).
- 2 The instrument commences the day after it is registered of the Federal Register of Legislation, and is a legislative instrument for the *Legislation Act 2003* (the Legislation Act).

Purpose

- 3 The instrument is made under subregulation 2.07(5) of the Migration Regulations by a delegate of the Minister for Home Affairs.
- 4 The instrument, made for the purposes of subparagraph 1237(2)(a)(i) and subparagraph 1236(2)(a)(iv) of Schedule 1 to the Migration Regulations, specifies that certain applicants for Temporary Activity (Class GG) visas and Visitor (Class FA) visas who provide evidence of being invited to participate in the Virtus Oceania Asia Games — Brisbane 2022 (OA Games), have a visa application charge of nil.
- 5 The OA Games commence on 5 November 2022 and conclude by 11 November 2022. After the OA Games conclude, the instrument self-repeals on 12 November 2022.

Consultation

- 6 No consultation was done for this instrument. This is because the instrument confers a benefit on certain participants in the OA Games, by providing they are in a class of persons for whom the visa application charge is nil.
- 7 The Office of Best Practice Regulation (OBPR) was also consulted and considered that the instrument dealt with matters of a minor nature and no regulatory impact statement was required. The OBPR reference number is 22-03253.

Details of the instrument

- 8 Section 1 sets out the name of the instrument.
- 9 Section 2 provides for the commencement of the instrument on the day after it is registered on the Federal Register of Legislation.
- 10 Section 3 provides that certain applicants for Temporary Activity (Class GG) visas are in a specified class of persons for whom the visa application charge is nil, if the requirements in paragraphs 3(a), (b) and (c) are met. These are applicants travelling to Australia on invitation to participate in the OA Games.

- 11 Section 4 provides that certain applicants for Visitor (Class FA) visas are in a specified class of persons for whom the visa application charge is nil, if the requirements in paragraphs 4(a), (b), (c) and (d) are met. These are applicants travelling to Australia on invitation to participate in the OA Games.

Parliamentary scrutiny etc.

- 12 The instrument is exempt from disallowance under section 42 of the Legislation Act. This is because it is an instrument made under Part 2 of the Migration Regulations, which is prescribed under paragraph (b) of item 20 in section 10 of the *Legislation (Exemptions and Other Matters) Regulation 2015*.
- 13 The instrument was made by a delegate of the Minister of Home Affairs, under subregulation 2.07(5) of the Migration Regulations.

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