



Minister – Delegations and Authorisations Instrument No. 4 of 2018 (Immigration and Citizenship Services Group) (MHA No. 4 of 2018)

I, PETER DUTTON, Minister for Home Affairs and Minister for Immigration and Border Protection, make the following instrument of delegation and authorisation.

Dated *10 April* 2018

THE HON PETER DUTTON MP
Minister for Home Affairs
Minister for Immigration and Border Protection

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Part 1 – Preliminary

1 Name

This instrument is the *Minister – Delegations and Authorisations Instrument No. 4 of 2018 (Immigration and Citizenship Services Group)*. It may be cited as MHA No. 4 of 2018.

2 Commencement

This instrument commences on 16 April 2018.

3 Authority

This instrument is made under the *Acts Interpretation Act 1901*, the *Australian Citizenship Act 2007*, the *Australian Citizenship Regulation 2016*, the *Migration Act 1958*, and the *Migration Regulations 1994*.

4 Definitions

Note 1: A number of expressions used in this instrument are defined in legislation, including those listed below:

- (a) *authorised officer* is defined in subsection 5(1) of the Migration Act and regulation 1.03 of the Migration Regulations; and
- (b) *clearance officer* is defined in section 165 of the Migration Act.

Note 2: Section 2B and paragraph 46(1)(a) of the *Acts Interpretation Act 1901* incorporate into this instrument the definitions of APS employee and SES employee from the *Public Service Act 1999*.

In this instrument:

Acts Interpretation Act means the *Acts Interpretation Act 1901*.

APS 1 means an APS Level 1 classification under the Classification Rules.

APS 2 means an APS Level 2 classification under the Classification Rules.

APS 3 means an APS Level 3 classification under the Classification Rules.

APS 4 means an APS Level 4 classification under the Classification Rules.

APS 5 means an APS Level 5 classification under the Classification Rules.

APS 6 means an APS Level 6 classification under the Classification Rules.

Classification Rules means the *Public Service Classification Rules 2000*.

Citizenship Act means the *Australian Citizenship Act 2007*.

Citizenship Regulation means the *Australian Citizenship Regulation 2016*.

Department means the Department of Home Affairs.

EL1 means an Executive Level 1 classification under the Classification Rules.

EL2 means an Executive Level 2 classification under the Classification Rules.

Immigration and Citizenship Services Group means the Immigration and Citizenship Services Group in the Department of Home Affairs.

Migration Act means the *Migration Act 1958*.

Migration Regulations means the *Migration Regulations 1994*.

Regulatory Powers Act means the *Regulatory Powers (Standard Provisions) Act 2014*.

SES1 means a Senior Executive Band 1 classification under the Classification Rules.

SES2 means a Senior Executive Band 2 classification under the Classification Rules.

SES3 means a Senior Executive Band 3 classification under the Classification Rules.

5 References to section or regulation

- (1) Unless a contrary intention appears, a reference to a section (or subordinate part of a section) in an item in the Schedules is a reference to the section (or subordinate part of a section) in the Act referred to in the heading immediately preceding that item.
- (2) Unless a contrary intention appears, a reference to a provision (or a subordinate part of a provision) in an item in the Schedules is a reference to the provision of the regulation (or subordinate part of a provision of a regulation) in the legislative instrument referred to in the heading immediately preceding that item.

Part 2 – Delegations and Authorisations for Immigration and Citizenship Services Group

6 Citizenship delegations

Under subsection 53(1) of the Citizenship Act, the powers and functions in the provision specified in an item in column 1 of the table in Schedule 1 to this instrument are delegated to persons from time to time holding, occupying, or performing the duties of a position in the Immigration and Citizenship Services Group at the classification level identified by “X” in column 3 of the table for that item.

7 Migration delegations

- (1) Under subsection 496(1) of the Migration Act, the powers in the provision specified in an item in column 1 of the table in Schedule 2 to this instrument are delegated, except any power that is to be exercised by making an instrument that is expressly referred to in the empowering provision as a ‘legislative instrument’ or an ‘instrument in writing’¹, to persons from time to time holding, occupying, or performing the duties of a position in the Immigration and Citizenship Services Group at the classification level identified by “X” in column 3 of the table for that item.
- (2) Under section 143 of the Migration Act, the powers in the provision specified in an item in column 1 of the table in Schedule 2 to this instrument are delegated except any power that is to be exercised by making an instrument that is expressly referred to in the empowering provision as a ‘legislative instrument’ or an ‘instrument in writing’², to persons from time to time holding, occupying, or performing the duties of a position in Immigration and Citizenship Services Group at the classification level identified by “X” in column 3 of the table for that item.
- (3) Under subsection 496(1) of the Migration Act and section 112(3) of the Regulatory Powers Act, the powers under section 140RA of the Migration Act in column 1 of the table in Schedule 2 to this instrument are delegated to persons from time to time holding, occupying, or performing the duties of a position in Immigration and Citizenship Services Group at the classification level identified by “X” in column 3 of the table for that item.
- (4) Under subregulation 1.16(1) of the Migration Regulations, the powers in the provision specified in an item in column 1 of the table in Schedule 2 to this instrument are delegated, except any power that is to be exercised by making an instrument that is expressly referred to in the empowering provision as a

¹ Note that under this instrument, the powers under the Migration Act that are exercised by making a legislative instrument are not delegated.

