



Migration Amendment (COVID-19 Concessions) Regulations 2020

I, General the Honourable David Hurley AC DSC (Retd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 17 September 2020

David Hurley
Governor-General

By His Excellency's Command

Alan Tudge
Minister for Population, Cities and Urban Infrastructure
for the Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs

Contents

1	Name.....	1
2	Commencement	1
3	Authority.....	1
4	Schedules.....	1
Schedule 1—Amendments		2
Part 1—COVID-19 concession period		2
<i>Migration Regulations 1994</i>		2
Part 2—Subclass 887 (Skilled—Regional) visas		3
<i>Migration Regulations 1994</i>		3
Part 3—Subclass 888 (Business Innovation and Investment (Permanent)) visas		6
<i>Migration Regulations 1994</i>		6
Part 4—Subclass 790 (Safe Haven Enterprise) visas		12
<i>Migration Regulations 1994</i>		12
Part 5—Subclass 485 (Temporary Graduate) visas		13
<i>Migration Regulations 1994</i>		13
Part 6—Application and transitional provisions		15
<i>Migration Regulations 1994</i>		15

1 Name

This instrument is the *Migration Amendment (COVID-19 Concessions) Regulations 2020*.

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	19 September 2020.	19 September 2020

Note: This table relates only to the provisions of this instrument as originally made.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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

Part 1—COVID-19 concession period

Migration Regulations 1994

1 Regulation 1.03

Insert:

concession period: see regulation 1.15N.

2 At the end of Division 1.2

Add:

1.15N Concession periods

Initial concession period

- (1) The *concession period* is the period (the *initial concession period*) that:
 - (a) commences on 1 February 2020; and
 - (b) ends on a day specified by the Minister under subregulation (2).
- (2) The Minister may, by legislative instrument, specify a day for the purposes of paragraph (1)(b).

Later concession periods for the purposes of specified provisions

- (3) The Minister may, by legislative instrument, determine a period as a *concession period* for the purposes of a specified provision of these Regulations in which the expression “concession period” is used.
- (4) The period must not begin before the initial concession period ends.

Part 2—Subclass 887 (Skilled—Regional) visas

Migration Regulations 1994

3 Subparagraph 1136(2)(a)(i) of Schedule 1

Repeal the subparagraph (not including the table), substitute:

- (i) for an applicant:
 - (A) who is the holder of a Skilled—Independent Regional (Provisional) (Class UX) visa; or
 - (B) who is the holder of a Skilled—Designated Area-sponsored (Provisional) (Class UZ) visa; or
 - (C) who is the holder of a Subclass 475 (Skilled—Regional Sponsored) visa; or
 - (D) who is the holder of a Subclass 487 (Skilled—Regional Sponsored) visa; or
 - (E) who is the holder of a Skilled—Regional Sponsored (Provisional) (Class SP) visa; or
 - (F) who is the holder of a Bridging A (Class WA) or Bridging B (Class WB) visa granted on the basis of a valid application for a Skilled—Independent Regional (Provisional) (Class UX) visa; or
 - (G) who is the holder of a Bridging A (Class WA) or Bridging B (Class WB) visa granted on the basis of a valid application for a Skilled (Provisional) (Class VC) visa (other than a Subclass 485 (Temporary Graduate) visa); or
 - (H) who is the holder of a Bridging A (Class WA) or Bridging B (Class WB) visa granted on the basis of a valid application for a Skilled—Regional Sponsored (Provisional) (Class SP) visa; or
 - (I) who was the holder of visa mentioned in any of sub-subparagraphs (A) to (H); or
 - (J) whose application is combined, or sought to be combined, with an application made by a person mentioned in any of sub-subparagraphs (A) to (I).

4 Paragraph 1136(3)(b) of Schedule 1

Repeal the paragraph, substitute:

- (b) Applicant:
 - (i) if the applicant is the holder of a visa mentioned in any of subparagraphs (7)(a)(i) to (vi) and makes the application during a concession period—may be in or outside Australia but not in immigration clearance; or
 - (ii) if the applicant was the holder of a visa mentioned in any of subparagraphs (7)(a)(i) to (vi) and makes the application during a concession period—must be outside Australia; or
 - (iii) if the applicant is seeking to satisfy the secondary criteria and claims to be a member of the family unit of an applicant to whom subparagraph (i) or (ii) applies—may be in or outside Australia but not in immigration clearance; or

- (iv) otherwise—must be in Australia but not in immigration clearance.

