



**THE IMMIGRATION REGULATIONS 1991,
AMENDMENT NO. 3**

CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 4th day of October 1993

Present:

HER EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 150 of the Immigration Act 1987, Her 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 1991, Amendment No. 3, and shall be read together with and deemed part of the Immigration Regulations 1991* (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 regulations inserted—The principal regulations are hereby amended by inserting, after regulation 12, the following heading and regulations:

*S.R. 1991/241
Amendment No. 1: S.R. 1992/65
Amendment No. 2: S.R. 1993/164

*“Pre-Cleared Permits***“12A. Application for pre-cleared temporary permit by temporary visa holder or person exempt from requirement to hold a visa—**

(1) An application for a pre-cleared temporary permit under section 25 (1) (e) of the Act shall be tendered to an immigration officer at the point of departure of the pre-clearance flight together with—

“(a) The applicant’s current passport or certificate of identity; and

“(b) Where appropriate, the applicant’s temporary visa.

“(2) The immigration officer processing the application may, before determining the application, require the applicant to produce—

“(a) Such travel tickets or evidence of onward travel arrangements; and

“(b) Such other documents and information,—

as the officer thinks necessary to help in determining the application.

“12B. Application for pre-cleared residence permit by holder of residence visa, returning resident’s visa, or refugee travel document, or by person exempt from requirement to hold a visa—An application for a pre-cleared residence permit under section 17 (1) (c) or section 18 (c) of the Act shall be tendered to an immigration officer at the point of departure of the pre-clearance flight together with—

“(a) The applicant’s current passport or certificate of identity or, as the case may be, the applicant’s refugee travel document; and

“(b) Where appropriate, the applicant’s residence visa or returning resident’s visa.”

3. Applications involving family members—(1) Regulation 15 (1) of the principal regulations is hereby amended—

(a) By inserting in paragraph (b), after the word “permit”, the words “(other than a pre-cleared visitor’s permit)”:

(b) By inserting in paragraph (f), after the word “permit”, the words “(other than a pre-cleared residence permit)”.

(2) Regulation 15 of the principal regulations is hereby amended by inserting at the beginning of subclause (3) the words “Except in the case of an application for a pre-cleared permit,”.

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 the 28th day after the date of their notification in the *Gazette*, amend the Immigration Regulations 1991 to provide for the making of applications for pre-cleared permits. The pre-cleared permit system was introduced by the Immigration Amendment Act 1993.

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

Date of notification in *Gazette*: 7 October 1993.

These regulations are administered in the Department of Labour.