

23 June 2009

**IMMIGRATION NEW ZEALAND INSTRUCTIONS: Amendment Circular
No. 2009/06**

To: *All Manual Holders*

**AMENDMENTS TO THE IMMIGRATION NEW ZEALAND (INZ) OPERATIONAL MANUAL
– CHANGES TO THE LONG TERM SKILL SHORTAGE LIST (LTSSL) AND OTHER
AMENDED POLICY**

Introduction

This circular outlines changes to Government immigration policy and Government residence policy in the INZ Operational Manual. A copy of the amended policies is attached to this circular.

All visa and immigration officers dealing with immigration applications should read the amendments and operate in accordance with the amended policies on and from the effective dates notified below.

Note

The amendments described in this circular will be published in the INZ Operational Manual on 2 July 2009.

Any enquiries about these amendments should be directed to the Immigration Contact Centre on 0508 558 855 or 09 914 4100 (Auckland only).

Changes to policy effective from 18 June 2009

RA45 Restrictions on the grant or issue of a visa or permit to certain groups as designated by the United Nations Security Council (UNSC)

On 7 May 2009, the United Nations Sanctions (Somalia) Amended Regulations 2009 came into force. These enforce a UNSC travel ban on certain designated individuals who are nationals of Somalia. Operational policy has been amended to reflect the new Somalia Regulations.

Changes to policy effective from 23 June 2009

E2.25 Restrictions on the grant or issue of a visa or permit to certain groups as designated by the United Nations Security Council (UNSC)

On 7 May 2009, the United Nations Sanctions (Somalia) Amended Regulations 2009 came into force. These enforce a UNSC travel ban on certain designated individuals who are nationals of Somalia. Operational policy has been amended to reflect the new Somalia Regulations.

Changes to policy effective from 30 June 2009

WH1.1 Objectives and Overview - RSE Policy

The start date of the annual quota of Recognised Seasonal Employer workers is changing to 30 June.

Changes to policy effective from 2 July 2009

Appendix 6 - Long Term Skill Shortage List

The following occupations have been removed from the LTSSL:

- Motor Mechanic (General)
- Motor Mechanic (Auto Air Conditioning Technicians)
- Motor Mechanic (Motor Vehicle Inspectors)
- Plumber (General)
- Fitter Welder
- Diesel Motor Mechanic
- Carpenter/Joiner
- Cabinet Maker.

In addition, amendments were made to the following occupations:

- 'Auditor' now includes Internal Auditors.
- General Medical Practitioner entry – 'rural' classification removed.
- University Lecturers now require work experience.

SM8.20 Employment in an area of absolute skills shortage

SM13.20 Work experience in an area of absolute skills shortage

SM16.20 Qualifications in an area of absolute skills shortage

Policy has been amended so that any bonus points in an area of absolute skills shortage claimed in an Expression of Interest that was selected from the Pool of Expressions of Interest before an occupation was removed from the LTSSL can continue to be considered as though the occupation had not been removed from the LTSSL.

SM7.10.15 Recognised work experience

A new provision has been added to clarify that SMC points awarded on the basis of work experience must result from work experience that has been lawfully obtained as defined at *SM11.15 Additional requirements for recognition of work experience*.

SM12.5 Points for recognised work experience in New Zealand

SM13.5 Points for recognised work experience in an identified future growth area or area of absolute skills shortage

A note has been added to these provisions to clarify that the requirements for recognised work experience are as set out at *SM11.10 Requirements for recognition* and *SM11.15 Additional requirements for recognition of work experience*.

SM4.20 Settlement and contribution requirements

The policy has been amended so the summary more accurately reflects the provisions in *SM20.10 Assessment of whether a principal applicant can realise their potential to successfully settle and contribute*.

SM5.10 English language requirements for non-principal applicants

This policy has been amended to align with changes previously made to *SM5.5 Minimum standard of English language for principal applicants*.

RW4 Residence policy for holders of work permits granted under the Long Term Skill Shortage List Work Policy

RW4.5 Evidential requirements

Sections of the LTSSL Residence from Work policy stating that an occupation must have been on the LTSSL for 24 months prior to a residence application being made have been removed.

Appendix 1: Amended Policy

E2.25 Restrictions on the grant or issue of a visa or permit to certain groups as designated by the United Nations Security Council (UNSC)

United Nations Sanctions (Sierra Leone) Regulations 1997 Reg. 11; United Nations Sanctions (Liberia) Regulations 2001 Reg 16; United Nations Sanctions (Al-Qaida and Taliban) Regulations 2007 Reg 13; United Nations Sanctions (Côte d'Ivoire) Regulations 2005 Reg 13; United Nations Sanctions (Democratic People's Republic of Korea) Regulations 2006 Reg 17; United Nations Sanctions (Iran) Regulations 2007 Reg 16B; United Nations Sanctions (Lebanon) Regulations 2008 Reg 17; United Nations Sanctions (Democratic Republic of the Congo) Regulations 2004 Reg 12D; United Nations Sanctions (Sudan) Regulations 2004 Reg 13D; United Nations Sanctions (Somalia) Regulations 1992 Reg 10F.

- a. In accordance with UNSC sanctions, no person who is a designated individual or specified entity may enter New Zealand or transit through New Zealand, meaning that no such person may be granted or issued a visa or permit. This restriction is in place for the following people:
 - i designated individuals from Sierra Leone
 - ii designated individuals from Liberia
 - iii designated individuals from Côte d'Ivoire
 - iv designated individuals, and their immediate family members, from the Democratic People's Republic of Korea (DPRK)
 - v designated individuals and specified entities from Al-Qaida and Taliban
 - vi designated individuals from Iran
 - vii designated individuals from Lebanon
 - viii designated individuals from the Democratic Republic of Congo (DRC)
 - ix designated individuals from Sudan.
 - x designated individuals from Somalia
- b. INZ case officers must contact the Ministry of Foreign Affairs and Trade (MFAT) when processing any immigration application from a person to whom (a) above applies.
- c. A permit or visa may only be granted or issued to a designated individual or specified entity on the advice of the Secretary of Foreign Affairs and Trade.

