



Employer Accreditation Application

Under Talent (Accredited Employers) Work Instructions



Information for employers

The objective of the Talent (Accredited Employers) Work Instructions is to allow accredited employers to supplement their own New Zealand workforce in their core area of business activity through:

- the recruitment of workers who are not New Zealand citizens or residence class visa holders whose talents are required by the employer; and
- the accredited employer having direct responsibility for those employees and their work output.

What is an 'accredited employer'?

An accredited employer is an employer who has had an application for accreditation to employ persons under the Talent (Accredited Employers) Work Instructions approved by Immigration New Zealand (INZ).

Who can get work visas under the Talent (Accredited Employers) Work Instructions?

Applicants can get a work visa under these instructions if they are non-New Zealand citizens or residence class visa holders who:

- hold an offer of employment (see over page) from an accredited employer
- are aged 55 years or under
- meet immigration health and character requirements, and
- are bona fide applicants intending to comply with their visa conditions.

Applicants must apply at any onshore or offshore receiving office of INZ and meet the relevant application requirements (completed application form and photos, fee, passport, acceptable medical and X-ray certificates, police certificates, an employment offer from an accredited employer, and any other documents or information required by the application form or INZ). See the *Work Visa Guide (INZ 1016)* for details.

What can Talent work visa holders do?

Persons granted Talent (Accredited Employer) work visas are granted multiple entry work visas enabling a stay of 30 months in New Zealand. Their visas are subject to the condition that they may work for an accredited employer only.

Holders of these visas may apply for New Zealand residence after two years. They will qualify for residence if they:

- have been employed in New Zealand by an accredited employer (or any other employer they have been granted a variation of conditions to work for) throughout a period of at least 24 months during the currency of their work visa.
- have full-time ongoing employment with a minimum base salary of NZ\$55,000; and meet standard residence application requirements, health and character requirements as well as any applicable occupational registration requirements. See our *Self-Assessment Guide for Residence in New Zealand (INZ 1003)* for details.



Applications for employer accreditation

Applications for employer accreditation must be made on this form and be accompanied by the application fee (see our *Fees Guide (INZ 1028)*). Completed applications should be sent to: Business Migration Branch, Immigration New Zealand, PO Box 3705, Wellington.

Accreditation criteria

For an employer to qualify for accreditation, INZ must be satisfied that the employer:

- is in a sound financial position
- has human resource policies and processes of a high standard
- has a demonstrable commitment to training and employing New Zealanders, and
- has good workplace practices – including a history of compliance with all immigration and employment laws and policies such as: the Immigration Act; the Injury Prevention, Rehabilitation and Compensation Act; the Minimum Wage Act; the Health and Safety in Employment Act; the Employment Relations Act; and the Holidays Act.

Accreditation assessment

When deciding whether to grant accreditation, INZ will consider all the information and evidence supplied in the employer's application for accreditation, and will take into account such factors as:

- the period for which the employer has been a going concern
- whether the employer has engaged with any relevant Industry Training Organisation (ITO)
- whether the employer is a member of the EEO Employers Group
- whether the employer is International Organisation for Standardisation "ISO-certified"
- whether the employer has an intention to maintain accreditation throughout the period of currency of any visas granted to their employees under the Talent (Accredited Employers) Work Instructions.

INZ is required by the Talent (Accredited Employers) Work Instructions to be satisfied that all the information and documents included in an application for employer accreditation are genuine and accurate, and may take any steps it considers necessary to verify such information or documents, including interviews. It may also, where necessary, seek the approval of an employer to conduct a site visit to the employer's premises. (Where any information is identified by the employer as commercially sensitive, and is provided to INZ in confidence, INZ will seek the consent of the employer for the disclosure of that information.)

INZ will consult with relevant unions and other employee representatives when determining whether the employer has human resource policies and processes of a high standard, a commitment to training and employing New Zealanders, and good workplace practices.

Employers must consent to INZ seeking information from other groups within the Department of Labour, and the Accident Compensation Corporation concerning the employer's compliance with New Zealand's employment laws. Where such consent is not given, the application for accreditation will be declined.

Duration of accreditation

Approved employers are granted accreditation for 12 months. Accreditation may be renewed annually, on application by the employer, provided INZ is satisfied the employer still meets accreditation requirements. A lower fee is payable for accreditation renewal.