² See footnote 1 above.

‘legislative instrument’ or an ‘instrument in writing’³, to officers from time to time holding, occupying, or performing the duties of a position in the Immigration and Citizenship Services Group at the classification level identified by “X” in column 3 of the table for that item.

8 Migration authorisations

- (1) Under the definition of “authorised officer” in subsection 5(1) of the Migration Act, the officers from time to time holding, occupying, or performing the duties of a position in the Immigration and Citizenship Services Group at the classification level identified by “AO” in column 3 for an item of the table in Schedule 2 to this instrument are authorised for the purposes of the provision specified in column 1 of the table for that item.
- (2) Under the definition of “clearance officer” in section 165 of the Migration Act, persons from time to time holding, occupying, or performing the duties of a position in the Immigration and Citizenship Services Group at the classification level identified by “CO” in column 3 for an item of the table in Schedule 2 to this instrument are authorised to perform the duties of a “clearance officer” for the purposes of Division 5 of Part 2 of the Migration Act and in relation to the provision identified in column 1 of the table for that item.

³ See footnote 1 above.

Part 3 – Revocation

9 Revocation of instruments

- (1) The instruments listed in subsection 9(2) are revoked insofar as the instruments:
- a) delegate powers or functions to persons from time to time holding, occupying or performing the duties of an onshore position that is, on commencement of this instrument, in the Immigration and Citizenship Services Group; or
 - b) authorise or appoint persons from time to time holding, occupying or performing the duties of an onshore position that is, on commencement of this instrument, in the Immigration and Citizenship Services Group to exercise the powers or perform the functions of an authorised officer or a clearance officer.
- (2) For the purpose of subsection 9(1) the following instruments are listed:
- a) *Instrument of Delegation 2015* (DEL 15/077) signed on 9 November 2017;
 - b) *Instrument of Delegation 2015* (DEL 15/167) signed on 20 October 2015;
 - c) *Instrument of Delegation 2016/036* (DEL 16/036) signed on 9 November 2016;
 - d) *Migration (Minister) (Written Notices Regarding Cessation of Removal Pending Bridging Visas) Delegation 2017* (DEL 17/073) signed on 9 November 2017;
 - e) *Migration (Minister) (Australian Citizenship Legislation) Delegation 2017* (DEL 17/085) signed on 12 December 2017;
 - f) *Migration (Minister) (Examination, Search and Detention) Delegation and Authorisation 2017* (DEL 17/088) signed on 12 December 2017;
 - g) *Migration (Minister) (Special Purpose Visa) Delegation 2017* (DEL 17/089) signed on 12 December 2017;
 - h) *Migration (Minister) (Condition 8559) Delegation 2017* (DEL 17/091) signed on 12 December 2017;
 - i) *Migration (Minister) (GIDAM 4 – Community Protection) Delegation and Authorisation 2017 (No. 2)* (GIDAM 4) signed on 20 June 2017;
 - j) *Migration (Minister) (Visa and Citizenship Management Division) Delegation and Authorisation 2017* (GIDAM 5) signed on 12 December 2017;
 - k) *Migration (Minister) (Refugee and Humanitarian Visa Management Division) Delegation and Authorisation 2018* (GIDAM 6) signed on 30 January 2018;
 - l) *Instrument of Delegation and Authorisation 2017/037* (DEL 17/037) signed on 24 May 2017;
 - m) *Migration (Minister) (Visa Delivery Transformation Division) Delegation and Authorisation 2017* (GIDAM 7) signed on 9 November 2017; and
 - n) *Minister for Home Affairs Statutory Powers Delegation 2017* (DEL 17/092) signed on 21 December 2017.

Schedule 1 – Delegations and Authorisations under the Citizenship Act and Citizenship Regulations

Item No.	COLUMN 1	COLUMN 2	COLUMN 3										
	PROVISION	SECTION HEADING/ Description (for information only)	APS1	APS2	APS3	APS4	APS5	APS6	EL1	EL2	SES1	SES2	SES3
Australian Citizenship Act 2007													
1.	s16(2)(C)	Application and eligibility for citizenship				X	X	X	X	X	X	X	X
2.	s16(3)(C)	Application and eligibility for citizenship				X	X	X	X	X	X	X	X
3.	s17	Minister's decision to approve or refuse a person's citizenship				X	X	X	X	X	X	X	X
4.	s18	Registration of citizenship	X	X	X	X	X	X	X	X	X	X	X
5.	s19C(2)(g)	Application and eligibility for citizenship				X	X	X	X	X	X	X	X
6.	s19D	Minister's decision to approve or refuse a person's application under section 19C for citizenship				X	X	X	X	X	X	X	X
7.	s19E	Registration of person's citizenship				X	X	X	X	X	X	X	X
8.	s21	Application and eligibility for citizenship				X	X	X	X	X	X	X	X
9.	s22	General residence requirement				X	X	X	X	X	X	X	X

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'AO' means the person is an authorised officer for the power indicated.

