

Commonwealth of Australia

Migration Regulations 1994

DESIGNATED APEC ECONOMIES

(Regulation 1.03)

I, CHRIS BOWEN, Minister for Immigration and Citizenship, acting under regulation 1.03 of the Migration Regulations 1994 ('the Regulations'), definition of "designated APEC economy":

- 1. REVOKE Instrument number IMMI 08/096, signed on 2 February 2009, specifying designated APEC economies for the purposes of the definition of "designated APEC economy" in regulation 1.03 of the Regulations; AND
- 2. SPECIFY each APEC economy set out in the Schedule to this notice as a designated APEC economy for the purposes of the definition of "designated APEC economy" in regulation 1.03 of the Regulations.

This Instrument, IMMI 12/078, commences on 1 September 2012.

Dated 15 August 2012

Chris Bowen

Minister for Immigration and Citizenship

[NOTE 1: The definition of "designated APEC economy" in regulation 1.03 of the Regulations provides that a designated APEC economy means an APEC economy specified by Gazette Notice for the purposes of the definition.

NOTE 2: "APEC economy" is defined in Regulation 1.03 of the Regulations.

NOTE 3: Subsection 56(1) of the *Legislative Instruments Act 2003* provides that if the enabling legislation in relation to a legislative instrument as in force at any time before the commencing day required the text of the instrument, or particulars of its making, to be published in the *Gazette*, the requirement for publication in the *Gazette* is taken, in relation to any such instrument made on or after that day, to be satisfied if the instrument is registered.]

SCHEDULE

Designated APEC Economy Brunei Darussalam Canada Chile The Hong Kong Special Administrative Region of the People's Republic of China Republic of Indonesia Japan The Republic of Korea Malaysia Mexico Papua New Guinea People's Republic of China Peru The Russian Federation The Republic of the Philippines Singapore Taiwan/Chinese Taipei Thailand The United States of America The Socialist Republic of Vietnam

EXPLANATORY STATEMENT

Migration Regulations 1994

DESIGNATED APEC ECONOMIES

(Regulation 1.03)

- 1. This Instrument is made under regulation 1.03 of the *Migration Regulations 1994* ('the Regulations'), definition of "designated APEC economy".
- 2. Regulation 1.03 of the Regulations defines the term "designated APEC economy" to mean an APEC economy specified by Gazette Notice for the purposes of that definition.
- 3. The purpose of the Instrument is to allow nationals of countries specified in the Instrument to be taken to have applied for the Temporary Business Entry subclass 456 (Class UC) visa under regulation 2.07AA of the Regulations, as applicants to the APEC Business Travel Card ('ABTC') scheme. The ABTC scheme provides accredited business people streamlined entry to participating economies.
- 4. The Instrument replaces an existing Instrument in order to expand the definition of "designated APEC economy" to include the Russian Federation as a member of the ABTC scheme. This ensures Australia can honour its pre-clearance obligations as Russia becomes a full member of the ABTC scheme.
- 5. Before the instrument was made both the Department of Foreign Affairs and Trade and the Attorney-General's Department were consulted.
- 6. Under section 44 of the *Legislative Instruments Act 2003* the Instrument is exempt from disallowance and therefore a Human Rights Statement of Compatibility is not required.
- 7. The Office of Best Practice Regulation has advised that a Regulation Impact Statement is not required (OBPR Reference 13975).
- 8. This Instrument, IMMI 12/078, commences on 1 September 2012.