



Immigration Act 2009 Commencement Order 2011

Jerry Mateparae, Governor-General

Order in Council

At Wellington this 12th day of September 2011

Present:

His Excellency the Governor-General in Council

Pursuant to section 2(2) of the Immigration Act 2009, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following order.

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Order

- Title**
This order is the Immigration Act 2009 Commencement Order 2011.

2 Commencement of sections 60, 111, 120, and 288 to 291 of Immigration Act 2009

Sections 60, 111, 120, and 288 to 291 of the Immigration Act 2009 come into force on 20 October 2011.

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, on 20 October 2011, sections 60, 111, 120, and 288 to 291 of the Immigration Act 2009 (the **Act**).

Sections 60, 111, 120, and 288 authorise the collection of biometric information (defined in section 4 of the Act) from—

- visa applicants (section 60):
- applicants for entry permission (section 111):
- persons other than New Zealand citizens leaving New Zealand (section 120):
- a person to whom section 288 applies, being a person an immigration officer has good cause to suspect is a person who—
 - is liable for deportation or turnaround; or
 - is not complying with, or is materially breaching, the conditions of his or her visa; or
 - is undertaking work or a course of study that he or she is not entitled to under the Act; or
 - has obtained a visa under a fraudulent identity.

If a person refuses to allow an immigration officer to collect biometric information, the officer may apply to a District Court Judge for a compulsion order that requires the person to allow the biometric information specified in the order to be collected (sections 289 to 291).

The only provisions of the Act that now await a commencement date are sections 100, 104, 278, 283 to 287, 312, and 400(l).

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This order is administered by the Department of Labour.
