

IMMIGRATION
NEW ZEALAND



Immigration New Zealand Operational Manual

Glossary of Terms

Issue Date: 4 May 2009

A**IN THIS SECTION**

acceptable investment.....	1-1
acceptable offer of employment	1-3
acceptable New Zealand Party	1-4
accredited employer.....	1-4
active investment	1-4
adoption.....	1-4
adult child/grandchild for sponsorship purposes (Family Quota policy)	1-5
adult child for sponsorship purposes (Parent policy)	1-5
adult child (Family Quota policy)	1-5
adult child (Parent policy)	1-6
adult child (Sibling and adult child policy).....	1-6
adult sibling for sponsorship purposes (Sibling and adult child policy)	1-6
adult sibling for sponsorship purposes (Family Quota policy)	1-7
adult sibling and adult child (General Skills policy).....	1-7
advanced qualification	1-8
applicant	1-8
approved system.....	1-9
arrival hall	1-9

ACCEPTABLE INVESTMENT

From policy: BK4.45 Definition of 'acceptable investment' (Active Investor Migrant Policy)

- a. An acceptable investment means an investment that:
- i is capable of a commercial return under normal circumstances; and
 - ii is not for the personal use of the applicant(s) (see BK4.45.1 below); and
 - iii is invested in New Zealand in New Zealand currency; and
 - iv is invested in lawful business enterprises or managed funds that comply with all relevant laws in force in New Zealand; and
 - v is a *semi-active* (on page 16-2) or an active investment; and
 - vi is not (directly or indirectly) invested in *residential property development* (on page 15-1) (see BK4.45.25 below); and
 - vii has the potential to contribute to New Zealand's economic transformation goals of innovative, productive, and globally competitive firms.
- b. Notwithstanding (a) above, where an investment fails to meet one of the acceptable investment requirements, a business immigration specialist may consider, on a case by case basis, whether the failure was beyond the control of the *principal applicant* (on page 14-5) and if satisfied that this was the case, may consider the investment acceptable.

Effective 26/11/2007

acceptable investment (04/07/2005)

THIS IS NOT A CURRENT DEFINITION

From policy: BI7.25 Withdrawal of funds (Investor Category)

BI7.25.1 Definition of 'acceptable investment'

For the purposes of the Investor Category, an acceptable investment is an investment which:

- i is held by the New Zealand Government, or
- ii has been approved in accordance with the policy in BI11 by a business immigration specialist.

Note: Investment funds may not be used as collateral for any loan during the five year investment period, unless the money loaned remains within New Zealand and in New Zealand dollars only.

Effective 04/07/2005

acceptable investment (20/11/2002)

THIS IS NOT A CURRENT DEFINITION

From policy: BB4.1 General rules for investment funds (Investor Category)

BB4.1.1 Definition of acceptable investment

An acceptable investment is an investment which:

- a. is invested in New Zealand in New Zealand currency; and
- b. under normal circumstances, is capable of providing a commercial return; and
- c. is not for the personal use of the *principal applicant* (on page 14-5) (see BB4.1.5)

Note: Investments in New Zealand with international exposure are acceptable only for the proportion of the investment that is retained in New Zealand.

Example: An investment in a unit trust with international exposure would completely fail to meet the requirement that an investment be "invested in New Zealand".

Effective 20/11/2002

acceptable investment (26/07/1999)

THIS IS NOT A CURRENT DEFINITION

From policy: BB4.1 General rules for investment funds (Investor Category)

BB4.1.1 Definition of acceptable investment

An acceptable investment is an investment which:

- a. is invested in New Zealand in New Zealand currency; and
- b. under normal circumstances, is capable of providing a commercial return.

Note: Investments in New Zealand with international exposure are acceptable only for the proportion of the investment that is retained in New Zealand.

Example: An investment in a unit trust with international exposure would completely fail to meet the requirement that an investment be "invested in New Zealand".

