



ANALYSIS

Title 1. Short Title and commencement 2. Immigrant Resettlement and Research Fund	3. Migrant levy 4. Regulations 5. Validation
--	--

 1998, No. 23

**An Act to amend the Immigration Act 1987 to provide
for a migrant levy** [22 May 1998]

BE IT ENACTED by the Parliament of New Zealand as follows:

1. Short Title and commencement—(1) This Act may be cited as the Immigration (Migrant Levy) Amendment Act 1998, and is part of the Immigration Act 1987 (“the principal Act”).

(2) This Act comes into force on the day on which it receives the Royal assent.

2. Immigrant Resettlement and Research Fund—Section 149A (3) (a) of the principal Act is amended by omitting the words “, particularly those programmes that have an emphasis on the development of language skills”.

3. Migrant levy—The principal Act is amended by inserting, after section 149A, the following section:

“149B. (1) Any regulations made under section 150 may provide for the imposition and collection of a migrant levy on persons who are issued with a residence visa or are granted a residence permit.

“(2) The purpose of the levy is to fund, or contribute to the funding of,—

- “(a) The provision of programmes intended to assist the successful settlement of migrants or categories of migrants; and
- “(b) The carrying out of research into settlement issues and the impacts of immigration,—
whether through the Immigration Resettlement and Research Fund established under section 149A or through any other fund or programme having a similar purpose.
- “(3) Regulations made for the purposes of this section may—
- “(a) Specify the categories or classes of migrant who are liable to pay the migrant levy:
- “(b) Prescribe the amount or method of calculation of the levy:
- “(c) Prescribe different amounts or methods of calculation of the levy in respect of different categories or classes of migrant:
- “(d) Provide for exemptions from or refunds of the levy, in whole or in part, in any class of case:
- “(e) Provide for the manner of collection of the levy, including provision for the relevant amount of levy to be deposited with the chief executive of the Department of Labour pending the grant of a residence permit.
- “(4) A person who has paid the migrant levy in respect of the issuing of a residence visa may not also be required to pay the levy in respect of a residence permit granted on the basis of that visa.
- “(5) Not later than 1 October in each year the chief executive of the Department of Labour must furnish to the Minister a report setting out, in respect of the financial year ending on the preceding 30 June,—
- “(a) The amount collected through the migrant levy; and
- “(b) How the amount of the migrant levy was applied.
- “(6) The Minister must present the report to the House of Representatives within 15 sitting days after its receipt.”

4. Regulations—Section 150 of the principal Act is amended by inserting, after paragraph (b), the following paragraph:

- “(ba) Prescribing matters in respect of the migrant levy referred to in section 149B:”.

5. Validation—The fees specified from time to time by regulation 32A (as in force before its revocation by regulation 2(1) of the Immigration Regulations 1991, Amendment No. 8) and regulation 32B of the Immigration Regulations 1991 are deemed to be, and always to have been, validly imposed.

This Act is administered in the Department of Labour.
