



COVERSHEET

Minister	Hon Erica Stanford	Portfolio	Immigration
Title of Cabinet paper	Immigration (Visa, Entry Permission, and Related Matters) Amendment Regulations 2024 – adding Fiji to the list of Transit Visa waived countries	Date to be published	29 August 2024

List of documents that have been proactively released		
Date	Title	Author
July 2024	Immigration (Visa, Entry Permission, and Related Matters) Amendment Regulations 2024 – adding Fiji to the list of Transit Visa waived countries	Office of the Minister of Immigration
25 July 2024	Immigration (Visa, Entry Permission, and Related Matters) Amendment Regulations 2024: Adding Fiji to the List of Transit Visa Waived Countries LEG-24-MIN-0143	Cabinet Office

Information redacted

YES / NO (please select)

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In Confidence

Office of the Minister of Immigration
Chair, Cabinet Legislation Committee

**Immigration (Visa, Entry Permission, and Related Matters)
Amendment Regulations 2024 – adding Fiji to the list of Transit
Visa waived countries**

Proposal

- 1 This paper seeks authorisation for submission to the Executive Council of the Immigration (Visa, Entry Permission, and Related Matters) Regulations 2024 (the Regulations).

**Amending the Immigration (Visa, Entry Permission, and Related Matters)
Regulations 2010**

- 2 I am seeking approval to submit an amendment of the Immigration (Visa, Entry Permission, and Related Matters) Regulations 2010 (the principal Regulations) to the Executive Council which will:
 - 2.1 remove the Transit Visa requirements for Fiji nationals; and
 - 2.1 add Fiji to the list of countries in Schedule 1 (People to whom waiver of requirement for Transit Visa applies) of the principal Regulations.

Policy

- 3 The Regulations give effect to the Cabinet policy decision to add Fiji to the list of Transit Visa waived countries, agreed by Cabinet on 4 June 2024 [CAB-24-MIN-0198].
- 4 The Regulations are entirely routine, and do not require any new policy decisions.
- 5 These Regulations, which come into force on 4 September 2024, amend the Immigration (Visa, Entry Permission, and Related Matters) Regulations 2010 (the principal Regulations).
- 6 The Regulations amend Schedule 1 of the principal Regulations to add Fiji nationals to the list of people to whom a waiver of the requirement for Transit Visas applies. The effect of this amendment is that Fiji nationals are not required to hold a Transit Visa before travelling to and being in New Zealand as transit passengers. From 4 September 2024, Fiji nationals will only need to apply for a New Zealand Electronic Travel Authorisation to transit New Zealand.

Timing and 28-day rule

- 7 The Regulations will come into effect on 4 September 2024.
- 8 I am not seeking a waiver of the 28-day rule.

Compliance

- 9 The regulations comply with:
- 9.1 the principles of the Treaty of Waitangi;
 - 9.2 the principles and guidelines set out in the Privacy Act 2020;
 - 9.3 relevant international standards and obligations;
 - 9.4 the Legislation Guidelines (2021 edition), which are maintained by the Legislation Design and Advisory Committee.
- 10 While the Immigration Act 2009 recognises that immigration matters inherently involve different treatment based on personal characteristics, immigration policy development seeks to ensure that any changes are necessary and proportionate. The Ministry of Business, Innovation and Employment considers that the regulations in this paper are consistent with the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993.

Regulations Review Committee

- 11 There are no grounds for the Regulations Review Committee to draw the Regulations to the attention of the House of Representatives under Standing Order 327.

Certification by Parliamentary Counsel

- 12 The Regulations were certified by the Parliamentary Counsel Office (PCO) as being in order for submission to Cabinet.

Impact Analysis

- 13 The Ministry for Regulation has determined that the proposal to remove the Transit Visa requirement for Fijian nationals is exempt from the requirement to provide a Regulatory Impact Statement on the grounds that it has no or only minor impacts on businesses, individuals, and not-for-profit entities.

Publicity

- 14 The Ministry of Business, Innovation and Employment intends to notify stakeholders when the Regulations have been made to ensure that they understand the new requirements to be able to transit New Zealand.

Proactive release

- 15 This paper will be proactively released in whole, subject to any redaction as appropriate under the Official Information Act 1982.

Consultation

- 16 The Ministry of Foreign Affairs and Trade, Treasury, and the Department of Prime Minister and Cabinet have been consulted. Ministry for Pacific Peoples have been informed.

Recommendations

I recommend that the Cabinet Legislation Committee:

- 1 **note** that on 4 June 2024, Cabinet agreed to remove the Transit Visa requirements for Fiji nationals and add Fiji to the Transit Visa waiver list in the Immigration (Visa, Entry Permission, and Related Matters) Regulations 2010 [CAB-24-MIN-0198];
- 2 **note** that the Immigration (Visa, Entry Permission, and Related Matters) Amendment Regulations 2024 will give effect to the decision referred to in recommendation 1 above;
- 3 **authorise** the submission to the Executive Council of the Immigration (Visa, Entry Permission, and Related Matters) Amendment Regulations 2024;
- 4 **note** that the Immigration (Visa, Entry Permission, and Related Matters) Amendment Regulations 2024 come into force on 4 September 2024.

Authorised for lodgement

Hon Erica Stanford

Minister of Immigration