



IMMIGRATION LAW REVIEW

VOL 1
JANUARY – JUNE 2015

This document is published by Kinslor Prince Lawyers Pty Ltd trading as Immigration Law Review.

Kinslor Prince Lawyers established Immigration Law Review to assist practitioners to keep up to date with legislative changes in the field of Australian immigration law.

The role of ILR is to provide immigration law practitioners with an efficient and comprehensive means of reviewing the constant legislative changes impacting upon their clients.

ILR documents amendments to the Migration Act 1958, the Migration Regulations 1994 and the Australian Citizenship Act 2007 with summaries and analysis of legislative amendments. The format of ILR is designed to assist practitioners to systematically track legal developments.

© Copyright 2015 Kinslor Prince Lawyers

www.immigrationlawreview.com.au

Contents

Acts	10
Migration and Maritime Powers Legislation Amendment (Resolving the Asylum Legacy Caseload) Act 2014.....	11
Australian Citizenship Amendment (Intercountry Adoption) Act 2015.....	30
Migration Amendment (Protection and Other Measures) Act 2015.....	32
Australian Border Force Act 2015	38
Tribunals Amalgamation Act 2015	49
Migration Amendment (Regional Processing Arrangements) Act 2015.....	55
Regulations	62
Migration Amendment (Partner Visas) Regulation 2014.....	62
Customs and Other Laws (Repeal and Consequential Amendments) Regulation 2015.....	64
Migration Amendment (2015 Measures No. 1) Regulation 2015.....	65
Migration Amendment (Protection and Other Measures) Regulation 2015.....	70
Migration Amendment (Resolving the Asylum Legacy Caseload) Regulation 2015.....	73
Customs and Other Legislation Amendment (Australian Border Force) Regulation 2015.....	76
Migration Amendment (Investor Visas) Regulation 2015.....	77
Migration Legislation Amendment (2015 Measures No. 2) Regulation 2015.....	83
Administrative Appeals Tribunal Regulation 2015	87
Tribunals Legislation Amendment (Amalgamation) Regulation 2015.....	89

Instruments.....	92
IMMI 14/080 - Specification of Alternative English Language Proficiency Tests to the International English Language Testing System for Student Visa Purposes [F2014L01673]	93
IMMI 14/113 - Japan Australia Economic Partnership agreement determination 2015 [F2014L01676].....	93
IMMI 15/003 - Specification of eligible education providers and educational business partners [F2015L00537].....	94
IMMI 15/004 - Evidence of functional English language proficiency [F2014L01668].....	94
IMMI 15/001 - Payment of visa application charges and fees in foreign currencies 2015 (conversion instrument) [F2014L0172]	95
IMMI 15/002 - Places and currencies for paying fees [F2014L01711].....	95
IMMI 15/011 - Access to Movement Records [F2015L00114].....	96
IMMI 15/026 - Class of persons [F2015L00708]	96
IMMI 15/027 - Specification of class of persons (Netball World Cup) 2015 [F2015L00969]	96
IMMI 15/028 - Specification of tests, scores, period, level of salary and exemptions to the English language requirement [F2015L00563]	97
IMMI 15/029 - Specification of Arrangements for Business Skills Visas Applications 2015 [F2015L00546].....	98
IMMI 15/030 - Specification of Arrangements for Child Visa Applications 2015 [F2015L00547] ...	98
IMMI 15/031 - Arrangements for Other Visas 2015 [F2015L00548]	98
IMMI 15/032 - Specification of Arrangements for Employer Nomination and Regional Employer Nomination Skilled Visas 2015 [F2015L00549].....	99
IMMI 15/033 - Arrangements for Resident Return Visa Applications 2015 [F2015L00550]	99
IMMI 15/034 - Arrangements for Other Family Visa Applications 2015 [F2015L00553].....	99
IMMI 15/035 - Arrangements for Skilled and Temporary Graduate Visa Applications 2015 [F2015L00556]	100