Effective 26/07/1999

ACCEPTABLE OFFER OF EMPLOYMENT

From policy: F6.5 Definitions (Sibling and adult child policy)

F6.5.20 Definition of 'acceptable offer of employment'

- a. Offers of employment are acceptable if they are for ongoing and sustainable employment with a single employer, or for one or more contracts totalling at least 6 months, if the *principal applicant* (on page 14-5) has provided evidence of having had at least two years of contract work (see F6.5.25 below); and
- b. for full-time employment (see F6.5.30 below), and
- c. current at the time of assessing the application and at the time of issue of the visa or grant of the permit (see F6.20), and
- d. genuine, and
- e. for a position that is paid by salary or wages (positions of self-employment, payment by commission and/or retainer are not acceptable), and
- f. accompanied by evidence of full or provisional registration, if full or provisional registration is required by law to take up the offer, and
- g. compliant with all relevant employment law in force in New Zealand.

Note: 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
- ~ paying employees no less than the appropriate adult or youth minimum wage
- ~ meeting holiday and special leave requirements or other minimum statutory criteria
- ~ meeting occupational safety and health obligations.

Effective 24/04/2006

ACCEPTABLE NEW ZEALAND PARTY

From policy WJ3.1

WJ3.1.15 Definition of 'acceptable New Zealand Party'

An 'acceptable New Zealand Party' is a New Zealand party that an immigration or visa officer is satisfied has the ability and available resources to act as a guarantor with respect to any minimum employment, accommodation, repatriation or maintenance obligations to the foreign crew.

Effective 28/07/2008

ACCREDITED EMPLOYER

From policy: WR1.20 Definition of an 'accredited employer' (Work to residence policy)

For the purpose of this policy, an accredited employer is a New Zealand employer who has had an application for accreditation to employ persons under the Talent (Accredited Employers) Work Policy approved by the NZIS.

Effective 29/04/2002

ACTIVE INVESTMENT

From policy: BK4.45 Definition of 'acceptable investment' (Active Investor Migrant Policy)

BK4.45.10 Definition of 'active investment'

- a. An active investment is:
 - i a direct investment of NZ\$100,000 or more, in the establishment of a new lawful enterprise which undertakes significant economic activity in New Zealand, and results in the *principal applicant* (on page 14-5) acquiring 10 percent or more shareholding; or
 - ii a direct investment of NZ\$200,000 or more, in an existing lawful enterprise which undertakes significant economic activity in New Zealand, and results in the principal applicant acquiring 10 percent or more shareholding.

Effective 26/11/2007

ADOPTION

From policy: R3.1 Definition of adoption (Generic residence policy)

'Adoption' means:

- a. a legal adoption, or

- b. an adoption by custom which has occurred at an early age within an extended family.

Effective 26/07/1999

ADULT CHILD/GRANDCHILD FOR SPONSORSHIP PURPOSES (FAMILY QUOTA POLICY)

THIS TERM RELATES TO PERMANENTLY ARCHIVED POLICY

From policy: FQ4.5 Definition of 'adult child for sponsorship purposes' and 'adult grandchild for sponsorship purposes' (Family Quota policy)

- a. For sponsorship purposes, 'adult child' and 'adult grandchild' mean a child or grandchild of 17 or older.
- b. However, children or grandchildren aged 17 to 24 must only be considered as 'adult children for sponsorship purposes' or 'adult grandchildren for sponsorship purposes' if they can satisfy a visa or immigration officer that they are able to meet the undertakings given in the sponsorship form.

Effective 01/10/2001

ADULT CHILD FOR SPONSORSHIP PURPOSES (PARENT POLICY)

From policy: F4.5 Definitions (Parent policy)

F4.5.15 Definition of 'adult child for sponsorship purposes'

- a. For sponsorship purposes, 'adult child' means a child of 17 or older.
- b. However, children aged 17 to 24 must only be considered as 'adult children for sponsorship purposes' if they can satisfy a visa or immigration officer that they are able to meet the undertakings given in the sponsorship form and the minimum income requirement (see F4.1.1).

