

**EXPLANATORY STATEMENT**

*Migration Regulations 1994*

**PAYMENT OF VISA APPLICATION CHARGES AND FEES IN FOREIGN  
CURRENCY AMENDMENT INSTRUMENT 2016/109  
(Conversion Instrument)**

*(Subregulation 5.36(1A))*

1. The Instrument amends the instrument Payment of Visa Application Charges and Fees in Foreign Currency, IMMI 16/035. The Instrument is made under subregulation 5.36(1A) of the *Migration Regulations 1994* (the Regulations).
2. The Instrument operates for the Minister to specify the foreign currencies and their relevant exchange rates to the Australian Dollar. The instrument is used to calculate the amount of a fee and/or visa application charge (other than a visa application charge payment mention in subregulation 5.36(3A) of the Regulations) that must be paid in accordance with regulation 2.12JA of the Regulations.
3. The purpose of the Instrument is to amend the specified exchange rate for the Egyptian Pound which must be used when converting the Australian Dollar for the purposes of paragraph 5.36(1A)(a) of the Regulations.
4. In accordance with paragraph 15J(2)(e) of the *Legislation Act 2003* consultation was not undertaken because the Instrument is of a minor and machinery nature and does not substantially alter existing arrangements.
5. The Office of Best Practice Regulation (OBPR) has been consulted (OBPR Reference: 20790). OBPR advised that a Regulatory Impact Statement is not required for this instrument.
6. The Minister delegated his power in subregulation 5.36(1A) of the Regulations to the Chief Financial Officer, Finance Division, in Instrument of Delegation, DEL 16/048, signed on 4 August 2016.

7. 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.
8. The Instrument commences on 1 December 2016.