



THE IMMIGRATION REGULATIONS 1987, AMENDMENT NO. 2

PAUL REEVES, Governor-General

ORDER IN COUNCIL

At Wellington this 1st day of May 1989

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 150 of the Immigration Act 1987, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Immigration Regulations 1987, Amendment No. 2, and shall be read together with and deemed part of the Immigration Regulations 1987* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 28th day after the date of their notification in the *Gazette*.

2. New heading and regulation relating to rules of procedure inserted into principal regulations—The principal regulations are hereby amended by inserting, after regulation 22A, the following heading and regulation:

“Rules of Procedure

“22B. Rules of procedure for applications for removal warrants—
(1) Subject to subclause (2) of this regulation, in any proceedings under Part

II of the Act involving an application for a removal warrant for which no form of procedure is prescribed by the Act or these regulations, the provisions of the District Courts Rules 1948* shall, insofar as they are applicable and are not inconsistent with the Act or these regulations, apply.

(2) In any proceedings under Part II of the Act involving an application for a removal warrant—

“(a) No order for discovery shall be made against any party; and

“(b) No party shall be required to answer interrogatories,—
and nothing in Part XV of the District Courts Rules 1948* shall apply in relation to any such proceedings.”

3. New heading and regulation inserted into principal regulations—The principal regulations are hereby amended by inserting, after regulation 27, the following heading and regulation:

“Miscellaneous

“27A. Duties of person arriving at port of entry where no immigration officer present—A person who arrives in New Zealand at a port of entry or customs airport at which no immigration officer is present shall report to an immigration officer at a port of entry or customs airport within 72 hours after arriving in New Zealand, and thereafter shall comply with the responsibilities specified in paragraphs (a) and (b) of section 126 (1) of the Act.”

4. Courses of study or training for which no student permit, etc., required—The First Schedule to the principal regulations is hereby amended by revoking the item appearing in Part III, and substituting the following items:

“1. Any training (other than an apprenticeship or a cadetship) provided by an employer as part of the normal conditions of employment offered to the holder of a work permit.

“2. One single course of study or training of not more than 3 calendar months’ duration.”

MARIE SHROFF,
Clerk of the Executive Council.

*S.R. 1948/197 (Reprinted with Amendments Nos. 1-17: S.R. 1981/259)

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 the 28th day after the date of their notification in the *Gazette*, amend the Immigration Regulations 1987.

Regulation 2 inserts a new *regulation 22B* into those regulations.

Subclause (1) provides that in any proceedings under Part II of the Immigration Act 1987 involving an application for a removal warrant for which no other form of procedure is prescribed, the District Courts Rules 1948 will apply to the extent that they are applicable and are not inconsistent with any provisions of the Act or regulations.

Subclause (2) provides that no order for discovery is to be made against any party in any proceedings involving an application for a removal warrant, and no party is to be required to answer interrogatories. Part XV of the District Courts Rules 1948 will accordingly not apply in relation to any such proceedings.

Regulation 3 inserts a new *regulation 27A* into the principal regulations. The new regulation requires a person who arrives in New Zealand at a port of entry or customs airport at which no immigration officer is present to report to an immigration officer at a port of entry or customs airport within 72 hours of that arrival.

Regulation 4 exempts from the need to obtain a student permit a person undergoing a single course of study or training of not more than 3 calendar months' duration.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 4 May 1989.

These regulations are administered in the Department of Labour.