

**Reprint
as at 11 June 2009**



**Immigration Advisers Licensing
Regulations 2008**

(SR 2008/82)

Anand Satyanand, Governor-General

Order in Council

At Wellington this 25th day of March 2008

Present:

His Excellency the Governor-General in Council

Pursuant to section 94 of the Immigration Advisers Licensing Act 2007, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

These regulations are administered by the Department of Labour.

Contents

	Page
1 Title	2
2 Commencement	2
3 Interpretation	2
<i>Fees</i>	
4 Application fee	2
5 Application fee for upgrade of licence	3
5A Fee for renewal of licence	3
6 No application fee or renewal fee payable for not-for-profit operations	3
7 Replacement of lost or destroyed licence	4
<i>Levy</i>	
8 Immigration adviser's levy	4
<i>GST</i>	
9 Fees and levy inclusive of GST	4

Regulations

- 1 Title**
These regulations are the Immigration Advisers Licensing Regulations 2008.
- 2 Commencement**
These regulations come into force on 4 May 2008.
- 3 Interpretation**
- (1) In these regulations, **Act** means the Immigration Advisers Licensing Act 2007.
 - (2) Unless the context otherwise requires, terms used in these regulations have the same meaning as in the Act.

Fees

- 4 Application fee**
- (1) The fee to accompany an application for a licence is \$890.
 - (2) This regulation applies subject to regulations 5, 5A, and 6.

Regulation 4(2): amended, on 11 June 2009, by regulation 4 of the Immigration Advisers Licensing Amendment Regulations 2009 (SR 2009/116).

5 Application fee for upgrade of licence

- (1) The fee to accompany an application for a licence is \$535 if the applicant is applying for—
 - (a) a full licence and holds a limited or provisional licence that is current; or
 - (b) a limited licence and holds a provisional licence that is current.
- (2) This regulation applies subject to regulation 6.

5A Fee for renewal of licence

- (1) The fee to accompany an application for renewal of a licence is \$890.
- (2) This regulation applies subject to regulation 6.

Regulation 5A: inserted, on 11 June 2009, by regulation 5 of the Immigration Advisers Licensing Amendment Regulations 2009 (SR 2009/116).

6 No application fee or renewal fee payable for not-for-profit operations

- (1) No fee is payable under regulation 4(1), 5(1), or 5A(1) if the applicant is—
 - (a) acting as an immigration adviser on a not-for-profit basis; or
 - (b) an employee of, or a volunteer working for, an organisation operating on a not-for-profit basis.
- (2) However, the applicant must immediately pay the fee payable under regulation 4(1), 5(1), or 5A(1) if, after the issue of the licence and while it is current, the applicant's circumstances change so that neither subclause (1)(a) nor (b) applies to the applicant.

Regulation 6 heading: amended, on 11 June 2009, by regulation 6(1) of the Immigration Advisers Licensing Amendment Regulations 2009 (SR 2009/116).

Regulation 6(1): amended, on 11 June 2009, by regulation 6(2) of the Immigration Advisers Licensing Amendment Regulations 2009 (SR 2009/116).

Regulation 6(2): amended, on 11 June 2009, by regulation 6(3) of the Immigration Advisers Licensing Amendment Regulations 2009 (SR 2009/116).

7 Replacement of lost or destroyed licence

The fee payable for the issue of a licence to replace a lost or destroyed licence is \$30.

*Levy***8 Immigration adviser's levy**

- (1) The immigration adviser's levy payable by an applicant for a licence or a renewal of a licence is \$1,105.
- (2) However, if regulation 5 applies to the applicant, the levy payable under subclause (1) is reduced in proportion to the unexpired portion of the term of the licence the applicant currently holds.
- (3) No immigration adviser's levy is payable by an applicant if regulation 6(1) applies to the applicant.
- (4) However, if regulation 6(2) applies to the applicant, he or she must immediately pay part of the levy that is in proportion to the unexpired portion of the term of the licence the applicant currently holds.

*GST***9 Fees and levy inclusive of GST**

The fees and levy payable under these regulations are inclusive of goods and service tax.

Rebecca Kitteridge,
for Clerk of the Executive Council.

Contents

- 1 General
 - 2 Status of reprints
 - 3 How reprints are prepared
 - 4 Changes made under section 17C of the Acts and Regulations Publication Act 1989
 - 5 List of amendments incorporated in this reprint (most recent first)
-

Notes

1 *General*

This is a reprint of the Immigration Advisers Licensing Regulations 2008. The reprint incorporates all the amendments to the regulations as at 11 June 2009, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that have yet to come into force or that contain relevant transitional or savings provisions are also included, after the principal enactment, in chronological order.

2 *Status of reprints*

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 *How reprints are prepared*

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked are omitted. For a detailed list of the editorial conventions, *see*

<http://www.pco.parliament.govt.nz/legislation/reprints.shtml>
or Part 8 of the *Tables of Acts and Ordinances and Statutory Regulations, and Deemed Regulations in Force*.

4 Changes made under section 17C of the Acts and Regulations Publication Act 1989

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)
- position of the date of assent (it now appears on the front page of each Act)

- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint
(most recent first)*

Immigration Advisers Licensing Amendment Regulations 2009 (SR 2009/116)
