

# **Airports Act 1996**

## **Act No. 42 of 1996 as amended**

[This compilation was prepared on 23 December 2003 taking into account amendments up to Act No. 134 of 2003]

### **Schedule-Ownership definitions**

#### **3 When foreign citizens are ordinarily resident in Australia**

For the purposes of the ownership provisions, a foreign citizen is ordinarily resident in Australia at a particular time if, and only if:

- (a) the foreign citizen has been in Australia during 200 or more days in the period of 12 months immediately preceding that time; and
- (b) at that time, one of the following sub-paragraphs applies:
  - (i) the foreign citizen is in Australia and has permission to remain in Australia indefinitely;
  - (ii) the individual is not in Australia but has a right to re enter Australia and, on re entry, to be granted permission to remain in Australia indefinitely;
  - (iii) the individual is in Australia, is a New Zealand citizen, holds a New Zealand passport and has a special category visa under section 32 of the Migration Act 1958;
  - (iv) the individual is not in Australia, is a New Zealand citizen, holds a New Zealand passport and, on re entry to Australia, would have the right to be granted a special category visa under section 32 of the Migration Act 1958.