5 Paragraph 1136(7)(a) of Schedule 1

Repeal the paragraph, substitute:

- (a) the applicant:
- (i) must be the holder of a Skilled—Independent Regional (Provisional) (Class UX) visa; or
 - (ii) must be the holder of a Skilled—Designated Area-sponsored (Provisional) (Class UZ) visa; or
 - (iii) must be the holder of a Subclass 475 (Skilled—Regional Sponsored) visa; or
 - (iv) must be the holder of a Subclass 487 (Skilled—Regional Sponsored) visa; or
 - (v) must be the holder of a Skilled—Regional Sponsored (Provisional) (Class SP) visa; or
 - (vi) must be the holder of a Bridging A (Class WA) or Bridging B (Class WB) visa granted on the basis of a valid application for:
 - (A) a Skilled—Independent Regional (Provisional) (Class UX) visa; or
 - (B) a Skilled (Provisional) (Class VC) visa (other than a Subclass 485 (Temporary Graduate) visa); or
 - (C) a Skilled—Regional Sponsored (Provisional) (Class SP) visa; or
 - (vii) if the applicant is outside Australia and does not hold a visa mentioned in any of subparagraphs (i) to (vi) of this paragraph—must have:
 - (A) held a visa mentioned in one of those subparagraphs that expired during a concession period while the holder was outside Australia; and
 - (B) made the application outside Australia during the concession period; or
 - (viii) must be a child who was born outside Australia and a parent of the child must:
 - (A) be the holder of a visa mentioned in any of subparagraphs (i) to (vi) of this paragraph; or
 - (B) have held a visa mentioned in any of subparagraphs (i) to (vi) of this paragraph that expired during a concession period;

6 Clause 887.212 of Schedule 2

Omit “The”, substitute “(1) Subject to subclause (2), the”.

7 At the end of clause 887.212 of Schedule 2

Add:

- (2) For the purposes of working out the length of time the applicant has lived in a specified regional area, the applicant is taken to have lived in a specified regional area for a period of 6 months (or such longer period as the Minister specifies in a legislative instrument under subclause (3)) if the applicant:
- (a) was outside Australia during a concession period; and
 - (b) made the application outside Australia during the concession period; and

(c) either:

- (i) is the holder of a visa mentioned in subclause (1); or
- (ii) was the holder of a visa mentioned in subclause (1) that expired during the concession period.

(3) The Minister may, by legislative instrument, specify a longer period for the purposes of subclause (2).

8 Clause 887.213 of Schedule 2

Repeal the clause, substitute:

887.213

- (1) The applicant must have worked full-time in a specified regional area:
 - (a) for a total of at least one year as the holder of one or more of the visas mentioned in subclause 887.212(1); or
 - (b) if subclause (2) applies—for a total of 9 months (or such shorter period as the Minister specifies for the purposes of this paragraph in a legislative instrument under subclause (3)) as the holder of one or more of the visas mentioned in subclause 887.212(1).
- (2) This subclause applies if the applicant held a visa mentioned in subclause 887.212(1) during a concession period and made the application no later than 3 months after the end of the concession period.
- (3) The Minister may, by legislative instrument, specify a shorter period for the purposes of paragraph (1)(b).

9 Clause 887.411 of Schedule 2

Repeal the clause, substitute:

887.411

The applicant may be in or outside Australia when the visa is granted, but not in immigration clearance.

Note: The second instalment of the visa application charge must be paid before the visa can be granted.

Part 3—Subclass 888 (Business Innovation and Investment (Permanent)) visas

Migration Regulations 1994

10 After subregulation 5.19C(8)

Insert:

- (8A) The investment is taken not to have ceased to be a complying significant investment at a particular time if the investor has, during a concession period, withdrawn funds from, or cancelled, a component of the complying significant investment specified in an instrument under subregulation (8B).
- (8B) The Minister may, by legislative instrument, specify a component of a complying significant investment for the purposes of subregulation (8A).