Effective 05/11/2007

adult child for sponsorship purposes (01/10/2001)

THIS IS NOT A CURRENT DEFINITION

From policy: F4.5 Definitions (Parent policy)

F4.5.15 Definition of 'adult child for sponsorship purposes'

- a. For sponsorship purposes, 'adult child' means a child 17 years of age or older.
- b. However, children aged 17 to 24 must only be considered as 'adult children for sponsorship purposes' if they can satisfy a visa or immigration officer that they are able to meet the undertakings given in the sponsorship form.

Effective 01/10/2001

ADULT CHILD (FAMILY QUOTA POLICY)

THIS TERM RELATES TO PERMANENTLY ARCHIVED POLICY

From policy: FQ4.1 Definition of 'adult child' (Family Quota policy)

In the context of the Family Quota category, 'adult child' means a child or grandchild of 17 or older, unless they are dependent (see F4.5.5).

Effective 01/10/2001

ADULT CHILD (PARENT POLICY)

From policy: F4.5 Definitions (Parent policy)

F4.5.10 Definition of 'adult child'

In the context of Parent policy, 'adult child' means a child of 17 or older, unless they are dependent (see F4.5.5).

Effective 01/10/2001

ADULT CHILD (SIBLING AND ADULT CHILD POLICY)

From policy: F6.5 Definitions (Sibling and adult child policy)

F6.5.1 Definition of 'adult child'

In the context of Sibling and adult child policy, 'adult child' means a child of 17 or older unless they are dependent (see F4.5.5).

Effective 01/10/2001

adult child (26/07/1999)

THIS IS NOT A CURRENT DEFINITION

From policy: F6.1 How do siblings or adult children qualify for residence? (Sibling and adult child policy)

F6.1.1 Definition of 'adult child'

In the context of Sibling and adult child policy, 'adult child' means a child of 17 or older.

Effective 26/07/1999

ADULT SIBLING FOR SPONSORSHIP PURPOSES (SIBLING AND ADULT CHILD POLICY)

From policy: F6.5 Definitions (Sibling and adult child policy)

F6.5.10 Definition of 'adult sibling for sponsorship purposes'

a. For sponsorship purposes, adult sibling means a sibling aged 17 or older.

- b. However, siblings aged 17 to 24 must only be considered as 'adult siblings for sponsorship purposes' if they can satisfy an immigration or visa officer that they are able to meet the undertakings given on the sponsorship form.

Effective 01/10/2001

ADULT SIBLING FOR SPONSORSHIP PURPOSES (FAMILY QUOTA POLICY)

THIS TERM RELATES TO PERMANENTLY ARCHIVED POLICY

From policy: FQ4.10 Definition of 'adult sibling for sponsorship purposes' (Family Quota policy)

- a. For sponsorship purposes, adult sibling means a sibling aged 17 or older.
- b. However, siblings aged 17 to 24 must only be considered as 'adult siblings for sponsorship purposes' if they can satisfy an immigration or visa officer that they are able to meet the undertakings given on the sponsorship form.

Effective 01/10/2001

ADULT SIBLING AND ADULT CHILD (GENERAL SKILLS POLICY)

THIS TERM RELATES TO PERMANENTLY ARCHIVED POLICY

From policy: G5.15 Family sponsorship (General Skills Category)

G5.15.1 Definition of 'adult sibling for sponsorship purposes' and 'adult child for sponsorship purposes'

- a. For sponsorship purposes, 'adult sibling' and 'adult child' mean a sibling or child aged 17 years of age or older.
- b. However, siblings and children aged 17 to 24 must only be considered 'adult siblings for sponsorship purposes' or 'adult children for sponsorship purposes' if they can satisfy an immigration or visa officer that they are able to meet the undertakings given on the sponsorship form.

