

Version
as at 11 April 2024



Immigration (Infringement Offences, Fees, and Forms) Regulations 2012

(SR 2012/106)

Regulations name: amended, on 11 April 2024, by regulation 4 of the Immigration (Infringement Offences, Fees, and Forms) Amendment Regulations 2024 (SL 2024/18).

Jerry Mateparae, Governor-General

Order in Council

At Wellington this 28th day of May 2012

Present:

His Excellency the Governor-General in Council

Pursuant to section 400 of the Immigration Act 2009, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

Contents

	Page
1 Title	2
2 Commencement	2
3 Interpretation	2
3A Transitional, savings, and related provisions	2
4 Infringement offences	3

Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

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

5	Infringement fees	3
6	Infringement notices	3
7	Infringement offence reminder notices	3
	Schedule 1AA	4
	Transitional, savings, and related provisions	
	Schedule 1	5
	Carriers' infringement offences and fees	
	Schedule 2	6
	Form of infringement notice for carriers' infringement offences	
	Schedule 2A	9
	Form of infringement notice for employment infringement offences	
	Schedule 3	13
	Form of infringement offence reminder notice for carriers' infringement offences	
	Schedule 3A	17
	Form of infringement offence reminder notice for employment infringement offences	

Regulations

1 Title

These regulations are the Immigration (Infringement Offences, Fees, and Forms) Regulations 2012.

Regulation 1: amended, on 11 April 2024, by regulation 4 of the Immigration (Infringement Offences, Fees, and Forms) Amendment Regulations 2024 (SL 2024/18).

2 Commencement

These regulations come into force on 1 July 2012.

3 Interpretation

In these regulations, **Act** means the Immigration Act 2009 and **section** means a section of the Act.

3A Transitional, savings, and related provisions

The transitional, savings, and related provisions set out in Schedule 1AA have effect according to their terms.

Regulation 3A: inserted, on 11 April 2024, by regulation 5 of the Immigration (Infringement Offences, Fees, and Forms) Amendment Regulations 2024 (SL 2024/18).

4 Infringement offences

The offences described in the first 2 columns of Schedule 1 are infringement offences.

5 Infringement fees

The fee set for an infringement offence in whichever of the third or fourth column of Schedule 1 is applicable is the infringement fee for the offence.

6 Infringement notices

(1) An infringement notice issued under section 362 in respect of an offence described in Schedule 1 must be in the form set out in Schedule 2.

(2) An infringement notice issued under section 362 in respect of an offence described in section 359A must be in the form set out in Schedule 2A.

Regulation 6: replaced, on 11 April 2024, by regulation 6 of the Immigration (Infringement Offences, Fees, and Forms) Amendment Regulations 2024 (SL 2024/18).

7 Infringement offence reminder notices

(1) A reminder notice for the purpose of section 363 in respect of an offence described in Schedule 1 must be in the form set out in Schedule 3.

(2) A reminder notice for the purpose of section 363 in respect of an offence described in section 359A must be in the form set out in Schedule 3A.

Regulation 7: replaced, on 11 April 2024, by regulation 7 of the Immigration (Infringement Offences, Fees, and Forms) Amendment Regulations 2024 (SL 2024/18).

Schedule 1AA
Transitional, savings, and related provisions

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Schedule 1AA: inserted, on 11 April 2024, by regulation 8 of the Immigration (Infringement Offences, Fees, and Forms) Amendment Regulations 2024 (SL 2024/18).

Part 1
**Provisions relating to Immigration (Infringement Offences, Fees,
and Forms) Amendment Regulations 2024**

Schedule 1AA Part 1: inserted, on 11 April 2024, by regulation 8 of the Immigration (Infringement Offences, Fees, and Forms) Amendment Regulations 2024 (SL 2024/18).

1 References to previous Title

Every reference in any enactment and in any document to the Immigration (Carriers' Infringement Offences, Fees, and Forms) Regulations 2012 must, unless the context otherwise provides, be read as a reference to the Immigration (Infringement Offences, Fees, and Forms) Regulations 2012.

Schedule 1AA clause 1: inserted, on 11 April 2024, by regulation 8 of the Immigration (Infringement Offences, Fees, and Forms) Amendment Regulations 2024 (SL 2024/18).

Schedule 1

Carriers' infringement offences and fees

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Schedule 1 heading: amended, on 11 April 2024, by regulation 9 of the Immigration (Infringement Offences, Fees, and Forms) Amendment Regulations 2024 (SL 2024/18).

