

Reprint
as at 29 November 2010

**Air Facilitation (Domestic
Passengers and Cargo) Act 1994**

Public Act 1994 No 100
Date of assent 20 October 1994
Commencement see section 1(2)

Air Facilitation (Domestic Passengers and Cargo) Act 1994: repealed, at 2 am
on 29 November 2010, by section 406(3)(b) 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 and commencement

- (1) This Act may be cited as the Air Facilitation (Domestic Passengers and Cargo) Act 1994.
- (2) This Act shall come into force on 1 November 1994.

**Part 1
Customs**
[Repealed]

Part 1: repealed, on 1 October 1996, by section 289(1) of the Customs and Excise Act 1996 (1996 No 27).

2 This Part to be read with Customs Act 1966
[Repealed]

Section 2: repealed, on 1 October 1996, by section 289(1) of the Customs and Excise Act 1996 (1996 No 27).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[Repealed]

Section 3: repealed, on 1 October 1996, by section 289(1) of the Customs and Excise Act 1996 (1996 No 27).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[Repealed]

Section 4: repealed, on 1 October 1996, by section 289(1) of the Customs and Excise Act 1996 (1996 No 27).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 Aircraft to be brought to examination station

[Repealed]

Section 5: repealed, on 1 October 1996, by section 289(1) of the Customs and Excise Act 1996 (1996 No 27).

6 Inward report

[Repealed]

Section 6: repealed, on 1 October 1996, by section 289(1) of the Customs and Excise Act 1996 (1996 No 27).

7 Questioning persons

[Repealed]

Section 7: repealed, on 1 October 1996, by section 289(1) of the Customs and Excise Act 1996 (1996 No 27).

8 Questioning employees of airlines, etc

[Repealed]

Section 8: repealed, on 1 October 1996, by section 289(1) of the Customs and Excise Act 1996 (1996 No 27).

9 Evidence of identity and entitlement to travel

[Repealed]

Section 9: repealed, on 1 October 1996, by section 289(1) of the Customs and Excise Act 1996 (1996 No 27).

**Part 2
Immigration**

10 This Part to be read with Immigration Act 1987

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

11 Interpretation

- (1) Section 2 of the principal Act is hereby amended by inserting, in its appropriate alphabetical order, the following definition:
- “**domestic passenger** means a passenger, not being an internationally ticketed passenger, who has an entitlement to air travel for a domestic sector on either—
- “(a) an aircraft that—
 - “(i) begins its journey outside New Zealand; and
 - “(ii) in the course of that journey, enters New Zealand and travels between at least two Customs airports in New Zealand; or
 - “(b) an aircraft that—
 - “(i) begins its journey at a Customs airport in New Zealand; and
 - “(ii) in the course of that journey, travels to at least one other Customs airport in New Zealand before leaving New Zealand.”.
- (2) Section 2 of the principal Act is hereby further amended by omitting from the definition of the term “internationally ticketed passenger” (as inserted by section 7(4) of the Air Facilitation Act 1993) the word “ticketing”, and substituting the word “tickets”.

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

Section 126A of the principal Act (as inserted by section 8 of the Air Facilitation Act 1993) is hereby amended by omitting from subsection (2), and also from subsection (4), the word “ticketing”, and substituting in each case the word “tickets”.

13 Responsibilities of domestic passengers travelling by air within New Zealand

The principal Act is hereby amended by inserting, after section 126A (as inserted by section 8 of the Air Facilitation Act 1993), the following section:

“126B Responsibilities of domestic passengers travelling by air within New Zealand

- “(1) Where any domestic 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 that passenger leaves the examination station at the end of the domestic sector.

- “(2) Every person to whom this section applies shall, on demand made by an immigration officer,—
- “(a) produce for inspection such of the following documents as the officer may specify:
 - “(i) that person’s boarding pass:
 - “(ii) that person’s tickets:
 - “(iii) if carried by that person, that person’s passport or certificate of identity:
 - “(iv) Such other document or documents as may from time to time be prescribed; or
 - “(b) if the person is unable to produce the specified document or the specified documents, complete a form approved and issued for the purpose by the Minister under section 132 of this Act.
- “(3) A demand under subsection (2) of this section may be made of a person only for the purpose of enabling the immigration officer to establish that person’s identity or that person’s entitlement to air travel for a domestic sector or both.
- “(4) Every boarding pass or passport or certificate of identity or other documents or tickets produced by a person to an immigration officer under subsection (2) of this section shall be either—
- “(a) inspected immediately and returned to the person as soon as the inspection has concluded; or
 - “(b) retained by the immigration officer for as long as is necessary for that officer to determine whether or not he or she wishes to exercise any power under this Act in relation to the person or the boarding pass or passport or certificate of identity or other documents or tickets.
- “(5) Nothing in this section shall limit the exercise by an immigration officer of any power contained in any other provision of this Act.”

14 Repeals

Sections 4 and 5 of the Air Facilitation Act 1993 are hereby
consequentially repealed.

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Notes

1 General

This is an eprint of the Air Facilitation (Domestic Passengers and Cargo) Act 1994. 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)(b)
