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Nauru

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G.N.No. 66 / 2014

## **Immigration Regulations 2014**

**SL No. 2 of 2014**

### **Table of Provisions**

PART 1 — PRELIMINARY MATTERS .....	3
1 Short title.....	3
2 Commencement .....	3
3 Interpretation.....	3
PART 2 — VISAS .....	5
4 Classes of visa.....	5
5 Visa application.....	6
6 Business visa.....	7
7 Dependant's visa .....	11
8 Employment visa .....	12
9 Regional processing centre visa .....	12
10 Residence visa .....	15
11 Special purpose visa.....	16
12 Visitor's visa.....	17
13 Visa for child .....	18
14 Exemption from visa requirement .....	19
15 Emergency entry.....	19
16 Visa fees.....	20
17 Evidence of visa.....	20
18 Change of circumstances .....	21
19 Cancellation of visa.....	22
PART 3 — ARRIVAL, ENTRY AND DEPARTURE.....	23
20 Procedure on arrival .....	23
21 Transit passenger does not enter Nauru .....	24
22 Information to be provided on arrival .....	24

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No. 14	30 <sup>th</sup> January, 2014	Nauru
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G.N.No. 66 / 2014 (cont'd)

23	Information to be provided on departure .....	25
24	Departing or transiting passengers in restricted area .....	26
PART 4 — MISCELLANEOUS .....		27
25	Removal orders .....	27
26	Review of decisions .....	27
27	Repeal.....	27
28	Transitional provision.....	27
SCHEDULE 1 — APPLICATION FORMS .....		30
SCHEDULE 2 — FEES .....		80
PART 1 — FEES FOR GRANTING OF VISAS .....		80
PART 2 — FEES FOR RE-EVIDENCING OF VISAS.....		81
PART 3 - FEES FOR VISA PROCESSING.....		81
SCHEDULE 3 — VISITOR'S VISA FEE EXEMPT COUNTRIES .....		82
SCHEDULE 4 — SIMPLIFIED VISITOR'S VISA APPLICATION COUNTRIES .....		83

## Immigration Regulations 2014

Cabinet makes the following regulations under section 33 of the *Immigration Act 2014*:

### PART 1 — PRELIMINARY MATTERS

#### 1 Short title

These Regulations may be cited as the *Immigration Regulations 2014*.

#### 2 Commencement

These Regulations commence on the day on which they are published in the Gazette.

#### 3 Interpretation

In these Regulations:

**‘aircrew member list’** for an aircraft of a commercial air carrier means a list, in a form approved by the Secretary, of all persons travelling on the aircraft who are employed by the commercial air carrier as a crew member;

**‘business visa’** means a business visa granted under regulation 6;

**‘commercial air carrier’** means a person conducting a business open to the general public of carrying passengers or freight by aircraft for reward, regardless of whether the aircraft is scheduled or chartered;

**‘commercial aircrew member’** means a person who:

- (a) is employed by a commercial air carrier as a crew member; and
- (b) holds a current identity document as a crew member issued by his or her employer; and

G.N.No. 66 / 2014 (cont'd)

- (c) is travelling to, or departing from, Nauru in the course of his or her employment, whether as a crew member of, or as a passenger on, an aircraft; and
- (d) is included in an aircrew member list for the aircraft signed on behalf of the commercial air carrier and given to an immigration officer;

**‘dependant’** of a person means:

- (a) the person’s spouse other than a spouse from whom he or she is formally separated; or
- (b) the person’s child under the age of 18 years; or
- (c) someone wholly dependent on the person for financial, psychological or physical support;

**‘diplomatic or consular representative’** of a foreign country means a person who has been appointed to, or who holds, a post or position in a diplomatic or consular mission of that country in, or in relation to, Nauru but does not include a person who was ordinarily resident in Nauru when appointed to that post or position;

**‘employment visa’** means an employment visa granted under regulation 8;

**‘health and security clearance certificate’** has the same meaning as in the *Asylum Seekers (Regional Processing Centre) Act 2012*;

**‘refugee’** has the same meaning as in the *Refugees Convention Act 2012*;

**‘Refugees Convention’** has the same meaning as in the *Refugees Convention Act 2012*;

**‘regional processing centre’** has the same meaning as in the *Asylum Seekers (Regional Processing Centre) Act 2012*;

**‘regional processing centre visa’** means a regional processing centre visa issued under regulation 9;

**‘residence visa’** means a residence visa granted under regulation 10;

**‘Secretary’** means the Secretary for Justice & Border Control;

G.N.No. 66 / 2014 (cont'd)

**'service provider'** has the same meaning as in the *Asylum Seekers (Regional Processing Centre) Act 2012*;

**'special purpose visa'** means a special purpose visa granted under regulation 11;

**'transit passenger'** means a person who:

- (a) arrives in Nauru by air or sea; and
- (b) holds a valid ticket for travel from Nauru to another country within 3 hours after arriving in Nauru; and
- (c) holds any documents necessary for entering the country of destination;

**'visa waiver agreement country'** means a country with the government of which the Government of the Republic of Nauru has entered into an agreement allowing entry without a visa for a period, and in the circumstances, specified in the agreement;

**'visitor's visa'** means a visitor's visa granted under regulation 12.

## PART 2 — VISAS

### 4 Classes of visa

- (1) Subject to and in accordance with these Regulations, the Principal Immigration Officer may grant visas of the following classes:
  - (a) business visa;
  - (b) dependant's visa;
  - (c) employment visa;
  - (d) regional processing centre visa;
  - (e) residence visa;
  - (f) special purpose visa;
  - (g) visitor's visa.