

Reprint
as at 29 November 2010

Air Facilitation Act 1993

Public Act 1993 No 6
Date of assent 21 March 1993
Commencement 21 March 1993

Air Facilitation Act 1993: repealed, at 2 am on 29 November 2010, by section 406(3)(a) of the Immigration Act 2009 (2009 No 51).

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Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this eprint.

A general outline of these changes is set out in the notes at the end of this eprint, together with other explanatory material about this eprint.

This Act is administered by the Ministry of Transport.

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An Act to amend the Customs Act 1966 and the Immigration Act 1987

1 Short Title

This Act may be cited as the Air Facilitation Act 1993.

**Part 1
Customs**

2 This Part to be read with Customs Act 1966

[Repealed]

Part 1: repealed, on 1 October 1996, by section 289(1) of the Customs and Excise Act 1996 (1996 No 27).

3 Interpretation

[Repealed]

Section 3: repealed, on 1 October 1996, by section 289(1) of the Customs and Excise Act 1996 (1996 No 27).

4 Control of the Customs

[Repealed]

Section 4: repealed, on 1 October 1996, by section 289(1) of the Customs and Excise Act 1996 (1996 No 27).

5 Questioning persons

[Repealed]

Section 5: repealed, on 1 October 1996, by section 289(1) of the Customs and Excise Act 1996 (1996 No 27).

Part 2 Immigration

6 This Part to be read with Immigration Act 1987

This Part of this Act shall be read together with and deemed part of the Immigration Act 1987 (hereafter in this Part referred to as the “principal Act”).

7 Interpretation

- (1) Section 2 of the principal Act is hereby amended by repealing the definition of the term **boarding station**, and substituting the following definition:

“**boarding station** means—

“(a) a station or place appointed under section 27(1)(a) of the Customs Act 1966 at which ships arriving at or departing from any port shall bring-to for the boarding or landing of officers of Customs; or

“(b) any other part of any port at which persons arriving in New Zealand by ship are granted permits or are otherwise cleared by an immigration officer to be in New Zealand.”.

- (2) Section 2 of the principal Act is hereby further amended by inserting, in its appropriate alphabetical order, the following definition:

“**domestic sector** means a journey from one customs airport to another within New Zealand”.

- (3) Section 2 of the principal Act is hereby further amended by repealing the definition of the term **examination station**, and substituting the following definition:

“**examination station** means an area at any customs airport determined pursuant to section 33(2A) of the Customs Act 1966 to be an arrival hall or a departure hall”.

- (4) Section 2 of the principal Act is hereby further amended by inserting, in its appropriate alphabetical order, the following definition:

“**internationally ticketed passenger** means a person who has an entitlement to air travel for a domestic sector, the entitle-

ment being included in ticketing for an international journey which—

- “(a) began outside New Zealand; or
- “(b) began inside New Zealand and is to continue outside New Zealand.”.

8 Responsibilities of internationally ticketed passengers travelling by air within New Zealand

The principal Act is hereby amended by inserting, after section 126 the following section:

“126A Responsibilities of internationally ticketed passengers travelling by air within New Zealand

- “(1) Where an internationally ticketed passenger is using air travel for a domestic sector, this section shall apply to that passenger from the time at which that passenger enters the examination station at the commencement of the domestic sector until the time at which the passenger leaves the examination station at the end of the domestic sector.
- “(2) Every person to whom this section applies shall produce for inspection on demand by an immigration officer that person’s passport or certificate of identity and that person’s boarding pass or ticketing or both to enable the officer to determine whether or not the person is entitled to be in New Zealand with or without a permit under this Act.
- “(3) Every person commits an offence against this Act who fails to produce on demand that person’s passport or certificate of identity in accordance with subsection (2) of this section.
- “(4) Every passport or certificate of identity or boarding pass or ticketing produced by a person to an immigration officer under subsection (2) of this section—
 - “(a) shall, if the person is a New Zealand citizen or holds a permit or is exempt under this Act from the requirement to hold a permit, be returned to that person before that person leaves the examination station; or
 - “(b) may, if the person does not hold a permit, and the officer does not grant that person a permit, be retained by the immigration officer, but after any such retention shall be

returned to that person on that person's departure from
New Zealand."

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Notes**1 General**

This is an eprint of the Air Facilitation Act 1993. The eprint incorporates all the amendments to the Act as at 29 November 2010. The list of amendments at the end of these notes specifies all the amendments incorporated into this eprint since 3 September 2007.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the eprint are also included, after the principal enactment, in chronological order.

2 About this eprint

This eprint has not been officialised. For more information about eprints and officialisation, please *see* <http://www.pco.parliament.govt.nz/eprints/>.

3 List of amendments incorporated in this eprint (most recent first)

Immigration Act 2009 (2009 No 51): section 406(3)(a)