Effective 01/10/2001

adult sibling and adult child (26/07/1999)

THIS IS NOT A CURRENT DEFINITION

From policy: G5.15 Family sponsorship (General Skills Category)

G5.15.5 Definition of 'adult sibling for sponsorship purposes' and 'adult child for sponsorship purposes'

- a. For sponsorship purposes, 'adult sibling' and 'adult child' mean a sibling or child aged 17 years of age or older.

- b. However, siblings and children aged 17 to 19 must only be considered 'adult siblings for sponsorship purposes' or 'adult children for sponsorship purposes' if they can satisfy an immigration or visa officer that they are able to meet the undertakings given on the sponsorship form.

Effective 26/07/1999

ADVANCED QUALIFICATION

THIS TERM RELATES TO PERMANENTLY ARCHIVED POLICY

From policy: G3.5 Definitions (General Skills Category)

G3.5.5 Definition of 'New Zealand advanced qualification'

- a. A New Zealand advanced qualification means a New Zealand degree, diploma, certificate, trade qualification, or other course of study that:
- i requires completion of a New Zealand base qualification (see G3.5.1 above) for entry (or has entry requirements that are a New Zealand base qualification but are in some instances waived by the issuing institution); and
 - ii has a completion time equivalent to at least one year of full-time training, study or (if a course requirement) work experience.
- b. Some New Zealand qualifications that do not meet this definition will nevertheless be accepted by the NZIS as 'advanced qualifications', namely:
- i New Zealand Diploma in Science
 - ii New Zealand Diploma in Surface Coatings Technology
 - iii National Diploma in Accountancy
 - iv Bachelor's Degree with Honours
 - v Postgraduate Diploma

Effective 26/07/1999

APPLICANT

From policy: R2.1 Who may be included in an application (Generic residence policy)

R2.1.5 Definition of 'applicant'

An applicant is a person included in an application for residence and includes the principal applicant and secondary applicants (if any). All persons included in an application will be individually assessed against the Government residence policy criteria that apply to them.

Effective 04/07/2005

applicant (01/10/2001)

THIS IS NOT A CURRENT DEFINITION

From policy: R2.1 Who may be included in an application (Generic residence policy)

R2.1.5 Definition of 'applicant'

An applicant is a person included in an application for residence.

Effective 01/10/2001

APPROVED SYSTEM

From policy: Y2.50 Advanced Passenger Processing (Border Policy)

Y2.50.15 Definition of approved system

An 'approved system' means a system, including an electronic system, approved by the chief executive of the Department of Labour for the purpose of:

- a. providing the information set out in Y2.50.10 (a) and (b); or
- b. notifying a carrier or person in charge of a commercial craft of a decision of the chief executive about a person boarding a craft for the purpose of travelling to New Zealand.

Effective 04/04/2005

ARRIVAL HALL

From policy Y5.1 Permits granted in error (Border Policy)

Immigration Act 1987 s 2

Y5.5.1 Definition of arrival hall

'Arrival hall' means a place licensed under the Customs and Excise Act 1996 for the processing of persons arriving in New Zealand.

Effective 01/10/1999

B**IN THIS SECTION**

base qualification.....	2-1
bona fide applicant	2-1
bond 2-2	
business experience.....	2-2

BASE QUALIFICATION

THIS TERM RELATES TO PERMANENTLY ARCHIVED POLICY

From policy: G3.5 Definitions (General Skills Category)

G3.5.1 Definition of 'New Zealand base qualification'

A New Zealand base qualification means a New Zealand degree, diploma, certificate, trade qualification, apprenticeship or other course of study with a completion time equivalent to at least 3 full-time years of training, study or (if a course requirement) work experience, or a combination of these.