'CO' means the person is a clearance officer for the power indicated.

Item No.	<u>COLUMN 1</u>	<u>COLUMN 2</u>	<u>COLUMN 3</u>										
	PROVISION	SECTION HEADING/ Description (for information only)	APS1	APS2	APS3	APS4	APS5	APS6	EL1	EL2	SES1	SES2	SES3
10.	s22A	Special residence requirement - persons engaging in activities that are of benefit to Australia				X	X	X	X	X	X	X	X
11.	s22B	Special residence requirement - persons engaged in particular kinds of work requiring regular travel outside Australia				X	X	X	X	X	X	X	X
12.	s24	Minister's decision to approve or refuse a person's citizenship under section 21				X	X	X	X	X	X	X	X
13.	s25	Minister may cancel approval given to a person under section 24				X	X	X	X	X	X	X	X
14.	s26	Pledge of commitment must be made				X	X	X	X	X	X	X	X
15.	s29	Application and eligibility for resuming citizenship	X	X	X	X	X	X	X	X	X	X	X
16.	s30	Minister's decision regarding application and eligibility for resuming citizenship				X	X	X	X	X	X	X	X
17.	s31	Registration of person resuming Australian citizenship				X	X	X	X	X	X	X	X
18.	s33	Renunciation by application				X	X	X	X	X	X	X	X
19.	s37	Evidence of Australian Citizenship			X	X	X	X	X	X	X	X	X

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	PROVISION	SECTION HEADING/ Description (for information only)	APS1	APS2	APS3	APS4	APS5	APS6	EL1	EL2	SES1	SES2	SES3
20.	s38(1)	Surrender of evidentiary notice: Request for surrender							X	X	X	X	X
21.	s38(2)	Surrender of evidentiary notice: Request for surrender			X	X	X	X	X	X	X	X	X
22.	s45B	Seizure of bogus documents				X	X	X	X	X	X	X	X
23.	s45D	Dealing with a document after it is condemned as forfeited						X	X	X	X	X	X
24.	s46(2)	Application requirements: Approval of forms									X	X	X
25.	s47	Notification of decisions				X	X	X	X	X	X	X	X
26.	s48(1)	Computerised decision-making									X	X	X
27.	s48(3)	Computerised decision-making				X	X	X	X	X	X	X	X
Australian Citizenship Regulation 2016													
28.	r17	Refund of fees under subsection 46(3) of the Act						X	X	X	X	X	X

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Schedule 2 – Delegations and Authorisations under the Migration Act and Migration Regulations

Item No.	COLUMN 1	COLUMN 2	COLUMN 3										
	PROVISION	SECTION HEADING/ Description (for information only)	APS1	APS2	APS3	APS4	APS5	APS6	EL1	EL2	SES1	SES2	SES3
Migration Act 1958													
1.	s5(1) 'bogus document'	Interpretation – definition of "bogus document"	X	X	X	X	X	X	X	X	X	X	X
2.	s5(1) 'excluded fast track review applicant'	Interpretation – definition of "excluded fast track review applicant"			X	X	X	X	X	X	X	X	X
3.	s5(1) 'immigration detention'	Interpretation – definition of "immigration detention"			X	X	X	X	X	X	X	X	X
4.	s16	Removal of immigration rights of inhabitant of Protected Zone						X	X	X	X	X	X
5.	s17(1)&(2)	Pre-cleared flights by Minister					X	X	X	X	X	X	X
6.	s17(3)	Pre-cleared flights					AO	AO	AO	AO	AO	AO	AO
7.	s18	Power to obtain information and documents about unlawful non-citizens	X	X	X	X	X	X	X	X	X	X	X
8.	s25	Copies of documents	X	X	X	X	X	X	X	X	X	X	X
9.	s26	Minister may retain documents	X	X	X	X	X	X	X	X	X	X	X
10.	s29	Visas	X	X	X	X	X	X	X	X	X	X	X
11.	s36	Protection Visas			X	X	X	X	X	X	X	X	X
12.	s41(2A)	Conditions on visas	X	X	X	X	X	X	X	X	X	X	X