11 Subitem 1104BA(4) of Schedule 1 (after table item 1)

Insert:

- 1A The applicant was the holder of a Subclass 188 (Business Innovation and Investment (Provisional)) visa in the Business Innovation stream or the Business Innovation Extension stream and both the following apply:
 - (a) the visa expired during a concession period;
 - (b) the application is made no more than 3 months after the end of the concession period

12 Subitem 1104BA(4) of Schedule 1 (after table item 2)

Insert:

- 2A The applicant was the holder of a Subclass 188 (Business Innovation and Investment (Provisional)) visa (the *secondary visa*) granted on the basis that the applicant was the spouse or de facto partner of a person who held a Subclass 188 (Business Innovation and Investment (Provisional)) visa in the Business Innovation stream or the Business Innovation Extension stream and both the following apply:
 - (a) the secondary visa expired during a concession period;
 - (b) the application is made no more than 3 months after the end of the concession period

13 Subitem 1104BA(5) of Schedule 1 (at the end of the table)

Add:

- 3 The applicant was the holder of a Subclass 188 (Business Innovation and Investment (Provisional)) visa in the Investor stream and both the following apply:
 - (a) the visa expired during a concession period;
 - (b) the application is made no more than 3 months after the end of the concession period
 - 4 The applicant was the holder of a Subclass 188 (Business Innovation and Investment (Provisional)) visa (the *secondary visa*) granted on the basis that the applicant was the spouse or de facto partner of a person who held a Subclass 188 (Business Innovation and Investment (Provisional)) visa in the Investor stream and both the following apply:
 - (a) the secondary visa expired during a concession period;
 - (b) the application is made no more than 3 months after the end of the concession period
-

14 Subitem 1104BA(5A) of Schedule 1 (at the end of the table)

Add:

- 3 The applicant was the holder of a Subclass 188 (Business Innovation and Investment (Provisional)) visa in the Significant Investor stream or the Significant Investor Extension stream and both the following apply:
- (a) the visa expired during a concession period;
 - (b) the application is made no more than 3 months after the end of the concession period
-
- 4 Both of the following apply:
- (a) the applicant was the holder of a Subclass 188 (Business Innovation and Investment (Provisional)) visa (the *secondary visa*) granted on the basis that the applicant was the spouse or de facto partner of a person who held a Subclass 188 (Business Innovation and Investment (Provisional)) visa in the Significant Investor stream or the Significant Investor Extension stream and both the following apply:
 - (i) the secondary visa expired during a concession period;
 - (ii) the application is made no more than 3 months after the end of the concession period;
 - (b) either:
 - (i) the applicant has ceased to be the spouse or de facto partner of that person; or
 - (ii) that person has since died

15 Subitem 1104BA(5C) of Schedule 1

Repeal the subitem, substitute:

- (5C) An applicant seeking to satisfy the primary criteria for the grant of a Subclass 888 (Business Innovation and Investment (Permanent)) visa in the Entrepreneur stream must meet either of the following requirements:
- (a) the applicant must hold a Subclass 188 (Business Innovation and Investment (Provisional)) visa in the Entrepreneur stream;
 - (b) the applicant must have held a Subclass 188 (Business Innovation and Investment (Provisional)) visa in the Entrepreneur stream and both the following apply:
 - (i) the visa expired during a concession period;
 - (ii) the application is made no more than 3 months after the end of the concession period.

16 Subitem 1202B(5) of Schedule 1 (table items 1,2 and 3)

Repeal the items, substitute:

- 1 One of the following paragraphs must be satisfied:
- (a) the applicant must hold a Subclass 188 (Business Innovation and Investment (Provisional)) visa in the Business Innovation stream;
 - (b) the applicant must have held, during a concession period, a Subclass 188 (Business Innovation and Investment (Provisional)) visa in the Business Innovation stream (the *qualifying visa*) and both the following apply:
 - (i) the qualifying visa was granted before 1 July 2019;
 - (ii) the application is made no more than 3 months after the end of the concession period;
 - (c) the applicant must have held, during a concession period, a Subclass 188 (Business Innovation and Investment (Provisional)) visa in the Business Innovation Extension stream and both the following apply:
-

Schedule 1 Amendments

Part 3 Subclass 888 (Business Innovation and Investment (Permanent)) visas

- (i) the applicant has held a Subclass 188 (Business Innovation and Investment (Provisional)) visa in the Business Innovation stream that was granted before 1 July 2019;
 - (ii) the application is made no more than 3 months after the end of the concession period
-

