



ANALYSIS

Title	1. Short Title
	2. Evidence in proceedings

1962, No. 77

An Act to amend the Immigration Restriction Act 1908

[6 December 1962]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title—This Act may be cited as the Immigration Restriction Amendment Act 1962, and shall be read together with and deemed part of the Immigration Restriction Act 1908.

2. Evidence in proceedings—Section 5 of the Immigration Restriction Amendment Act 1951 is hereby amended by adding, as subsections (2), (3), and (4), the following subsections:

“(2) In any proceedings for an offence against section 18 of the principal Act or against Part I of the Immigration Restriction Amendment Act 1920, a certificate signed by a Collector of Customs or by an officer of the Department of Labour authorised by the Secretary of Labour, if it contains a statement, in relation to the defendant in the proceedings, that—

“(a) He is not a New Zealand citizen; or

“(b) He entered New Zealand before, on, or after a specified date; or

- “(c) He was not, at the time he entered New Zealand or at any other specified time, the holder of an entry permit; or
- “(d) He was the holder of a temporary entry permit that has expired or has been cancelled; or
- “(e) For the purpose of securing entry into New Zealand, he produced to an officer of Customs a permit, certificate, passport, visa, identification card, or other document that was not issued to him or was forged or was obtained by false representations; or
- “(f) That he entered New Zealand as one of the officers or crew of a mercantile vessel and was not on board the vessel when she was cleared outwards and left New Zealand,—

shall, in the absence of proof to the contrary, be deemed to be proof of that statement.

“(3) Every officer of the Department of Labour signing any such certificate shall, in the absence of proof to the contrary, be presumed to be duly authorised to sign it.

“(4) Where the defendant in any such proceedings applies to the Court for an adjournment of the proceedings for the purpose of enabling him to obtain evidence in rebuttal of any evidence tendered as proof to the contrary for the purposes of subsection (2) of this section, the Court shall grant an adjournment for such reasonable time as is necessary for the purpose.”

This Act is administered in the Department of Labour.