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			APS1	APS2	APS3	APS4	APS5	APS6	EL1	EL2	SES1	SES2	SES3
13.	s41(3)	Conditions on visas: Power to specify conditions on visas	X	X	X	X	X	X	X	X	X	X	X
14.	s43(1)(d)	Visa holders must usually enter at a port: in a way authorised in writing by an authorised officer	AO	AO	AO	AO	AO	AO	AO	AO	AO	AO	AO
15.	s46(2A)(aa)	Visa applications by unauthorised maritime arrivals	X	X	X	X	X	X	X	X	X	X	X
16.	s47	Consideration of valid visa application	X	X	X	X	X	X	X	X	X	X	X
17.	s50	Only new information to be considered in later protection visa applications					X	X	X	X	X	X	X
18.	s51	Order of consideration for visa applications	X	X	X	X	X	X	X	X	X	X	X
19.	s54	Minister must have regard to all information in application			X	X	X	X	X	X	X	X	X
20.	s55	Further information may be given			X	X	X	X	X	X	X	X	X
21.	s56	Further information may be sought	X	X	X	X	X	X	X	X	X	X	X
22.	s57	Certain information must be given to applicant	X	X	X	X	X	X	X	X	X	X	X
23.	s58	Invitation to give further information or comments	X	X	X	X	X	X	X	X	X	X	X

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	PROVISION	SECTION HEADING/ Description (for information only)	APS1	APS2	APS3	APS4	APS5	APS6	EL1	EL2	SES1	SES2	SES3
24.	s59	Interviews	X	X	X	X	X	X	X	X	X	X	X
25.	s60	Medical examination	X	X	X	X	X	X	X	X	X	X	X
26.	s62	Failure to receive information does not require action	X	X	X	X	X	X	X	X	X	X	X
27.	s63	When decision about visa may be made	X	X	X	X	X	X	X	X	X	X	X
28.	s64	Notice that visa application charge is payable	X	X	X	X	X	X	X	X	X	X	X
29.	s65	Decision to grant or refuse to grant visa	X	X	X	X	X	X	X	X	X	X	X
30.	s66	Notification of decision	X	X	X	X	X	X	X	X	X	X	X
31.	s67	Grant and refusal of visa—how and when									X	X	X
32.	s72	Interpretation			X	X	X	X	X	X	X	X	X
33.	s73	Bridging visas	X	X	X	X	X	X	X	X	X	X	X
34.	s75(2)	When eligible non-citizen in immigration detention granted visa			X	X	X	X	X	X	X	X	X
35.	s87A	Limit does not prevent the grant of visas to certain people who are unable to meet health or character requirements before the limit applies because of circumstances beyond their control			X	X	X	X	X	X	X	X	X

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Item No.	COLUMN 1	COLUMN 2	COLUMN 3										
	PROVISION	SECTION HEADING/ Description (for information only)	APS1	APS2	APS3	APS4	APS5	APS6	EL1	EL2	SES1	SES2	SES3
36.	s91	Order of dealing with visas			X	X	X	X	X	X	X	X	X
37.	s91W(2)	Evidence of identity and bogus documents						X	X	X	X	X	X
38.	s91WA	Providing bogus documents or destroying identity documents						X	X	X	X	X	X
39.	s93	Determination of applicant's score			X	X	X	X	X	X	X	X	X
40.	s94	Initial application of "points" system			X	X	X	X	X	X	X	X	X
41.	s95	Applications in pool			X	X	X	X	X	X	X	X	X
42.	s107	Notice of incorrect applications			X	X	X	X	X	X	X	X	X
43.	s108	Decision about non-compliance			X	X	X	X	X	X	X	X	X
44.	s109	Cancellation of visa if information incorrect			X	X	X	X	X	X	X	X	X
45.	s116	Power to cancel	X	X	X	X	X	X	X	X	X	X	X
46.	s119	Notice of proposed cancellation	X	X	X	X	X	X	X	X	X	X	X
47.	s120	Certain information must be given to visa holder	X	X	X	X	X	X	X	X	X	X	X
48.	s121	Invitation to give comments etc.	X	X	X	X	X	X	X	X	X	X	X
49.	s123	Failure to accept invitation not require action	X	X	X	X	X	X	X	X	X	X	X
50.	s124	When decision about visa cancellation may be made	X	X	X	X	X	X	X	X	X	X	X
51.	s127	Notification of decision	X	X	X	X	X	X	X	X	X	X	X