Note: For the purposes of this policy a designated individual and a specified entity is someone who is named on a list of such persons held by INZ and updated from time to time.

Effective 23 June 2009

RA45 Restrictions on the grant or issue of a visa or permit...

RA45 Restrictions on the grant or issue of a visa or permit to certain groups as designated by the United Nations **Security Council (UNSC)**

*United Nations Sanctions (Sierra Leone) Regulations 1997 Reg. 11; United Nations Sanctions (Liberia) Regulations 2001 Reg 16; United Nations Sanctions (Al-Qaida and Taliban) Regulations 2007 Reg 13; United Nations Sanctions (Côte d'Ivoire) Regulations 2005 Reg 13; United Nations Sanctions (Democratic People's Republic of Korea) Regulations 2006 Reg 17; United Nations Sanctions (Iran) Regulations 2007 Reg 16B; United Nations Sanctions (Lebanon) Regulations 2008 Reg 17; United Nations Sanctions (Democratic Republic of the Congo) Regulations 2004 Reg 12D; United Nations Sanctions (Sudan) Regulations 2004 Reg 13D; **United Nations Sanctions (Somalia) Regulations 1992 Reg 10F.***

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 - vii designated individuals from Lebanon
 - viii designated individuals from the Democratic Republic of Congo (DRC)
 - ix designated individuals from Sudan.
 - x **designated individuals from Somalia**
- b. INZ case officers must contact the Ministry of Foreign Affairs and Trade (MFAT) when processing any immigration application from a person to whom (a) above applies.
- c. A permit or visa may only be granted or issued to a designated individual or specified entity on the advice of the Secretary of Foreign Affairs and Trade.

Note: For the purposes of this policy a designated individual and a specified entity is someone who is named on a list of such persons held by INZ and updated from time to time.

Effective 18 June 2009

Y3.45 Restrictions on the grant or issue of a visa or permit to certain groups as designated by the United Nations Security Council (UNSC)

United Nations Sanctions (Sierra Leone) Regulations 1997 Reg. 11; United Nations Sanctions (Liberia) Regulations 2001 Reg 16; United Nations Sanctions (Al-Qaida and Taliban) Regulations 2007 Reg 13; United Nations Sanctions (Côte d'Ivoire) Regulations 2005 Reg 13; United Nations Sanctions (Democratic People's Republic of Korea) Regulations 2006 Reg 17; United Nations Sanctions (Iran) Regulations 2007 Reg 16B; United Nations Sanctions (Lebanon) Regulations 2008 Reg 17; United Nations Sanctions (Democratic Republic of the Congo) Regulations 2004 Reg 12D; United Nations Sanctions (Sudan) Regulations 2004 Reg 13D; United Nations Sanctions (Somalia) Regulations 1992 Reg 10F.

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 - i. designated individuals from Sierra Leone
 - ii. designated individuals from Liberia
 - iii. designated individuals from Côte d'Ivoire
 - iv. designated individuals, and their immediate family members, from the Democratic People's Republic of Korea (DPRK)
 - v. designated individuals and specified entities from Al-Qaida and Taliban
 - vi. designated individuals from Iran
 - vii. designated individuals from Lebanon
 - viii. designated individuals from the Democratic Republic of Congo (DRC)
 - ix. designated individuals from Sudan.
 - x. designated individuals from Somalia
- b. INZ case officers must contact the Ministry of Foreign Affairs and Trade (MFAT) when processing any immigration application from a person to whom (a) above applies.
- c. A permit or visa may only be granted or issued to a designated individual or specified entity on the advice of the Secretary of Foreign Affairs and Trade.

Note: For the purposes of this policy a designated individual and a specified entity is someone who is named on a list of such persons held by INZ and updated from time to time.

Effective 23/7/2009

WH1.1 Objectives and Overview - RSE Policy

WH1.1.1 Objectives

The objectives of the RSE Policy are to:

- a. allow horticulture and viticulture businesses to supplement their New Zealand workforce with non-New Zealand citizen or resident workers when labour demand exceeds the available New Zealand workforce and employers have made reasonable attempts to train and recruit New Zealand citizens and residents; and
- b. promote best practice in the horticulture and viticulture industries to support economic growth and productivity of the industry as a whole, while ensuring that the employment conditions of both New Zealand and non-New Zealand citizen or resident workers are protected and supported; and
- c. encourage economic development, regional integration and good governance within the Pacific, by allowing preferential access under RSE Policy to workers who are citizens of eligible Pacific countries; and
- d. ensure workers recruited under this policy are adequately paid and financially benefit from their time in New Zealand; and
- e. ensure outcomes which promote the integrity, credibility and reputation of the New Zealand immigration and employment relations systems.

WH1.1.5 Meeting the objectives of RSE policy

To ensure these objectives are met:

- a. RSE limited purpose visas and permits will only be issued or granted under the RSE Policy where:
 - i there are available places for employment in the horticulture and viticulture industries as determined by INZ in consultation with Ministry of Social Development (MSD); and
 - ii INZ is satisfied the RSE will:
 - continue to have direct responsibility for those workers and their work output (except where WH1.5.5(d) applies); and
 - comply strictly with the requirements for RSE status and Agreements to Recruit (ATRs) under the RSE Policy; and
- b. a high standard of proof is required to satisfy INZ that policy requirements will be and are being met; and
- c. INZ may consider the compliance history and particular employment or other arrangements (including recruitment practices) of the RSE and other organisations or individuals associated with the RSE; and
- d. permission to use non-New Zealand citizen or resident workers will be withdrawn and further permission refused where there is any breach of requirements other than of a minor nature; and
- e. RSE status will not be granted to employers whose core area of business activity is the facilitation of entry to New Zealand of non-New Zealand citizens and residents or who are not engaged directly in the industries to which this policy applies.

