



# Immigration Amendment Regulations (No 3) 2003

Silvia Cartwright, Governor-General

## Order in Council

At Wellington this 25th day of August 2003

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 (No 3) 2003.
- (2) In these regulations, the Immigration Regulations 1999<sup>1</sup> are called “the principal regulations”.

<sup>1</sup> SR 1999/284

### 2 Commencement

These regulations come into force on 29 September 2003.

### 3 Applications involving family members

- (1) Regulation 20 of the principal regulations is amended—
- (a) by omitting from subclause (2) the words “spouse or de facto”:
  - (b) by omitting from subclause (2) the words “spouse or partner”, and substituting the word “partner”:
  - (c) by omitting from subclause (3) the words “spouse or de facto”:
  - (d) by omitting from subclause (4)(a) the words “spouse or de facto”.
- (2) Regulation 20(4) of the principal regulations is amended by revoking paragraph (b), and substituting the following paragraph:
- “(b) **partner**, in relation to an applicant, means—
- “(i) a person who is legally married to the applicant; or
  - “(ii) a person who is in an interdependent partnership akin to a marriage (whether same sex or heterosexual) with the applicant.”

Marie Shroff,  
Clerk of the Executive Council.

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#### Explanatory note

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

These regulations, which come into force on 29 September 2003, amend regulation 20 of the Immigration Regulations 1999 in relation to joint applications for permits or visas by family members. The amendments eliminate the existing distinction between spouses and de facto partners by removing the requirement for de facto partners to have been living together for at least 2 years immediately before the application for the visa or permit is made.

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**Immigration Amendment Regulations  
(No 3) 2003**

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

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These regulations are administered in the Department of Labour.

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