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			APS1	APS2	APS3	APS4	APS5	APS6	EL1	EL2	SES1	SES2	SES3
52.	s128	Cancellation of visas of people outside Australia	X	X	X	X	X	X	X	X	X	X	X
53.	s129	Notice of cancellation	X	X	X	X	X	X	X	X	X	X	X
54.	s131	Decision about revocation of cancellation	X	X	X	X	X	X	X	X	X	X	X
55.	s132	Notification of decision about revocation of cancellation	X	X	X	X	X	X	X	X	X	X	X
56.	s133(2)	Effect of revocation of cancellation	X	X	X	X	X	X	X	X	X	X	X
57.	s133E	Cancellation under subsection 133A(1) or 133C(1)—notice of cancellation: Minister to give written notice of cancellation decision			X	X	X	X	X	X	X	X	X
58.	s133F	Cancellation under subsection 133A(3) or 133C(3)—Minister may revoke cancellation in certain circumstances			X	X	X	X	X	X	X	X	X
59.	s134B	Emergency cancellation on security grounds					X	X	X	X	X	X	X
60.	s134C	Decision about revocation of emergency cancellation			X	X	X	X	X	X	X	X	X
61.	s134D	Effect of revocation of cancellation			X	X	X	X	X	X	X	X	X
62.	s134E	Notice of cancellation			X	X	X	X	X	X	X	X	X
63.	s134F	Effect of cancellation on other visas			X	X	X	X	X	X	X	X	X

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			APS1	APS2	APS3	APS4	APS5	APS6	EL1	EL2	SES1	SES2	SES3
64.	s134	Cancellation of business visas			X	X	X	X	X	X	X	X	X
65.	s135	Representations concerning cancellation of business visa			X	X	X	X	X	X	X	X	X
66.	s137J	Non-complying students may have their visas automatically cancelled									X	X	X
67.	s137L	Dealing with the application – Minister's power to revoke a cancellation	X	X	X	X	X	X	X	X	X	X	X
68.	s137M	Notification of decision	X	X	X	X	X	X	X	X	X	X	X
69.	s137Q	Cancellation of regional sponsored employment visas			X	X	X	X	X	X	X	X	X
70.	s137R	Representations concerning cancellation etc			X	X	X	X	X	X	X	X	X
71.	s137S	Notice of cancellation			X	X	X	X	X	X	X	X	X
72.	s138	Cancellation and revocation of cancellation of visas - how and when	X	X	X	X	X	X	X	X	X	X	X
73.	s140(2)	Cancellation of visa results in other cancellation	X	X	X	X	X	X	X	X	X	X	X
74.	s140E	Minister to approve sponsor			X	X	X	X	X	X	X	X	X
75.	s140GA	Variation of terms of approval as a sponsor			X	X	X	X	X	X	X	X	X
76.	s140GB	Minister to approve nominations			X	X	X	X	X	X	X	X	X
77.	s140GBA(3)	Labour market testing—condition			X	X	X	X	X	X	X	X	X

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			APS1	APS2	APS3	APS4	APS5	APS6	EL1	EL2	SES1	SES2	SES3
78.	s140K	Sanctions for failing to satisfy sponsorship obligations			X	X	X	X	X	X	X	X	X
79.	s140M	Cancelling approval as a sponsor or barring a sponsor								X	X	X	X
80.	s140O	Waiving a bar								X	X	X	X
81.	s140RA	Enforceable undertakings			X	X	X	X	X	X	X	X	X
82.	s140T	Notice regarding amount of debt or other amount								X	X	X	X
83.	s140V	Inspectors									X	X	X
84.	s140W	Identity cards							X	X	X	X	X
85.	s140ZH	Disclosure of personal information by Minister	X	X	X	X	X	X	X	X	X	X	X
86.	s140ZI	Disclosure of personal information to Minister	X	X	X	X	X	X	X	X	X	X	X
87.	s143(4)	Revoke a criminal justice stay certificate issued by a person exercising a power delegated under subsection 143 (2)									X	X	X
88.	s145(1)	Give a certificate that the presence of a non-citizen in Australia is required for the administration of criminal justice									X	X	X
89.	s146(2)	Endorse a certificate, given by an authorised official for a State under									X	X	X

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			APS1	APS2	APS3	APS4	APS5	APS6	EL1	EL2	SES1	SES2	SES3
		subsection 146 (1), with a statement that the certificate is to be a criminal justice certificate for the purpose of Division 4											
90.	s147(1)	Give a certificate that the stay of a non-citizen's removal or deportation is required for the administration of criminal justice									X	X	X
91.	s162(1)(a) and 162(2)	Cancel a criminal justice certificate issued under section 145 or 147. Before cancelling, tell the Secretary: (a) when the certificate is to be cancelled; and (b) the expected whereabouts of the non-citizen when the certificate is cancelled; and (c) the arrangements for the non-citizen's departure from Australia									X	X	X
92.	s158	Criteria for criminal justice visas						X	X	X	X	X	X
93.	s159	Procedure for obtaining criminal justice visa						X	X	X	X	X	X