Effective 26/07/1999

BONA FIDE APPLICANT

From policy: E5.1 Definition of bona fide applicant (Generic temporary entry policy)

A bona fide applicant for temporary entry is a person who:

- a. genuinely intends a temporary stay in New Zealand for a lawful purpose; and
- b. in the opinion of a visa or immigration officer is not likely:
 - i to remain in New Zealand unlawfully, **or**
 - ii to breach the conditions of any permit granted, **or**
 - iii to be unable to leave or be removed from New Zealand (see E5.10)

Effective 04/07/2005

bona fide applicant (26/07/1999)

THIS IS NOT A CURRENT DEFINITION

From policy: E5.1 Definition of bona fide applicant (Generic temporary entry policy)

A bona fide applicant for temporary entry is a person who:

- a. genuinely intends a temporary stay in New Zealand for a lawful purpose; and
- b. who in the opinion of a visa or immigration officer:
 - i is not likely to remain in New Zealand unlawfully, and

- ii is not likely to breach the conditions of any permit granted.

Effective 26/07/1999

BOND

From policy: E4.58 Bonds (Generic temporary entry policy)

E4.58.5 Definition of bond

Immigration Act 1987 s 14D(6)

For the purposes of temporary entry policy, a bond means a monetary bond intended to manage the risk of a person remaining in New Zealand after their permit expires.

Effective 01/11/1999

BUSINESS EXPERIENCE

From policy: BK4.30 Business experience (Active Investor Migrant Policy)

BK4.30.1 Basic rules for business experience

- a. Business experience is recognised for the award of points if it is experience in planning, organisation, control, senior change-management, direction-setting and mentoring acquired through ownership of, or management level experience in, a lawful business enterprise that has at least five full-time employees and an annual turn-over of NZ\$1 million.
- b. A *principal applicant* (on page 14-5) is considered to own a business if they own at least 25 percent of a business.
- c. A lawful business enterprise is an organisation that:
 - i operates lawfully in a commercial environment with the goal of returning a profit; and
 - ii is not set up primarily for passive or speculative purposes.

Effective 26/11/2007

business experience (04/07/2005)

THIS IS NOT A CURRENT DEFINITION

From policy: BI6.5 Business definitions (Investor Category)

BI6.5.1 'Business experience'

Business experience means a minimum of 5 years of either:

- a. owning a *lawful business enterprise* (on page 10-1); or
- b. *management experience* (on page 11-2) in a lawful business enterprise.

Effective 04/07/2005

business experience (26/07/1999)

THIS IS NOT A CURRENT DEFINITION

From policy: BB3.5 Definitions (Investor Category)

BB3.5.1 'Business experience'

Business experience means a minimum of 2 years of either:

- a. owning a lawful business enterprise; or
- b. *management* (on page 11-2) or *supervisory* (on page 16-3) experience in a lawful business enterprise.

Effective 26/07/1999

C

IN THIS SECTION

carrier	3-1
centre of gravity	3-1
certificate of identity	3-2
close family member	3-3
contiguous zone	3-3
country of nationality	3-3
craft	3-4
current	3-4
customs place	3-5

CARRIER

From policy: Y2.30 Carrier responsibilities on departure (Border Policy)

Y2.30.5 Definition of 'carrier'

Immigration Act 1987 s 2

'Carrier' in relation to a *craft* (on page 3-4), means the owner or charterer of the craft; and if the owner or charterer is not in New Zealand, includes the owner's or charterer's agent in New Zealand or, if there is no such agent in New Zealand, the person in charge.

Effective 04/07/2005

carrier (01/10/1999)

THIS IS NOT A CURRENT DEFINITION

From policy: Y2.25 Carrier responsibilities on departure (Border Policy)

Y2.25.5 Definition of 'carrier'

Immigration Act 1987 s 2

'Carrier' in relation to a craft, means the owner or charterer of the craft; and if the owner or charterer is not in New Zealand, includes the owner's or charterer's agent in New Zealand or, if there is no such agent in New Zealand, the person in charge.