Offers of employment by accredited employers

Offers of employment made by accredited employers to non-New Zealand workers under the Talent (Accredited Employers) Work Instructions must be:

- for genuine employment in New Zealand in the capacity or position stated
- for employment in the accredited employer's core area of business activity and where the employer will have direct responsibility for the employee's work output
- for a position with a salary of NZ\$55,000 or more
- for a period of at least 24 months
- for full-time employment (that is, amounting to, on average, at least 30 hours per week)
- current at the time the holder's work visa application is assessed, and at the time he or she is granted a multiple entry work visa

- compliant with all relevant employment law¹ in force in New Zealand, and
- when submitted by the holder to INZ, accompanied by evidence of full or provisional registration (or of eligibility for such registration) if registration is required by law for that person to take up the offer. For medical practitioners, registration within a 'special scope of practice' is not full or provisional registration for the purpose of a work to residence application.

Note: the minimum base salary requirement of NZ\$55,000 may be waived for applicants who produce evidence which satisfies INZ that they have exceptional talent in a field of art, sport or culture as defined in our Work Visa Guide (INZ 1016).

Accreditation may be refused or rescinded

An employer's application for accreditation will be declined if an employer does not meet the criteria for accreditation, or if INZ considers that accrediting that employer would create unacceptable risks to the integrity of New Zealand's immigration or employment laws or policies.

Accreditation may be rescinded or not renewed if INZ considers an employer's conduct has created an unacceptable risk to the integrity of New Zealand's immigration or employment laws or policies. Decisions to rescind accreditation will not be made by INZ without the consent of the Minister of Immigration.

Applications for reconsideration

There is no statutory right of appeal against a decision by INZ to decline an application for accreditation, however INZ will reconsider a decline decision if the employer provides new information and does so promptly. Any application for reconsideration must be made in writing and must be accompanied by the reconsideration fee. INZ's decision on a reconsideration is final.

Importance of maintaining accredited employer status

Employers are asked to note that, if their accreditation application is approved, it is important to keep their accredited employer status current by obtaining annual renewals. Employers who fail to renew their accreditation, or whose conduct results in their accreditation being rescinded or not being renewed, may jeopardise the ability of any employees holding work visas to subsequently apply for residence under the Talent (Accredited Employers) Residence Instructions.

Immigration Advisers Licensing Act 2007

Under the Immigration Advisers Licensing Act 2007 it is an offence to provide immigration advice without being licensed or exempt. If your immigration adviser is not licensed when they should be, Immigration New Zealand will return your application.

For more information and to view the register of licensed advisers, go to the Immigration Advisers Authority website www.iaa.govt.nz or email info@iaa.govt.nz.

Work entitlement

It is an offence under the Immigration Act 2009 to employ a person who is not entitled to work in New Zealand. One way for employers to avoid committing this offence is to check a person's entitlement to work through Immigration New Zealand's online VisaView system. For more information or to register please visit www.immigration.govt.nz/visaview. Disclosure of information through VisaView is authorised by legislation.

When filling in this form, please print clearly in English using CAPITAL LETTERS.

Detach and retain pages 1 to 4, if desired.

¹ Compliance with relevant New Zealand employment law includes but is not limited to:

- a written employment agreement that contains the necessary statutory specified terms and conditions
- meeting holiday and special leave requirements and other minimum statutory criteria
- meeting occupational safety and health obligations.

When filling in this form, please print clearly using CAPITAL LETTERS.

INZ 1090



Employer Accreditation Application

Under Talent (Accredited Employers) Work Instructions

Section A Employer details

This form must be completed and signed by a person who has authority to make representations and enter into agreements on the employer's behalf. Please answer all questions. If any question does not apply please answer "N/A" for "not applicable".

A1 Employer's name

A2 Employer's legal status
(eg limited liability company, sole trader, partnership)

A3 Name of person completing this application for accreditation

Family/last name

Given/first name(s)

A4 Position or title

A5 Employer's contact details.

Name of contact person if different from that given at

Company name (if applicable) and physical and postal addresses

Telephone (daytime) Telephone (evening)

Fax Email

Website



A6 Name and address for communication about this application

Same as address at **A5** or Other *Give details below*

Family/last name

Given/first name(s)

Company name (if applicable) and address

Telephone (daytime) _____

Telephone (evening) _____

Fax _____

Email _____

A7 Do you authorise the person stated at **A6** to act on your behalf? Yes No

A8 Have you received immigration advice on this application?