2 The applicant must have held a Subclass 188 (Business Innovation and Investment (Provisional)) visa in the Business Innovation stream for at least 3 years

3 If, at the time of application, the applicant holds or has held a Subclass 188 (Business Innovation and Investment (Provisional)) visa in the Business Innovation Extension stream, the applicant must not have held more than one Subclass 188 (Business Innovation and Investment (Provisional)) visa in the Business Innovation Extension stream

17 Subclause 188.232(1) of Schedule 2

Repeal the subclause, substitute:

- (1) Either:
 - (a) for at least the 2 years immediately before the application was made, the applicant had an ownership interest in one or more main businesses that were actively operating in Australia; or
 - (b) if the applicant holds or held a Subclass 188 visa in the Business Innovation stream (the *innovation stream visa*) or a Subclass 188 visa in the Business Innovation Extension stream (the *extension stream visa*) during a concession period and the innovation stream visa that the applicant holds or held was granted before 1 July 2019—the applicant had an ownership interest in one or more main businesses that were actively operating in Australia for a cumulative period of at least 2 years while the applicant was the holder of the innovation stream visa or the extension stream visa.

18 Paragraph 188.261(1B)(b) of Schedule 2

Repeal the paragraph, substitute:

- (b) the applicant:
 - (i) continues to hold a complying significant investment within the meaning of regulation 5.19C as in force at the time the application mentioned in paragraph (a) was made; or
 - (ii) if the Subclass 188 visa in the Significant Investor stream held by the applicant was granted before 1 July 2019—continues to hold a complying significant investment within the meaning of regulation 5.19C as in force at the time the application for that visa was made, except to the extent that the applicant has, during a concession period, withdrawn funds from or cancelled, a component of the complying significant investment specified in an instrument under subregulation 5.19C(8B).

19 Clause 188.512 of Schedule 2

Repeal the clause, substitute:

188.512

If the applicant satisfied the primary criteria for the grant of a Subclass 188 visa in the Business Innovation Extension stream, temporary visa permitting the holder to travel to, enter and remain in Australia:

- (a) if the last Subclass 188 visa held by the applicant was a Subclass 188 visa in the Business Innovation stream—for 6 years after the date of the grant of the Subclass 188 visa in the Business Innovation stream; or
- (b) if the last Subclass 188 visa held by the applicant was a Subclass 188 visa in the Business Innovation Extension stream—for 8 years after the date of the grant of the Subclass 188 visa in the Business Innovation stream.

20 Clause 888.221 of Schedule 2

Before “The”, insert “(1)”.

21 At the end of clause 888.221 of Schedule 2

Add:

- (2) For the purposes of subclause (1), an applicant is taken to have been in Australia during a period if:
 - (a) the applicant was outside Australia during a concession period; and
 - (b) during the concession period the applicant was the holder of one or more visas mentioned in item 1 or 2 of the table in subitem 1104BA(4) of Schedule 1; and
 - (c) the first such visa was granted to the applicant before 1 July 2019.

22 Clause 888.231 of Schedule 2

Before “The”, insert “(1)”.

23 At the end of clause 888.231 of Schedule 2

Add:

- (2) For the purposes of subclause (1), an applicant is taken to have been in Australia during a period if:
 - (a) the applicant was outside Australia during a concession period; and
 - (b) during the concession period the applicant was the holder of a visa mentioned in the table in subitem 1104BA(5) of Schedule 1; and
 - (c) the visa was granted to the applicant before 1 July 2019.

24 Clause 888.232 of Schedule 2

Repeal the clause, substitute:

888.232

Either of the following paragraphs apply:

- (a) the designated investment made by the applicant for the purpose of satisfying a criterion for the grant of a Subclass 188 (Business Innovation and Investment (Provisional)) visa has been held continuously in the name of the applicant, or in the names of the applicant and the applicant’s spouse or de facto partner together, for:
 - (i) if the Subclass 188 (Business Innovation and Investment (Provisional)) visa was granted on the basis of an application made before 1 July 2015—at least 3 years and 11 months; or
 - (ii) if the Subclass 188 (Business Innovation and Investment (Provisional)) visa was granted on the basis of an application made on or after 1 July 2015—at least 4 years; or

- (b) the applicant withdrew funds from, or cancelled, the designated investment during a concession period and the following requirements are satisfied:
 - (i) the applicant holds or held a Subclass 188 (Business Innovation and Investment (Provisional)) visa that was granted before 1 July 2019;
 - (ii) the applicant was resident in Australia for a period of at least 2 years immediately before the applicant first withdrew funds from, or cancelled, the designated investment;
 - (iii) the designated investment was held continuously in the name of the applicant, or in the names of the applicant and the applicant's spouse or de facto partner together, during that period;
 - (iv) the applicant did not withdraw funds from, or cancel any part of, the designated investment outside of the concession period.

