



Commonwealth of Australia

Migration Regulations 1994

REQUIRED MEDICAL ASSESSMENT

(Clauses 4005, 4006A and 4007)

I, *PAUL DOUGLAS*, Delegate of the Minister for Immigration and Border Protection, acting under clauses 4005, 4006A and 4007 of Schedule 4 to the *Migration Regulations 1994* (the Regulations):

1. REVOKE Instrument Number IMMI 15/119 signed on 27 October 2015 (F2015L01747);
and
2. SPECIFY that, for paragraphs 4005(1)(aa), 4006A(1)(aa) and 4007(1)(aa) of Schedule 4 to the Regulations:
 - a. the class of persons is a person who is a citizen of a country or who has spent three or more consecutive months during the last five years in a country or countries listed in Column A of Schedule 1 to this Instrument;
 - b. the medical assessments specified in Column B, C, D and E that appear in Schedule 1 to this Instrument apply to a class of persons specified at paragraph 2(a) of this Instrument;
 - c. the class of persons is a person who is a citizen of a country or who has spent three or more consecutive months during the last five years in a country or countries that is not listed in Column A of Schedule 1 to this Instrument;
 - d. the medical assessments specified in Column B, C, D and E that appear in Schedule 2 to this Instrument apply to a class of persons specified at paragraph 2(c) of this Instrument; and
 - e. where a person is a class of persons in more than one Column A of Schedules 1 or 2 the relevant Schedule is the highest number Schedule; and

3. SPECIFY that, for subparagraphs 4005(1)(aa)(ii), 4006A(1)(aa)(ii) and 4007(1)(aa)(ii) of Schedule 4 to the Regulations:
 - a. medical assessments conducted within Australia must be conducted by Bupa Australia Health Pty Ltd, trading as Bupa Medical Visa Services, or an Approved Medical Practitioner; and
 - b. medical assessments conducted **outside Australia must be conducted by panel physicians and/or radiologists appointed by the Australian Government** to perform medical assessments for visa applicants outside Australia.

This Instrument, IMMI 15/144 commences **on the day it is registered** on the Federal Register of Legislative Instruments.

Dated: 19 Nov 2015

Paul Douglas
Delegate of the Minister for Immigration and Border Protection

SCHEDULE 1

COLUMN A Country of citizenship; or country or countries where the person has spent three or more consecutive months in the last five years.	COLUMN B Temporary stay in Australia of up to six months	COLUMN C Temporary stay in Australia of six months or more	COLUMN D Permanent and provisional visa applicants	COLUMN E Additional medical assessments
American Samoa; Albania; Andorra; Antigua and Barbuda; Argentina; Aruba; Australia; Austria; Bahamas; Bahrain; Barbados; Belgium; Belize; Bermuda; Bonaire, Saint Eustatius & Saba; Bouvet Island; Bulgaria; Canada; Cayman Islands; Chile; Christmas Island; Cocos (Keeling) Islands; Cook Islands; Costa Rica; Croatia; Cuba; Curacao; Cyprus; Czech Republic, Denmark; Dominica;	No medical assessment other than the additional medical assessments specified in Column E of this Table	No medical assessment other than the additional medical assessments specified in Column E of this Table	<ul style="list-style-type: none"> • Under 11 years of age: Medical examination and any additional medical assessments specified in Column E of this Table. • Aged 11 and older and under 15 years of age: Medical examination, chest x-ray and any additional medical assessments specified in Column E of this Table. • Aged 15 years of age or older: Medical examination, chest x-ray, HIV test, and any additional medical 	<ul style="list-style-type: none"> • Likely to work or be a trainee at an Australian Childcare centre (including preschool and crèche): Chest x-ray and medical examination • Intending to work as (or study to be) a doctor, dentist, nurse or paramedic: Chest x-ray, medical examination, HIV test, Hepatitis B and C tests • Pregnant and intending to have the baby in Australia: Hepatitis B test • Aged 75 years and older and applying for a Subclass 600 or Subclass 676 visa: Medical examination

COLUMN A Country of citizenship; or country or countries where the person has spent three or more consecutive months in the last five years.	COLUMN B Temporary stay in Australia of up to six months	COLUMN C Temporary stay in Australia of six months or more	COLUMN D Permanent and provisional visa applicants	COLUMN E Additional medical assessments
Egypt; Estonia; Falkland Islands; Faroe Islands; Finland; France; French Polynesia; Macedonia (Former Yugoslav Republic of Macedonia); Germany; Gibraltar; South Georgia and the South Sandwich Islands; Greece; Grenada; Guadeloupe; Heard and McDonald Islands; Hungary; Iceland; Iran; Ireland; Israel; Italy; Jamaica; Japan; Jordan; Kosovo; Kuwait; Lebanon; Liechtenstein; Luxembourg; Malta; Mauritius; Mexico; Monaco;			assessments specified in Column E of this Table.	