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			APS1	APS2	APS3	APS4	APS5	APS6	EL1	EL2	SES1	SES2	SES3
94.	s164	Effect of cancellation etc. on criminal justice visa			X	X	X	X	X	X	X	X	X
95.	Division 5 of Part 2 (s165-s175B)	Immigration clearance				CO	CO	CO	CO	CO	CO	CO	CO
96.	s165	Interpretation – definition of “clearance authority”	CO	CO	CO	CO	CO	CO	CO	CO	CO	CO	CO
97.	s169	Section 166 usually to apply				X	X	X	X	X	X	X	X
98.	s169(3)	Section 166 not usually to apply									X	X	X
99.	s191(1)	End of certain detention			CO	CO	CO	CO	CO	CO	CO	CO	CO
100.	s191(2)	End of certain detention			AO	AO	AO	AO	AO	AO	AO	AO	AO
101.	s200	Deportation of certain non-citizens					X	X	X	X	X	X	X
102.	s205	Dependants of deportee			X	X	X	X	X	X	X	X	X
103.	s206	Deportation order to be executed					X	X	X	X	X	X	X
104.	s220	Waiver of requirement			X	X	X	X	X	X	X	X	X
105.	s231	Master of vessel to comply with certain requests	AO	AO	AO	AO	AO	AO	AO	AO	AO	AO	AO
106.	s250	Detention of suspected offenders			AO	AO	AO	AO	AO	AO	AO	AO	AO
107.	s252	Searches of persons			AO	AO	AO	AO	AO	AO	AO	AO	AO
108.	s252AA	Power to conduct a screening procedure									AO	AO	AO
109.	s252A	Power to conduct a strip search									AO	AO	AO
110.	s253(8)&(9)	Detention of deportee			X	X	X	X	X	X	X	X	X

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			APS1	APS2	APS3	APS4	APS5	APS6	EL1	EL2	SES1	SES2	SES3
111.	s257A	Person may be required to provide personal identifiers	AO	AO	AO	AO	AO	AO	AO	AO	AO	AO	AO
112.	s257A(1)	Person may be required to provide personal identifiers	X	X	X	X	X	X	X	X	X	X	X
113.	s258G	Authorised officer may get help to carry out identification tests	AO	AO	AO	AO	AO	AO	AO	AO	AO	AO	AO
114.	s261AA	Immigration detainees must provide personal identifiers			AO	AO	AO	AO	AO	AO	AO	AO	AO
115.	s261AB	Authorised officers must require and carry out identification tests			AO	AO	AO	AO	AO	AO	AO	AO	AO
116.	s261AE	Use of force in carrying out identification tests			AO	AO	AO	AO	AO	AO	AO	AO	AO
117.	s261AG	Authorised officer may get help to carry out identification tests			AO	AO	AO	AO	AO	AO	AO	AO	AO
118.	s261AJ	Recording of identification tests			AO	AO	AO	AO	AO	AO	AO	AO	AO
119.	s261AK	Retesting			AO	AO	AO	AO	AO	AO	AO	AO	AO
120.	s261AL	Minors	AO	AO	AO	AO	AO	AO	AO	AO	AO	AO	AO
121.	s261AM	Incapable persons	AO	AO	AO	AO	AO	AO	AO	AO	AO	AO	AO
122.	s261B	Seizure of things used in certain offences					AO	AO	AO	AO	AO	AO	AO
123.	s261F(1)(b)	Thing condemned if not claimed in time									X	X	X
124.	s261G(1)(b)	Dealing with claim for thing									X	X	X
125.	s269	Securities			AO	AO	AO	AO	AO	AO	AO	AO	AO

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	PROVISION	SECTION HEADING/ Description (for information only)	APS1	APS2	APS3	APS4	APS5	APS6	EL1	EL2	SES1	SES2	SES3
126.	s272	Migrant centres									X	X	X
127.	s292A	Applicant must not be registered if any barring period has not ended			X	X	X	X	X	X	X	X	X
128.	s305B	Providing disciplinary details to clients			X	X	X	X	X	X	X	X	X
129.	s306AC	Minister may refer registered migration agent to the Migration Agents Registration Authority									X	X	X
130.	s306AE	Registered migration agent may make submissions									X	X	X
131.	s306AF	Notice of referral decision under section 306AC									X	X	X
132.	s306AG	Migration Agents Registration Authority's decision after a referral under section 306AC			X	X	X	X	X	X	X	X	X
133.	s306AGAA	Minister may refer agent again if Migration Agents Registration Authority takes no disciplinary action									X	X	X
134.	s306AGAB	Notice of referral decision under section 306AG									X	X	X
135.	s311H	Minister may refer former registered migration agent for disciplinary action									X	X	X

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			APS1	APS2	APS3	APS4	APS5	APS6	EL1	EL2	SES1	SES2	SES3
136.	s311J	Former registered migration agent may make submissions									X	X	X
137.	s311K	Notice of referral decision									X	X	X
138.	s317	General powers of the Migration Agents Registration Authority			X	X	X	X	X	X	X	X	X
139.	s375	Restrictions on disclosure of certain information etc.			X	X	X	X	X	X	X	X	X
140.	s375A	Certain information only to be disclosed to Tribunal			X	X	X	X	X	X	X	X	X
141.	s376	Tribunal's discretion in relation to disclosure of certain information etc.			X	X	X	X	X	X	X	X	X
142.	s473CA	Referral of fast track reviewable decisions			X	X	X	X	X	X	X	X	X
143.	s473GA	Restrictions on disclosure of certain information etc.			X	X	X	X	X	X	X	X	X
144.	s473GB	Immigration Assessment Authority's discretion in relation to disclosure of certain information etc.			X	X	X	X	X	X	X	X	X
145.	s486R	Civil penalty orders									X	X	X
146.	s488	Tampering with movement records									AO	AO	AO
147.	s494A	Giving documents by Minister where no requirement to do so by section 494B method	X	X	X	X	X	X	X	X	X	X	X

