

LIN 21/075

Migration (International trade obligations relating to labour market testing) Determination (LIN 21/075) 2021

made under the *Migration Act 1958*

Compilation no. 2

Compilation date 31 May 2023

This compilation was prepared by the Department of Home Affairs taking into account amendments up to *Migration (International trade obligations relating to labour market testing – Australia-United Kingdom Free Trade Agreement) Amendment Determination (LIN 22/098) 2022.*

1 Name

This instrument is the Migration (International trade obligations relating to labour market testing) Determination (LIN 21/075) 2021.

3 Definitions

(1) In this instrument:

***ASEAN*** means Association of Southeast Asian Nations.

*Note:* Section 46 of the *Acts Interpretation Act 1901* applies to this instrument, meaning that terms defined in the Act have the same meaning in this instrument, including ***labour market testing***.

5 International trade obligations

For paragraph 140GBA(1)(c) of the Act, each obligation of Australia under international law, relating to international trade, under the following agreements is determined as an international trade obligation of Australia:

(a) Agreement Establishing the ASEAN-Australia-New Zealand Free Trade Area (AANZFTA);

(b) Australia-Chile Free Trade Agreement (ACl-FTA);

(ba) Australia-United Kingdom Free Trade Agreement (AUKFTA);

(c) China-Australia Free Trade Agreement (ChAFTA);

(d) Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP);

(e) Free Trade Agreement between Australia and Hong Kong, China (A‑HKFTA);

(f) General Agreement on Trade in Services at Annex 1B to the Marrakesh Agreement Establishing the World Trade Organization (GATS);

(fa) India-Australia Economic Cooperation and Trade Agreement (IAECTA);

(g) Indonesia-Australia Comprehensive Economic Partnership Agreement (IA‑CEPA);

(h) Japan-Australia Economic Partnership Agreement (JAEPA);

(i) Korea-Australia Free Trade Agreement (KAFTA);

(j) Malaysia-Australia Free Trade Agreement (MAFTA);

(k) Pacific Agreement on Closer Economic Relations Plus (PACER Plus);

(l) Peru-Australia Free Trade Agreement (PAFTA);

(m) Protocol on Trade in Services to the Australia-New Zealand Closer Economic Relations Trade Agreement (ANZCERTA);

(n) Regional Comprehensive Economic Partnership Agreement (RCEP);

(o) Singapore-Australia Free Trade Agreement (SAFTA);

(p) Thailand-Australia Free Trade Agreement (TAFTA).

Notes

This compilation comprises Migration (International trade obligations relating to labour market testing) Determination (LIN 21/075) 2021 amended as indicated in the following tables.

Table of instruments

| Name | Registration | Number | Commencement | Application, saving or transitional provisions |
| --- | --- | --- | --- | --- |
| *Migration (International trade obligations relating to labour market testing) Determination (LIN 21/075) 2021* (LIN 21/075) | 1 November 2021 | F2021L01505 | 1 January 2022 | - |
| *Migration (International trade obligations relating to labour market testing – India-Australia Economic Cooperation and Trade Agreement) Amendment Determination (LIN 22/105) 2022* (LIN 22/105) | 23 November 2022 | F2022L01495 | 29 December 2022 | - |
| *Migration (International trade obligations relating to labour market testing – Australia-United Kingdom Free Trade Agreement) Amendment Determination (LIN 22/098) 2022* | 23 November 2022 | F2022L01494 | 31 May 2023 | - |

Table of amendments

|  |  |
| --- | --- |
| ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted | |
| Provision affected | How affected |
| s. 2 | rep. *Legislation Act 2003*, s 48D |
| s. 4 | rep. *Legislation Act 2003*, s 48C |
| s. 5 | am. F2022L01495 |
|  | am. F2022L01494 |