COLUMN A Country of citizenship; or country or countries where the person has spent three or more consecutive months in the last five years.	COLUMN B Temporary stay in Australia of up to six months	COLUMN C Temporary stay in Australia of six months or more	COLUMN D Permanent and provisional visa applicants	COLUMN E Additional medical assessments
Montenegro; Montserrat; Netherlands; Netherlands Antilles; New Caledonia; New Zealand; Niue; Norfolk Island; Norway; Oman; Palestinian Authority; Pitcairn Island; Poland; Portugal; Puerto Rico; Reunion Island; Saint Lucia; Samoa; San Marino; Saudi Arabia; Serbia; Seychelles; Sint Maarten (Dutch); Slovakia; Slovenia; Spain; Saint Helena (Ascension and Tristan da Cunha) Saint Kitts and Nevis; Svalbard & Jan Mayen; Sweden; Switzerland;				

COLUMN A Country of citizenship; or country or countries where the person has spent three or more consecutive months in the last five years.	COLUMN B Temporary stay in Australia of up to six months	COLUMN C Temporary stay in Australia of six months or more	COLUMN D Permanent and provisional visa applicants	COLUMN E Additional medical assessments
Tokelau; Tonga; Trinidad and Tobago; Tunisia; Turkey; Turks and Caicos Islands; United Arab Emirates; United Kingdom (British citizen); United States of America; Uruguay; Vatican City; Virgin Islands (US); Virgin Islands (British); Wallis and Fortuna Islands.				

SCHEDULE 2

COLUMN A Country of citizenship; or country or countries where the applicant has spent three or more consecutive months in the last five years	COLUMN B Temporary stay in Australia of up to six months	COLUMN C Temporary stay in Australia of six months or more	COLUMN D Permanent and provisional visa applicants	COLUMN E Additional medical assessments
All countries that are not listed in Column A of the Table in Schedule 1 to the Instrument.	No medical assessment other than additional medical assessments specified in Column E of this Table.	<ul style="list-style-type: none"> • Under 11 years of age: Medical examination and any additional medical assessments specified in Column E of this Table. • Aged 11 or older: Medical examination, chest x-ray and any additional medical assessments specified in Column E of this Table. 	<ul style="list-style-type: none"> • Under 2 years of age: Medical examination and any additional medical assessments specified in Column E of this Table. • 2 years of age to under 11 years of age: Medical examination, TB screening and any additional medical assessments specified in Column E of this Table. • Aged 11 or older and under 15 years of age: Medical examination, chest x-ray and any additional medical assessments specified in 	<ul style="list-style-type: none"> • Intending to work as (or study to be) a doctor, dentist, nurse or paramedic: Chest x-ray, medical examination, HIV test, Hepatitis B and C tests • Likely to work (or be a trainee) at an Australian Childcare centre (including preschool and crèche): Chest x-ray and medical examination • Likely to enter a health care or hospital environment: Chest x-ray and medical examination • Pregnant and intending to have the baby in Australia: Hepatitis B test • Aged 75 years and older and applying for a Subclass 600 or

COLUMN A Country of citizenship; or country or countries where the applicant has spent three or more consecutive months in the last five years	COLUMN B Temporary stay in Australia of up to six months	COLUMN C Temporary stay in Australia of six months or more	COLUMN D Permanent and provisional visa applicants	COLUMN E Additional medical assessments
			<p>Column E of this Table.</p> <ul style="list-style-type: none"> • Aged 15 years or older: Medical examination, chest x-ray, and HIV test and any additional medical assessments specified in Column E of this Table. 	Subclass 676 visa: Medical examination

EXPLANATORY STATEMENT

Migration Regulations 1994

REQUIRED MEDICAL ASSESSMENT

(Clauses 4005, 4006A and 4007)

1. Instrument IMMI 15/144 is made under clauses 4005, 4006A and 4007 of Schedule 4 to the *Migration Regulations 1994* (the Regulations).
2. The Instrument revokes IMMI 15/119 (F2015L01747), signed on 27 October 2015 under subsection 33(3) of the *Acts Interpretation Act 1901*, which states where an Act confers a power to make, grant or issue any instrument of a legislative or administrative character, the power shall be construed as including a power exercisable in the like manner and subject to the like conditions (if any) to repeal, rescind, revoke, amend, or vary any such instrument.
3. The purpose of the Instrument is to update the medical assessment matrix by using a two tier approach to the categorisation of risk level and also update required medical assessments and to amend an inconsistency between schedules 1 and 2. This included minor changes to table headings.
4. The Instrument operates **to specify a class of persons who must undertake the medical assessments** specified in the Instrument; and a class of persons who must be assessed by a person specified in the Instrument.
5. External consultation to the Instrument was undertaken with the National Tuberculosis Advisory Committee and the Chief Medical Officer of the Department of Health.
6. The Office of Best Practice Regulation (OBPR) has advised that a Regulatory Impact Statement is not required (OBPR Reference: 19363).

7. Under section 44 of the *Legislative Instruments Act 2003*, the Instrument is exempt from disallowance and therefore a Statement of Compatibility with Human Rights is not required.
8. The Deputy Chief Medical Officer was delegated the powers contained in clauses 4005, 4006A and 4007 of Schedule 4 of the Regulations in Instrument of Delegation DEL 15/165, signed on 27 October 2015.
9. This Instrument IMMI 15/144 commences on the day it is registered on the Federal Register of Legislative Instruments.