Provision of Act	Description of offence	Fee for owner, charterer, or agent (\$)	Fee for person in charge of craft (\$)
349(1)(a)	Failing without reasonable excuse to comply with any of the carrier's or the person's responsibilities under section 96(2)	1,000	500
349(1)(b)	Allowing a person to travel to, or from, New Zealand before a decision has been made by the chief executive under section 97(1) or 97A(1)	1,000	500
349(1)(c)	Having been notified under section 97(2) of a decision made by the chief executive under section 97(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)(c)	Having been notified under section 97(2) of a decision made by the chief executive under section 97(1)(c) (except when the condition is to show evidence of an outward ticket), failing without reasonable excuse to ensure that the person to whom the decision relates complies with it	1,000	500
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
349(1)(d)	Failing without reasonable excuse to comply with obligations under section 102(2), (4), or (5)	1,000	500
349(2)(a)	Failing without reasonable excuse to comply with any of the requirements of section 101(1)(a)	5,000	2,500

Schedule 1: amended, on 28 September 2017, by regulation 4(1) of the Immigration (Carriers' Infringement Offences, Fees, and Forms) Amendment Regulations 2017 (LI 2017/255).

Schedule 1: amended, on 28 September 2017, by regulation 4(2) of the Immigration (Carriers' Infringement Offences, Fees, and Forms) Amendment Regulations 2017 (LI 2017/255).

Schedule 1: amended, on 28 September 2017, by regulation 4(3) of the Immigration (Carriers' Infringement Offences, Fees, and Forms) Amendment Regulations 2017 (LI 2017/255).

Schedule 1: amended, on 6 June 2015, by section 109(2) of the Immigration Amendment Act 2015 (2015 No 48).

Schedule 2

Form of infringement notice for carriers' infringement offences

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Form Infringement notice

Section 362, Immigration Act 2009

Infringement notice number:

Date of infringement notice:

Infringement notice served on—

Full name (or company name):

Full postal address (residential or business):

Alleged infringement offence details

Offence (time, place, and nature):

Infringement fee payable: \$ [*amount*]**Passenger's or crew member's details (if applicable)**

Name:

Date of birth:

Nationality:

Travel document number:

Flight number or craft identifier:

Arrival date:

Arrival port:

Issuing details

Issuing officer:

Method infringement notice served by:

Address of service:

Date infringement notice served:

Procedures for payment of infringement fee

You are liable to pay the infringement fee. If it is not paid within 28 days, a reminder notice will be served.

Infringement fees may be paid to the Ministry of Business, Innovation, and Employment by any of the following methods: [*specify payment options*]

Please quote the infringement notice number shown above.

Cheques must be payable to the Ministry of Business, Innovation, and Employment, crossed and marked “Not transferable”, and sent to: [*address*]

Information about infringement offences

Note: You should consult a lawyer immediately if there is anything in this notice that you do not understand.

Payment of infringement fee

- 1 If you pay the infringement fee within 28 days after service of this notice, no further action on the infringement offence will be taken. Payment must be made to the Ministry of Business, Innovation, and Employment in accordance with the instructions in this notice.

Further action

- 2 If you want to raise any matter relating to the circumstances of the offence, you must do so by writing to the Ministry of Business, Innovation, and Employment at the address shown at the end of this notice within 28 days after service of this notice.

Defence

- 3 You have a defence against any proceedings for the offence if you can prove that the infringement fee was paid to the Ministry of Business, Innovation, and Employment by one of the payment methods specified in this notice within 28 days after service of a reminder notice.

Right to request hearing

- 4 You have the right to request a hearing. A request for a hearing must be made in writing, be signed by you, and be delivered to the Ministry of Business, Innovation, and Employment at the address shown at the end of this notice within 28 days after service of a reminder notice.

If you request a hearing, you may deny liability for the offence or admit liability and make submissions as to penalty or any other matter.

If you deny liability for the offence and request a hearing, the Ministry of Business, Innovation, and Employment will serve you with a notice of hearing setting out the place and time at which the matter will be heard by the court (unless the Ministry of Business, Innovation, and Employment decides not to commence court proceedings).

Note: If the court finds you guilty of the offence, it may impose costs in addition to any fine.

If you admit liability for the offence but want the court to consider your submissions, you must, in your request for a hearing,—

- (a) admit the offence; and
- (b) set out the written submissions that you want the court to consider.

The Ministry of Business, Innovation, and Employment will then file your letter and request for a hearing with the court (unless the Ministry of Business, Innovation, and Employment decides not to commence court proceedings). There will be no oral hearing before the court if you follow this course of action.

