

Migration Amendment (Credit Card Surcharge Additional Measures) Regulation 2014

Select Legislative Instrument No. 99, 2014

I, General the Honourable Sir Peter Cosgrove AK MC (Ret’d), Governor‑General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulation.

Dated 26 June 2014

Peter Cosgrove

Governor‑General

By His Excellency’s Command

Scott Morrison

Minister for Immigration and Border Protection

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1 Name of regulation

 This regulation is the *Migration Amendment (Credit Card Surcharge Additional Measures) Regulation 2014*.

2 Commencement

 This regulation commences immediately after the commencement of the *Migration Legislation Amendment (2014 Measures No. 1) Regulation 2014.*

3 Authority

 This regulation is made under the *Migration Act 1958.*

4 Schedule(s)

 Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Migration Regulations 1994

1 Subregulation 2.12JA(2) (note)

Omit “5.43”, substitute “5.41A”.

2 Regulation 5.43 in Division 5.7 of Part 5

Renumber as regulation 5.41A.

3 Subregulations 5.43(1) to (3) in Division 5.7 of Part 5

Repeal the subregulations, substitute:

 (1) A person is liable to pay a fee (a ***credit card surcharge***) if:

 (a) the person pays a fee or charge, or part of a fee or charge; and

 (b) the fee or charge is of a kind specified by the Minister by a legislative instrument made for this paragraph; and

 (c) the payment is made by credit card.

 (2) The amount of the credit card surcharge payable in respect of the payment is as follows:

 (a) for a payment made by Visa or MasterCard credit card—1.08% of the amount of the payment;

 (b) for a payment made by American Express or Japan Credit Bureau (JCB) credit card—1.99% of the amount of the payment;

 (c) for a payment made by Diners Club International credit card—2.91% of the amount of the payment.

 (3) The credit card surcharge is payable when the payment is made.

4 At the end of Schedule 13

Add:

Part 32—Amendments made by the Migration Amendment (Credit Card Surcharge Additional Measures) Regulation 2014

3201 Operation of Schedule 1

 The amendments of these Regulations made by Schedule 1 to the *Migration Amendment (Credit Card Surcharge Additional Measures) Regulation 2014* apply in relation to a payment of a fee or charge on or after 1 July 2014.