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G. N. No. 160 / 2014

Immigration (Amendment) Regulations 2014

SL No. 3 of 2014

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Cabinet makes the following regulations under section 33 of the Immigration Act 2014:

1 Short title

These Regulations may be cited as the *Immigration (Amendment) Regulations 2014*.

2 Commencement

These Regulations commence on the day on which they are published in the Gazette.

3 Regulations Amended

The Schedule amends the Immigration Regulations 2014.

SCHEDULE – AMENDMENT OF IMMIGRATION REGULATIONS 2014

[1] Amendment of Regulation 3

Omit

'**Employment visa**' means an employment visa granted under regulation 8;

[2] Amendment of Regulation 4 (1) (c)

Omit

Employment visa

[3] Amendment of Regulation 5 (8)

Omit Regulation 5 (8)

[4] Amendment of Regulation 6 (1)

Omit

Regulation 6 (1) and Note included in Regulation 6 (1)

[5] Amendment of Regulation 6 (2)

Insert new row 8

Business visa (Employment)	Engage in employment in Nauru
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G. N. No. 160 / 2014 (cont'd)

[6] Amendment of Regulation 6 (4)

Insert new 6 (4) (g)

(a) A Business Visa (Employment) is granted subject to the conditions that the holder must not while in Nauru:

- i. engage in any employment other than that specified in the visa, without the express written permission of the Secretary;
- ii. behave in a manner that is prejudicial to the peace, good order, good government or morale of the people of the Republic of Nauru;
- iii. engage in any religious vocation except with the written approval of the Minister;
- iv. remove from Nauru any chattel, carving, object, or thing which relates to the history, art, culture, and traditions, or economy of the Republic of Nauru; and
- v. breach any other any reasonable condition (not inconsistent with the Act or these Regulations) that the Secretary considers necessary or desirable.

[7] Amendment of Regulation 6 (5)

Insert note

Note: See Table 1, Schedule 2 for specific entry periods for the different classes of business visa.

[8] Amendment of Regulation 6

Insert 6 (8)

- (a) Employees of the Republic, RONPHOS or any other statutory corporation of the Republic are exempted from the requirements of Regulation 16.
- (b) All others engaging in employment in Nauru are required to pay the fee specified in Schedule 2 of these Regulations.
- (c) Other employees as included in the Schedule include the following:
 - i. Regional Processing Centre employees;
 - ii. House maids;
 - iii. Baby sitters; and
 - iv. Any other class of persons specified by the Principal Immigration Officer.

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[9] Amendment of Regulation 7 (2)

Insert note

Note: Section 10 (4) of the Act provides that except in the case of a regional processing centre visa or unless exemption has been granted by the Minister, upon the expiration of a visa, the holder of the visa must leave Nauru in order to reapply for the same visa or a different class of visa.

[10] Amendment of Regulation 7 (1) and (3)

Omit

'employment visa'

[11] Amendment of Regulation 7

Insert after new regulation 7 (7)

'A fee specified in Table 2 of Schedule 2 to these Regulations shall, unless waived by the Minister, be paid in respect of that matter.'

[12] Amendment of Regulation 8

Repeal Regulation 8

8 (1) An application for an employment visa may be made before or after entry into Nauru.

Note

Under regulation 5(8) an application for an employment visa could be made by the holder of a current visa of a different class who is already in Nauru.

(2) The purpose of an employment visa is to authorise the holder to engage in employment in Nauru.

(3) An employment visa may be granted:

(a) for a period not exceeding 2 years; and

(b) for a single entry or multiple entries; and

(c) subject to any reasonable condition (not inconsistent with the Act or these Regulations) that the Principal Immigration Officer considers necessary or desirable.

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[13] Amendment of Regulation 9 (6) (e)

Omit

'or employment'

[14] Amendment of Regulation 10 (4) (c)

Omit

'or employment'

[15] Amendment of Regulation 11 (2) (d)

Omit

'or employment'

[16] Amendment of Regulation 11 (4) (b)

Omit

'or employment'

[17] Amendment of Regulation 12 (5) (c)

Omit

'or employment'

[18] Amendment of Regulation 12

[18.1] Insert note

Note: Section 10 (4) of the Act provides that except in the case of a regional processing centre visa or unless exemption has been granted by the Minister, upon the expiration of a visa, the holder of the visa must leave Nauru in order to reapply for the same visa or a different class of visa.