Note: The court may impose costs in addition to any fine.

Consequences of taking no action

5 If, within 28 days after service of this notice, you have not paid the infringement fee and the Ministry of Business, Innovation, and Employment has not received a request for a hearing, you will be served with a reminder notice (unless the Ministry of Business, Innovation, and Employment decides not to pursue the matter).

If, within 28 days after service of a reminder notice, you have not paid the infringement fee and the Ministry of Business, Innovation, and Employment has not received a request for a hearing, you will become liable to pay costs in addition to the infringement fee specified in this notice (unless the Ministry of Business, Innovation, and Employment decides not to commence court proceedings).

Questions and other correspondence

- 6 In any correspondence, please include—
- (a) the date of this notice; and
 - (b) the infringement notice number; and
 - (c) the course of action you are taking on the offence; and
 - (d) your full address for replies.

Rights and obligations

7 Further details of your rights and obligations are set out in section 21 of the Summary Proceedings Act 1957.

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

[*address*]

Schedule 2 form: amended, on 28 September 2017, by regulation 5(1) of the Immigration (Carriers' Infringement Offences, Fees, and Forms) Amendment Regulations 2017 (LI 2017/255).

Schedule 2 form: amended, on 28 September 2017, by regulation 5(2) of the Immigration (Carriers' Infringement Offences, Fees, and Forms) Amendment Regulations 2017 (LI 2017/255).

Schedule 2 form: amended, on 28 September 2017, by regulation 5(3) of the Immigration (Carriers' Infringement Offences, Fees, and Forms) Amendment Regulations 2017 (LI 2017/255).

Schedule 2A

Form of infringement notice for employment infringement offences

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Schedule 2A: inserted, on 11 April 2024, by regulation 10 of the Immigration (Infringement Offences, Fees, and Forms) Amendment Regulations 2024 (SL 2024/18).

Employment infringement offence infringement notice

Section 362, Immigration Act 2009

Infringement notice No:

Date of notice:

Enforcement authority

This infringement notice is issued by [*immigration officer*].

Address for correspondence:

Ministry of Business, Innovation, and Employment [*address*]

Details of person infringement notice issued to

Full name:

Full address:

†Date of birth:

*†Gender:

*†Occupation:

*Telephone number:

*Specify only if known.

†Omit if the notice is served on a company or other body corporate.

Details of alleged infringement offence

The offence is one against [*specify provision*].

Date:

Time:

Place:

Nature of alleged infringement:

Name(s) of relevant employee(s) (if known):

Infringement fee payable:

Service details

This infringement notice was served by [*method of service*] on [*date*].

Payment of infringement fee

This infringement fee is payable within 28 days after [*date infringement notice served*].

This infringement fee may be paid to the Ministry of Business, Innovation, and Employment (MBIE) by [*specify method(s)*].

What you need to know

If you pay the infringement fee in full as shown above, no further action will be taken. For a more detailed statement of your rights, *see* below. This includes—

- what happens if you are late paying the fee or don't pay the fee at all (*see* paragraphs 4 to 6):
- what to do if you want to query this notice (*see* paragraphs 8 to 14).

Statement of rights

If there is anything in this statement you do not understand, you should consult a lawyer.

- 1 This notice sets out an alleged infringement offence.

Payments

- 2 If you pay the infringement fee in full as shown above in **Payment of infringement fee**, no further enforcement action will be taken for the offence. Please note that, unless you have an arrangement as described in paragraph 3, part payment of an infringement fee is not sufficient to avoid further enforcement action for the offence.
- 3 If MBIE offers the ability to pay an infringement fee by instalments and you enter into an instalment arrangement,—
 - (a) the time to pay will be agreed with the enforcement authority;
 - (b) the enforcement action in paragraphs 4 to 6 may be taken if you default on a payment;
 - (c) you can't request a court hearing about the infringement offence (*see* paragraph 13).

What happens if you do not pay on time

- 4 If you do not pay the infringement fee on time as shown above and do not request a hearing (*see* paragraph 8 for your ability to do this), you will be served with a reminder notice (unless MBIE decides to take no further action to require payment for the alleged offence). Please note that in some circumstances if you do not receive a reminder notice you may still become liable to pay a fine and court costs as set out in paragraph 5.
- 5 If you do not pay the infringement fee and do not request a hearing within 28 days after being served with the reminder notice,—
 - (a) MBIE may, unless it decides to take no further action to require payment for the alleged offence, provide particulars of the reminder notice for filing in the District Court; and

- (b) if so, you will become liable to pay court costs as well as a fine.
- 6 The fine will be equal to the amount of the infringement fee or the amount of the infringement fee remaining unpaid.

