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The Parliament of the
Commonwealth of Australia

HOUSE OF REPRESENTATIVES

Presented and read a first time

Migration (Visa Evidence) Charge Bill 2012

No. , 2012

(Immigration and Citizenship)

**A Bill for an Act to impose a charge in relation to
requests for evidence of visas**

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1 **A Bill for an Act to impose a charge in relation to**
2 **requests for evidence of visas**

3 The Parliament of Australia enacts:

4 **1 Short title**

5 This Act may be cited as the *Migration (Visa Evidence) Charge*
6 *Act 2012*.

7 **2 Commencement**

8 (1) Each provision of this Act specified in column 1 of the table
9 commences, or is taken to have commenced, in accordance with
10 column 2 of the table. Any other statement in column 2 has effect
11 according to its terms.

Section 3

1

Commencement information

Column 1	Column 2	Column 3
Provision(s)	Commencement	Date/Details
1. Sections 1 and 2 and anything in this Act not elsewhere covered by this table	The day this Act receives the Royal Assent.	
2. Sections 3 to 7	A single day to be fixed by Proclamation. However, if the provision(s) do not commence within the period of 6 months beginning on the day this Act receives the Royal Assent, they commence on the day after the end of that period.	

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Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

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(2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be edited, in any published version of this Act.

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3 External Territories

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This Act extends to an external Territory that is a prescribed Territory (within the meaning of subsection 7(1) of the Migration Act).

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4 Extra-territorial operation

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Visa evidence charge is payable in relation to a request for evidence of a visa whether the request is made inside Australia or outside Australia.

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5 Definitions

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In this Act:

indexation factor has the meaning given by subsection 7(3).

1 ***Migration Act*** means the *Migration Act 1958*.

2 ***visa evidence charge limit*** for a visa evidence request has the
3 meaning given by subsections 7(1) and (2).

4 ***visa evidence request*** means a request made under section 70 of
5 the Migration Act.

6 **Imposition of visa evidence charge**

7 Visa evidence charge payable under section 71 of the Migration
8 Act is imposed.

9 **7 Visa evidence charge limit**

10 (1) The ***visa evidence charge limit*** for a visa evidence request made in
11 the financial year ending on 30 June 2013 is \$250.

12 (2) The ***visa evidence charge limit*** for a visa evidence request made in
13 a later financial year is the amount worked out by multiplying the
14 limit for the immediately preceding financial year by the greater of
15 1 or the indexation factor.

16 ***Indexation factor***

17 (3) The ***indexation factor*** is the number worked out using the
18 following formula:

$$19 \quad \frac{\text{Sum of the index numbers for the CPI quarters in the} \\ \text{12 months ending on 31 December before the later financial year}}{\text{Sum of the index numbers for the CPI quarters in the} \\ \text{12 months ending on the previous 31 December}}$$

20 where:

21 ***CPI quarter*** means a period of 3 months ending on 31 March,
22 30 June, 30 September or 31 December.

23 ***index number*** means the All Groups Consumer Price Index
24 number (being the weighted average of the 8 capital cities)
25 published by the Australian Statistician.

Section 7

- 1 (4) The indexation factor is to be calculated to 3 decimal places
2 (rounding up if the fourth decimal place is 5 or more).
- 3 (5) In working out the indexation factor:
- 4 (a) use only the index numbers published in terms of the most
5 recently published reference base for the Consumer Price
6 Index; and
- 7 (b) disregard index numbers published in substitution for
8 previously published index numbers (except where the
9 substituted numbers are published to take account of changes
10 in the reference base).

11 *Rounding of limit*

- 12 (6) If the amount worked out under subsection (2) is not a multiple of
13 \$5, the amount is to be rounded as follows:
- 14 (a) if the amount exceeds the nearest lower multiple of \$5 by
15 \$2.50 or more—round the amount up to the nearest higher
16 multiple of \$5;
- 17 (b) otherwise—round the amount down to the nearest lower
18 multiple of \$5.