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Permit

Permit Ordinance 1927, No.29
Permit Amendment Ordinance 1956, No.48

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PERMIT ORDINANCE 1927
1927, No. 29

An Ordinance to regulate and control the emigration of [Niueans] from Niue (15 March 1927).

1. Short Title - This Ordinance may be cited as the Niue Permit Ordinance 1927.

PART I - OVERSEAS TRAVELLING PERMITS

2. Permit to depart - (a) No person shall depart or attempt to depart from the Island of Niue for any place beyond the seas unless such person is in possession of a permit (hereinafter referred to as a travelling permit) issued to such person by the Resident Commissioner to visit New Zealand or some other place beyond the seas named in such permit.

(b) All applications shall be made to the Resident Commissioner for such permits and must be made at least seven days before the expected arrival of the vessel on which it is desired to travel.

(c) A fee, to be determined from time to time by the Resident Commissioner, but not to be less than one shilling, will be chargeable for each permit.

3. Exemptions - The preceding section shall not apply to -

- (a) Any person who leaves the Island of Niue in the course of the same voyage of the ship by which such person arrives in the Island; or to
(b) Any person returning from the Island of Niue to New Zealand, or to any other country, if such person is in possession of a permit to visit

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ANALYSIS

TRAVELLING PERMITS

may be required

OF OVERSEAS VESSELS

for inspection
in his possession
on board ship

ORDINANCE 1927
1927, No. 29

to control the emigration of
(Ordinance 1927).

Ordinance may be cited as the Niue

TRAVELLING PERMITS

No person shall depart or attempt
to depart from Niue for any place beyond the
Island of Niue in possession of a permit (herein-
called travelling permit) issued to such
person by the Resident Commissioner to visit New Zealand or
any other seas named in such permit.

Permit shall be made to the Resident
Commissioner and must be made at least
seven days before arrival of the vessel on
board.

Permit shall be valid from time to time by the
Resident Commissioner and shall not be less than one shilling,
and shall be valid for the period specified in the
permit.

Provisions of preceding section shall not apply

to persons who are on the Island of Niue in the
course of the voyage of the ship by which
they are on the Island; or to persons who
are on the Island of Niue to visit any
other country, if such persons are in
possession of a permit to visit

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the Island of Niue, issued under the authority
of the Government of New Zealand, or such other
country and endorsed for the return journey by
the Resident Commissioner; or to

- (c) Any person in respect to whom the Resident
Commissioner may see fit to grant an exemption
from the requirements of the preceding section;
or to
- (d) Any person in possession of a passport under
which such person is entitled to proceed
overseas from Niue.

4. Expiration of Permit - An overseas permit shall cease
to be in force for leaving the Island of Niue on the expira-
tion of three weeks from the date thereof.

5. Withdrawal of Permit - Any overseas permit may at any
time be withdrawn by the Resident Commissioner while the
person to whom it is issued is on the Island of Niue, by
notice in writing to such person.

[5A. Satisfactory evidence may be required - Before granting
a travelling permit to any person the Resident Commissioner
may require such person to produce satisfactory evidence:

- (a) That he has arranged satisfactory accommodation
for himself and for any dependents who may
be accompanying him in the country to which
he intends to travel, and
- (b) That he has sufficient money to maintain
himself and any dependents who may be
accompanying him during the voyage to such
country and for a period of not less than
two weeks after his arrival in such country.]

[This section was inserted by section 2 of the Niue
Permit Amendment Ordinance 1956.]

PART II - CLEARING OF OVERSEAS VESSELS

6. Production of permit for inspection - Every person found
on board any ship which is about to leave the Island of Niue
shall, on demand of any officer of police or of Customs, or
of the master or any officer of such ship, state whether he
is in possession of a travelling permit, and must produce
such permit for inspection to any officer or master. Any
person refusing or failing, without reasonable cause, to
produce such permit shall be guilty of an offence.

7. Person to have permit in his possession - No person to
whom a travelling permit has been issued shall go or be on
board any ship which is about to leave Niue without having
such permit in his possession.

8. Control of departure on board ship - (1) It shall be the
duty of the master of every vessel about to proceed overseas
to cause all persons not entitled to sail as members of the
crew or as bona fide passengers to leave such vessel at least
one hour before the advertised time of departure, and to
afford such facilities by mustering the crew or otherwise as
may be reasonably required by any officer of Customs or
police for ascertaining that no persons except such as are
entitled to sail as aforesaid are aboard.

(2) Any person except such as are entitled to sail as aforesaid found aboard within one hour of the advertised time, without written permission of the Resident Commissioner, shall be guilty of an offence, and may be taken ashore by an officer of police.

(3) The [Comptroller of Customs] may withhold the clearance of any vessel about to proceed overseas until one hour after the master has complied with the provisions of this section.

[In subsection (3) the words in square brackets were substituted by the Niue Act 1966.]

9. Offences and penalties - Any person who -
- (a) Leaves or attempts to leave the Island of Niue without an overseas travelling permit, contrary to the provisions of this Ordinance; or
 - (b) Makes use of or attempts to make use of any permit that is not intended to be used by such person, or which has been withdrawn or has ceased to be in force; or
 - (c) By any false statement or representation obtains or attempts to obtain the issue of any permit, either for himself or for any other person; or
 - (d) Makes, without authority, any material alteration or addition to any permit; or
 - (e) Is guilty of any other offence against this Ordinance, for which no penalty is elsewhere provided in this Ordinance, shall be liable to a fine not exceeding ten pounds.

[In the Title to this Ordinance the word "Niuean" was substituted for the word "Native" by the Niue Act 1966.]

NIUE PERMIT AMENDMENT ORDINANCE 1956
1956, No.48

An Ordinance to amend the Niue Permit Ordinance 1927
(6 January 1956).

1. Title - This Ordinance may be cited as the Niue Permit Amendment Ordinance 1956.
2. [This section inserted a new section 5A in the principal Ordinance.]
3. Commencement - This Ordinance shall come into force on the first day of May, one thousand nine hundred and fifty-six.