Defence

- 7 You have a complete defence against proceedings for the alleged infringement offence if the infringement fee has been paid in full to MBIE in the manner specified in this notice before, or within 28 days after, a reminder notice for the alleged offence is served on you. Late payment or payment made in any other manner is not a defence.

Further action you may take

- 8 You may—
- (a) ask MBIE to consider any matter relating to the circumstances of the alleged offence; or
 - (b) deny liability for the alleged offence and request a court hearing; or
 - (c) admit liability for the alleged offence, but have a court consider written submissions as to penalty or otherwise.
- 9 To take an action listed in paragraph 8, you must write to MBIE at the address shown on this notice. You must sign the written communication and it must be delivered within 28 days after you have been served with this notice, or within any further time that MBIE allows.
- 10 If, in your written communication to the enforcement authority referred to in paragraph 8, you deny liability for the alleged offence and request a court hearing, MBIE will serve you with a notice of hearing that sets out the place and time at which the court will hear the matter (unless MBIE decides to take no further action to require payment for the alleged offence).
- Note:** If the court finds you guilty of the offence, the court is entitled to take into account any maximum fine for the offence, and not just the infringement fee. So the court may impose a fine that is greater than the infringement fee. Also, if the court finds you guilty of the offence, costs will be imposed in addition to any penalty and you will be required to pay a hearing fee. You cannot get a conviction for an infringement offence.
- 11 If you admit liability for the alleged offence but want the court to consider your submissions as to penalty or otherwise, you must, in your written communication to the enforcement authority,—
- (a) request a hearing; and
 - (b) admit liability for the offence; and
 - (c) set out the submissions you wish the court to consider.
- 12 If you take the action in paragraph 11, MBIE will file your written communication with the court (unless MBIE decides to take no further action to require

payment for the alleged offence). If you follow this process, there will be no oral hearing before the court.

Note: The court is entitled to take into account any maximum fine for the offence, and not just the infringement fee. So the court may impose a fine that is greater than the infringement fee. Also, costs will be imposed in addition to any penalty. You cannot get a conviction for an infringement offence.

- 13 If MBIE offers the ability to pay an infringement fee by instalments and you enter into an instalment arrangement, paragraphs 8(b) and (c) and 9 to 12 do not apply, and you are not entitled to request a hearing to deny liability or to ask the court to consider any submissions (as to penalty or otherwise).

Contacting the enforcement authority

- 14 When writing, please specify—
- (a) the date of the alleged infringement offence; and
 - (b) the infringement notice number; and
 - (c) your full name and address for replies.

Note: All correspondence regarding the infringement offence must be directed to MBIE at the address shown on this notice.

Further details of your rights and obligations

- 15 Further details of your rights and obligations are set out in section 21 of the Summary Proceedings Act 1957.

Schedule 3
**Form of infringement offence reminder notice for carriers’
infringement offences**

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Form
Reminder notice

Section 363, Immigration Act 2009

Reminder notice number:

Date of reminder notice:

Reminder notice served on—

Full name (or company name):

Full postal address (residential or business):

Alleged infringement offence details

Offence (time, place, and nature):

Infringement fee payable: \$ [*amount*]

Passenger’s or crew member’s details (if applicable)

Name:

Date of birth:

Nationality:

Travel document number:

Flight number or craft identifier:

Arrival date:

Arrival port:

Service details

[To be provided for filing in court]

Issuing details of infringement notice

Issuing officer:

Method infringement notice served by:

Address of service:

Date infringement notice served:

Issuing details of reminder notice

Issuing officer:

Method reminder notice served by:

Address of service:

Date reminder notice served:

The last day for payment is [*specify date*], which is 28 days from the date of service recorded in this notice.

Procedures for payment of infringement fee

Infringement fees may be paid to the Ministry of Business, Innovation, and Employment by any of the following methods: [*specify payment options*]

Please quote the reminder notice number shown above.

Cheques must be payable to the Ministry of Business, Innovation, and Employment, crossed and marked “Not transferable”, and sent to: [*address*]

Information about infringement offences

Note: You should consult a lawyer immediately if there is anything in this notice that you do not understand.

