

**EXPLANATORY STATEMENT**

*Migration Regulations 1994*

**MIGRATION (IMMI 17/002: PLACE AND CURRENCIES FOR  
PAYING OF FEES) INSTRUMENT 2017**

*(Subregulation 5.36(1))*

1. Instrument IMMI 17/002 is made under paragraphs 5.36(1)(a) and 5.36(1)(b) of the *Migration Regulations 1994* (the Regulations).
2. The Instrument revokes IMMI 16/036 (F2016L00626) under paragraphs 5.36(1)(a) and 5.36(1)(b) of the Regulations and in accordance with subsection 33(3) of the *Acts Interpretation Act 1901*, which states where an Act confers a power to make, grant or issue any instrument of a legislative or administrative character, the power shall be construed as including a power exercisable in the like manner and subject to the like conditions (if any) to repeal, rescind, revoke, amend, or vary any such instrument.
3. The Instrument operates for the Minister to specify, under paragraphs 5.36(1)(a) and 5.36(1)(b) of the Regulations that the payment of a fee (other than a visa application charge mentioned in subregulation 5.36(3A)), the places and currencies in which payments must be made.
4. The purpose of the Instrument is to update the places and currencies for the purposes of paragraphs 5.36(1)(a) and 5.36(1)(b) of the Regulations.
5. Consultation was not necessary for the making of the Instrument. In accordance with paragraph 15J(2)(e) of the *Legislation Act 2003*, the Instrument is of a minor or machinery nature and does not substantially alter existing arrangements.
6. The Office of Best Practice Regulation (OBPR) has advised that a Regulatory Impact Statement is not required for this change (OBPR Reference 21377).

7. The Minister delegated his power in subregulation 5.36(1) of the Regulations to the Chief Financial Officer, Finance Division, in Instrument of Delegation, DEL 16/067, signed on 9 November 2016.
8. 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.
9. The Instrument commences on 1 January 2017