



# House of Representatives

## Supplementary Order Paper

Wednesday, 26 March 2003

### Prostitution Reform Bill

#### *Proposed amendments*

Hon Lianne Dalziel, in Committee, to propose the following amendments:

*New heading and clause 8B*

To insert after *clause 8A* (after line 35 on page 11) the following heading and clause:

#### *Application of Immigration Act 1987*

**8B Application of Immigration Act 1987**

- (1) No permit may be granted under the Immigration Act 1987 to a person on the basis that the person—
  - (a) has provided, or intends to provide, commercial sexual services; or
  - (b) has acted, or intends to act, as an operator of a business of prostitution; or
  - (c) has invested, or intends to invest, in a business of prostitution.
- (2) It is a condition of every temporary permit or limited purpose permit granted under the Immigration Act 1987 that the holder of the permit may not, while in New Zealand,—
  - (a) provide commercial sexual services; or
  - (b) act as an operator of a New Zealand business of prostitution; or
  - (c) invest in a New Zealand business of prostitution.
- (3) A temporary permit or limited purpose permit granted under the Immigration Act 1987 may be revoked if the holder does any of the things listed in **subsection (2)(a) to (c)**.
- (4) If the holder of a residence permit is subject to a requirement under section 18A of the Immigration Act 1987, the requirement is deemed not to have been met (for the purpose of

revoking the permit under section 20(1)(d) of that Act) if the permit holder acts as an operator of, or invests in, a New Zealand business of prostitution.

- (5) This section applies with respect to every permit granted under the Immigration Act 1987, and to every requirement imposed under section 18A of that Act, whether granted or imposed before or after the commencement of this section.
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### Explanatory note

This Supplementary Order paper lends support to New Zealand's obligations under the United Nations Convention against Transnational Organised Crime and its Protocols on the Smuggling of Migrants and Trafficking of Persons. These obligations are aimed, amongst other things, at suppressing the trade of women and children for the purposes of prostitution, an activity closely associated with transnational organised crime. It does this by ensuring that immigration permits may not be granted to persons on the basis that they have provided or intend to provide commercial sexual services, or to operate or invest in a business of prostitution. It clarifies the ability to revoke temporary and limited purpose permits where the holders of such permits do engage in these activities. The Supplementary Order Paper also provides that persons who hold provisional residence permits may have those permits revoked if they operate or invest in a New Zealand business of prostitution.

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