Effective 01/10/1999

CENTRE OF GRAVITY

From policy: F4.5 Definitions (Parent policy)

F4.5.20 Definition of 'centre of gravity'

- a. A family's centre of gravity is in New Zealand if **either**:
 - i the *principal applicant* (on page 14-5) parent has no dependent children (see F4.5.5), and
 - ii the number of their adult children (see F4.5.10) lawfully and permanently (see F4.5.1 above) in New Zealand is equal to or greater than those lawfully and permanently in

any other single country, including the country in which the principal applicant is lawfully and permanently; **or**

- b.
- i the principal applicant parent has dependent children, and
 - ii the number of their adult children lawfully and permanently in New Zealand is equal to or greater than those lawfully and permanently in any other single country, including the country in which the principal applicant parent is lawfully and permanently, and
 - iii the number of their dependent children is equal to or fewer than, the number of their adult children who are lawfully and permanently in New Zealand.

Note: the following tables show examples of how the 'centre of gravity' principle is applied.

PARENT WITH NO DEPENDENT CHILDREN

No. of children	In New Zealand	In home country	Third country	Eligible?
2	1	1	-	YES
5	2	1	2	YES
4	1	1	2	NO
6	2	1	3	NO
6	2	2	2	YES

PARENT WITH DEPENDENT CHILDREN

No. of children	In New Zealand	In home country	Third country	Eligible?
2	1 adult	1 dependant	-	YES
4	1 adult	1adult 2 dependants	-	NO
4	1 adult	2 dependants	1 adult	NO
4	1 adult	1 adult 1 dependant	1 adult	YES
6	2 adults	2 dependants	2 adults	YES

Effective 24/04/2006

CERTIFICATE OF IDENTITY

From policy: A2.1 Types of acceptable travel document (Administration)

A2.1.5 Definition of 'certificate of identity'

Immigration Act 1987 s 2(1)

- a. A certificate of identity is a document (other than a passport) issued by the government of any country to any person in order to facilitate that person's entry into or exit from any country.
- b. A certificate of identity:
 - i establishes the identity but not the nationality of a person, and

- ii gives that person the right to enter the country whose government has issued the document.
- c. A certificate of identity may be in a form approved by the Minister and includes any travel document issued by any international organisation specified by notice in the Gazette as an organisation whose travel documents will be accepted as certificates of identity.

Example: United Nations travel documents are acceptable travel documents even though they are not issued by a government. Branches and posts will be advised of any travel document accepted as a certificate of identity, along with a copy of the relevant Gazette notice. Such documents include:

- | Cartes de Service, issued to officials of the South Pacific Commission, and
- | Laissez-passers, issued to United Nations officials.

Effective 26/07/1999

CLOSE FAMILY MEMBER

THIS TERM RELATES TO PERMANENTLY ARCHIVED POLICY

From policy: H2.15 Sponsorship requirements (Humanitarian Category)

H2.15.1 Definition of 'close family member'

In the context of Humanitarian category policy, close family member means:

- a. a parent, adult sibling or adult child, or
- b. an aunt, uncle, nephew or niece, or
- c. a grandparent, or
- d. a person who has lived with, and been part of, the applicant's family for many years, but is not an estranged or divorced spouse or partner.

Effective 26/07/1999

CONTIGUOUS ZONE

From policy: Y3.60 Powers of entry and search by members of the Police, and Customs officers (Border policy)

Contiguous zone means area between 12 and 24 nautical miles surrounding New Zealand.

Effective 07/10/2002

COUNTRY OF NATIONALITY

From policy: C2.5 New Zealand's obligations under the 1951 Convention Relating to the Status of Refugees (Refugees policy)

C2.5.5 Country of nationality

Immigration Act 1987 Sixth Schedule Convention Relating to the Status of Refugees Article 1A(2)

- a. In the case of a person who has more than one nationality, "country of nationality" means each of the countries of which they are a national.

- b. If a person has the protection of one of their countries of nationality, New Zealand's obligations under the Convention are not activated.

