Diplomatic Clearance Guidelines and Process Chart

Diplomatic Clearance for Foreign Military / State Vessels and Aircraft

All foreign military / State aircraft and vessels intending to visit New Zealand must obtain diplomatic clearance from the Ministry of Foreign Affairs and Trade (MFAT). This requirement applies to both landings and overflights for aircraft and for entry into the territorial sea of New Zealand for vessels (unless innocent passage is being exercised). Diplomatic clearance must be requested via a diplomatic Third Person Note (TPN) at least <u>six weeks in advance</u> for the necessary processes to be completed.

Additional requirements under the *New Zealand Nuclear Free Zone, Disarmament, and Arms Control Act* 1987 (the Act)

Sections 9 and 10 of the Act state that the Prime Minister's approval is required for foreign warships to enter the internal waters of New Zealand and for foreign military aircraft to land in New Zealand. This approval may only be granted if the Prime Minister is satisfied that the vessel or aircraft is not carrying any nuclear explosive device, the determination made by the Prime Minister is based on advice from officials.

Furthermore, vessels whose propulsion is wholly or partly dependent on nuclear power are prohibited from entering New Zealand's internal waters under Section 11 of the Act.

For full legislative details, refer to the <u>New Zealand Nuclear Free Zone, Disarmament, and Arms Control Act</u> <u>1987</u>.

Military / State Aircraft

Diplomatic Clearance for State and Military Aircraft

Diplomatic clearance is required for all state and military aircraft landing or overflying New Zealand. This includes aircraft operated by government, military, customs, or police authorities, as well as those transporting heads of state or senior officials on official duties.

Aircraft Categories

- Military aircraft: As described in section 2 of the Act.
- State aircraft: Aircraft used for sovereign, non-commercial purposes by a government.
- **Charter aircraft**: Commercial aircraft used for the sole purpose of transporting government officials, or military personnel. This category of aircraft may still require diplomatic clearance.

How to Apply

Requests must be submitted at least <u>six weeks</u> prior to the intended landing or overflight. This lead time is essential to ensure proper assessment and coordination.

Required documents:

- A TPN formally requesting diplomatic clearance; and
- A completed Aircraft Technical Information Form: https://www.mfat.govt.nz/assets/Consular/Diplomatic-and-Consular-Corps-Guidelines/diplomatic-aircraft-clearance-form.pdf

Email the documents to:

diplomatic.clearance@mfat.govt.nz

Military / State Vessels

Diplomatic clearance is required for all military and state vessels intending to enter New Zealand's territorial sea (less innocent passage) and internal waters (including ports). Different rules apply for Maritime Scientific Research (see below).

Vessel Categories

- Foreign warship. As described in section 2 of the Act.
- **State vessel.** A vessel that is owned or operated by a State and used for governmental, non-commercial purposes.

How to Apply

Requests must be submitted at least <u>six weeks</u> prior to the intended visit by any foreign warship or state vessel. This lead time is essential to ensure proper assessment and coordination.

Additional information

Applicants should indicate whether the vessel will operate any of the following during the visit:

- · Embarked aircraft.
- Uncrewed Aerial Vehicles (UAVs).
- Uncrewed Surface or Underwater Vehicles (USVs/UUVs).

How to Apply

Required documents:

- A TPN formally requesting diplomatic clearance; and
- A completed Vessel Technical Information Form: https://www.mfat.govt.nz/assets/Consular/Diplomatic-and-Consular-Corps-Guidelines/Clearance-Form-Diplomatic-Vessel.pdf

Email the documents to:

diplomatic.clearance@mfat.govt.nz

Note:

Vessels must comply with biosecurity protocols set by the Ministry for Primary Industries (MPI).
 Guidance is available at mpi.govt.nz

Marine Scientific Research (MSR)

For MSR vessel related diplomatic clearance requests, at least <u>six months</u> advance notice period is required due to the additional processing steps involved, including other agencies.

For vessels conducting Marine Scientific Research in New Zealand's territorial sea, Exclusive Economic Zone, or continental shelf, please refer to Marine scientific research | New Zealand Ministry of Foreign Affairs and Trade, or contact: MSR@mfat.govt.nz.

Diplomatic Clearance Guidelines and Process Chart

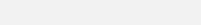
Diplomatic Clearance Process Requirements

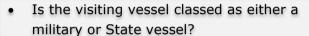
Six Weeks Advance Notice Requirement

All foreign military / State vessels and aircraft intending to visit New Zealand must obtain diplomatic clearance from the Ministry of Foreign Affairs and Trade (MFAT). This requirement applies to both landings and overflights for aircraft and for entry into the territorial sea of New Zealand for vessels (less innocent passage). Diplomatic clearance must be requested via a diplomatic Third Person Note (TPN) at least **six weeks in advance** in order for the necessary processes to be completed.

For Marine Scientific Research (MSR) vessel related requests, at least six months advance notice period is required due to the additional processing steps involved. (Please refer to the guidance section below for instructions).

Vessels





Is the vessel entering New Zealand's territorial sea (unless innocent passage as defined by the UN Convention on the Law of the Sea)?

If YES to either question:

Diplomatic Clearance is required.



Submit a formal request for diplomatic clearance via:

- A TPN
- Accompanied by the Technical Information Form (LINK).

Email the documents to:

diplomatic.clearance@mfat.govt.nz

Aircraft



- Is the visiting aircraft classed as either a military or State aircraft?
- Is it landing or overflying New Zealand?

If YES to either question:

Diplomatic Clearance is required.



Submit a formal request for diplomatic clearance via:

- A TPN
- Accompanied by the Technical Information Form.
 (LINK)

Email the documents to:

diplomatic.clearance@mfat.govt.nz

Marine Scientific Research Vessels



Marine Scientific Research Vessel (MSR):

For vessels conducting research in New Zealand's territorial sea, Exclusive Economic Zone, or continental shelf: Contact MFAT's Marine Scientific Research team: MSR@mfat.govt.nz

New Zealand Nuclear Free Zone, Disarmament, and Arms Control Act 1987

As part of MFAT's diplomatic clearance process, the *New Zealand Nuclear Free Zone*, *Disarmament*, *and Arms Control Act 1987* (the Act) applies. Sections 9 and 10 of the Act state that the Prime Minister's approval is required for foreign warships to enter the internal waters of New Zealand and for foreign military aircraft to land in New Zealand. This approval may only be granted if the Prime Minister is satisfied that the vessel or aircraft is not carrying any nuclear explosive device, based on the New Zealand Government's assessment.

Furthermore, nuclear-powered vessels are prohibited from entering New Zealand's internal waters under Section 11 of the Act.

For full legislative details, refer to the New Zealand Nuclear Free Zone, Disarmament, and Arms Control Act 1987.