



**File Ref:** SDE-32

**WORKFORCE (IMMIGRATION NEW ZEALAND)  
INTERNAL ADMINISTRATION CIRCULAR NO: 08/10**

**To:** All Workforce/Immigration New Zealand (INZ) staff

**Date:** 28 July 2008

**PRIORITISATION OF THE 2008/2009 RESIDENCE PROGRAMME AND  
GENERAL INSTRUCTIONS**

**Purpose**

1. The purpose of this Internal Administration Circular (IAC) is to confirm the prioritisation of residence categories within the 2008/2009 Residence Programme and to give general instructions as to the order and manner of processing applications for residence visas and permits.

**General Instruction as to the order and manner of processing**

2. The 2008/2009 Residence Programme is divided into four streams.
  - i. Skilled/Business
  - ii. International/Humanitarian
  - iii. Family capped- Parents/Adult Children/Siblings
  - iv. Family uncapped- Partners/Dependent Children.
3. Section 13BA of the Immigration Act 1987 allows the Chief Executive of the Department of Labour to give general instructions to visa and immigration officers as to the order and manner of processing any application for a visa or permit. This enables the prioritising of categories of applications to be processed other than on a "first come first served" basis. This power of the Chief Executive has been delegated to the Group Manager, Service Delivery.
4. A general instruction was issued on 28 July 2008 as to the order and manner of processing of applications for residence permits and visas (see Appendix 1 for a copy of this instruction). This general instruction will apply to the 2008/09 New Zealand Residence Programme.
5. For branches dealing with a range of residence application types, this general instruction requires that priority be given to applications for residence visa and permits under certain categories in preference to applications under other categories. Note that where a branch processes one category type, for example Business applications, priority is offered by virtue of that specialisation.

*First priority*

6. The following applications will be processed in preference to any other category of residence:
  - i. Skilled Migrant Category (SMC), with priority given to applicants with job offers;
  - ii. Refugee Policy;
  - iii. Partnership and Dependent Child applications where the sponsor (expatriate) is:
    - a) A New Zealand Citizen, or
    - b) The holder of an Indefinite Returning Resident Visa, and who has been absent from New Zealand for a period of at least two years prior to the date of the application being accepted for consideration, apart from short visits within that period.  
(Note that in the case of a partnership application, the New Zealand sponsor and their partner must have been living together for at least 12 months in a partnership that is genuine and stable).

*Second priority*

7. Second priority will be given to Partnership and Dependent Child applications which do not meet the criteria in 6(iii) above.
8. This instruction does not prevent visa and immigration officers according urgency to the processing of any particular residence application where the individual circumstances warrant that. However officers should ensure that the circumstances justify prioritisation and advice may be sought from the Branch Manager or Regional Manager.

**Management of Applications in Non-Priority Categories**

9. Non-priority family sponsored applications (Parent, Adult Sibling and Adult Children policies) must be added to a managed queue to be processed as other priority areas are cleared.

**Managing Family Sponsored stream applications which may meet Skilled Migrant Category requirements**

10. Any family stream applicant who appears to meet SMC policy requirements should be actively encouraged to submit a completed Expression of Interest. Branches should consider this initiative for each and every case they allocate, and communicate proactively with customers where this is relevant. It is important to note that family stream applications (and other non – SMC applicants) cannot be simply changed to SMC applications because of the need to hold a valid Invitation to Apply.

Mike Christie  
Acting Group Manager  
Service Delivery Group

**General Instructions as to the Order & Manner of Processing Visa and Permit Applications**

**Government Residence Policy**

**Background**

Section 13BA of the Immigration Act 1987 provides that general instructions may be given as to the order and manner of processing of visa and permit applications.

The general instructions set out below relate to the order and manner of processing residence applications under Government Residence Policy.

These general instructions as to the order and manner of processing residence applications revoke and replace all previous general instructions as to the order and manner of processing visa and permit applications.

**Instructions on the Order and Manner of Processing Residence Applications**

Pursuant to section 13BA of the Immigration Act 1987 and acting under delegated authority from the Chief Executive of the Department of Labour, I hereby give the following general instructions as to the order and manner of processing residence applications under Government residence policy:

1. The following types and categories of residence applications will be processed in preference to any other types and categories of residence application:
  - Skilled Migrant Category (SMC); (applications with job offers will have priority);
  - Refugee Policy;
  - Partnership and Dependent Child applications where the sponsor is,
    - i. A New Zealand citizen, or
    - ii. The holder of a an Indefinite Returning Resident Visa, and who has been absent from New Zealand for a period of at least two years prior to the date of the application being accepted for consideration apart from short visits within that period. (Note that in the case of a partnership application the New Zealand sponsor must have been living together for 12 months or more in a partnership that is genuine and stable).
- 2 Subject to instruction 1 above, applications in the following categories of residence under Government residence policy will be processed concurrently in preference to any other categories:
  - Partnership policy (other than those in instruction 1)
  - Dependent Child policy (other than those in instruction 1)
- 3 These instructions do not prevent visa and immigration officers according urgency to the processing of any particular residence application when the individual circumstances so warrant that.
- 4 The previous General Instructions made pursuant to section 13BA of the Immigration Act 1987 are revoked.