

**Reprint  
as at 29 November 2010**



## **Immigration Amendment Regulations (No 3) 2008**

(SR 2008/302)

Immigration Amendment Regulations (No 3) 2008: revoked, at 2 am on 29 November 2010, pursuant to section 405(b) of the Immigration Act 2009 (2009 No 51).

Rt Hon Dame Sian Elias, Administrator of the Government

### **Order in Council**

At Wellington this 8th day of September 2008

Present:

The Right Hon Helen Clark presiding in Council

Pursuant to section 150 of the Immigration Act 1987, Her Excellency the Administrator of the Government, acting on the advice and with

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#### **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.**

the consent of the Executive Council, makes the following regulations.

**Contents**

	Page
1 Title	3
2 Commencement	3
3 Principal regulations amended	3
4 Applications for temporary visa	3
5 New regulation 6A inserted	3
6A Applications for temporary visa under China working holiday scheme	3

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## **Regulations**

### **1 Title**

These regulations are the Immigration Amendment Regulations (No 3) 2008.

### **2 Commencement**

These regulations come into force on 1 October 2008.

### **3 Principal regulations amended**

These regulations amend the Immigration Regulations 1999.

### **4 Applications for temporary visa**

Regulation 6(1) is amended by inserting “(other than an application to which regulation 6A applies)” after “section 14D(1) of the Act”.

### **5 New regulation 6A inserted**

The following regulation is inserted after regulation 6:

#### **“6A Applications for temporary visa under China working holiday scheme**

“(1) An application for a temporary visa under section 14D of the Act made by a citizen of China under the China working holiday scheme must—

“(a) be tendered online; and

“(b) use the appropriate electronic form provided on the Internet site of the Department of Labour.

“(2) A form provided under subclause (1)(b) must require the applicant to state—

“(a) the applicant’s name; and

“(b) the applicant’s date of birth; and

“(c) details of the applicant’s passport or other travel document, including confirmation that the applicant is a citizen of China; and

“(d) details of any current or any previous visa or permit held by the applicant; and

“(e) any information required to determine whether the visa should be issued.

- “(3) An application under subclause (2) must be completed by the applicant—
- “(a) acknowledging that the details supplied in support of the application are true and correct to the best of the applicant’s knowledge; and
  - “(b) agreeing that if the applicant’s circumstances change before any visa is issued the applicant will notify a visa officer or immigration officer of that change in circumstances; and
  - “(c) paying the prescribed fee (if any) for the visa applied for, or arranging for its payment in a manner satisfactory to the visa officer or immigration officer.
- “(4) The visa officer or immigration officer processing the application may, before determining the application, require the applicant to do 1 or more of the following:
- “(a) produce the applicant’s valid passport or travel document;
  - “(b) produce any evidence or information required by the visa officer or immigration officer to be tendered in order to determine whether the visa should be issued (including the physical production of documents);
  - “(c) produce details and evidence of funds for maintenance while in New Zealand or details of sponsorship;
  - “(d) produce details of travel tickets or evidence of onward travel arrangements from New Zealand;
  - “(e) appear before an immigration officer for an interview.”

Rebecca Kitteridge,  
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 1 October 2008, amend the Immigration Regulations 1999.

The regulations require applications for temporary visas under the China working holiday scheme to be tendered online, provide for the content of those applications, and also provide that applicants may be required to provide certain evidence, in support of their applications, and to appear for interviews.

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Issued under the authority of the Acts and Regulations Publication Act 1989.  
Date of notification in *Gazette*: 11 September 2008.

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**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 Amendment Regulations (No 3) 2008. The reprint incorporates all the amendments to the regulations as at 29 November 2010, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, see <http://www.pco.parliament.govt.nz/reprints/>.

**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/editorial-conventions/> or Part 8 of the *Tables of New Zealand 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 Act 2009 (2009 No 51): section 405(b)

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