25 At the end of subclause 888.241(1) of Schedule 2

Add:

; or (d) the applicant:

- (i) has held a Subclass 188 visa in the Significant Investor stream that was granted before 1 July 2019; but
- (ii) no longer holds the visa because the visa expired during a concession period.

26 Subclause 888.241(2) of Schedule 2

Omit “or (2B)”, substitute “, (2B) or (2C)”.

27 After subclause 888.241(2B) of Schedule 2

Insert:

(2C) All of the following apply:

- (a) the most recent Subclass 188 visa in the Significant Investor stream held by the applicant was granted before 1 July 2019 on the basis of an application made on or after 1 July 2015;
- (b) the applicant held, for the whole of the period during which the applicant held the visa mentioned in paragraph (1)(d) (but subject to subparagraph (c)(ii) of this subclause), a complying significant investment within the meaning of regulation 5.19C as in force at the time the application mentioned in paragraph (a) of this subclause was made;
- (c) during a concession period the applicant:
 - (i) was the holder of a Subclass 188 visa in the Significant Investor stream or a Subclass 188 visa in the Significant Investor Extension stream; and
 - (ii) withdrew funds from, or cancelled, a component of the complying significant investment specified in an instrument under subregulation 5.19C(8B).

28 Paragraph 888.241(4)(b) of Schedule 2

After “(2B)”, insert “or (2C)”.

29 After subclause 888.242(2) of Schedule 2

Insert:

- (2A) For the purposes of working out, under subclause (2), the number of days the applicant has been in Australia, the applicant is taken to have been in Australia during a period if:
- (a) the applicant was outside Australia during a concession period; and
 - (b) during the concession period the applicant held a Subclass 188 visa in the Significant Investor stream or a Subclass 188 visa in the Significant Investor Extension stream; and
 - (c) the Subclass 188 visa in the Significant Investor stream was granted to the applicant before 1 July 2019.

30 After subclause 888.242(3) of Schedule 2 (before the note)

Insert:

- (4) For the purposes of working out, under subclause (3), the number of days the applicant's spouse or de facto partner has been in Australia, the spouse or partner is taken to have been in Australia during a period if:
- (a) the spouse or partner was outside Australia during a concession period; and
 - (b) during the concession period the spouse or partner held a Subclass 188 visa, granted on the basis that the applicant held a Subclass 188 visa in the Significant Investor stream or a Subclass 188 visa in the Significant Investor Extension stream; and
 - (c) the Subclass 188 visa in the Significant Investor stream was granted to the applicant before 1 July 2019.

31 After subclause 888.261(1) of Schedule 2

Insert:

- (1A) If:
- (a) the applicant was outside Australia during a concession period; and
 - (b) during the concession period the applicant held a Subclass 188 (Business Innovation and Investment (Provisional)) visa in the Entrepreneur stream (the *qualifying visa*); and
 - (c) the qualifying visa was granted before 1 July 2019; and
 - (d) the qualifying visa expired during the concession period while the applicant was outside Australia and before the application was made;
- then the applicant is taken to satisfy paragraph (1)(a) at the time of application.
- (1B) If:
- (a) the applicant was outside Australia during a concession period; and
 - (b) during the concession period the applicant held a Subclass 188 (Business Innovation and Investment (Provisional)) visa in the Entrepreneur stream; and
 - (c) the visa was granted before 1 July 2019;
- then, for the purposes of working out under paragraph (1)(b) the length of time the applicant has resided in Australia, the applicant is taken to have resided in Australia during any period the applicant held the visa outside Australia during the concession period.

Part 4—Subclass 790 (Safe Haven Enterprise) visas

Migration Regulations 1994

32 Paragraph 2.06AAB(2)(a)

Before “for a period”, insert “subject to subregulation (4),”.