WH1.1.10 Overview

- a. An employer who wishes to recruit non-New Zealand citizen or resident workers to plant, maintain, harvest and pack crops in the horticulture and viticulture industries under this policy must apply to become a Recognised Seasonal Employer (RSE) (see WH1.5).
- b. An employer with RSE status may then apply for an Agreement to Recruit (ATR). An ATR allows the recruitment of a set number of non-New Zealand citizen or resident workers for each period where demand requires it (see WH1.10). ATRs will be restricted to recruitment from specified Pacific countries, unless RSEs can satisfy INZ that they:
 - i have pre-established relationships with workers of other nationalities (see WH1.10.20); or
 - ii have made reasonable attempts to recruit from the specified Pacific countries, but were unsuccessful (see WH1.10.15); or
 - iii have reasonable grounds for why it is not feasible to recruit from the specified Pacific countries.
- c. An employer with a current ATR may offer seasonal employment to non-New Zealand citizen or resident workers.
- d. Workers who hold such an offer of employment may then apply for an RSE limited purpose visa or permit (see WH1.15) consistent with the terms and conditions of the RSE's ATR.
- e. All visas issued and permits granted to plant, maintain, harvest and pack crops in the horticulture or viticulture industry for an RSE under the RSE policy will be issued and/or granted under the RSE Limited Purpose Entry policy (see WH1.15).

WH1.1.15 Annual limit to number of permits available under RSE Policy

- a. The number of permits that can be granted under this policy is limited to 8000 for each year ending **30 June**.
- b. Applications for ATRs or RSE limited purpose visas or permits submitted after this limit has been reached will not be approved for places within that year and the application fee will be refunded.
- c. INZ will take into consideration the following matters when determining whether the annual limit has been reached:
 - i the number of permits granted in the year ending **30 June**; and
 - ii the number of workers requested in ATRs approved for each year ending **30 June**.

Effective 30/06/2009

Appendix 6 - Long Term Skill Shortage List

This Appendix is part of Government immigration policy as described in section 13A of the Immigration Act 1987 (see WR3.10.1) and Government residence policy as described in section 13B of the Immigration Act 1987 (see RW4).

Occupational Groups	Occupation - <i>Occupations are listed by ANZSCO (Australian New Zealand Standard Classification of Occupations) code</i>	Long Term Skill Shortage List Requirements - <i>Qualifications must be comparable to the standard of the New Zealand qualification listed. Also see Note 1 at the end of this list</i>	In order to claim bonus points for qualifications in an area of absolute skill shortage under the Skilled Migrant Category, applicants must meet the following specifications -
Professional Occupations	Architect (232111)	Bachelor of Architecture or equivalent AND New Zealand registration	Bachelor of Architecture or equivalent AND New Zealand registration
Professional Occupations	Auditor (221213, 221214)	External Auditor: Degree level (Level 7) qualification majoring in accountancy and membership or provisional membership with the New Zealand Institute of Chartered Accountants (NZICA). Internal Auditor: Certified Internal Auditor.	External Auditor: Degree level (Level 7) qualification majoring in accountancy and membership or provisional membership with the New Zealand Institute of Chartered Accountants (NZICA). Internal Auditor: Certified Internal Auditor.
Professional Occupations	Civil Engineering Technician (312212)	National Diploma in Civil Engineering (Level 6) or Level 6 Diploma in Civil Engineering and at least three years work experience including at least 12 months relevant work experience in the past 18 months	National Diploma in Civil Engineering (Level 6) or Level 6 Diploma in Civil Engineering and at least three years work experience including at least 12 months relevant work experience in the past 18 months
Professional Occupations	Early Childhood (Pre-primary School Teacher) (241111)	A qualification in Early Childhood Education (ages 0-5) at a minimum of Level 7, which is approved by the New Zealand Teachers Council AND NZ registration	A qualification in Early Childhood Education (ages 0-5) at a minimum of Level 7, which is approved by the New Zealand Teachers Council AND NZ registration
Professional Occupations	Electrical Engineering Technician (312312)	Bachelor's Degree in Engineering (Level 7) majoring in electrical engineering AND three years' relevant	Bachelor's Degree in Engineering (Level 7) majoring in electrical engineering

		experience	
Professional Occupations	Engineering Professionals (233111 to 233999), Telecommunications Engineering Professionals (263311, 263312)	A degree level (level 7) qualification and registered on the International Professional Engineers Register or Asia Pacific Economic Co-operation (APEC) Engineers Register OR a Washington Accord accredited engineering degree	A Washington Accord accredited engineering degree
Professional Occupations	Environmental Research Scientist (234313)	Bachelor of Science or Applied Science in environmental studies	Bachelor of Science or Applied Science in environmental studies
Professional Occupations	Food Technologists (234212)	Bachelor of Science (Food Science) OR Bachelor of Technology (Food Science) OR Bachelor of Engineering (Food Engineering) AND a minimum of three years' relevant work experience in the industry	Bachelor of Science (Food Science) OR Bachelor of Technology (Food Science) OR Bachelor of Engineering (Food Engineering)
Professional Occupations	Project Builder (including Building Project Manager and Site Foreman) (133112)	National Diploma in Construction Management (Level 6) AND three years' relevant post qualification experience	National Diploma in Construction Management (Level 6)
Professional Occupations	Quantity Surveyor (233213)	Bachelor of Construction (Quantity Surveying) AND three years' relevant post qualification experience	Bachelor of Construction (Quantity Surveying)
Professional Occupations	Secondary School Teachers (241411)	Bachelors degree (or equivalent) with a major in a NZ teaching subject AND a secondary teaching qualification recognised for registration purposes by the New Zealand Teachers Council OR a four year Bachelor of Education/Teaching (Secondary) with a major in a NZ teaching subject	Bachelors degree (or equivalent) with a major in a NZ teaching subject AND a secondary teaching qualification recognised for registration purposes by the New Zealand Teachers Council OR a four year Bachelor of Education/Teaching (Secondary) with a major in a NZ teaching subject

