

1949
NEW ZEALAND

EXCHANGE OF NOTES

BETWEEN THE GOVERNMENT OF THE
UNITED STATES OF AMERICA AND THE
GOVERNMENT OF NEW ZEALAND CON-
CERNING VISAS FOR TRAVEL BETWEEN
THE UNITED STATES OF AMERICA AND
NEW ZEALAND

Wellington, 14 March 1949
[in force 1 April 1949]

Presented to Both Houses of the General Assembly by Leave

EXCHANGE OF NOTES
BETWEEN THE GOVERNMENT OF THE UNITED
STATES OF AMERICA AND THE GOVERNMENT OF
NEW ZEALAND CONCERNING VISAS FOR TRAVEL
BETWEEN THE UNITED STATES OF AMERICA AND
NEW ZEALAND

Wellington, 14 March, 1949

No. 1

Mr. R. L. SCOTTEN to Mr. PETER FRASER

Embassy of the United States of America,
Wellington, 14 March, 1949.

Sir,

With reference to recent conversations between representatives of this Embassy and the Ministry of External Affairs regarding arrangements to facilitate non-immigrant travel, I have the honor to inform you that the Government of the United States is prepared to conclude with the Government of New Zealand an agreement by an exchange of notes in the following terms :—

- (1) New Zealand citizens in possession of valid passports issued by the Government of New Zealand and endorsed "New Zealand Citizen" traveling to the United States and its possessions who are *bona fide* non-immigrants within the meaning of the immigration laws of the United States and who are eligible to receive *visas*, will be granted non-immigrant passport *visas* at a reduced fee of 2 dollars or the equivalent in foreign currency; no fee is to be collected for execution of applications therefor. Diplomatic *visas* and official *visas*, as well as *visas* issued under the provisions of section 3 (7) of the Immigration Act of 1924, as amended, will, however, continue to be granted without fee to qualified applicants who are traveling to the United States and its possessions.
- (2) United States citizens in possession of valid passports issued by the Government of the United States of America proceeding to New Zealand, New Zealand Island Territories and the Trust Territory of Western

Samoa, will be granted passport *visas* (other than single-entry transit *visas*) at a fee of 2 dollars or the equivalent in foreign currency. Diplomatic *visas* and official *visas*, as well as *visas* issued to officers and employees of organizations declared by the Governor-General to be organizations within the meaning of section 3 (1) of the Diplomatic Privileges Extension Act, 1947, however, will be granted without fee to qualified applicants who are in possession of valid passports issued by the Government of the United States of America and who are traveling to New Zealand, New Zealand Island Territories and the Trust Territory of Western Samoa.

- (3) A *visa* for a single journey in transit through New Zealand, New Zealand Island Territories and the Trust Territory of Western Samoa, will be granted without fee.
- (4) A transit certificate valid for a single application for admission in transit on a continuous journey through the United States and its possessions and a limited entry certificate valid for the duration of a vessel's stay in a United States port will be granted without fee.
- (5) Non-immigrant passport *visas* granted to New Zealand citizens in possession of valid passports issued by the Government of New Zealand and endorsed "New Zealand Citizen" who qualify as temporary visitors under the provisions of section 3 (2) of the Immigration Act of 1924, as amended, will be valid for any number of applications for admission into the United States and its possessions during the period of 24 months from date of issuance provided that the passports of the bearers remain valid for that period of time or should they expire are revalidated prior to the expiration date of the *visa*. All other non-immigrant passport *visas* granted to qualified New Zealand citizens in possession of valid passports will be valid under the same condition for a period of time not to exceed 12 months from date of issuance. The period of validity of a *visa* relates only to the period within which it may be used in connection with an application for admission at a port of entry into the United States and its possessions, and not to the length of stay in the United States which may be permitted the bearer after he is admitted.

The period of time an alien may be permitted to stay in the United States is determined by the immigration authorities at the time the alien is admitted.

- (6) Passport *visas* other than multiple-entry transit *visas* granted to United States citizens in possession of valid passports issued by the Government of the United States of America will be valid for any number of applications for admission into New Zealand, New Zealand Island Territories and the Trust Territory of Western Samoa during a period of 24 months from date of issuance provided that the passports of the bearers remain valid for that period of time or should they expire are revalidated prior to the expiration date of the *visa*. Multiple-entry transit *visas* will be valid for 12 months on the same terms.

2. The foregoing arrangements will not apply in respect of the grant of *visas* to aliens applying for admission into the United States and its possessions, with the privilege of residing permanently therein. The fee for such *visa* and application therefor is 10 dollars or the equivalent in foreign currency as prescribed by the Immigration Act of 1924. Furthermore, it is understood that this agreement will not exempt United States citizens traveling to New Zealand, New Zealand Island Territories and the Trust Territory of Western Samoa, and those New Zealand citizens covered by the agreement traveling to the United States and its possessions from the necessity of complying with the respective New Zealand and United States laws and regulations concerning the entry, residence (temporary or permanent) and employment or occupation of foreigners and that travelers who are unable to satisfy the Immigration Authorities that they comply with these laws and regulations are liable to be refused leave to enter or land.

