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G.N. No. 774 / 2017

**IMMIGRATION (AMENDMENT) REGULATIONS 2017**

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**SL No. 26 of 2017**

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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 2017*.

**2. Commencement**

These Regulations commence on the day they are notified in the Gazette.

**3. Amendment of Immigration Regulations 2014**

The *Immigration Regulations 2014* are amended by the provisions of these Regulations.

**4. Amendment of Regulation 9A**

Regulation 9A is omitted and substituted with the following:

**9A Temporary Settlement visa**

(1) Where the Secretary for Multicultural Affairs determines or a Refugee Determination Record is issued to the holder of a Regional Processing Centre visa recognising the holder is:

- (a) a refugee;
- (b) granted a derivative status; or
- (c) in need of complementary protection, -

the class of Regional Processing Centre visa is deemed to have changed to the class of a Temporary Settlement visa.

(2) Where a person is:

- (a) recognised as a refugee; or
- (b) granted derivative status; or
- (c) in need of complementary protection, -

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by a country other than the Republic and the Secretary for Multicultural Affairs has recognised such determination under the Refugees Convention Act 2012 to be granted a Temporary Settlement visa, the Secretary may issue such a visa.

- (3) The duration of a Temporary Settlement visa is six months.
  - (4) A visa issued under this regulation shall be extended from time to time unless otherwise directed by the Secretary for Multicultural Affairs in writing to the Secretary.
  - (5) A holder of a Temporary Settlement visa may:
    - (a) engage in employment for an authorised employer who has been granted authorisation by the Secretary for Multicultural Affairs;
    - (b) apply for a business licence under the Business Licences Act 2017;
    - (c) apply for a refugee travel document;
    - (d) leave and re-enter the Republic during the period of the temporary settlement visa; and
    - (e) apply for a dependant to join him or her in the Republic on a dependant's visa if so permitted by the Secretary for Multicultural Affairs.
  - (6) A holder of a Temporary Settlement visa shall:
    - (a) not behave in a manner prejudicial to the peace and good order of the Republic; and
    - (b) take all reasonable steps to ensure that a person who is his or her dependant and holds a Temporary Settlement visa complies with the conditions of that visa.
  - (7) A Temporary Settlement visa may be granted subject to any other reasonable condition the Secretary for Multicultural Affairs considers necessary not inconsistent with the Refugees Convention Act 2012.
  - (8) The Minister may at any time cancel a Temporary Settlement visa.
  - (9) Where a visa of a person mentioned in subregulation (1) is cancelled, the visa of a dependant of that person is also cancelled.
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