Professional Occupations	Social Worker (272511)	Bachelor of Social Work OR Graduate Diploma of Social Work	Bachelor of Social Work OR Graduate Diploma of Social Work
Professional Occupations	Surveyors (232212)	Bachelor of Surveying	Bachelor of Surveying
Professional Occupations	University Lecturer (242111)	Masters degree or PhD	Masters Degree or PhD (Level 9 or 10) AND at least twelve months work experience as a university lecturer (or a post doctoral fellow)
Professional Occupations	Urban and Regional Planners (232611)	Bachelors degree (or higher) in environmental or resource planning	Bachelors degree (or higher) in environmental or resource planning
Professional Occupations	Veterinarian (234711)	Bachelor of Veterinary Science OR equivalent, approved by the Veterinary Council of New Zealand AND registration with the New Zealand Veterinary Council	Bachelor of Veterinary Science OR equivalent, approved by the Veterinary Council of New Zealand AND registration with the New Zealand Veterinary Council
Health Groups	Ambulance Paramedic (Advanced Life Support) (411112)	Bachelor of Health Science (Paramedic) (Level 7) AND two years experience in this role	Bachelor of Health Science (Paramedic) (Level 7) AND two years experience in this role
Health Groups	Ambulance Paramedic (Intermediate Life Support) (411112)	National Diploma in Ambulance (Paramedic) (Level 7) AND two years experience in this role	National Diploma in Ambulance (Paramedic) (Level 7) AND two years experience in this role
Health Groups	Anaesthetics Technician (311211)	Diploma in Applied Science for Anaesthetics Technicians (Level 5)	Diploma in Applied Science for Anaesthetics Technicians (Level 5)
Health Groups	Anaesthetist (253211)	Bachelor of Medicine and Bachelor of Surgery AND registered within a provisional vocational or vocational scope of practice with the Medical Council of New Zealand (MCNZ)	Bachelor of Medicine and Bachelor of Surgery AND registered within a provisional vocational or vocational scope of practice with MCNZ
Health Groups	Anatomist or Physiologist (Clinical Respiratory Physiologist/ Scientist) (234512)	Postgraduate qualification in respiratory science and being a Certified Respiratory Function Scientist (credentialed	Postgraduate qualification in respiratory science and being a Certified Respiratory Function Scientist (credentialed

		by the Australia and New Zealand Society of Respiratory Scientists (ANZSRS)) or equivalent	by the Australia and New Zealand Society of Respiratory Scientists (ANZSRS)) or equivalent
Health Groups	Audiologist (252711)	Master of Audiology	Master of Audiology
Health Groups	Cardiac Technician (Clinical Cardiac Physiologist) (311212)	Post Graduate Diploma in Medical Technology AND two years' relevant work experience AND NZ registration	Post Graduate Diploma in Medical Technology AND two years' relevant work experience
Health Groups	Clinical Psychologist (272311), Educational Psychologist (272312)	Master of Psychology OR Postgraduate Diploma in Psychology AND NZ registration	Master of Psychology OR Postgraduate Diploma in Psychology
Health Groups	Dietitian (251111)	Bachelor of Science OR Bachelor of Consumer and Applied Sciences (majoring in Human Nutrition), AND Postgraduate Diploma in Dietetics AND NZ registration	Bachelor of Science OR Bachelor of Consumer and Applied Sciences (majoring in Human Nutrition), AND Postgraduate Diploma in Dietetics AND NZ registration
Health Groups	General Medical Practitioner (253111)	Bachelor of Medicine and Bachelor of Surgery AND registered within a provisional general, general, provisional vocational or vocational scope of practice with MCNZ	Bachelor of Medicine and Bachelor of Surgery AND registered within a provisional vocational or vocational scope of practice with MCNZ
Health Groups	Intensive Care Specialist (253317)	Bachelor of Medicine and Bachelor of Surgery AND registered within a provisional vocational or vocational scope of practice with MCNZ	Bachelor of Medicine and Bachelor of Surgery AND registered within a provisional vocational or vocational scope of practice with MCNZ
Health Groups	Medical Diagnostic Radiographer (251211), Medical Radiation Therapist (251212), Nuclear Medicine Technologist (251213)	Bachelor in Health Science specialising in Medical Radiation Therapy OR specialising in Medical Imaging AND NZ registration	Bachelor in Health Science specialising in Medical Radiation Therapy OR specialising in Medical Imaging
Health Groups	Medical laboratory Scientist – including cytotechnologist (cytoscience) (311213)	Bachelor of Medical Laboratory Science AND NZ registration	Bachelor of Medical Laboratory Science
Health Groups	Midwife (254111)	Bachelor of Midwifery AND NZ registration	Bachelor of Midwifery