33 At the end of regulation 2.06AAB

Add:

- (4) Any of the following periods may be counted for the purposes of calculating the period or periods totalling 42 months mentioned in paragraph (2)(a):
 - (a) any period during which the applicant receives social security benefits determined under subregulation (3) during a concession period;
 - (b) any period during which the applicant is unemployed during a concession period;
 - (c) any period during which the applicant is, during a concession period, employed in employment that is determined to be an essential service by the Minister under subregulation (5).
- (5) The Minister may, by legislative instrument, make a determination for the purposes of paragraph (4)(c).

Part 5—Subclass 485 (Temporary Graduate) visas

Migration Regulations 1994

34 Paragraph 1229(3)(g) of Schedule 1

Repeal the paragraph, substitute:

- (g) An applicant to whom paragraph (f) does not apply:
 - (i) if the application is made during a concession period—may be in or outside Australia when making the application, but not in immigration clearance; or
 - (ii) otherwise—must be in Australia, but not in immigration clearance, when making the application.

35 Paragraph 1229(4)(a) of Schedule 1

Before “one”, insert “if the applicant is in Australia when making the application,”.

36 Clause 485.221 of Schedule 2

Repeal the clause, substitute:

485.221

The applicant satisfied the Australian study requirement:

- (a) in the period of 6 months immediately before the day the application was made; or
- (b) if the Minister is satisfied that the applicant was unable to apply during the period mentioned in paragraph (a) because the applicant was outside Australia during all or part of the period commencing on 1 February 2020 and ending on 19 September 2020—in the period of 12 months immediately before the day the application was made.

37 Subclause 485.231(3) of Schedule 2

Repeal the subclause, substitute:

- (3) The applicant satisfied the Australian study requirement:
 - (a) in the period of 6 months immediately before the day the application was made; or
 - (b) if the Minister is satisfied that the applicant was unable to apply during the period mentioned in paragraph (a) because the applicant was outside Australia during all or part of the period commencing on 1 February 2020 and ending on 19 September 2020—in the period of 12 months immediately before the day the application was made.

38 Subclauses 485.411(1) and (2) of Schedule 2

Repeal the subclauses, substitute:

- (1) The applicant who satisfies the primary criteria for the grant of the visa:
 - (a) unless paragraph (b) or (c) applies—must be in Australia, but not in immigration clearance, when the visa is granted; or
 - (b) if the visa is granted during a concession period—may be in or outside Australia when the visa is granted, but not in immigration clearance; or

Schedule 1 Amendments

Part 5 Subclass 485 (Temporary Graduate) visas

- (c) if the applicant applied for the visa outside Australia during a concession period and the concession period has ended at the time the visa is granted—may be in or outside Australia when the visa is granted, but not in immigration clearance.

Part 6—Application and transitional provisions

Migration Regulations 1994

39 In the appropriate position in Schedule 13

Insert:

Part 91—Amendments made by the Migration Amendment (COVID-19 Concessions) Regulations 2020

9101 Operation of Parts 2, 3 and 4 of Schedule 1

- (1) The amendments of these Regulations made by Parts 2, 3 and 4 of Schedule 1 to the *Migration Amendment (COVID-19 Concessions) Regulations 2020* apply in relation to an application for a visa made on or after 19 September 2020.
- (2) For the purposes of the application of paragraph (b) of condition 8557 in Schedule 8, the amendment made by item 10 of Part 3 of Schedule 1 to the *Migration Amendment (COVID-19 Concessions) Regulations 2020* applies in relation to a complying significant investment held by the holder of a Subclass 188 visa in the Significant Investor stream, or the holder of a Subclass 188 visa in the Significant Investor Extension stream, that was granted before 1 July 2019 as if the amendment was in force at the time the visa was granted.

9102 Operation of Part 5 of Schedule 1

- (1) The amendments of these Regulations made by items 34 to 37 of Part 5 of Schedule 1 to the *Migration Amendment (COVID-19 Concessions) Regulations 2020* apply in relation to an application for a visa made on or after 19 September 2020.
- (2) The amendments of these Regulations made by item 38 of Part 5 of Schedule 1 to the *Migration Amendment (COVID-19 Concessions) Regulations 2020* apply in relation to an application for a visa made before, on or after 19 September 2020.