Yes *Please make sure that your immigration adviser completes Section I: Immigration adviser's details.*

No

i You can find a definition of immigration advice at www.immigration.govt.nz/advice

A9 If your application for accreditation is approved, do you wish your contact details to be published on the list of accredited employers on the INZ website at no cost to you?

Yes No

Section B Employer's need for accreditation

B1 Why are you seeking employer accreditation?

Current need to recruit offshore for talented staff

Anticipate future need to recruit offshore for talented staff

Seeking accreditation to enable fast track offshore recruitment of talent should the need arise

Other reason – or any additional comments if desired.

B2 How many non-New Zealand workers you are likely to recruit in the first year (if known)? _____

B3 If your application for accreditation is approved, do you intend to maintain your employer accreditation for the period of currency of any work visas granted to any of your employees under the Talent (Accredited Employers) Work Instructions?

Yes No

B4 What type of employment positions are you intending to fill as an accredited employer?

Section C Employer's business details

C1 How many years has the business been operating?

C2 When was the business established?

C3 Number of current employees (including management)

C4 Number of employees who are New Zealand citizens or residence class visa holders

C5 Industry sector

- | | | | |
|---|--|---|--|
| <input type="checkbox"/> Accounting/Finance | <input type="checkbox"/> Engineering & Science | <input type="checkbox"/> Information Technology | <input type="checkbox"/> Sales & Marketing |
| <input type="checkbox"/> Administration & Customer Service | <input type="checkbox"/> Film/Video | <input type="checkbox"/> Legal | <input type="checkbox"/> Sports |
| <input type="checkbox"/> Advertising, Media, PR | <input type="checkbox"/> Government (central) | <input type="checkbox"/> Manufacturing | <input type="checkbox"/> Telecommunications |
| <input type="checkbox"/> Agriculture, Forestry & Fishing | <input type="checkbox"/> Government (local) | <input type="checkbox"/> Restaurant/Catering | <input type="checkbox"/> Tourism & Accommodation |
| <input type="checkbox"/> Arts/Cultural/Entertainers | <input type="checkbox"/> Healthcare | <input type="checkbox"/> Retail | <input type="checkbox"/> Water, Gas, Electricity |
| <input type="checkbox"/> Education & Training | <input type="checkbox"/> Human Resources | | |
| <input type="checkbox"/> Other (<i>please specify</i>) <input type="text"/> | | | |

C6 Please give brief details of your business (if further details are given in a separate document please state this).

Type of business

Products or services

Targeted customers

Marketing and promotion activities

Suppliers

Distributors

C7 Does your business have any business partnerships with other overseas businesses?

Yes *Provide details of overseas businesses, including their location, activities, and nature of your business relationship*

No

Section D Business record

D1 Is your business registered with the Companies Office? Yes No

D2 Have you, or any of the directors or managers of your business, ever been declared bankrupt?

Yes *Provide details including names, dates and when discharged.*

No

D3 Have you or any of the directors or managers of your business ever been investigated by the Serious Fraud Office or the New Zealand Police for any offences arising in the course of, or resulting from, business dealings?

Yes *Provide details including name, date and outcome and any penalty imposed and/or remedial action required.*

No

D4 What evidence can you provide of your business record and financial position? (Where possible, information supplied should cover at least two financial years. The more evidence you can enclose, the sooner INZ will be able to complete its assessment of your application.)

Available	Business record information available	Evidence enclosed with application?
	Please tick to show whether information is available and whether evidence enclosed with your application. Where any information listed is contained in another document, please state this (eg "See annual reports attached").	
<input type="checkbox"/>	Startup company/new business – no evidence of established business record	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	Our business reputation and history in the marketplace as a successful established business	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	Annual reports	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	Business plans	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	Sets of accounts certified by an accountant	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	GST returns showing turnover, revenue and expenses	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	Profit and loss statements	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	Cash flow statements	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	Statements of financial position	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	Companies Office registration details, showing directors, shareholders etc	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	Other evidence (please specify below)	<input type="checkbox"/> Yes <input type="checkbox"/> No

Section E Human resources

E1 Have you attached an organisation chart showing the structure of your business, the number of people employed, and the areas in which they are employed?

Yes No

E2 Does your business have written human resource policies and/or procedures?

Yes *Attach evidence*

No

E3 Who normally has overall responsibility for human resource or personnel matters in your business?

