

Migration Regulation 1979

Unvalidated References:

[Migration Act 1978](#)

This reprint of this Statutory Instrument incorporates all amendments, if any, made before 25 November 2006 and in force at 1 July 2001.

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Legislative Counsel

Dated 25 November 2006

INDEPENDENT STATE OF PAPUA NEW GUINEA.

Chapter 16A.

[Migration Regulation 1979](#)

ARRANGEMENT OF SECTIONS.

1. Application for entry permit or extension of entry permit.
2. Grant of entry permit.
3. Extension of period of validity.
- 3A. Changes of employment or status.
4. Holder of entry permit to enter within six months.
5. Entry permit exemption stamp.
6. Arrival cards.
7. Departure cards.
8. Return in respect of person failing to continue his journey.
9. Return in respect of absent crew member.
10. Requirement of onward ticket, etc.
11. Requirement of deposit.
12. Requirement for maintenance guarantee.
13. Offences and penalties.

[Migration Regulation 1979](#)

MADE under the [Migration Act 1978](#).

Dated 200 .

1. APPLICATION FOR ENTRY PERMIT OR EXTENSION OF ENTRY PERMIT.

^[1]A person seeking an entry permit shall—

- (a) complete an application form in Form 1; and
- (b) send the application to an authorized officer together with—
 - (i) his passport; and
 - (ii) the prescribed fee for an entry permit for the purpose for which his application is made.

2. GRANT OF ENTRY PERMIT.

^[2](1) Subject to Subsection (2), an entry permit shall be—

- (a) in Form 2 and shall be stamped in the holder's passport; or
- (b) where the entry permit is issued subject to conditions with or without a statement of the purpose for which it is issued in Form 3 and may be stamped in the holder's passport.

(2) An entry permit shall be granted, in the case of—

- (a) a tourist/visitor (including the owner/captain or members of the crew of a yacht)—for 60 days; and
- (b) a non-resident business visitor—for 12 months with each visit within that period not to exceed 60 days; and
- (c) a resident in employment and a non-working spouse of a resident in employment—for a period of three months to three years to accord with the period of employment and shall be valid for multiple entries; and
- (d) a consultant or specialist—for a period not exceeding three months and may be valid for multiple entries; and
- (e) a person determined by the Minister to be in a special category of persons—for a period of one to five years and may be valid for multiple entries.

3. EXTENSION OF PERIOD OF VALIDITY.

^[3](1) A person seeking an extension of an entry permit shall—

- (a) complete an application form in Form 3; and
- (b) send the application to an authorized officer together with—
 - (i) his passport; and
 - (ii) in the case of an extension of a business visa, supporting documents; and
 - (iii) where the application is made on or before the expiry of the entry permit extension of which is sought—the prescribed extension application fee; and
 - (iv) where the application is made after the expiry of the entry permit extension of which is sought—the prescribed late extension application fee.

(2) A permit extending the period of validity of an entry permit shall be in Form 5 and shall be stamped in the holder's passport.

3A. CHANGES OF EMPLOYMENT OR STATUS.

^[4](1) The holder of an entry permit who—

(a) wishes to change the status of the entry permit by reason of—

(i) being a legally dependent spouse with teaching, medical or other essential qualifications wishes to obtain employment; or

(ii) having while in the country changed his marital status; or

(b) being the holder of an entry permit allowing employment with a named employer—

(i) having completed or being deemed to have completed his contractual commitment to that employer wishes to obtain employment with another employer; or

(ii) is affected by a legal change of name of the employer,

(c) wishes the entry permit changed in respect of the name of the employer,

(d) may apply for a change of status of the entry permit or change of name of the employer in the entry permit, as the case may be.

(2) An application under Subsection (1) shall be—

(a) in writing; and

(b) submitted to an authorized person; and

(c) accompanied by—

(i) the passport of the applicant; and

(ii) suitable documentary evidence concerning the change giving rise to the application; and

(iii) the prescribed fee.

4. HOLDER OF ENTRY PERMIT TO ENTER WITHIN SIX MONTHS.

Unless an authorized person otherwise directs, an entry permit issued to a person not in the country at the time of issue shall become invalid unless the holder enters the country within six months of the issue of the permit.

5. ENTRY PERMIT EXEMPTION STAMP.

The stamp which may be placed in the passport of a person permitted to enter and remain in the country without an entry permit shall be in Form 6.

6. ARRIVAL CARDS.

(1) A person entering the country from another country shall—

(a) on arrival, complete an arrival card and hand it to an officer; or

(b) before arrival, complete an arrival card and hand it to a member of the crew of the conveyance on which travel to the country is being made.

(2) An arrival card shall be in Form 7.

7. DEPARTURE CARDS.

(1) A person leaving the country for another country shall before leaving complete a departure card and hand it to an officer.

(2) A departure card shall be in Form 8.

8. RETURN IN RESPECT OF PERSON FAILING TO CONTINUE HIS JOURNEY.

The person in charge, or the owner or his agent, of a conveyance which brings to the country a passenger whose destination is outside the country, shall, before that conveyance leaves the country, inform an officer at a proclaimed port if that passenger fails to return to the conveyance to continue the journey.

9. RETURN IN RESPECT OF ABSENT CREW MEMBER.

The person in charge, or the owner or his agent, of a conveyance which is leaving the country for another country shall, before that conveyance leaves the country, inform an officer at a proclaimed port if a member of the crew has failed to return to the conveyance.

