



Immigration Amendment Regulations 2004

Silvia Cartwright, Governor-General

Order in Council

At Wellington this 31st day of May 2004

Present:

Her Excellency the Governor-General in Council

Pursuant to section 150 of the Immigration Act 1987, Her Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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Regulations

1 Title

- (1) These regulations are the Immigration Amendment Regulations 2004.

- (2) In these regulations, the Immigration Regulations 1999¹ are called “the principal regulations”.

¹ SR 1999/284

2 Commencement

- (1) Regulation 8 and the Schedule come into force on 1 July 2004.
(2) The rest of these regulations come into force on 28 June 2004.

3 Applications made otherwise than on approved form

Regulation 3A(2) of the principal regulations is amended by inserting, after paragraph (e), the following paragraph:

“(ea) in the case of an application for a temporary or limited purpose visa or permit, such information and evidence as is required by a visa officer or immigration officer to be tendered with the application in order to determine whether the relevant visa or permit should be issued or granted:”.

4 Application for temporary visa

Regulation 6(1) of the principal regulations is amended by inserting, after paragraph (b), the following paragraph:

“(ba) such information and evidence as is required by the approved application form to be tendered in order to demonstrate that the applicant fits the category or categories of Government immigration policy under which the application is being put forward; and”.

5 Application for limited purpose visa

Regulation 7(1) of the principal regulations is amended by inserting, after paragraph (b), the following paragraph:

“(ba) such information and evidence as is required by the approved application form to be tendered in order to demonstrate that the applicant fits the category or categories of Government immigration policy under which the application is being put forward; and”.

- 6 Application for temporary permit by exempt person, or person whose residence permit has been revoked, or person already holding temporary permit**
 Regulation 13(1) of the principal regulations is amended by inserting, after paragraph (a), the following paragraph:
 “(aa) such information and evidence as is required by the approved application form to be tendered in order to demonstrate that the applicant fits the category or categories of Government immigration policy under which the application is being put forward; and”.

- 7 Application for limited purpose permit by person already holding limited purpose permit**
 Regulation 15(1) of the principal regulations is amended by inserting, after paragraph (a), the following paragraph:
 “(aa) such information and evidence as is required by the approved application form to be tendered in order to demonstrate that the applicant fits the category or categories of Government immigration policy under which the application is being put forward; and”.

- 8 Migrant levy**
 Schedule 3 of the principal regulations is amended by revoking Part 2, and substituting the Part 2 set out in the Schedule of these regulations.

Schedule
New Part 2 substituted in Schedule 3 of
principal regulations

r 8

Part 2
 Migrant levy

r 45

Category within Government residence policy or other policy under which visa or permit issued or granted	Migrant levy per person (\$)	Maximum total levy for persons in single or associated applications (\$)
Business investor policy	300	1,200
Entrepreneur category	300	1,200

Category within Government residence policy or other policy under which visa or permit issued or granted	Migrant levy per person (\$)	Maximum total levy for persons in single or associated applications (\$)
Employees of relocating business category	300	1,200
Skilled migrant category or general skills category	300	1,200
Residence from work category	300	1,200
Family category (excluding Samoan citizens and refugee-associated persons specified in regulation 45A)	300	1,200
Pacific access category	150	600
Family quota category (excluding Samoan citizens and refugee-associated persons specified in regulation 45A)	300	1,200

Diane Morcom,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations amend the Immigration Regulations 1999 to—

- require, from 28 June 2004, applicants for temporary or limited purpose visas or permits to submit all information and documents required to assess their application at the time the application is lodged;
- increase, with effect on 1 July 2004, the migrant levy to \$300 per person (up to a maximum \$1,200 for all persons included in a single application or associated applications) in all categories except the Pacific access category, where the levy is increased to \$150 per person (with a maximum of \$600 for all persons included in a single application or associated applications). The existing exemptions from the levy (for Samoan citizens or refugee-associated persons who would otherwise ordinarily be required to pay the levy) remain.

2004/156

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Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 3 June 2004.

These regulations are administered in the Department of Labour.