Name of person responsible | _____

Position or title | _____

E4 Who is normally responsible for staff recruitment in your business? (Eg yourself, human resource manager, local managers, recruitment agency.)

| _____
| _____

E5 What checks will be carried out to verify information provided by foreign workers being considered for employment in your business? (If staff recruitment is contracted to a recruitment agency, please state this and attach a written statement from the recruitment agency describing what checks that agency will carry out on your behalf.)

References/referees | _____

| _____

Qualifications or training certificates | _____

| _____

Section F Workplace practices

F1 Has your business ever been found to be in breach of employment or labour law by the Department of Labour, or by any New Zealand tribunal, authority or court? (This includes any breaches of the Minimum Wage Act, the Health and Safety in Employment Act, the Accident Prevention, Rehabilitation and Compensation Act, and the Holidays Act.)

Yes *Give details including type of breach, date of notification by the Department of Labour (or date of tribunal, authority or court decision) and penalty imposed or remedial action required. (If full details are set out in an attached document please state this.)*

No

| _____

| _____

| _____

F2 Has your business ever been found to be in breach of the provisions of the Immigration Act 2009 or the Immigration Act 1987?

Yes *Give details including: type of breach, date of notification by INZ (or date of court decision if convicted), penalty imposed or remedial action required. (If details are set out in an attached document please state this.)*

No

F3 Is your business certified by the International Organisation for Standardisation ('ISO-certified')?

Yes *Attach evidence.*

No

F4 What organisations are you associated with as an employer?

Name of organisation/association	Organisation's contact details (if known)		
	Phone	Fax	Email

F5 Does your business have union representation in the workplace?

Yes *Provide details*

No

Name of union	Union's contact details (if known)		
	Phone	Fax	Email

As advised in the 'Accreditation assessment' section on page 2, Immigration New Zealand will consult with relevant unions as part of the application process. It may be helpful if you inform the unions listed above that you are applying for accreditation under the Talent (Accredited Employers) Work Instructions.

Section G Training details

G1 What training does your business provide to New Zealand employees? *Support your statement with evidence – for example, of any in-house training and development programmes, or involvement with any New Zealand Industry Training Organisation (ITO), or funding of employees' attendance at training courses by external training providers, and/or any other evidence that you consider demonstrates your commitment to employing and training New Zealanders. (If details are set out in an attached document please state this.)*

G2 Under the Talent (Accredited Employers) Work Instructions, INZ must seek information from the Department of Labour's employment relations and occupational health and safety services, and the Accident Compensation Corporation, concerning your compliance with New Zealand's immigration and employment laws.

Note: if you do not give your consent to INZ seeking this information from these agencies, your application for accreditation will be declined.

Do you consent to INZ seeking information concerning your compliance with New Zealand's immigration and employment laws from the agencies listed above?

Yes No

Section H Declaration by employer

This section must be read and signed by a person who has authority to make representations and enter into agreements on the employer's behalf.

I understand the notes and questions in this form and I declare that the information given about my business is true and correct.

I understand that if I make any false statements, or provide any false or misleading information, or have changed or altered this form in any way, this application for accreditation may be declined, and that I may also be committing an offence under sections 342 and 348 of the Immigration Act 2009 and may be liable to prosecution.

I understand that I am required to inform Immigration New Zealand about any relevant changes to the circumstances of my business that occur after I lodge this application.

I declare that there are no matters or warrants outstanding, or investigations of any kind, which could have any current or future effect on the ability of my business to honour its obligations as an accredited employer under the Talent Work (Accredited Employers) Work Instructions.

I understand that if I have received immigration advice from an immigration adviser and if that immigration adviser is not licensed under the Immigration Advisers Licensing Act 2007 when they should be, Immigration New Zealand will return my application.

I authorise Immigration New Zealand to make any enquiries it deems necessary in respect of the documents or information provided in respect of this application, and to share information provided about me or my business with other government agencies (including overseas agencies) to the extent necessary to make decisions about whether I qualify for approval as an accredited employer under the Talent (Accredited Employers) Work Instructions.

Note: where any information is identified by the employer as commercially sensitive and is provided in confidence to Immigration New Zealand, and Immigration New Zealand considers that disclosure of that information is necessary for the processing of this application, it will seek the consent of the employer for the disclosure of that information.

I accept that any advice given to me by Immigration New Zealand before lodging this application was intended to assist me, and that acting on that advice does not mean that this application to be an accredited employer under the Talent (Accredited Employers) Work Instructions will be approved.

