



THE
NEW ZEALAND GAZETTE
EXTRAORDINARY.

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WELLINGTON, MONDAY, SEPTEMBER 4, 1939.

The Passport Emergency Regulations 1939.

GALWAY, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 2nd day of
September, 1939.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

PURSUANT to the Public Safety Conservation Act, 1932, and to a Proclamation of Emergency now in force under that Act, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

REGULATIONS.

REGULATION 1.—PRELIMINARY.

(1) These regulations may be cited as the Passport Emergency Regulations, 1939.

(2) In these regulations, where not inconsistent with the context, "passport" means a passport or other like document of identity—

(a) Which establishes to the satisfaction of the Collector of Customs the nationality and identity of the person to whom it relates; and

(b) Which has been issued by the Government of the country of which the person to whom it relates is a subject or citizen or protected person, and which is still in force, and to which there is attached a photograph of the person to whom it relates; and

(c) Which relates to the person in whose possession it is; and

(d) Which, in the case of an alien landing in New Zealand (other than the master or a member of the crew of any vessel) has been marked with a visa which is still in force, by a British Diplomatic or Consular Officer or some British public official duly authorized in that behalf :

Provided that such visa shall not be required in respect of nationals of any country between the Government of which and His Majesty's Government in New Zealand there is for the time being in force an agreement to dispense with the requirement of passport visas, the existence of which agreement is notified from time to time in the *Gazette*.

(3) The Passport Regulations 1929 and clause 2 of the regulations comprised in that part of the Second Schedule to the War Regulations Continuance Act, 1920, which is numbered (16) are hereby revoked.

(4) Nothing in these regulations shall in any way limit the scope or operation of the Alien Control Emergency Regulations 1939.

REGULATION 2.—REQUIREMENT OF PASSPORT.

Except as hereinafter provided, no person to whom these regulations apply shall land in New Zealand from overseas unless he produces to the Collector of Customs a valid passport which complies with the requirements of these regulations.

REGULATION 3.—EXEMPTIONS.

(1) No passport will be required in the case of—

- (a) Any person under the age of sixteen years accompanied by a parent—
 - (i) If the name of such person is included in a family passport; or
 - (ii) If such parent is exempted from the requirement of a passport under any of the following paragraphs of this clause:
- (b) Any person arriving in New Zealand from the Commonwealth of Australia if such person is—
 - (i) A natural-born British subject; or
 - (ii) A British subject naturalized in New Zealand or elsewhere if in possession of naturalization papers sufficient in the opinion of the Collector of Customs to establish the fact of his naturalization; or
 - (iii) The wife of any person referred to in paragraphs (i) and (ii) of this subclause, or the child under the age of sixteen years of such person:
- (c) Any resident of the Cook Islands or of Western Samoa arriving in New Zealand who produces to the Collector of Customs a permit to travel to New Zealand issued by the competent authority of the Cook Islands or of Western Samoa, as the case may be:
- (d) Any person resident in New Zealand returning to New Zealand on a return ticket issued to him in New Zealand:
- (e) Any member of the naval or military or air forces of any part of the British dominions arriving in New Zealand on duty:
- (f) Any person whose home is in New Zealand being the master or a member of the crew of any vessel arriving in New Zealand.

(2) The Minister of Internal Affairs, or any person authorized by him in that behalf, may by writing under his hand grant to any person or class of persons permission to land in New Zealand without being in possession of a passport, or without being in possession of a passport which complies with all the requirements of these regulations, either at any place or at some defined place, and subject to such conditions as he thinks fit to impose.

(3) Where any person, being the master or a member of the crew of a vessel arriving in New Zealand, is under the provisions of these regulations prohibited from landing in New Zealand without producing a passport, the Collector of Customs may nevertheless, by writing under his hand, grant him temporary permission to land at any port, subject to such conditions as the Collector thinks fit to impose.

REGULATION 4.—SEAMEN WITHOUT PASSPORTS.

Where any person, being the master or a member of the crew of a vessel arriving in New Zealand, is under the provisions of these regulations prohibited from landing in New Zealand by reason of his not being able to produce a passport, the master of such vessel shall, as soon as may be after the arrival of the vessel at any port, give written notice of the presence of that person on board the vessel to the Collector of Customs, and that person shall leave New Zealand with that vessel.

REGULATION 5.—POWER TO SEIZE PASSPORTS.

Any officer of Customs, constable, or other person authorized by the Minister of Internal Affairs in that behalf may take possession of any passport in the possession of any person arriving in New Zealand or recently arrived in New Zealand, and may, if considered necessary, retain the same until the said Minister authorizes its return.

REGULATION 6.—RECALL OF PASSPORTS ISSUED IN NEW ZEALAND.

(1) The Governor-General may at any time direct that a passport issued on behalf of His Majesty in New Zealand be recalled.

(2) The recall of a passport may be effected by notice in writing to that effect signed by the Minister of Internal Affairs or any person acting under the authority of the Minister.

(3) Immediately upon the receipt of such notice the holder of any such passport shall, if such notice be served on him personally, deliver the passport to the person by whom the notice is served, or if the notice be served on him in any other manner, deliver the passport by forwarding it by registered post to the Minister.

(4) Notice of the recall of a passport may, if the Minister thinks fit, be published in the *Gazette* or elsewhere or communicated to any person (whether in New Zealand or elsewhere).

REGULATION 7.—RECALL IN NEW ZEALAND OF PASSPORTS ISSUED ELSEWHERE.

(1) The Governor-General, on the application of the Government of any British jurisdiction, may at any time direct that a passport issued on behalf of His Majesty in that jurisdiction be recalled.

(2) In such a case the provisions of the last preceding regulation shall apply.

C. A. JEFFERY,
Clerk of the Executive Council.

(I.A. 15/7/214.)