Health Groups	Nurse – includes Nurse Manager (254311), Nurse Researcher (254212), Nurse Practitioner (254411), Registered Nurses (254412 to 254499)	Bachelor of Nursing OR Diploma in Comprehensive Nursing, diploma or hospital based certificate AND NZ registration	Bachelor of Nursing OR Diploma in Comprehensive Nursing, diploma or hospital based certificate
Health Groups	Obstetrician and Gynaecologist (253913)	Bachelor of Medicine and Bachelor of Surgery AND registered within a provisional general or general scope of practice with MCNZ	Bachelor of Medicine and Bachelor of Surgery
Health Groups	Occupational Therapists (252411)	Bachelor of Occupational Therapy OR Bachelor of Health Science (Occupational Therapy strand) AND NZ registration	Bachelor of Occupational Therapy OR Bachelor of Health Science (Occupational Therapy strand)
Health Groups	Osteopath (252112)	Masters degree in Osteopathy AND NZ registration	Masters degree in Osteopathy AND NZ registration
Health Groups	Pathologist (253915)	Bachelor of Medicine and Bachelor of Surgery AND registered within a provisional vocational or vocational scope of practice with MCNZ	Bachelor of Medicine and Bachelor of Surgery AND registered within a provisional vocational or vocational scope of practice with MCNZ
Health Groups	Pharmacists (Hospital, Industrial and Retail) (251511 to 251513)	Bachelor of Pharmacy AND NZ registration	Bachelor of Pharmacy
Health Groups	Physiotherapist (252511)	Bachelor of Physiotherapy AND NZ registration	Bachelor of Physiotherapy
Health Groups	Psychiatrist (253411)	Bachelor of Medicine and Bachelor of Surgery AND registered within a provisional vocational or vocational scope of practice with MCNZ	Bachelor of Medicine and Bachelor of Surgery AND registered within a provisional vocational or vocational scope of practice with MCNZ
Health Groups	Radiologist (253916)	Bachelor of Medicine and Bachelor of Surgery AND registered within a provisional vocational or vocational scope of practice with MCNZ	Bachelor of Medicine and Bachelor of Surgery AND registered within a provisional vocational or vocational scope of practice with MCNZ
Health Groups	Radiologist (Radiation Oncologist) (253916)	Bachelor of Medicine and Bachelor of Surgery AND registered within a	Bachelor of Medicine and Bachelor of Surgery AND registered within a

		provisional vocational or vocational scope of practice with MCNZ	provisional vocational or vocational scope of practice with MCNZ
Health Groups	Renal Medicine Specialist (253322)	Bachelor of Medicine and Bachelor of Surgery AND registered within a provisional vocational or vocational scope of practice with MCNZ	Bachelor of Medicine and Bachelor of Surgery AND registered within a provisional vocational or vocational scope of practice with MCNZ
Health Groups	Sonographer (251214)	Graduate Diploma in Medical Ultra Sonography	Graduate Diploma in Medical Ultra Sonography
Health Groups	Specialist Physician in Palliative Medicine (253399)	Bachelor of Medicine and Bachelor of Surgery AND registered within a provisional vocational or vocational scope of practice with MCNZ	Bachelor of Medicine and Bachelor of Surgery AND registered within a provisional vocational or vocational scope of practice with MCNZ
Health Groups	Speech Language Therapist (252712)	Bachelor of Speech and Language Therapy, AND/OR Masters of Speech and Language Therapy	Bachelor of Speech and Language Therapy, AND/OR Masters of Speech and Language Therapy
Health Groups	Surgeon (General) (253511)	Bachelor of Medicine and Bachelor of Surgery AND registered within a provisional vocational or vocational scope of practice with MCNZ	Bachelor of Medicine and Bachelor of Surgery AND registered within a provisional vocational or vocational scope of practice with MCNZ
Trades Occupations	Airconditioning and Refrigeration Mechanic (342111)	National Certificate in Refrigeration and Air Conditioning (Level 4) OR National Certificate in Heating and Ventilation (Level 4)	National Certificate in Refrigeration and Air Conditioning Level 4 OR National Certificate in Heating and Ventilation (Level 4)
Trades Occupations	Automotive Electrician (321111)	National Certificate in Automotive Engineering Level 4 OR National Certificate in Motor Industry (Automotive Electrical Engineering) Level 4	National Certificate in Automotive Engineering Level 4 OR National Certificate in Motor Industry (Automotive Electrical Engineering) Level 4
Trades Occupations	Boatbuilder and Repairer (399111)	National Certificate in Boat Building Level 4	National Certificate in Boat Building Level 4

Trades Occupations	Electric Line Mechanic (342211)	National Certificate in Electricity Supply (Line Mechanic Distribution) (Level 4) or National Certificate in Electricity Supply (Line Mechanic Transmission) (Level 4) and NZ Registration as a line mechanic with the Electrical Workers Registration Board	National Certificate in Electricity Supply (Line Mechanic Distribution) (Level 4) or National Certificate in Electricity Supply (Line Mechanic Transmission) (Level 4) and NZ Registration as a line mechanic with the Electrical Workers Registration Board
Trades Occupations	Electrician (General) (341111)	New Zealand Electrical Registration	New Zealand Electrical Registration
Trades Occupations	Fitter & Turner (323212)	National Certificate in Maintenance & Diagnostics in Mechanical Engineering Level 5, OR National Certificate in Engineering, Machining and Toolmaking Level 5	National Certificate in Maintenance & Diagnostics in Mechanical Engineering Level 5, OR National Certificate in Engineering, Machining and Toolmaking Level 5
Horticultural Occupations	Fruit or Nut Grower (Orchard Manager) (121213)	Bachelor's degree majoring in Horticulture OR National Certificate in Horticulture (Advanced) (Level 4) with strands in Fruit Production or Production Horticulture OR Diploma in Horticulture (Level 5) AND three or more years' experience	Bachelor's degree majoring in Horticulture OR National Certificate in Horticulture (Advanced) (Level 4) with strands in Fruit Production or Production Horticulture OR Diploma in Horticulture (Level 5) AND three or more years' experience
Horticultural Occupations	Market Gardener (Crop Production/ Agronomist Manager) (121221)	Bachelor's degree majoring in Horticulture OR National Certificate in Horticulture (Advanced) (Level 4) with strands in Fruit Production or Production Horticulture OR Diploma in Horticulture (Level 5) AND three or more years' experience	Bachelor's degree majoring in Horticulture OR National Certificate in Horticulture (Advanced) (Level 4) with strands in Fruit Production or Production Horticulture OR Diploma in Horticulture (Level 5) AND three or more years' experience
Horticultural Occupations	Mixed Crop Farmer (Grower Manager) (121216)	Bachelor's degree majoring in Horticulture OR a related field AND minimum of five years'	Bachelor's degree in majoring Horticulture OR a related field