10. REQUIREMENT OF ONWARD TICKET, ETC.

(1) An officer may require a person seeking to enter or remain in the country—

- (a) to produce to him a ticket entitling that person to a confirmed passage by sea or air to another country, together with evidence of authority to enter that country; and
- (b) to possess that ticket at all times until he leaves the country.

(2) For the purpose of guaranteeing compliance with Subsection (1)(b) an officer may stamp a ticket with a stamp in Form 9.

(3) A person who, without the consent of an officer or authorized person—

- (a) cancels, varies, or transfers a ticket stamped in accordance with Subsection (2); or
- (b) accepts a cancellation, or allows a variation or transfer of a ticket stamped in accordance with Subsection (2); or
- (c) obtains or gives a refund in respect of a ticket stamped in accordance with Subsection (2),

is guilty of an offence.

11. REQUIREMENT OF DEPOSIT.

(1) An officer or authorized person may require a person seeking to enter or remain in the country to deposit a sum not exceeding K1,000.00 with the State.

(2) A sum, or its balance, deposited under Subsection (1), shall be refunded when an officer or authorized person considers it is no longer necessary to retain it.

12. REQUIREMENT FOR MAINTENANCE GUARANTEE.

(1) An officer or authorized person may, in respect of a person seeking to enter or remain in the country, require some other person to enter into a maintenance guarantee, with or without sureties, in a sum not exceeding K1,000.00.

(2) A maintenance guarantee shall be in Form 10.

(3) A maintenance guarantee shall remain enforceable until an officer or authorized person is satisfied that the State can incur no liability in respect of a person covered by it.

(4) A maintenance guarantee shall have effect notwithstanding that it is under the hand of the guarantor and not sealed.

13. OFFENCES AND PENALTIES.

(1) A person who fails to comply with an obligation under this Regulation is guilty of an offence.

(2) ^[5] ^[6] The penalty for an offence under this Regulation is a fine not exceeding K5,000.00 or imprisonment for a term not exceeding six months.

SCHEDULE 1

^[7] *PAPUA NEW GUINEA.*

Migration Act 1978.

Form 1 – ^[8] *Application for Entry Permit.*

Reg. Sec. 1. Form 1.

PAPUA NEW GUINEA.

Migration Act 1978.

Form 2 – *ENTRY PERMIT.*

Reg. Sec. 2. Form 2.

Holder permitted to enter on or before . . . , 20 . . .

for the sole purpose of

and to remain until . . . , 20 . . .

Issued at

Date . . . , 20 . . .

Valid for Multiple Entries.

PAPUA NEW GUINEA.

[Migration Act 1978.](#)

Form 3 – ENTRY PERMIT SUBJECT TO CONDITIONS.

Reg. Sec. [2. Form 3.](#)

PAPUA NEW GUINEA.

[Migration Act 1978.](#)

Form 4 – ^[9]APPLICATION TO EXTEND ENTRY PERMIT.

Reg. Sec. 3. Form 4.

PAPUA NEW GUINEA.

[Migration Act 1978.](#)

Form 5 – Extension of Period of Validity Stamp.

Reg. Sec. 3(2). Form 5.

VALIDITY OF THIS PERMIT EXTENDED TO

Authorized Person.

Dated . . . , 20

PAPUA NEW GUINEA.

[Migration Act 1978.](#)

Form 6 – Entry Permit Exemption Stamp.

Reg. Sec 5. Form 6.

PERMITTED TO ENTER AND REMAIN IN COUNTRY WITHOUT ENTRY
PERMIT.

Authorized Person.

Dated . . . , 20

PAPUA NEW GUINEA.

[Migration Act 1978.](#)

Form 7 – ARRIVAL CARD.

Reg. Sec. [6. Form 7.](#)

PAPUA NEW GUINEA.

[Migration Act 1978.](#)

Form 8 – DEPARTURE CARD.

Reg. Sec. 7. Form 8.

PAPUA NEW GUINEA.

[Migration Act 1978.](#)

Form 9 – ONWARD TICKET STAMP.

Reg. Sec. 10. Form 9.

TICKET NOT TO BE CANCELLED, VARIED OR TRANSFERRED
WITHOUT APPROVAL OF AUTHORIZED PERSON.

PAPUA NEW GUINEA.

[Migration Act 1978.](#)

Form 10 – MAINTENANCE GUARANTEE.

Reg. Sec. [12. Form 10.](#)

Office of Legislative Counsel, PNG

^[1] Section 1 replaced by *Migration (Amendment) Regulation* 1995 (No. 13 of 1995), s1.

^[2] Section 2(c) added by *Migration (Amendment) Regulation* 1989 (No. 18 of 1989); Section 2 replaced by *Migration (Amendment) Regulation* 1995 (No. 13 of 1995), s2.

^[3] Section 3 replaced by *Migration (Amendment) Regulation* 1995 (No. 13 of 1995), s3.

^[4] Section 3A inserted by *Migration (Amendment) Regulation* 1995 (No. 13 of 1995), s4.

^[5]Section 13(2) amended by *Migration (Amendment) Regulation* 1995 (No. 13 of 1995), s5.

^[6]Section 13(2) amended by *Migration (Amendment) Regulation* 1995 (No. 13 of 1995), s5.

^[7]Schedule 1 amended by No. 10 of 1982.

^[8]Form [1 Form 1](#) repealed and replaced by *Migration (Amendment) Regulation* 1995 (No. 13 of 1995), s6.

^[9]Form [4 Form 4](#) repealed and replaced by *Migration (Amendment) Regulation* 1995 (No. 13 of 1995), s6.