

REPUBLIC OF NAURU
IMMIGRATION ACT (AMENDMENT) BILL 2013
EXPLANATORY MEMORANDUM

The Immigration Act (Amendment) Bill is a Bill for an Act to amend the *Immigration Act 1999*.

EXPLANATION OF CLAUSES

Clause 1 amends the definition provided in the Act for Principle Immigration Officer. The amendment widens the definition and ultimately role of Principle Immigration Officer by introducing two positions with the demarcation in roles being Principle Immigration Officer (Administration) and Principle Immigration Officer (Operations).

Clause 2 clarifies the meaning of Secretary by amending the existing definition to refer to the Secretary for Justice and Border Control.

Clause 3 follows on from the introduction of two roles within the job description of Principle Immigration Officer. This amendment allows the Secretary to appoint two officers in the role of Principle Immigration Officer (Administration) and Principle Immigration Officer (Operations) and determine their role and duties.

Clause 4 amends section 5(1)(a) by deleting the word '*upon*' used in the sentence.

Clause 5 amends section 11 by deleting all references to the Secretary and substituting with '*The Minister*'.

Clause 6 introduces a new section 11(1) and 11(2) by deleting the sentence '*The Secretary may make a removal order directing that a person who is unlawfully in Nauru must, from the date of service of the order or a future date in the order*' and

substituting with new provisions including a description of who an undesirable immigrant might be.

Clause 7 amends section 15 by inserting new provisions and renumbering of existing sections.