Signature of employer

Date

Job title or position

Section J Declaration by person helping the employer

This section must be completed and signed by the employer's immigration adviser, or by any person who has assisted the employer by providing immigration advice, explaining, translating, or filling in the form for the employer. If the employer does not have an immigration adviser, and no one helped the employer to fill in this form, this section does not have to be completed.

If you are unlicensed when you should be licensed under the Immigration Advisers Licensing Act 2007, Immigration New Zealand will return your client's application. It is an offence to provide immigration advice without holding a licence.

For more information, go to the Immigration Advisers Authority website www.iaa.govt.nz, or email info@iaa.govt.nz or write to them at PO Box 6222, Wellesley Street, Auckland 1141, New Zealand.

Name and address of person assisting employer. Same as address given at **A6**, or as below.

Family/last name

Given/first name(s)

--	--

Company name (if applicable) and address

--

Telephone (daytime)

--

Telephone (evening)

--

Fax

--

Email

--

I understand that after the employer has signed this form it is an offence for me to change or add further information, change any documents attached to the form, or attach any further documents to the form. However, if changes are needed, the person making the changes must state on the form what information or documents have been changed or attached and give reasons for the changes or attachments.

I note that the maximum penalty for this offence is a fine of up to NZ\$100,000 and/or a term of imprisonment of up to seven years.

I certify that the employer asked me to help them complete this form and any additional forms. I certify that the employer agreed that the information provided was correct before signing the declaration.

I have **assisted** the employer as an interpreter/translator.

I have **assisted** the employer with recording information on the form.

I have **assisted** the employer in another way. Please specify

--

I have provided immigration advice (as defined in the Immigration Advisers Licensing Act 2007) and my details in Section I: Immigration adviser's details are correct.

Signature of person assisting

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Date

D	D	M	M	Y	Y	Y	Y
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Application checklist

OFFICE USE ONLY	Information and documents you must supply	CHECK LIST
<input type="checkbox"/>	I have read the declaration, and signed and dated the application form.	<input type="checkbox"/>
<input type="checkbox"/>	I have enclosed the application fee or authorised a credit card payment.	<input type="checkbox"/>
<input type="checkbox"/>	I have checked that all supporting documents required by this form or indicated by me as being attached, are either attached or enclosed for submission with the application.	<input type="checkbox"/>

Send your completed application to:

Business Migration Branch
Immigration New Zealand
PO Box 3705
Wellington 6140
New Zealand.



About the information you provide

Deciding whether you are eligible to become an accredited employer

Immigration New Zealand collects the information about you on this form to decide whether you are eligible to be an accredited employer under the Talent (Accredited Employers) Work Instructions. We may also use the information to contact you for research purposes or to advise you on immigration matters.

The address of Immigration New Zealand is PO Box 3705, Wellington, New Zealand. **Do not send your application to this address.**

Collecting the information is authorised by the Immigration Act 2009 and the Immigration Regulations made under that Act. You do not have to provide the information, but if you do not we are likely to decline your application.

Immigration New Zealand may also share the information you have provided with other government agencies that are entitled to it by law, or with other agencies (as you have agreed in the declaration).

You have the right to access the information we hold about you and have any of it corrected if you think it is necessary.

For more information

If you have questions about completing this form:

- see our website www.immigration.govt.nz
- telephone our call centre on 0508 558 855 (within New Zealand)
- contact one of Immigration New Zealand's offices.

Immigration New Zealand has offices in Apia, Bangkok, Beijing, Dubai, Ho Chi Minh City, Hong Kong, Jakarta, London, Manila, Moscow, Mumbai, New Delhi, Nuku'alofa, Pretoria, Shanghai, Singapore, Suva, Sydney and Taipei.

Our New Zealand offices are located in Auckland, Henderson, Manukau, Hamilton, Palmerston North, Wellington, Christchurch, Queenstown and Dunedin.

You can also contact your nearest New Zealand Embassy or New Zealand High Commission.

Section K

Paying your application fee

See our *Fees Guide (INZ 1028)* or our website www.immigration.govt.nz/fees for more information about current fees and payment methods.

Your application fee

Amount you are paying:

Currency

Application number
(office use only)

Preferred methods of payment

We recommend that you use one of the following methods of payment for better security and faster processing:

Bank cheque/bank draft

Credit card* (choose one)

Mastercard

Visa

Name of cardholder

Card number

Expiry date

Signature of cardholder

Date

Other methods of payment

Cash. *Our New Zealand branches do not accept cash.*

We do not accept money orders.

newzealand.govt.nz