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			APS1	APS2	APS3	APS4	APS5	APS6	EL1	EL2	SES1	SES2	SES3
148.	s494B	Methods by which Minister gives documents to a person	X	X	X	X	X	X	X	X	X	X	X
149.	s494B(2),(3)&(6)	Methods by which Minister gives documents to a person (by way of authorised officer)	AO	AO	AO	AO	AO	AO	AO	AO	AO	AO	AO
150.	s494D	Authorised recipient			X	X	X	X	X	X	X	X	X
151.	s494D(5)(c)	Authorised recipient: Circumstances in which Minister does not need to comply with conditions under subsection 494D(1)	X	X	X	X	X	X	X	X	X	X	X
152.	s495	Minister may approve forms								X	X	X	X
153.	s501(1),(2)&(3A)	Refusal or cancellation of visa on character grounds: Minister's power to refuse to grant a visa if the Minister is not satisfied that the person passes the character test				X	X	X	X	X	X	X	X
154.	s501C	Refusal or cancellation of visa - revocation of decision under subsection 501(3) or 501A(3)				X	X	X	X	X	X	X	X
155.	s501CA	Cancellation of visa - revocation of decision under subsection 501(3A) (person serving sentence of imprisonment)							X	X	X	X	X

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156.	s501G	Refusal of visa - notification of decision				X	X	X	X	X	X	X	X
157.	s501L	Disclosure of information to the Minister									X	X	X
158.	s503A	Protection of information supplied by law enforcement agencies of intelligence agencies	X	X	X	X	X	X	X	X	X	X	X
Migration Regulations 1994													
159.	r1.03	Definitions	X	X	X	X	X	X	X	X	X	X	X
160.	r1.04	Adoption			X	X	X	X	X	X	X	X	X
161.	r1.08	Compelling need to work	X	X	X	X	X	X	X	X	X	X	X
162.	r1.15C	Competent English										X	X
163.	r1.15D	Proficient English										X	X
164.	r1.18	Approved forms									X	X	X
165.	r1.20	Sponsorship undertakings	X	X	X	X	X	X	X	X	X	X	X
166.	r1.20J	Limitation on approval of sponsorships - spouse, partner, prospective marriage and interdependency visas			X	X	X	X	X	X	X	X	X
167.	r1.20K	Limitation on sponsorships—remaining relative visas									X	X	
168.	r1.20KA	Limitation on approval of sponsorship—partner (provisional or	X	X	X	X	X	X	X	X	X	X	

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			APS1	APS2	APS3	APS4	APS5	APS6	EL1	EL2	SES1	SES2	SES3
		temporary) or prospective marriage (temporary) visas											
169.	r1.20KB	Limitation on approval of sponsorship—child, partner and prospective marriage visas: Sponsor convicted of registrable offence			X	X	X	X	X	X	X	X	X
170.	r1.20L	Limitation on approval of sponsorship—Subclass 600 (Visitor) visas			X	X	X	X	X	X	X	X	X
171.	r1.20LAA	Limitation on sponsorships—parent, aged dependent relative, contributory parent, aged parent and contributory aged parent visas			X	X	X	X	X	X	X	X	X
172.	r2.03AA	Criteria applicable to character tests and security assessments			X	X	X	X	X	X	X	X	X
173.	r2.07AK	Applications for Referred Stay (Permanent) (Class DH) visas						X	X	X	X	X	X
174.	r2.08A	Addition of certain applicants to certain applications for permanent visas			X	X	X	X	X	X	X	X	X
175.	r2.08B	Addition of certain dependent children to certain applications for temporary visas			X	X	X	X	X	X	X	X	X

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			APS1	APS2	APS3	APS4	APS5	APS6	EL1	EL2	SES1	SES2	SES3
176.	r2.11	Special provisions for certain visa applications that are refused			X	X	X	X	X	X	X	X	X
177.	r2.12F	Refund of first instalment of visa application charge						X	X	X	X	X	X
178.	r2.12H	Refund of second instalment of visa application charge						X	X	X	X	X	X
179.	r2.13	Communication with Minister			X	X	X	X	X	X	X	X	X
180.	r2.14	Where written communication must be sent									X	X	X
181.	r2.15	Response to invitation to give additional information or comments—prescribed periods			X	X	X	X	X	X	X	X	X
182.	r2.16	Notification of decision on visa application			X	X	X	X	X	X	X	X	X
183.	r2.20	Eligible non-citizen (Act, s 72)			X	X	X	X	X	X	X	X	X
184.	r2.21A	Grant of Bridging A (Class WA) visas without application			X	X	X	X	X	X	X	X	X
185.	r2.21B	Grant of Bridging A (Class WA), Bridging C (Class WC) and Bridging E (Class WE) visas without application			X	X	X	X	X	X	X	X	X
186.	r2.25	Grant of Bridging E (Class WE) visas without application			X	X	X	X	X	X	X	X	X

