

Reprint

as at 28 March 2008

Immigration (Transit Visas) Regulations 2005

(SR 2005/78)

Immigration (Transit Visas) Regulations 2005: revoked, on 28 March 2008, by regulation 6 of the Immigration (Transit Visas) Regulations 2008 (SR 2008/38).

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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1 Title

These regulations are the Immigration (Transit Visas) Regulations 2005.

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.

These regulations are administered in the Department of Labour.

2 Commencement

These regulations come into force on the day of their notification in the *Gazette*.

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) Kiribati:
 - (iv) Marshall Islands:
 - (v) Nauru:
 - (vi) New Caledonia:
 - (vii) Niue:
 - (viii) Samoa:
 - (ix) Solomon Islands:
 - (x) Tahiti:
 - (xi) Tokelau:
 - (xii) Tonga:
 - (xiii) Tuvalu:
 - (xiv) 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); or
- (c) are citizens of the Kingdom of Nepal.

Paragraph (b) was amended, as from 30 September 2005, by regulation 3(1) Immigration (Transit Visas) Amendment Regulations 2005 (SR 2005/260) by adding the expression “; or”.

Paragraph (c) was inserted, as from 30 September 2005, by regulation 3(2) Immigration (Transit Visas) Amendment Regulations 2005 (SR 2005/260).

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 2002 (SR 2002/82) are revoked.

Diane Morcom,
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 day of their notification in the *Gazette*, revoke and replace, in identical terms, the Immigration (Transit Visas) Regulations 2002.

Those regulations are due to expire at the end of the 3-year expiry period provided for in section 14E(2) of the Immigration Act 1987.

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Notes**1 *General***

This is an eprint of the Immigration (Transit Visas) Regulations 2005. It incorporates all the amendments to the Immigration (Transit Visas) Regulations 2005 as at 28 March 2008. The list of amendments at the end of these notes specifies all the amendments incorporated into this eprint since 4 September 2007. Relevant provisions of any amending enactments that contain transitional, savings, or application provisions are also included, after the Principal enactment, in chronological order.

2 *About this eprint*

This eprint has not been officialised. For more information about officialisation, please see "Making online legislation official" under "Status of legislation on this site" in the About section of this website.

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

Immigration (Transit Visas) Regulations 2008 (SR 2008/38): regulation 6
