

EXPLANATORY STATEMENT

Issued by the Minister for Immigration and Multicultural Affairs

Migration Regulations 1994

Migration (Class of Persons for Nil VAC for Subclass 600 (Visitor) Visa Applications—Brisbane 2032 Olympic and Paralympic Games) Specification 2025

- 1 The instrument, departmental reference LIN 25/019, is made under subparagraph 1236(2)(a)(iv) of Schedule 1 to the *Migration Regulations 1994* (the Migration Regulations).
- 2 The instrument commences on the day after it is registered. It is a legislative instrument for the purposes of the *Legislation Act 2003* (the Legislation Act).

Purpose

- 3 Subparagraph 1236(2)(a)(i) of Schedule 1 to the Migration Regulations provides that in relation to an application for a Subclass 600 (Visitor) visa that is not in the Frequent Traveller stream, the first instalment of the VAC for an applicant who is in a class of persons specified by the Minister, is nil.
- 4 The purpose of LIN 25/019 is to specify the class of persons for whom the amount of the first instalment of the VAC is nil, under subparagraph 1236(2)(a)(iv) of Schedule 1 to the Migration Regulations. Section 5 of the instrument provides that a person (the applicant) is specified if they:
 - seek to be granted of a Subclass 600 (Visitor) visa in either the Tourist stream of Business Visitor stream as set out in Schedule 2 to the Migration Regulations; and
 - the person is invited by the Brisbane 2032 Olympic and Paralympic Games Organising Committee to attend meetings and for purposes relating to the Brisbane 2032 Olympic and Paralympic Games.
- 5 On 21 July 2021, Brisbane was elected to host the 2032 Olympic and Paralympic Games (the 2032 Games). To prepare for the 2032 Games, persons will be invited by the Brisbane 2032 Olympic and Paralympic Games Organising Committee to attend meetings and carry out functions and activities relating to the 2032 Games. The provision of a nil VAC for persons travelling to Australia for these purposes implements commitments made by the Australian Government to the International Olympic Committee to support the successful delivery of the 2032 Games.

Consultation

- 6 The Department consulted with the Office of Sport, Australian Border Force, Australian Federal Police, Australian Security Intelligence Organisation, Australian Criminal Intelligence Commission and International Olympic Committee in relation to the 2032 Olympic and Paralympic Games (2032) Government Guarantees. These agencies raised no concerns about the provision of a fee free visa for persons invited to attend meetings and carry out functions and activities relating to the 2032 Games.

- 7 The Office of Impact Analysis (OIA) was consulted and considered that a detailed analysis is not required under the Australian Government Impact Analysis Framework. The OIA reference number is OIA25-09070.

Details of the instrument

- 8 Details of the instrument are set out in Attachment A.

Parliamentary scrutiny etc.

- 9 The instrument is exempt from disallowance under section 42 of the Legislation Act. This is because in accordance with paragraph 44(2)(b) of the Legislation Act and item 20(b) in regulation 10 of the *Legislation (Exemptions and Other Matters) Regulation 2015*, instruments made under Schedule 1 of the Migration Regulations are prescribed as being exempt from disallowance. Given the instrument is exempt from disallowance, a statement of compatibility in accordance with section 9 of the *Human Rights (Parliamentary Scrutiny) Act 2011* is not required.
- 10 The instrument is made by the Minister under and in accordance with subparagraph 1236(2)(a)(iv) of Schedule 1 to the Migration Regulations.

Details of the *Migration (Class of Persons for Nil VAC for Subclass 600 (Visitor) Visa Applications—Brisbane 2032 Olympic and Paralympic Games) Specification 2025*

Section 1 Name

This section provides that the name of the instrument is the *Migration (Class of Persons for Nil VAC for Subclass 600 (Visitor) Visa Applications—Brisbane 2032 Olympic and Paralympic Games) Specification 2025* (the instrument).

Section 2 Commencement

This section provides that the instrument commences on the day after it is registered.

Section 3 Authority

This section provides that the instrument is made under subparagraph 1236(2)(a)(iv) of Schedule 1 to the *Migration Regulations 1994* (the Migration Regulations).

Section 4 Definitions

This section sets out definitions of certain terms used in the instrument, including:

- *Migration Regulations* means the Migration Regulations.
- *VAC* means visa application charge.

Section 5 Class of persons for nil VAC – Subclass 600 (Visitor) visa

This section specifies who will be in a class of persons for the purposes of subparagraph 1236(2)(a)(iv) of Schedule 1 to the Migration Regulations. Subparagraph 1236(2)(a)(iv) provides that in relation to an application for a Subclass 600 (Visitor) visa that is not in the Frequent Traveller stream, the first instalment of the visa application charge for an applicant who is in a class of persons specified by the Minister, is nil.

Section 5 of the instrument provides that a person who seeks to satisfy the primary criteria for the grant of a Subclass 600 (Visitor) visa in the Tourist stream or Business Visitor stream and who is invited by the Brisbane 2032 Olympic and Paralympic Games Organising Committee to attend meetings and for purposes relating to the Brisbane 2032 Olympic and Paralympic Games, is specified to be in a class of persons.

The effect of section 5 of the instrument is that if the applicant falls within the class of persons specified, the visa application charge is nil. Applicants who do not fall within this class of persons will be liable to pay the relevant VAC as set out in subitem 1236(2) of Schedule 2 to the Migration Regulations.

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