



Immigration (Carriers' Infringement Offences, Fees, and Forms) Amendment Regulations 2017

Patsy Reddy, Governor-General

Order in Council

At Wellington this 21st day of August 2017

Present:

Her Excellency the Governor-General in Council

These regulations are made under section 400 of the Immigration Act 2009—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the Minister of Immigration made under section 403A(1) of that Act.

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Regulations

1 Title

These regulations are the Immigration (Carriers' Infringement Offences, Fees, and Forms) Amendment Regulations 2017.

2 Commencement

These regulations come into force on 28 September 2017.

3 Principal regulations

These regulations amend the Immigration (Carriers' Infringement Offences, Fees, and Forms) Regulations 2012 (the **principal regulations**).

4 Schedule 1 amended

- (1) In Schedule 1, item relating to section 349(1)(b), after "travel to", insert ", or from,".
- (2) In Schedule 1, item relating to section 349(1)(b), after "section 97(1)", insert "or 97A(1)".
- (3) In Schedule 1, after the items relating to section 349(1)(c) of the Immigration Act 2009, insert:

349(1)(ca)	Having been notified under section 97A(3) of a decision made by the chief executive under section 97A(1)(b), failing without reasonable excuse to ensure that the person to whom the decision relates complies with it	5,000	2,500
349(1)(ca)	Having been notified under section 97A(3) of a decision made by the chief executive under section 97A(1)(c), failing without reasonable excuse to ensure that the person to whom the decision relates complies with it	1,000	500

5 Schedule 2 amended

- (1) In Schedule 2, form, replace "Department of Labour" with "Ministry of Business, Innovation, and Employment" in each place.
- (2) In Schedule 2, form, under the heading "**Procedures for payment of infringement fee**", replace "sent to—" and the text that follows with "sent to: [*address*]".
- (3) In Schedule 2, form, replace the heading "**Department of Labour's postal address for correspondence (for postal address for payment, see above)**" and the text under that heading with:

Ministry of Business, Innovation, and Employment's postal address for correspondence (for postal address for payment, see above)
[*address*]

6 Schedule 3 amended

- (1) In Schedule 3, form, replace "Department of Labour" with "Ministry of Business, Innovation, and Employment" in each place.

- (2) In Schedule 3, form, under the heading “**Procedures for payment of infringement fee**”, replace “sent to—” and the text that follows with “sent to: [address]”.
- (3) In Schedule 3, form, replace the heading “**Department of Labour’s postal address for correspondence (for postal address for payment, see above)**” and the text under that heading with:

Ministry of Business, Innovation, and Employment’s postal address for correspondence (for postal address for payment, see above)
[address]

Michael Webster,
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, which come into force on 28 September 2017, amend the Immigration (Carriers’ Infringement Offences, Fees, and Forms) Regulations 2012 (the **principal regulations**).

These regulations amend Schedule 1 of the principal regulations to adjust the description of the infringement offence in relation to section 349(1)(b) of the Immigration Act 2009 (the **Act**) so that it applies in respect of a person travelling from New Zealand in addition to a person travelling to New Zealand. This change reflects amendments made to the Act by section 277 of the Intelligence and Security Act 2017. The regulations also amend that schedule to include infringement offences and fees for non-compliance with a decision made by the chief executive under section 97A of the Act, inserted by section 272 of the Intelligence and Security Act 2017.

The regulations amend Schedules 2 and 3 of the principal regulations to replace references to the Department of Labour with references to the Ministry of Business, Innovation, and Employment and to allow for the appropriate postal addresses to be specified by the Ministry.

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 24 August 2017.

These regulations are administered by the Ministry of Business, Innovation, and Employment.