



# Migration Amendment (Graduate Visas No. 2) Regulations 2024

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I, the Honourable Sam Mostyn AC, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 12 December 2024

Sam Mostyn AC  
Governor-General

By Her Excellency's Command

Tony Burke  
Minister for Home Affairs

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## 1 Name

This instrument is the *Migration Amendment (Graduate Visas No. 2) Regulations 2024*.

## 2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after this instrument is registered.	14 December 2024

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

## 3 Authority

This instrument is made under the *Migration Act 1958*.

## 4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

## Schedule 1—Amendments

### *Migration Regulations 1994*

#### **1 Clause 485.111 of Schedule 2 (definition of *completed*)**

Omit “associate degree, diploma”, substitute “associate degree, degree, diploma”.

#### **2 Clause 485.111 of Schedule 2 (note to the definition of *completed*)**

Repeal the note, substitute:

Note: The academic requirements for the award of an associate degree, degree, diploma or trade qualification do not include the formal conferral of the associate degree, degree, diploma or trade qualification. Therefore, a person can complete an associate degree, degree, diploma or trade qualification, for the purposes of this definition, before the award is formally conferred.

#### **3 Clause 485.111 of Schedule 2 (definition of *degree*)**

Repeal the definition, substitute:

*degree* means a formal educational qualification, under the Australian Qualifications Framework, awarded by an Australian educational institution as a bachelor degree, a masters degree, a doctoral degree or a graduate diploma for which:

- (a) the entry level to the course leading to the qualification is satisfactory completion of:
  - (i) in the case of a bachelor degree—year 12 in the Australian school system or of equivalent schooling; and
  - (ii) in the case of a masters degree—a bachelor degree awarded at an Australian educational institution or of an equivalent award; and
  - (iii) in the case of a doctoral degree—a bachelor degree awarded with honours, or a masters degree, at an Australian educational institution or of an equivalent award; and
  - (iv) in the case of a graduate diploma—a degree (the *preceding degree for the graduate diploma*) to which subparagraph (i), (ii) or (iii) applies; and
- (b) in the case of a graduate diploma—the course leading to the qualification:
  - (i) is a related course of study to the course leading to the award of the preceding degree for the graduate diploma; and
  - (ii) is commenced within the same, or the next, academic year as the academic year in which the preceding degree for the graduate diploma was completed.

#### **4 Clause 485.111 of Schedule 2 (note 1)**

Repeal the note.

#### **5 After subclause 485.231(1A) of Schedule 2**

Insert:

- (1B) The applicant, in the period of 6 months immediately before the day the application was made, completed one or more degrees for award by Australian educational institutions as a result of a course or courses:

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- (a) that are registered courses; and
  - (b) that were completed in a total of at least 16 calendar months; and
  - (c) that were completed as a result of a total of at least 2 academic years study; and
  - (d) for which all instruction was conducted in English; and
  - (e) that the applicant undertook while in Australia as the holder of a visa authorising the applicant to study.

Note: For the definition of *degree*, see clause 485.111.

#### **6 Subclause 485.231(1) of Schedule 2**

Omit “The applicant holds a degree or degrees”, substitute “Each degree mentioned in subclause (1B) is held by the applicant, and is a degree”.

#### **7 Subclause 485.231(2) of Schedule 2**

After “degree”, insert “mentioned in subclause (1B)”.

#### **8 Subclause 485.231(3) of Schedule 2**

Repeal the subclause.

#### **9 In the appropriate position in Schedule 13**

Insert:

## **Part 148—Amendments made by the Migration Amendment (Graduate Visas No. 2) Regulations 2024**

### **14801 Operation of amendments**

The amendments of these Regulations made by Schedule 1 to the *Migration Amendment (Graduate Visas No. 2) Regulations 2024* apply in relation to an application for a visa made on or after the commencement of that Schedule.

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