Payment of infringement fee

- 1 If you pay the infringement fee within 28 days after service of this notice, no further action on the infringement offence will be taken. Payment must be made to the Ministry of Business, Innovation, and Employment in accordance with the instructions in this notice.

Further action

- 2 If you want to raise any matter relating to the circumstances of the offence, you must do so by writing to the Ministry of Business, Innovation, and Employment at the address shown at the end of this notice within 28 days after service of this notice.

Defence

- 3 You have a defence against any proceedings for the offence if you can prove that the infringement fee was paid to the Ministry of Business, Innovation, and Employment by one of the payment methods specified in this notice within 28 days after service of this notice.

Right to request hearing

- 4 You have the right to request a hearing. A request for a hearing must be made in writing, be signed by you, and be delivered to the Ministry of Business, Innovation, and Employment at the address shown at the end of this notice within 28 days after service of this notice.

If you request a hearing, you may deny liability for the offence or admit liability and make submissions as to penalty or any other matter.

If you deny liability for the offence and request a hearing, the Ministry of Business, Innovation, and Employment will serve you with a notice of hearing

setting out the place and time at which the matter will be heard by the court (unless the Ministry of Business, Innovation, and Employment decides not to commence court proceedings).

Note: If the court finds you guilty of the offence, it may impose costs in addition to any fine.

If you admit liability for the offence but want the court to consider your submissions, you must, in your request for a hearing,—

- (a) admit the offence; and
- (b) set out the written submissions that you want the court to consider.

The Ministry of Business, Innovation, and Employment will then file your letter and request for a hearing with the court (unless the Ministry of Business, Innovation, and Employment decides not to commence court proceedings). There will be no oral hearing before the court if you follow this course of action.

Note: The court may impose costs in addition to any fine.

Consequences of taking no action

- 5 If, within 28 days after service of this notice, you have not paid the infringement fee and the Ministry of Business, Innovation, and Employment has not received a request for a hearing, you will become liable to pay costs in addition to the infringement fee specified in this notice (unless the Ministry of Business, Innovation, and Employment decides not to commence court proceedings).

Questions and other correspondence

- 6 In any correspondence, please include—
- (a) the date of the infringement notice; and
 - (b) the infringement notice number; and
 - (c) the date of this notice; and
 - (d) the reminder notice number; and
 - (e) the course of action you are taking on the offence; and
 - (f) your full address for replies.

Rights and obligations

- 7 Further details of your rights and obligations are set out in section 21 of the Summary Proceedings Act 1957.

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

[address]

Schedule 3 form: amended, on 28 September 2017, by regulation 6(1) of the Immigration (Carriers' Infringement Offences, Fees, and Forms) Amendment Regulations 2017 (LI 2017/255).

Schedule 3 form: amended, on 28 September 2017, by regulation 6(2) of the Immigration (Carriers' Infringement Offences, Fees, and Forms) Amendment Regulations 2017 (LI 2017/255).

Schedule 3 form: amended, on 28 September 2017, by regulation 6(3) of the Immigration (Carriers' Infringement Offences, Fees, and Forms) Amendment Regulations 2017 (LI 2017/255).

Schedule 3A

Form of infringement offence reminder notice for employment infringement offences

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Schedule 3A: inserted, on 11 April 2024, by regulation 11 of the Immigration (Infringement Offences, Fees, and Forms) Amendment Regulations 2024 (SL 2024/18).

Employment infringement offence reminder notice

Section 363, Immigration Act 2009

Reminder notice No:

Date of notice:

This notice is to remind you that you have been issued with an infringement notice. The details of the notice are as follows:

Enforcement authority

The infringement notice was issued by the Ministry of Business, Innovation, and Employment (**MBIE**).

Address for correspondence:

Details of person to whom infringement notice issued

Full name:

Full address:

†Date of birth:

*†Gender:

*†Occupation:

*Telephone number:

*Specify only if known.

†Omit if the notice is served on a company or other body corporate.

Details of alleged infringement offence

The offence is one against [*specify provision*].

Date:

Time:

Place:

Nature of alleged infringement:

Infringement fee payable:

Amount of infringement fee remaining unpaid:

Service details

(To be provided for filing in court.)

Infringement notice served by [*method of service*] on [*date*].

Reminder notice served by [*method of service*] at [*full address of service*] on [*date*].

Payment of infringement fee

The infringement fee was payable to MBIE within 28 days after [*date infringement notice served*]. The infringement fee has not been paid.

The last day for payment of the infringement fee is [*date*], being 28 days after the date of service of this notice.

The infringement fee may be paid to MBIE by [*specify method(s)*].

