

**Reprint
as at 29 November 2010**



Immigration (Transit Visas) Regulations 2008

(SR 2008/38)

Immigration (Transit Visas) Regulations 2008: revoked, at 2 am on 29 November 2010, by section 405(d) of the Immigration Act 2009 (2009 No 51).

Anand Satyanand, Governor-General

Order in Council

At Wellington this 25th day of February 2008

Present:

His Excellency the Governor-General in Council

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

Note

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

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

The Immigration (Transit Visas) Regulations 2008 are administered by the Department of Labour.

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Regulations**1 Title**

These regulations are the Immigration (Transit Visas) Regulations 2008.

2 Commencement

These regulations come into force on 28 March 2008.

3 Persons required to obtain transit visas

- (1) 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 from the requirement to obtain a temporary visa before proceeding to New Zealand.
- (2) This regulation is subject to regulations 4 and 5.

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 issued under the Immigration Act 1987; or
- (b) the person's immediate 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 Exclusion for citizens of certain countries

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

- (a) Bahamas:
- (b) Bermuda:
- (baa) Bolivia:
- (ba) Colombia:
- (bb) Costa Rica:
- (bc) Ecuador:
- (c) Federated States of Micronesia:
- (ca) Indonesia:
- (d) Kiribati:
- (e) Nauru:
- (f) Palau:
- (fa) Panama:
- (g) Papua New Guinea:
- (gaa) Paraguay:
- (ga) Peru:
- (gb) Philippines:
- (h) Marshall Islands:
- (i) Samoa:
- (j) Solomon Islands:
- (ja) Thailand:
- (k) Tonga:
- (l) Tuvalu:
- (m) Vanuatu:
- (n) Venezuela.

Regulation 5(baa): inserted, on 30 November 2009, by regulation 4(1) of the Immigration (Transit Visas) Amendment Regulations 2009 (SR 2009/319).

Regulation 5(ba): inserted, on 4 April 2008, by regulation 4(1) of the Immigration (Transit Visas) Amendment Regulations 2008 (SR 2008/94).

Regulation 5(bb): inserted, on 30 November 2009, by regulation 4(2) of the Immigration (Transit Visas) Amendment Regulations 2009 (SR 2009/319).

Regulation 5(bc): inserted, on 30 November 2009, by regulation 4(2) of the Immigration (Transit Visas) Amendment Regulations 2009 (SR 2009/319).

Regulation 5(ca): inserted, on 30 November 2009, by regulation 4(3) of the Immigration (Transit Visas) Amendment Regulations 2009 (SR 2009/319).

Regulation 5(fa): inserted, on 30 November 2009, by regulation 4(4) of the Immigration (Transit Visas) Amendment Regulations 2009 (SR 2009/319).

Regulation 5(gaa): inserted, on 30 November 2009, by regulation 4(5) of the Immigration (Transit Visas) Amendment Regulations 2009 (SR 2009/319).

Regulation 5(ga): inserted, on 4 April 2008, by regulation 4(2) of the Immigration (Transit Visas) Amendment Regulations 2008 (SR 2008/94).

Regulation 5(gb): inserted, on 30 November 2009, by regulation 4(6) of the Immigration (Transit Visas) Amendment Regulations 2009 (SR 2009/319).

Regulation 5(ja): inserted, on 30 November 2009, by regulation 4(7) of the Immigration (Transit Visas) Amendment Regulations 2009 (SR 2009/319).

Regulation 5(n): added, on 30 November 2009, by regulation 4(8) of the Immigration (Transit Visas) Amendment Regulations 2009 (SR 2009/319).

6 Revocation

The Immigration (Transit Visas) Regulations 2005 (SR 2005/78) are revoked.

Rebecca Kitteridge,
for Clerk of the Executive Council.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 28 February 2008.

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Notes

1 *General*

This is a reprint of the Immigration (Transit Visas) Regulations 2008. The reprint incorporates all the amendments to the regulations as at 29 November 2010, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, *see* <http://www.pco.parliament.govt.nz/reprints/>.

2 *Status of reprints*

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 *How reprints are prepared*

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked

are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 Changes made under section 17C of the Acts and Regulations Publication Act 1989

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

**5 *List of amendments incorporated in this reprint
(most recent first)***

Immigration Act 2009 (2009 No 51): section 405(d)

Immigration (Transit Visas) Amendment Regulations 2009 (SR 2009/319)

Immigration (Transit Visas) Amendment Regulations 2008 (SR 2008/94)
