

EXPLANATORY STATEMENT

Migration Regulations 1994

**CIRCUMSTANCES IN WHICH A PAYPAL SURCHARGE MUST BE WAIVED OR
REFUNDED**

(Regulation 5.41B)

1. Instrument IMMI 16/084 is made under subregulation 5.41B(4) of the *Migration Regulations 1994* (the Regulations).
2. The Instrument operates to specify that clients paying in local currency using PayPal in Singapore or New Zealand must have the PayPal surcharge waived or refunded. Local financial laws do not allow for the application of a PayPal surcharge for payments of this type.
3. Consultation was undertaken with the Office of the Migration Agents Registration Authority before the instrument was made.
4. The Office of Best Practice Regulation (OBPR) has advised that a Regulatory Impact Statement is not required (OBPR Reference 20393)
5. Under section 10 of the *Legislation (Exemptions and Other Matters) Regulation 2015*, the Instrument is exempt from disallowance and therefore a Statement of Compatibility with Human Rights is not required.
6. The Instrument commences immediately after the commencement of Schedule 2 to the *Migration Legislation Amendment (2016 Measures No. 3) Regulation 2016*.