[18.2] Insert new 12 (8)

'Any person found breaching the conditions of their visitor's visa shall be liable to a fine of \$100.'

G. N. No. 160 / 2014 (cont'd)

[19] Amendment of Regulation 14 (4)

Omit

9 (1)

Substitute

10 (1)

[20] Amendment of Regulation 16 (6)

Omit

Any fee paid under a provision of these Regulations or the Act is not refundable or transferable.

Substitute

Unless exemption has been granted by the Minister, any fee payable under a provision of these Regulations or the Act, is non refundable or transferable.

[21] Amendment of Regulation 16

Insert new 16 (7)

‘Dependant’s of employees of the Republic, RONPHOS or any other statutory corporation of the Republic or any other person exempted by the Minister are exempt from paying the fee specified in Schedule 2 of these Regulations.’

[22] Amendment of Regulation 17(4)

Omit the following words –

‘Part 2’

G. N. No. 160 / 2014 (cont'd)

[23] Amendment of Regulation 18 (3)

Omit

'employment'

Substitute

'business visa (employment)'

[24] Amendment of Regulation 28 (2), Column 2, Row 4

Omit

'Employment visa

Substitute

'Business visa (Employment)'

[25] Amendment of Regulation 28 (2), Column 2, Row 7

Omit

'Employment visa'

Substitute

'Business visa (Employment)'

[26] Amendment of Regulation 28 (2), Row 13

Omit entire row

[27] Amendment of Regulation 28 (2), Column 1, Row 17

Omit

'or employment'

G. N. No. 160 / 2014 (cont'd)

[28] Amendment of Regulation 28 (2), Column 2, Row 17

Omit

‘Business visa (general) or Employment visa, whichever is appropriate’

Substitute

‘Business visa (Employment)’

[29] Amendment of Schedule 1, Form 1

[29.1] Omit

‘who will not be conducting a business or profession in Nauru’

[29.2] Omit

‘A dependant accompanying you who wishes to conduct a business or profession should complete a separate Application for Business Visa.’

Substitute

‘A dependant accompanying you who wishes to conduct a business or profession or engage in employment should complete a separate Application for Business Visa.’

[29.3] Omit

Question 26

[29.4] Insert into Q27

N/A (Employees of the Republic, RONPHOS or any other statutory corporation of the Republic)

[30] Amendment of Schedule 1, Form 2

Omit the words ‘or employment’ from the sentence below:

‘The application form only covers you as a dependant of the holder of a residence visa, business visa or employment visa.’

G. N. No. 160 / 2014 (cont'd)

[31] Amendment of Schedule 1, Form 2, Part A, Q3

Omit

employment visa

[32] Amendment of Schedule 1

Omit

Form 3

[33] Amendment of Form 6

Omit the words 'or employment' from the sentence below:

'You must not engage in any activity for which a business or employment visa may be granted except as permitted by the visa or with the approval of the Secretary.'

[34] Amendment of Form 7

Omit the words 'or employment' from the sentence below:

'You must not engage in any activity for which a business or employment visa may be granted or in any religious activity other than normal religious observance'

[35] Amendment of Schedule 2, Table 1, Column 2, Row 2

[35.1] Omit

'\$3000'

[35.2] Insert new Row 8

Business visa (sub-classes)	Description	Multiple entry up to 12 months	Single entry up to 3 months
Business visa (Employment)	Engage in employment in Nauru	\$6000	
	Others	\$1000	

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[36] Amendment of Schedule 2, Table 2

Omit

Employment Visa

Employees of the Republic, RONPHOS or any other statutory corporation of the Republic Nil

Others:

For a period not exceeding 3 months

Single entry \$100

Multiple entry \$200

For a period not exceeding 2 years

Single entry \$200

Multiple entry \$400

[37] Amendment of Schedule 2, Table 2

Insert fee for Dependant's visa

\$1000