



# Cook Islands Immigration Act 2021

## D. Immigration Policies – Arrivals and Departures

### D1. Commercial Aircraft Passengers

*See sections 22, 28, 45, 53-57, 109 Cook Islands Immigration Act 2021*

- Any passenger flying in to the Cook Islands on a commercial aircraft from a port outside of the Cook Islands must present themselves at a port of entry to an immigration officer upon arrival.
- Immigration officers have the power to grant or refuse entry if an existing permit or visa approval is invalid, was granted due to fraud, has been cancelled, or is liable for cancellation.
- A person without continuing rights must on arrival in the Cook Islands also declare:
  - if they have ever been convicted of a criminal offence in the Cook Islands or elsewhere, and if so, must provide details of that offence
  - if have been deported from any other country, regardless of whether they are subject to a prohibition or ban on re-entry to that country
  - if they have an acceptable standard of health
  - if they have sufficient funds for their stay in the Cook Islands, and
  - if they have onwards travel plans.
- A person without continuing rights who is a worker, student, visitor or special entrant must on arrival in the Cook Islands declare whether they intend to stay for a duration of greater than 6 months, and provide their intended date of departure.

### D2. Seen on Entry Stamp

*See sections 22, 28, 45, 53-56 Cook Islands Immigration Act 2021*

- An entry stamp is issued to persons on arrival who already have permission to enter including:
  - Cook Islanders and permanent residents
  - Existing permit holders
  - Persons with evidence of an approved visa to visit, work, study or reside
  - Persons without continuing rights who hold a laissez-passer or diplomatic passport
  - Refugees with Certificates of Identity.

### D3. Commercial Airline Crew

*See Chicago Convention*

- Contracting States to the Convention on International Civil Aviation (Chicago Convention) are required to establish measures with aircraft and airport operators to expedite the inspection of crew members and their baggage as required at departure and upon arrival.

- Crew generally carry Crew Member Certificates (CMCs) for identification purposes:
  - Contracting states are required to waive visa requirements for crew members with a CMC; and
  - CMC provisions should be included in national legislation or regulations to facilitate or expedite the entry of air crew into the Cook Islands.

#### **D4. Private/Official Aircraft**

*See Part 9 Cook Islands Immigration Act 2021*

- At times private/official aircraft travel to the Cook Islands. The passengers and crew on these flights need to be immigration cleared, as with the arrival of commercial aircrafts.
- Special circumstances may apply if the flight is carrying special guests of the government, foreign government representatives, or officials, who are exempt from the requirement to apply for a visa or permit.
- Coast guard or other official aircrafts at times land in the Cook Islands during surveillance or rescue operations. They may also carry government representatives or officials.

#### **D5. Cruise ships**

*See Part 9 Cook Islands Immigration Act 2021*

- Commercial cruise ship passengers and crew are exempt from obtaining a visa or permit while visiting the Cook Islands.
- This only applies if the purpose of the visit is holidaying, sightseeing, or if they are a member of the ship's crew.
- As a condition of their exemption from obtaining a visa or permit, the person on the cruise ship must:
  - leave the Cook Islands within 72 hours of arriving
  - leave the Cook Islands either on the ship they arrived on, or on another ship, an aircraft, or by other means, if approved by the Principal Immigration Officer.

#### **D6. Arrivals by Sea**

*See Part 9 Cook Islands Immigration Act 2021*

- Commercial vessels, including fishing ships, cargo ships and fuel ships, arriving in the Cook Islands are all immigration checked and cleared in the same way.
- Crew members may carry seafarers' identity or military identification documents that provide additional proof of identity.
- Any passengers travelling on vessels who seek to enter the Cook Islands as a visitor are expected to have a visa as required, complete the arrival form, and show evidence of an outbound ticket or vessel departure or other means of support as with passengers arriving by air.
- Captains of aircraft have responsibility for making sure their passengers and crew meet all requirements for arrival and departure.

#### **D7. Entry of Disaster Response Personnel**

*See section 92 Cook Islands Immigration Act 2021*

- In the event of a disaster, it may be important for disaster response personnel to enter the Cook Islands quickly to help the Government respond to the disaster and its aftermath.
- Consideration should be given as to what proof disaster response personnel should have in order to demonstrate that they are part of any specified group, e.g. letters from the UN or the Red Cross, or New Zealand or French defence forces.

## D8. Departures by Air

*See sections 106, 107 Cook Islands Immigration Act 2021*

- The process for departures is the same for all passengers. A person who intends to depart from the Cook Islands must present themselves to a designated place or to an immigration or designated officer and provide the required information.
- On departing from the Cook Islands every person from a designated place must provide:
  - A valid **passport**
  - A **boarding pass** (as applicable), and
  - If departing from any place, a **departure form** – that contains the name of the craft, voyage or sail number, or flight number (as applicable).

## D9. Departures by Sea

*See sections 106, 115 Cook Islands Immigration Act 2021*

- Before a vessel leaves the Cook Islands, it must have outward clearance from Immigration, Customs, and Port Authority.
- For commercial vessels, the local agent or captain of the vessel will inform Immigration of the scheduled date and time of departure, on arrival.
- Yachts will usually contact the Ports Authority, Customs or Immigration.