



Immigration Act 2009 Commencement Order 2010

Rt Hon Dame Sian Elias, Administrator of the Government

Order in Council

At Wellington this 28th day of June 2010

Present:

Her Excellency the Administrator of the Government in Council

Pursuant to section 2 of the Immigration Act 2009, Her Excellency the Administrator of the Government, acting on the advice and with the consent of the Executive Council, makes the following order.

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Order

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This order is the Immigration Act 2009 Commencement Order 2010.

2 Commencement of certain provisions of Immigration Act 2009

- (1) Section 477 of the Immigration Act 2009 comes into force on 2 August 2010.
- (2) The remaining sections of the Immigration Act 2009 that are not in force immediately before 2 am on 29 November 2010, except the following sections, come into force at 2 am on 29 November 2010:
 - (a) section 30:
 - (b) section 31:
 - (c) section 60:
 - (d) section 100:
 - (e) section 104:
 - (f) section 111:
 - (g) section 120:
 - (h) section 149(1)(e):
 - (i) section 278:
 - (j) sections 283 to 291:
 - (k) section 312:
 - (l) section 400(l).

Rebecca Kitteridge,
Clerk of the Executive Council.

Explanatory note

This note is not part of the order, but is intended to indicate its general effect.

This order brings into force most of the provisions of the Immigration Act 2009.

Section 477 comes into force on 2 August 2010. This section amends the Immigration Act 1987 by inserting a new section 141ABA into the Act. New section 141ABA authorises the Department of Labour to disclose certain information to an employer to enable the employer to verify that a person is entitled under that Act to undertake employment in the employer's service.

The remaining sections of the Immigration Act 2009 (except the sections listed in the order and the 4 sections already in force) come into force at 2 am on 29 November 2010. The 2 am commencement time on 29 November is to minimise the risk of operational problems at the New Zealand borders as the new immigration processes under the Act come into effect (and those of the Immigration Act 1987 no longer have effect).

The 4 provisions of the Immigration Act 2009 that are already in force are sections 474, 475, 476, and 478 (*see* section 2(4) and (5) of the Immigration Act 2009).

The provisions of the Immigration Act 2009 listed in the order that are not brought into force by the order relate to the collection and use of biometric information under the Act, certain powers of search and entry, and a detention power. These are now the only provisions of the Act that await a commencement date.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 1 July 2010.

This order is administered by the Department of Labour.