		managerial experience	
Information Technology (IT) Professionals	ICT Professionals (261111 to 263312), ICT Customer Support Officer (Technical advice and Consultancy) (313112), Organisation and Methods Analyst (224712), ICT Project Manager (135112)	Degree-level (Level 7) qualification majoring in computer science, information science or information technology AND three years of relevant work experience	Degree-level qualification (Level 7) majoring in computer science, information science or information technology
Creative Industries	Multimedia Designer (Film Animator) (232413)	Specialist experience in Maya, Soft Image/XSI, 3D Studio Max, Combustion, After Effects, Unix, Linux, C, C++, Perl, GUI, CGI	Relevant degree-level (Level 7) qualification majoring in multimedia, computer graphics, digital design, computer programming or software development
Electronics	Electronic Engineering Technician (312412)	National Diploma in Engineering (Level 6) (Electronics), OR relevant degree-level qualification (Level 7) (for example, BTech in Electronics, BSc or BE) AND three years' work experience AND at least 12 months' relevant work experience in the past 18 months	National Diploma in Engineering (Level 6) (Electronics), OR relevant degree-level qualification (Level 7) (for example, BTech in Electronics, BSc or BE)
Electronics	Electronics Engineer (Design Engineers - Electronics / Product Engineer) (233411)	Degree-level qualification (Level 7) majoring in electronics, computer science or telecommunications AND three years of work experience with at least 12 months' relevant work experience in the past 18 months	Degree-level qualification (Level 7) majoring in electronics, computer science or telecommunications
Electronics	Management & Project Management staff (139999)	Degree-level qualification (Level 7) majoring in electronics, computer science, or telecommunications AND three years of work experience with at least 12 months' relevant work	Degree-level qualification (Level 7) majoring in electronics, computer science, or telecommunications

		experience in the past 18 months	
Service and Sales Workers	Chef (351311)	National Certificate in Hospitality (Professional Cookery) Level 4 or a Level 5 Diploma (specialising in the area of professional cookery) AND a minimum of five years combined experience in establishments offering a la carte/banqueting or commercial catering, with a minimum of two years at Chef de Partie (Section Leader level or higher)	National Certificate in Hospitality (Professional Cookery) Level 4 or a Level 5 Diploma (specialising in the area of professional cookery) AND a minimum of five years combined experience in establishments offering a la carte/banqueting or commercial catering, with a minimum of two years at Chef de Partie (Section Leader level or higher)

Note 1: Qualifications must be comparable to the standard of the New Zealand qualification listed.

Note 2: Where work experience is included as a requirement it applies to all qualifications listed for the occupation (unless otherwise indicated).

Note 3: Qualifications held by applicants claiming points based on this list under the Skilled Migrant Category policy must be recognised under Skilled Migrant Category policy.

Effective 02/07/2009

SM8.20 Employment in an area of absolute skills shortage

- a. A principal applicant is assessed as having employment in an area of absolute skills shortage if:
 - i they are employed in an occupation included on the Long Term Skill Shortage List (refer Appendix 6) or that was on the Long Term Skill Shortage List at the time their Expression of Interest was selected; and
 - ii the current employment or offer of employment meets the specifications for that occupation; and
 - iii they are suitably qualified by training and/or experience to undertake the employment or offer of employment (including any specific requirements set out on the Long Term Skill Shortage List).
- b. Skilled employment in an area of absolute skills shortage only qualifies for points if a principal applicant provides evidence that their employment or offer of employment meets the requirements of (a) above.

Effective 02/07/2009

SM13.20 Work experience in an area of absolute skills shortage

- a. Recognised work experience is assessed as being in an area of absolute skills shortage if:
 - i it was undertaken in an occupation included on the Long Term Skill Shortage List (refer Appendix 6) or that was on the Long Term Skill Shortage List at the time their Expression of Interest was selected; and
 - ii it meets the specifications for that occupation; and
 - iii the principal applicant is suitably qualified by training and/or experience to undertake that work (including any specific requirements set out on the Long Term Skill Shortage List).
- b. Where the Long Term Skill Shortage List specifies that occupational registration is required for a listed occupation, principal applicants must demonstrate that they held occupational registration while undertaking the work experience, if occupational registration is required in the country in which the work occurred.

SM 13.20.1 Evidence

Recognised work experience in an area of absolute skills shortage only qualifies for points if the principal applicant provides evidence that satisfies a visa or immigration officer that their work experience meets the requirements of SM13.20 above.

Effective 02/07/2009

SM16.20 Qualifications in an area of absolute skills shortage

- a. If a principal applicant does not have skilled employment in New Zealand in an area of absolute skills shortage (see SM8.20), they will be assessed as being qualified in an area of absolute skills shortage if they meet the specifications in Column 4 of the Long Term Skill Shortage List (see Appendix 6).
- b. If a principal applicant does have skilled employment in New Zealand in an area of absolute skills shortage (see SM8.20) their recognised qualification will be assessed as being in an area of absolute skills shortage if the specialist, technical or managerial expertise required for that employment was obtained through the completion of that qualification.
- c. Recognised qualifications in an area of absolute skills shortage only qualify for points if any occupational registration requirements relating to those qualifications are met (see SM19.15).

SM16.20.1 Evidence

If (b) above applies, recognised qualifications in an area of absolute skills shortage will only qualify for points if the principal applicant provides evidence that they obtained the specialist, technical or managerial expertise required for their employment in an area of absolute skills shortage through completion of the recognised qualification.

SM16.25 Removal of an occupation from the Long Term Skill Shortage List

If an occupation is removed from the Long Term Skill Shortage List, Expressions of Interest that have been selected before the removal, which include points for meeting the requirements under SM16.20, will be assessed in the subsequent SMC application for residence as if the occupation was not removed.

Effective 02/07/2009

SM7.10 Skilled Employment

- a. Skilled employment is employment that requires specialist, technical or management expertise:
 - i obtained through the completion of recognised relevant qualifications; or
 - ii obtained through recognised relevant work experience (see SM7.10.15 below); or
 - iii obtained through the completion of recognised relevant qualifications and work experience.
- b. Assessment of whether an occupation is skilled for the purposes of Skilled Migrant Category (SMC) policy is primarily based on the Australian and New Zealand Standard Classification of Occupations (ANZSCO) which associates skill levels with each occupation.