IMMI 15/036 - Arrangements for Temporary Work (Short Stay Activity) (Subclass 400) Visa Applications 2015 [F2015L00565]	100
IMMI 15/037 - Arrangements for medical treatment visas [F2015L00558]	100
IMMI 15/038 - Specification of Arrangements for E-Visitor and Subclass 676 Applications [F2015L00559]	101
IMMI 15/039 - Arrangements for Special Category Visa Applications 2015 [F2015L00560].....	101
IMMI 15/040 - Arrangements for Work and Holiday and Working Holiday Visa Applications 2015 [F2015L00552]	101
IMMI 15/041 - Specification of Arrangements For Maritime Crew And Superyacht Visa Applications 2015 [F2015L00554]	102
IMMI 15/042 - Arrangements for Temporary Work Visa Applications 2015 [F2015L00555]	102
IMMI 15/043 - Arrangements for Visitor Visa Applications [F2015L00557]	102
IMMI 15/044 - Specification of arrangements for applications for Bridging Visas 2015 [F2015L00561].....	103
IMMI 15/045 - Arrangements for Protection, Humanitarian and Refugee Visas 2015 [F2015L00557]	103
IMMI 15/046 - Arrangements for New Zealand (Family Relationship) Visa Applications 2015 [F2015L00568].....	103
IMMI 15/049 - Specification of class of persons (Netball World Cup) 2015 [F2015L00967]	104
IMMI 15/050 - Migration Regulations 1994 - Specification of Income Threshold and Annual Earnings 2015 [F2015L00569].....	104
IMMI 15/051 - Migration Regulations 1994 - Specification of Payment of Visa Application Charges and Fees in Foreign Currencies 2015 [F2015L00893]	105
IMMI 15/052 - Migration Regulations 1994 - Specification of Places and Currencies For Paying of Fees [F2015L00895]	105
IMMI 15/054 - Specified place [F2015L00387]	105
IMMI 15/057 - Specification of transit passengers who are eligible for a special purpose visa 2015 [F2015L00790]	106

IMMI 15/062 - English language tests, scores and passports 2015 [F2015L00564]	106
IMMI 15/065 - Migration Regulations 1994 - Approval of Australian Values Statement for Public Interest Criterion 4019 - 201 [F2015L00896]	107
IMMI 15/063 - Australian Citizenship Act 2007, Instrument Of Authorisation (Subsections 40(3), 40(4), 42(3) and 42(4)) [F2015L01071]	107
IMMI 15/066 - Disclosure of information to specified bodies [F2015L00567]	108
IMMI 15/068 - Specification of access to movement records [F2015L00512]	114
IMMI 15/070 - Meaning of enrolled in full-time study at an educational institution 2015 [F2015L00526]	114
IMMI 15/071 - Meaning of engaged in employment [F2015L00527]	115
IMMI 15/072 - Special benefit payment [F2015L00528]	115
IMMI 15/073 - Determination 2015 [F2015L00354]	115
IMMI 15/074 - Special purpose visa	116
IMMI 15/075 - Migration Regulations 1994 - Specification of Regional Area 2015 [F2015L00964]	116
IMMI 15/080 - Specified place to provide a personal identifier [F2015L00647]	117
IMMI 15/081 - Class of persons (Emergency Services) 2015 [F2015L00698]	117
IMMI 15/083 - Migration Regulations 1994 - Specification of Class of Persons 2015 [F2015L01018]	118
IMMI 15/091 - Migration Regulations 1994 - Specification of Occupations, a Person or Body, a Country or Countries 2015 [F2015L01057]	119
IMMI 15/092 - Migration Regulations 1994 - Specification of Occupations, a Person or Body, a Country or Countries 2015 [F2015L01059]	120
IMMI 15/096 - Migration Regulations 1994 - Specification of Eligible Education Providers and Educational Business Partners 2015 [F2015L00899]	121
IMMI 15/098 - Migration Regulations 1994 - Specification of Access to Movement Records 2015 [F2015L01061]	121

IMMI 15/100 - Migration Regulations 1994 - Migration (Complying Investments) Instrument 2015 [F2015L01012].....	122
IMMI 15/102 - Migration Regulations 1994 - Specification of Passenger Card Drop Boxes 2015 [F2015L01083].....	122
Social Security (Class of Visas - Qualification for Special Benefit) Determination 2015 [F2015L00531]	123
Social Security (Declaration of Visa in a Class of Visas - Special Benefit Activity Test) Determination 2015 [F2015L00532]	123
Immigration (Education) Act 1971, English Courses For Holders Of Certain Temporary Visas 2015 (Subparagraph 4A(a)(ii)) [F2015L01020]	124
Migration Act 1958 - Instrument of Approval of Fall-Back Reporting Systems	125
Public Governance, Performance and Accountability Amendment (Listed Entities and Receipts) Rule 2015 [F2015L00929]	126
Notes.....	127