Effective 28/11/2005

CRAFT

From policy: Y2.30 Carrier responsibilities on departure (Border Policy)

Y2.30.1 Definition of 'craft'

Immigration Act 1987 s 2

'Craft' means any form of aircraft, ship or other vehicle or vessel capable of being used to transport any person to or from New Zealand from or to any country outside New Zealand.

Effective 04/07/2005

CURRENT

From policy: R2.40 Mandatory requirements for lodging an application for residence (Generic residence policy)

R2.40.1 Definition of 'current'

'Current' means, in relation to any document provided in support of an application or Expression of Interest, to meet:

- a. mandatory requirements for lodgement of an application, or
- b. other evidential requirements of Government residence policy,

that, at any relevant stage during the life of an application or an Expression of Interest (e.g. at the time an application or Expression of Interest is *lodged* (on page 10-3), during assessment of the application or Expression of Interest and at the date of *final decision* (on page 6-1) on an application), that document is not expired.

Effective 15/12/2003

current (26/07/1999)

THIS IS NOT A CURRENT DEFINITION

From policy: R2.40 Mandatory requirements (Generic residence policy)

R2.40.1 Definition of 'current'

'Current' means, in relation to any document provided by an applicant to meet:

- a. mandatory requirements for lodgment of an application, or
- b. other evidential requirements of Government residence policy,

that, at any relevant stage during the life of an application (eg, at the time an application is *lodged* (on page 10-3), during assessment of the application and at the date of *final decision* (on page 6-1)), that document is not expired.

Effective 26/07/1999

CUSTOMS PLACE

From policy: Y2.1 Passenger responsibilities on arrival (Border Policy)

Y2.1.1 Definition of 'Customs place'

Customs and Excise Act 1996 ss 2, 9

- a. 'Customs place' means a Customs port or Customs airport.
- b. 'Customs port' means a port of entry designated by the Chief Executive, New Zealand Customs Service, as a Customs port.
- c. 'Customs airport' means an airport designated by the Chief Executive, New Zealand Customs Service, as a Customs airport.

Effective 07/10/2002

D**IN THIS SECTION**

date of final decision	4-1
dependants of United States government personnel.....	4-1
dependent child (temporary entry).....	4-1
dependent child (Parent policy).....	4-3
dependent child (all other residence policies)	4-4
domestic student	4-6

DATE OF FINAL DECISION

From policy: R5.60 Date of final decision (Generic residence policy)

- a. The date of final decision on an application that is declined is the date when the letter advising that the application has been declined, is posted.
- b. The date of final decision on an application that is approved is the date of issue of the residence visa (if the *principal applicant* (on page 14-5) is overseas) or the date of the grant of the residence permit (if the principal applicant is in New Zealand).

Effective 26/07/1999

DEPENDANTS OF UNITED STATES GOVERNMENT PERSONNEL

From policy: W15.5 Dependants of United States government personnel (Work policy)

W15.5.1 Definition of 'dependants'

Under the terms of the agreement between the United States and New Zealand governments, dependants means:

- a. spouses; and
- b. unmarried dependent children under 21; and
- c. unmarried dependent children under 25 who are full- time students at a tertiary institution; and
- d. unmarried children who are physically or mentally disabled.

Effective 29/04/2002

DEPENDENT CHILD (TEMPORARY ENTRY)

From policy: E4.1 Who may be included in an application (Generic temporary entry policy)

E4.1.5 Definition of 'dependent child'

Immigration Regulations 1999 reg 20

- a. For the purpose of lodging an application, and despite the definition in section 2 of the Immigration Act 1987, a child is dependent if:
 - i they are aged 17 to 19, and
 - they are *single* (on page 16-2) with no child(ren) of their own, and

- (if included in an application for a visitor visa or visitor's permit or transit visa), they are totally or substantially reliant on the *principal applicant* (on page 14-6) and/or the principal applicant's partner for financial support, whether living with them or not, or
- (if applying for a temporary visa or permit under E4.5) they are totally or substantially reliant on that student or work visa or permit holder for financial support; or
- ii they are aged 16 or younger, and
 - they are single, and
 - (if included in an application for a visitor's visa or visitor's permit or transit visa) they are totally or substantially reliant on the principal applicant and/or the principal applicant's partner for financial support, whether living with them or not, or
 - if applying for a temporary visa or permit under E4.5 they are totally or substantially reliant on that student or work visa or permit holder for financial support.
- b. An unmarried child up to 17 years of age is presumed to be dependent unless there is evidence to the contrary.
- c. For children aged 17-19 years of age, evidence of actual dependence may be required.