Note: The ANZSCO is available at www.immigration.govt.nz/ANZSCO

SM7.10.1 Assessment of whether employment is skilled

An offer of employment or current employment in New Zealand will be assessed as skilled if it meets the requirements of (a), (b) or (c) below.

- a. The occupation is included in part A of the List of Skilled Occupations held at Appendix 11 and the principal applicant can demonstrate that their offer of employment or current employment substantially matches the description for that occupation (including core tasks) as set out in the ANZSCO and:
 - i the applicant holds a relevant recognised qualification which is at, or above, the qualification level on the Register (see SM14.5) that corresponds to the indicative skill level described for that occupation in the ANZSCO; or
 - ii the applicant has the relevant recognised work experience that the ANZSCO indicates may substitute the required qualification; or
 - iii the employment is in an occupation included on the Long Term Skill Shortage List and the applicant meets the relevant requirements specified in column three of the Long Term Skill Shortage List for that occupation.
 - iv notwithstanding (a) (ii), applicants with Skill Level One Occupations can substitute the required qualification with five years of relevant work experience.
- b. The occupation is included in part B of the List of Skilled Occupations held at Appendix 11 and the principal applicant can demonstrate that their offer of employment or current employment substantially matches the description for that occupation (including core tasks) as set out in the ANZSCO and:
 - i the applicant holds a relevant recognised qualification which is at, or above, level four on the Register (see SM14.5) (a qualification at level four on the Register must be a National Certificate); or
 - ii has the relevant recognised work experience that the ANZSCO indicates may substitute the required qualification; or
 - iii the employment is in an occupation included on the Long Term Skill Shortage List and the applicant meets the relevant requirements specified in column three of the Long Term Skill Shortage List for that occupation.
- c. The occupation is included in part C of the List of Skilled Occupations held at Appendix 11 and the principal applicant can demonstrate that their offer of employment or current employment substantially matches the description for that occupation (including core tasks) as set out in the ANZSCO and has either:

- i at least three years of relevant recognised work experience and a relevant recognised qualification which is at, or above, level four on the Register (see SM14.5) (a qualification at level four on the Register must be a National Certificate); or
 - ii at least three years of relevant recognised work experience and that current employment or the position in which the employment is offered, has an annual base salary of at least NZ\$45,000. Note: For the avoidance of doubt, the annual base salary excludes employment related allowances (for example overtime, tool or uniform allowances, medical insurance, accommodation) and must be calculated on the basis of 40 hours' work per week.
- d. Where a principal applicant's offer of employment or current employment in New Zealand does not meet the requirements of (a), (b), or (c) above they may nevertheless qualify for points for skilled employment if:
- i their employment in the occupation will enhance the quality of New Zealand's accomplishments and participation in that occupational area because the principal applicant has an international reputation and record of excellence in that field; and
 - ii the required expertise for the occupation has been gained through relevant recognised qualifications or work experience.

SM7.10.3 Occupations awarded points for skilled employment as an exception

A principal applicant's offer of employment or current employment in New Zealand also qualifies for skilled employment points if:

- a. it is in an occupation included in the list of occupations held at Appendix 12 (Occupations Treated as Exceptions); and
- b. the principal applicant can demonstrate that their offer of employment or current employment substantially matches the description for that occupation (including core tasks) as set out in the ANZSCO and has either:
 - i a relevant qualification which is at, or above, the qualification level on the Register (see SM14.5) that corresponds to the indicative skill level described for that occupation in the ANZSCO; or
 - ii the relevant work experience that the ANZSCO indicates may substitute the required qualification.

SM7.10.5 Relevance of qualification(s) to employment

Qualifications are relevant to employment if:

- a. the major subject area of the principal applicant's recognised qualification is directly applicable to the employment; and/or
- b. a visa or immigration officer is satisfied that the qualification was a key factor in the employer's decision to employ the principal applicant in that position.

Note: For the purposes of this provision, 'qualifications' must meet the requirements for recognition set out in SM14.5 (except where SM7.10.3 applies) but are not required to be the same qualification(s) that qualifies for points under the Qualifications part of this policy (see SM14).

SM7.10.10 Relevance of work experience to employment

Work experience is relevant to employment if the employer considers, and a visa or immigration officer is satisfied that:

- a. the work experience is directly applicable to the employment; and/or
- b. the offer of employment could not reasonably have been made or the employment could not reasonably have been undertaken if the applicant did not have that work experience.

SM7.10.15 Recognised work experience

- a. Work experience will be recognised if a visa or immigration officer is satisfied that the principal applicant's work experience has been lawfully obtained.
- b. Work experience will not be recognised if it was gained while in a country where the principal applicant was either an unlawful resident or required authority to undertake employment, but did not have such authority.

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SM12.5 Points for recognised work experience in New Zealand

SM12.5 Points for recognised work experience in New Zealand

Recognised work experience in New Zealand qualifies for points as follows:

1 year	5 points
2 years	10 points
3 years or more	15 points

Note: The requirements for recognised work experience are set out in SM11.10 and SM11.15.

Effective 02/07/2009

SM13.5 Points for recognised work experience...

SM13.5 Points for recognised work experience in an identified future growth area or area of absolute skills shortage

Recognised work experience in an identified future growth area or an area of absolute skills shortage qualifies for points as follows:

2-5 years	10 points
6 years or more	15 points

Note: To qualify for bonus points, work experience must meet the requirements as set out at SM11.10.

