



Immigration (Transit Visas) Regulations 2002

Silvia Cartwright, Governor-General

Order in Council

At Wellington this 25th day of March 2002

Present:

Her Excellency the Governor-General in Council

Pursuant to sections 14E and 150 of the Immigration Act 1987, Her Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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Regulations

1 Title

These regulations are the Immigration (Transit Visas) Regulations 2002.

2 Commencement

These regulations come into force on 29 April 2002.

3 Persons required to obtain transit visas

The persons who must apply for and obtain a transit visa for the purposes of section 14E of the Immigration Act 1987 are all persons who are not exempt under Schedule 1 of the Immigration Regulations 1999 (SR 1999/284) from the requirement to obtain a temporary visa before proceeding to New Zealand, and who either—

- (a) have travelled from any of the following countries (whether it be the person's original point of departure or an intermediate point of departure):
 - (i) Cook Islands:
 - (ii) Fiji:
 - (iii) Marshall Islands:
 - (iv) New Caledonia:
 - (v) Niue:
 - (vi) Samoa:
 - (vii) Solomon Islands:
 - (viii) Tahiti:
 - (ix) Tokelau:
 - (x) Tonga:
 - (xi) Vanuatu; or
- (b) are travelling to a country specified in paragraph (a) after transiting through New Zealand (whether it be the person's intermediate or ultimate place of destination).

4 Exclusion for persons already holding different visa

Despite regulation 3, a person need not apply for or obtain a transit visa before proceeding to New Zealand if—

- (a) the person holds another current visa to enter New Zealand; or
- (b) the person's intermediate or ultimate destination after transiting through New Zealand is Australia, and the person holds a current visa issued by the Government of Australia to enter Australia.

5 Revocation

The Immigration (Transit Visas) Regulations 1999 (SR 1999/172) are revoked.

Marie Shroff,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 29 April 2002, revoke and replace the Immigration (Transit Visas) Regulations 1999.

Those regulations required the nationals of 75 named countries to obtain transit visas when transiting New Zealand to or from 11 named Pacific countries.

These new regulations now require all persons who are not exempt from the requirement to obtain a temporary visa for a short-term visit to New Zealand (as specified in Schedule 1 of the Immigration Regulations 1999) to obtain a transit visa before transiting New Zealand to or from the 11 Pacific countries.

A specific exclusion from the requirement to obtain a transit visa is given for persons who already hold a New Zealand visa of another type, and the existing exemption for persons holding Australian visas who are travelling on to Australia is continued.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 28 March 2002.

These regulations are administered in the Department of Labour.
