

VISA PAK ISSUE 363 — 29 JUNE 2018

## **FOREIGN DEPORTEES REQUIRING TRANSIT THROUGH NEW ZEALAND**

This item is an amendment to previous advice to staff.

Foreign deportees transiting New Zealand, regardless of their nationality, are required to obtain a transit visa prior to travelling. As they have been deported from another country, under section 15(1)(f) of the Immigration Act 2009 they are not eligible for a visa or entry permission unless granted a special direction.

Clause 5.2 under Chapter 5 of Annex 9 to the Convention of the International Civil Aviation Organization (ICAO), to which New Zealand is a signatory, requires states to facilitate the transit of persons being removed from another state. In line with the ICAO convention, Immigration New Zealand is obliged to give due consideration to requests for transit visas (and the grant of a special direction), despite the deportees not meeting character requirements for transiting New Zealand.

Historically, Immigration Border Operations has been assisting with informal facilitation requests in respect of transit passengers from the Australian, United States and Canadian border agencies.

From 1 July 2018, these passengers will be required to apply for a transit visa prior to travelling by submitting an application to their closest Visa Application Centre (VAC). After this date, if a border officer receives an informal request for a transit visa for a deportee transiting New Zealand, they will direct the requestor to the nearest VAC to submit an application.

Foreign border agencies have been informed of this change. They have also been advised that applications for transit visas should be lodged no later than one month prior to the intended travel dates. We expect volumes to be low and anticipate that the majority of applications will come through the Sydney and Washington VACs.

### **Photo scanning**

For any applications received for foreign deportees, please ensure that a high quality scan is taken of the photo provided with the application. This should be taken at as high a resolution as possible (at least 600 dpi) and manually loaded into AMS as the preferred search image.