Effective 02/07/2009

SM4.20 Settlement and contribution requirements (SM20.10)

SM4.20 Settlement and contribution requirements (SM20.10)

- a. Principal applicants are assessed to determine whether they have a demonstrated ability or have the ability to realise their potential, to successfully settle in and contribute to New Zealand.
- b. Principal applicants who:
 - i. qualify for 50 points for an offer of skilled employment or current skilled employment in New Zealand for less than 12 months; or
 - ii. qualify for 60 points for current skilled employment in New Zealand for twelve months or more; or
 - iii. have undertaken full time study for at least two years in New Zealand that has resulted in:
 - the award of a Doctorate or Masters degree; or
 - a qualification in an area of identified future growth or relevant to an occupation in absolute shortage;have demonstrated the ability to successfully settle in and contribute to New Zealand.
- c. Principal applicants who do not have points for any of these factors will be further assessed.
- d. **If, as a result of this** further assessment, a principal applicant, despite not meeting the requirements of (b) above, is assessed as having a high potential to readily obtain skilled employment in New Zealand, they will be assessed as having demonstrated the ability to successfully settle in and contribute to New Zealand. Their application for residence may be approved subject to meeting any other relevant requirements.
- e. If, as a result of the further assessment, a principal applicant is assessed as having demonstrated they can realise their potential to successfully settle in and contribute to New Zealand, a decision on residence will be deferred and the principal applicant will be eligible for the issue and/or grant of a work visa or permit for the purpose of obtaining an offer of skilled employment in New Zealand that is ongoing. Principal applicants who obtain an offer of skilled employment during the deferral period will have their application for residence approved.
- f. If, as a result of the further assessment, a principal applicant has not demonstrated they can realise their potential to successfully settle in and contribute to New Zealand, their application for residence will be declined.

Effective 02/07/2009

SM5.10 English language requirements for non-principal applicants

SM5.10 English language requirements for non-principal applicants

- a. Unless SM5.15 below applies, partners and dependent children aged 16 and older, who are included in Skilled Migrant Category applications, must:
 - i show that they meet a minimum standard of English to enable successful settlement in New Zealand, or
 - ii pre-purchase ESOL training, or
 - iii provide other evidence which satisfies a visa or immigration officer that, taking account of that evidence and all the circumstances of the application, they are a competent user of English (see SM5.5 (c)(iii) above).
- b. Non-principal applicants meet the minimum standard of English if:
 - i they provide a Test Report Form (no more than 2 years old at the time the application is lodged) from IELTS, showing they achieved an overall band score of at least 5 in the IELTS General or Academic Module, or
 - ii (if they are the partner of a principal applicant), they have current skilled employment in New Zealand for a period of at least 12 months that qualifies for points (see SM10); or
 - iii they provide evidence of one of the following:
 - completion of all primary education and at least 3 years of secondary education (that is, the equivalent of New Zealand Forms 3 to 5 or years 9 to 11) at schools using English as the language of instruction;
 - completion of at least 5 years of secondary education (that is, the equivalent of New Zealand Forms 3 to 7 or years 9 to 13) at schools using English as the language of instruction;
 - completion of a course of at least 3 years duration leading to the award of a tertiary qualification at institutions using English as the language of instruction;
 - that the applicant holds General Certificate of Education (GCE) "A" Levels from Britain or Singapore with a minimum C pass (the passes must specifically include the subjects English Language or Literature, or Use of English);
 - that the applicant holds International Baccalaureate – full Diploma in English Medium;
 - that the applicant holds Cambridge Certificate of Proficiency in English – minimum C pass;
 - that the applicant holds Hong Kong Advanced Level Examinations (HKALE) including a minimum C pass in Use of English;
 - that the applicant holds STPM 920 (Malaysia) – A or B pass in English Literature;
 - that the applicant holds University of Cambridge in collaboration with University of Malaya, General Certificate of English (GCE) "A" levels with a minimum C pass. The passes must specifically include the subjects English or General Paper;
 - that the applicant holds South African Matriculation Certificate, including a minimum D pass in English (Higher Grade);
 - that the applicant holds South African Senior Certificate, including a minimum D pass in English (Higher Grade), endorsed with the words 'matriculation exempt';
 - that the applicant holds a New Zealand Tertiary Entrance Qualification gained on completing the seventh form.
- c. In any case, a visa or immigration officer may require an applicant to provide an IELTS certificate in terms of paragraph (b)(i). In such cases, the IELTS certificate will be used to determine whether the applicant meets the minimum standard of English.

Effective 02/07/2009

RW4 Residence policy for holders of work permits granted...

RW4 Residence policy for holders of work permits granted under the Long Term Skill Shortage List Work Policy

Holders of permits granted under the Long Term Skill Shortage List Work Policy may be granted a residence permit where:

- a. they have held a work visa or permit granted or issued under the Long Term Skill Shortage List Work Policy for a period of at least 24 months; and
- b. they have employment with a minimum base salary of NZ\$45,000 per annum that is either:
 - i in an occupation on the basis of which they were issued a work visa or granted a work permit under the Long Term Skill Shortage List Work Policy, or
 - ii in an occupation that is on the Long Term Skill Shortage List at the time their application for residence is made; and
- c. they are aged 55 years or under; and
- d. they hold full or provisional registration, if full or provisional registration is required to practice in the occupation in which they are employed in New Zealand; and
- e. they meet health and character requirements (see R4.1 and R4.5).

Note: Applicants under this policy must be in New Zealand at the time they lodge their application for residence.

Note: For the avoidance of doubt, the minimum base salary excludes employment related allowances (for example overtime, tool or uniform allowances, medical insurance, accommodation) and must be calculated on the basis of 40 hours work per week.

Effective 02/07/2009

RW4.5 Evidential requirements

Applications for residence under the Residence policy for holders of work permits granted under the Long Term Skill Shortage List Work Policy must include:

- a. Evidence that the applicant has been employed in New Zealand for a period of at least 24 months in an occupation that was listed on the Long Term Skill Shortage List at the time their visa and permit were issued and granted under the Long Term Skill Shortage List Work Policy; and
- b. Evidence of employment that meets the requirements set out at RW4 (c) and RW4.1, and
- c. Evidence that the applicant holds full or provisional registration, if full or provisional registration is required to practice in the occupation in which they have employment.

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