



Agenda item 13: Immigration Policy and Legislation Development

Recommendations

The PIDC Regular Annual Meeting is invited to:

- a) **note** the update provided regarding the PIDC Policy and Legislative Modernization Programme and the work undertaken in partnership with Members to strengthen their legal and policy frameworks;
- b) **welcome** the experiences shared and lessons learnt especially during the COVID-19 period where remote support was the only possible mode for delivery; and
- c) **encourage** the Secretariat to continue working with Members in supporting their respective legislation modernization programmes.

Purpose

This session provides an opportunity for Members to discuss and share their experiences in developing their respective legislation as part of the PIDC Policy and Legislative Modernization Programme.

Background

2. A key PIDC priority has been to support PIDC Member Countries and Territories modernise and strengthen domestic immigration legislation and policy where appropriate according to relevant international standards and best practice.

Legislation Review Programme

3. Table 1 below provides a summary of the PIDC Policy and Legislative Modernization Programme. Three Members were scheduled for support in the 2021/22 financial period including the Solomon Islands, Tuvalu and Niue, while ongoing work to finalise Samoa and Tonga’s legislation review project continues. Delays were experienced in engagement and delivery in several instances caused mainly by the continued spread of COVID-19 across the region as well as domestic issues related to natural disasters and civil unrest.

Table 1: Summary of PIDC Policy and Legislative Modernization Programme

Country		Legislation Review Project Update
Solomon Islands (2021/22)	Immigration Act	- Resumption of Phase 1. While initial first drafting Instruction completed with technical expertise provided to support Solomon Islands national consultations. - Solomon Islands completed recruitment of a local Technical Assistant to coordinate national consultations with the Solomon Islands currently progressing national consultations phase.
Tuvalu (2021/22)	Immigration Act	- Draft Immigration Bill and Draft Immigration Regulations completed and undergoing national approval process

	Passport Act	<ul style="list-style-type: none"> - Development of desktop analysis of Tuvalu Passport Act - Tuvalu Passport Act Information paper on desktop analysis provided for Tuvalu
Niue (2021/22)	Immigration Act	<ul style="list-style-type: none"> - Initial discussions on legislation review support initiated and in country national consultations scheduled for mid-August 2022 - Desktop analysis of Niue Immigration legislation and proposed amendments to guide national consultations developed
Tonga (Ongoing)	Immigration Act	<ul style="list-style-type: none"> - Immigration Act Drafting Instructions completed - Discussions on recruitment of locally based legal drafter to support drafting of draft immigration bill currently in process
	Passport Act	<ul style="list-style-type: none"> - Drafting Instruction completed - Drafting consultation process on hold and to be completed as soon as Legal drafter recruited to support drafting process
Samoa (Ongoing)	Immigration Act	<ul style="list-style-type: none"> - Immigration Bill finalised
	Regulations	<ul style="list-style-type: none"> - Draft immigration regulations completed and currently undergoing final review
FSM (Ongoing)	Immigration Act	<ul style="list-style-type: none"> - Desktop analysis and national consultations completed - Drafting Instructions completed - Project currently on hold due to competing national priorities in FSM and any progress to next programme phase will be determined by the FSM government.

Update

4. Tonga, Samoa, Solomon Islands and Tuvalu will be invited to discuss their respective experiences in reviewing their immigration legislation.