

Migration Agents Registration Application Charge Amendment Regulations 1998 (No. 1) 1998 No. 282

EXPLANATORY STATEMENT

STATUTORY RULES 1998 NO. 282

Issued by the Authority of the Minister for Immigration and Multicultural Affairs

Migration Agents Registration Application Charge Act 1997

Migration Agents Registration Application Charge Amendment Regulations 1998 (No. 1)

Section 8 of the *Migration Agents Registration Application Charge Act 1997* ("the Act") provides that the Governor-General may make regulations for the purposes of section 6 of the Act.

Section 6 of the Act provides that:

- * the amount of charge payable on an individual's making of a registration application is the amount prescribed by the regulations for an individual of that kind;
- * the regulations may prescribe different amounts for different kinds of individuals making registration applications; and
- * the regulations must not prescribe an amount more than the charge limit for the registration application. The charge limit for a registration application made in the financial year ending at the end of 30 June 1998 is \$1,100. After this date, the charge limit is indexed to any increase in the Consumer Price Index.

The purpose of the Regulations is to amend the wording used to prescribe the amounts of charge payable for individuals who make an application for registration as a migration agent. The objective is to remove any doubt over when the higher level of charge is payable.

The amendments have the effect that the higher level of charge will be payable whenever there is an intention that people to whom immigration assistance is to be provided be charged a fee for that assistance - irrespective of whether the fee is payable to the registered migration agent or to some other person or body.

Details of the Regulations are as follows.

Regulation 1 -Name of Regulation

This regulation provides that these Regulations are the Migration Agents Registration Application Charge Amendment Regulations 1998 (No. 1).

Regulation 2 - Commencement

This regulation provides that these Regulations commence on 1 September 1998.

Regulation 3 - Amendment

This regulation provides for the Migration Agents Registration Application Charge Regulations 1998 to be amended as set out in these Regulations.

Regulation 4 - Regulation 3 (Amount of charge)

This regulation amends paragraphs 3(1)(a) and (b) by replacing the reference to "application, to charge a fee for giving immigration assistance" with "registration application, to give immigration assistance for which a fee is to be charged".

The Regulations commence on 1 September 1998.