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			APS1	APS2	APS3	APS4	APS5	APS6	EL1	EL2	SES1	SES2	SES3
187.	r2.25A	Referral to Medical Officers of the Commonwealth			X	X	X	X	X	X	X	X	X
188.	r2.42	Notice of decision to cancel visa under s109			X	X	X	X	X	X	X	X	X
189.	r2.43	Grounds for cancellation of visa			X	X	X	X	X	X	X	X	X
190.	r2.55	Giving of documents relating to proposed cancellation, cancellation or revocation of cancellation			X	X	X	X	X	X	X	X	X
191.	r2.61(4)	Application for approval as a sponsor								X	X	X	X
192.	r2.62	Notice of decision			X	X	X	X	X	X	X	X	X
193.	r2.69	Notice of decision			X	X	X	X	X	X	X	X	X
194.	r2.73AA	Refund of nomination fee – subclass 457 visa and subclass 482 visa								X	X	X	X
195.	r2.74	Notice of decision			X	X	X	X	X	X	X	X	X
196.	r2.80	Obligation to pay travel costs to enable sponsored persons to leave Australia								X	X	X	X
197.	r2.81	Obligation to pay costs incurred by the Commonwealth to locate and remove unlawful non-citizen									X	X	X
198.	r2.83	Obligation to provide records and information to the Minister								X	X	X	X
199.	r2.96	Notice of intention to take action									X	X	X

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200.	r2.98	Notice of decision			X	X	X	X	X	X	X	X	X
201.	r2.102	Process to waive a bar									X	X	X
202.	r2.103	Disclosure of personal information by Minister									X	X	X
203.	r2.104	Circumstances in which the Minister may disclose personal information									X	X	X
204.	r2.106	Disclosure of personal information to Minister									X	X	X
205.	r3.10	Use of information			X	X	X	X	X	X	X	X	X
206.	r5.19	Approval of nominated positions (employer nomination)			X	X	X	X	X	X	X	X	X
207.	r5.19E(3)(f)	Complying entrepreneur activity			X	X	X	X	X	X	X	X	X
208.	r5.34	Application of Chapter 2 of the Criminal Code								X	X	X	X
209.	r5.34F	Disclosure of information to police and Australian Crime Commission								X	X	X	X
210.	r5.41A(5)(c)	Credit card surcharge						X	X	X	X	X	X
211.	r5.41A(5)(d)	Credit card surcharge						X	X	X	X	X	X
212.	r5.41B(5)(c)	PayPal surcharge						X	X	X	X	X	X
213.	r5.41B(5)(d)	PayPal surcharge						X	X	X	X	X	X
214.	cl070.511(c)	Subclass 070 - Bridging (Removal Pending)										X	X

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			APS1	APS2	APS3	APS4	APS5	APS6	EL1	EL2	SES1	SES2	SES3
215.	cl600.224	Subclass 600 - Visitor: Power to require applicant to be sponsored and power to approve sponsorship			X	X	X	X	X	X	X	X	X
216.	cl600.234	Subclass 600 - Visitor						X	X	X	X	X	X
217.	cl676.221	Subclass 676 - Tourist						X	X	X	X	X	X
218.	cl785.222	Subclass 785 - Temporary Protection									X	X	X
219.	cl790.222	Subclass 790 - Safe Haven Enterprise visa									X	X	X
220.	Visa Condition 8401	Visa Conditions			X	X	X	X	X	X	X	X	X
221.	Visa Condition 8508	Visa Conditions			X	X	X	X	X	X	X	X	X
222.	Visa Condition 8510	Vis Conditions			X	X	X	X	X	X	X	X	X
223.	Visa Condition 8511	Visa Conditions			X	X	X	X	X	X	X	X	X
224.	Visa Condition 8512	Visa Conditions			X	X	X	X	X	X	X	X	X
225.	Visa Condition 8529	Undergo a Medical							X	X	X	X	X
226.	Visa Condition 8550	Change in Personal Details									X	X	X

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227.	Visa Condition 8552	Change in Employment Details									X	X	X
228.	Visa Condition 8559	Visa Conditions						X	X	X	X	X	X
229.	Visa Condition 8561	Must comply with direction to attend interview									X	X	X
230.	Visa Condition 8570	Visa Conditions				X	X	X	X	X	X	X	X

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