3. If the New Zealand Government are prepared to accept the foregoing provisions the present note and your reply in similar terms should be regarded as placing on record the agreement between the two Governments which will take effect on April 1, 1949.

Please accept, Sir, the renewed assurances of my highest consideration.

(Sgd.) R. L. SCOTTEN.

Mr. PETER FRASER to Mr. R. L. SCOTTEN

Ministry of External Affairs,
Wellington, 14 March, 1949.

Sir,

I have the honour to acknowledge the receipt of your letter of 14 March, 1949, in which, with a view to facilitating non-immigrant travel between our two countries, you suggest that an Agreement be concluded in the following terms:

- (1) New Zealand citizens in possession of valid passports issued by the Government of New Zealand and endorsed "New Zealand Citizen" travelling to the United States and its possessions who are *bona fide* non-immigrants within the meaning of the immigration laws of the United States and who are eligible to receive *visas*, will be granted non-immigrant passport *visas* at a reduced fee of two dollars or the equivalent in foreign currency; no fee is to be collected for execution of applications therefor. Diplomatic *visas* and official *visas*, as well as *visas* issued under the provisions of section 3 (7) of the Immigration Act of 1924, as amended, will, however, continue to be granted without fee to qualified applicants who are travelling to the United States and its possessions.
- (2) United States citizens in possession of valid passports issued by the Government of the United States of America proceeding to New Zealand, New Zealand Island Territories and the Trust Territory of Western Samoa, will be granted passport *visas* (other than single-entry transit *visas*) at a fee of two dollars or the equivalent in foreign currency. Diplomatic *visas* and official *visas*, as well as *visas* issued to officers and employees of organizations declared by the Governor-General to be organizations within the meaning of section 3 (1) of the Diplomatic Privileges Extension Act, 1947, however, will be granted without fee to qualified applicants who are in possession of valid passports issued by the Government of the United States of America and who are travelling to New Zealand, New Zealand Island Territories and the Trust Territory of Western Samoa.

- (3) A *visa* for a single journey in transit through New Zealand, New Zealand Island Territories and the Trust Territory of Western Samoa, will be granted without fee.
- (4) A transit certificate valid for a single application for admission in transit on a continuous journey through the United States and its possessions and a limited entry certificate valid for the duration of a vessel's stay in a United States port will be granted without fee.
- (5) Non-immigrant passport *visas* granted to New Zealand citizens in possession of valid passports issued by the Government of New Zealand and endorsed "New Zealand Citizen" who qualify as temporary visitors under the provisions of section 3 (2) of the Immigration Act of 1924, as amended, will be valid for any number of applications for admission into the United States and its possessions during the period of twenty-four months from date of issuance provided that the passports of the bearers remain valid for that period of time or should they expire are revalidated prior to the expiration date of the *visa*. All other non-immigrant passport *visas* granted to qualified New Zealand citizens in possession of valid passports will be valid under the same condition for a period of time not to exceed twelve months from date of issuance. The period of validity of a *visa* relates only to the period within which it may be used in connection with an application for admission at a port of entry into the United States and its possessions, and not to the length of stay in the United States which may be permitted the bearer after he is admitted. The period of time an alien may be permitted to stay in the United States is determined by the immigration authorities at the time the alien is admitted.
- (6) Passport *visas* other than multiple-entry transit *visas* granted to United States citizens in possession of valid passports issued by the Government of the United States of America will be valid for any number of applications for admission into New Zealand, New Zealand Island Territories and the Trust Territory of Western Samoa during a period of twenty-four months from date of issuance provided

that the passports of the bearers remain valid for that period of time or should they expire are re-validated prior to the expiration date of the *visa*. Multiple-entry transit *visas* will be valid for twelve months on the same terms.

2. The foregoing arrangements will not apply in respect of the grant of *visas* to aliens applying for admission into the United States and its possessions, with the privilege of residing permanently therein. The fee for such *visa* and application therefor is ten dollars or the equivalent in foreign currency as prescribed by the Immigration Act of 1924. Furthermore, it is understood that this agreement will not exempt United States citizens travelling to New Zealand, New Zealand Island Territories and the Trust Territory of Western Samoa, and those New Zealand citizens covered by the agreement travelling to the United States and its possessions from the necessity of complying with the respective New Zealand and United States laws and regulations concerning the entry, residence (temporary or permanent) and employment or occupation of foreigners and that travellers who are unable to satisfy the Immigration Authorities that they comply with these laws and regulations are liable to be refused leave to enter or land.

3. I have the honour to inform you that the New Zealand Government are prepared to accept the foregoing provisions and they agree that your note and my present reply should be regarded as placing on record an Agreement between the two Governments to come into force on 1 April, 1949.

I have, &c.,

P. FRASER,

Minister of External Affairs.

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