What you need to know

If you pay the infringement fee in full as shown above, no further action will be taken. For a more detailed statement of your rights, *see* below. This includes—

- what happens if you are late paying the fee or don't pay the fee at all (*see* paragraphs 3 and 4):
- what to do if you want to query this notice (*see* paragraphs 6 to 12).

Statement of rights

If there is anything in this statement you do not understand, you should consult a lawyer.

- 1 You have not paid the infringement fee described in this notice, or asked for a hearing, within 28 days after you were served with the infringement notice. That is why you have been served with this reminder notice.

Payments

- 2 If you pay the infringement fee in full within 28 days after you are served with this notice, no further enforcement action will be taken for the offence. Payments should be made to MBIE as shown above in **Payment of infringement fee**.

What happens if you do not pay on time

- 3 If you do not pay the infringement fee on time as shown above and do not request a hearing (*see* paragraph 6 for your ability to do this), you will become liable to pay court costs as well as a fine (unless MBIE decides to take no further action to require payment for the alleged offence).
- 4 The fine will be equal to the amount of the infringement fee or the amount of the infringement fee remaining unpaid.

Defence

- 5 You have a complete defence against proceedings for an alleged infringement offence if the infringement fee has been paid in full to MBIE in the manner specified in this notice before, or within 28 days after, this reminder notice is

served on you. Late payment or payment made in any other manner is not a defence.

Further action you may take

- 6 You may—
- (a) ask MBIE to consider any matter relating to the circumstances of the alleged offence; or
 - (b) deny liability for the alleged offence and request a court hearing; or
 - (c) admit liability for the alleged offence but have a court consider written submissions as to penalty or otherwise.
- 7 To take an action listed in paragraph 6, you must write to MBIE at the address shown on this notice. You must sign the written communication and it must be delivered within 28 days after you have been served with this notice, or within any further time that MBIE allows.
- 8 If, in your written communication to the enforcement authority referred to in paragraph 7, you deny liability for the alleged offence and request a court hearing, MBIE will serve you with a notice of hearing that sets out the place and time at which the court will hear the matter (unless MBIE decides to take no further action to require payment for the alleged offence).
- Note:** If the court finds you guilty of the offence, the court is entitled to take into account any maximum fine for the offence, and not just the infringement fee. So the court may impose a fine that is greater than the infringement fee. Also, if the court finds you guilty of the offence, costs will be imposed in addition to any penalty and you will be required to pay a hearing fee. You cannot get a conviction for an infringement offence.
- 9 If you admit liability for the alleged offence but want the court to consider your submissions as to penalty or otherwise, you must, in your written communication to the enforcement authority,—
- (a) request a hearing; and
 - (b) admit liability for the offence; and
 - (c) set out the submissions you wish the court to consider.
- 10 If you take the action in paragraph 9, MBIE will file your written communication with the court (unless MBIE decides to take no further action to require payment for the alleged offence). If you follow this process, there will be no oral hearing before the court.
- Note:** The court is entitled to take into account any maximum fine for the offence, and not just the infringement fee. So the court may impose a fine that is greater than the infringement fee. Also, costs will be imposed in addition to any penalty. You cannot get a conviction for an infringement offence.

- 11 If MBIE offers the ability to pay an infringement fee by instalments and you enter into an instalment arrangement, paragraphs 6(b) and (c) and 7 to 10 do not apply, and you are not entitled to request a hearing to deny liability or to ask the court to consider any submissions (as to penalty or otherwise).

Contacting the enforcement authority

- 12 When writing, please specify—
- (a) the date of the alleged infringement offence; and
 - (b) the number of this reminder notice; and
 - (c) your full name and address for replies.

Note: All correspondence regarding the infringement offence must be directed to MBIE at the address shown on this notice.

Further details of your rights and obligations

- 13 Further details of your rights and obligations are set out in section 21 of the Summary Proceedings Act 1957.

Rebecca Kitteridge,
Clerk of the Executive Council.

Notes

1 *General*

This is a consolidation of the Immigration (Infringement Offences, Fees, and Forms) Regulations 2012 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

2 *Legal status*

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

3 *Editorial and format changes*

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

4 *Amendments incorporated in this consolidation*

Immigration (Infringement Offences, Fees, and Forms) Amendment Regulations 2024 (SL 2024/18)

Immigration (Carriers' Infringement Offences, Fees, and Forms) Amendment Regulations 2017 (LI 2017/255)

Immigration Amendment Act 2015 (2015 No 48): section 109