

**Reprint**  
**as at 29 November 2010**

**Immigration Amendment Act (No  
2) 2006**

Public Act 2006 No 87  
Date of assent 18 December 2006

Immigration Amendment Act (No 2) 2006: repealed, at 2 am on 29 November  
2010, pursuant to section 404 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 Department of Labour.**

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**The Parliament of New Zealand enacts as follows:**

**1 Title**

This Act is the Immigration Amendment Act (No 2) 2006.

**2 Commencement**

This Act comes into force on the day after the date on which it receives the Royal assent.

**3 Principal Act amended**

This Act amends the Immigration Act 1987.

**4 Interpretation**

Section 2(1) is amended by inserting the following definition after the definition of **employment**:

“**epidemic management notice** means a notice under section 8(1) of the Epidemic Preparedness Act 2006 stating that the application of this Act is modified in order to deal with the practical effects of the outbreak of the disease referred to in the notice”.

**5 New section 35AC inserted**

The following section is inserted after section 35AB:

**“35AC Deemed extension of certain permits expiring during epidemic**

“(1) This section applies to a temporary permit, a limited purposes permit, or an exemption from the requirement to hold a permit, if—

“(a) it was in force immediately before the commencement of an epidemic management notice; and

“(b) but for this section, it would expire before the day 14 days after the day on which the notice expires.

- “(2) A temporary permit, limited purposes permit, or exemption to which this section applies must for all purposes be treated as if it continues to be a valid temporary permit, limited purposes permit, or exemption (as the case may be) until the earlier of the following events:
- “(a) its revocation or cessation:
  - “(b) the expiration of 3 months after the day on which the epidemic management notice expires.
- “(3) Subsection (2) does not require—
- “(a) the endorsement or modification of a permit or exemption; or
  - “(b) the issue of a document extending a permit or exemption; or
  - “(c) the issue of a new permit or exemption.”

**6 New sections 129ZC to 129ZG inserted**

The following sections are inserted before section 130:

**“129ZC During epidemic courts may deal with certain matters on basis of documents only**

- “(1) While an epidemic management notice is in force, any matter for which this Act requires a person to be brought before a District Court Judge or Registrar may be dealt with by a District Court Judge or Registrar on the basis of documents only, without the person’s being brought before the Judge or Registrar.
- “(2) Subsection (1) overrides every provision of this Act requiring a person to be brought before a District Court Judge or Registrar for the consideration or determination of a matter.
- “(3) If the notice applies to only stated parts of New Zealand, subsection (1) applies within those parts only.

**“129ZD Modification during epidemic of requirements to bring people before court**

- “(1) This subsection applies to a requirement imposed by this Act if it requires a person to be brought before a District Court Judge at intervals of not more than a stated duration for consideration or further consideration of a question.

- “(2) While an epidemic management notice is in force, it is a sufficient compliance with a requirement to which subsection (1) applies if, at intervals of not more than 28 days, a District Court Judge considers or further considers the question concerned.
- “(3) If the notice applies to only stated parts of New Zealand, subsection (2) applies within those parts only.

**“129ZE During epidemic certain warrants and extensions to have effect for 28 days**

- “(1) The following provisions apply to a warrant of commitment issued under this Act:
- “(a) if it was in force immediately before the commencement of an epidemic management notice, it has effect as if it had authorised the detention of the person named in it for a period of 28 days:
- “(b) if it is issued while an epidemic management notice is in force, it authorises the detention of the person named in it for a period of 28 days, or any shorter period the Judge thinks reasonable in the circumstances:
- “(c) if it was in force immediately before the commencement of an epidemic management notice, or is issued while an epidemic management notice is in force, it may be extended for a further period (or, as the case requires, further periods) of up to 28 days.
- “(2) Subsection (1) overrides every provision of this Act to the contrary.
- “(3) If the notice applies to only stated parts of New Zealand, subsections (1) and (2) apply within those parts only.

**“129ZF Application of section 128AB during epidemic**

- “(1) While an epidemic management notice is in force, an immigration officer and the released person may agree to vary a condition imposed under section 128AB(1)(c)—
- “(a) whether or not the order containing it provides for them to do so; and
- “(b) whether or not they have the consent of a District Court Judge.

“(2) If the notice applies to only stated parts of New Zealand, subsection (1) applies within those parts only.

**“129ZG Calculation of consecutive period of detention for purposes of section 60(7)**

“(1) In calculating for purposes of section 60(7) the consecutive period for which a person has been detained’ under one or more warrants of commitment under this Part,—

“(a) no account is to be taken of any periods of detention occurring while an epidemic management notice is in force; but

“(b) periods of detention do not cease to be consecutive just because they include periods during which an epidemic management notice was in force.

“(2) If the notice applies to only stated parts of New Zealand, subsection (1) applies within those parts only.”

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**Notes****1 General**

This is an eprint of the Immigration Amendment Act (No 2) 2006. The eprint incorporates all the amendments to the Act as at 2 am on 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 404

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