Effective 29/09/2003

dependent child (05/06/2000)

THIS IS NOT A CURRENT DEFINITION

From policy: E4.1 Temporary Entry policy

E4.1.5 Definition of 'dependent child'

Immigration Regulations 1991 regs 20 15

- a. For the purpose of lodging an application, and despite the definition in section 2 of the Immigration Act 1987, a child is dependent if they are:
 - i aged 17 to 19, with no child(ren) of their own, and
 - they are *single* (on page 16-2) with no child(ren) of their own, and
 - if included in an application for a visitor visa, visitor permit or transit visa, totally or substantially reliant on the *principal applicant* (on page 14-6) and/or the principal applicant's spouse or de facto partner for financial support, whether living with them or not, or
 - if applying for a temporary visa or permit in reliance on the provisions at E4.5 (Spouses or de facto partners and dependent children of student or work visa or permit holders) totally or substantially reliant on that student or work visa or permit holder for financial support; or
 - ii aged 16 or younger, and
 - single, and
 - if included in an application for a visitor visa, visitor permit or transit visa, totally or substantially reliant on the principal applicant and/or the principal applicant's spouse or de facto partner for financial support, whether living with them or not, or
 - if applying for a temporary visa or permit in reliance on the provisions at E4.5 (Spouses or de facto partners and dependent children of student or work visa or permit holders) totally or substantially reliant on that student or work visa or permit holder for financial support.
- b. An unmarried child up to 17 years of age is presumed to be dependent unless there is evidence to the contrary.

- c. For children aged 17-19 years of age, evidence of actual dependence may be required.

Effective 05/06/2000

dependent child (26/07/1999)

THIS IS NOT A CURRENT DEFINITION

From policy: E4.1 Temporary Entry policy

E4.1.5 Definition of 'dependent child'

For the purpose of lodging an application, and despite the definition in section 2 of the Immigration Act 1987, a child is dependent if they are:

- a.
- i aged 17 to 19, with no child(ren) of their own, and
 - ii single, and
 - iii if included in an application for a visitor visa, visitor permit or transit visa, totally or substantially reliant on the principal applicant and/or the principal applicant's spouse or de facto partner for financial support, whether living with them or not, or
 - iv if applying for a temporary visa or permit in reliance on the provisions at E4.5 (Spouses or de facto partners and dependent children of student or work visa or permit holders) totally or substantially reliant on that student or work visa or permit holder for financial support; **or**
- b.
- i aged 16 or younger, and
 - ii single, and
 - iii if included in an application for a visitor visa, visitor permit or transit visa, totally or substantially reliant on the principal applicant and/or the principal applicant's spouse or de facto partner for financial support, whether living with them or not, **or**
 - iv if applying for a temporary visa or permit in reliance on the provisions at E4.5 (Spouses or de facto partners and dependent children of student or work visa or permit holders) totally or substantially reliant on that student or work visa or permit holder for financial support.
- c. Up to 17 years of age, if a child is unmarried it is presumed to be dependent unless there is evidence to the contrary.
- d. For children aged 17-19 years of age, evidence of actual dependence may be required.

Effective 26/07/1999

DEPENDENT CHILD (PARENT POLICY)

From policy: F4.5 Definitions (Parent policy)

F4.5.5 Definition of 'dependent child'

For the purpose of Parent policy, and despite the definition in section 2 of the Immigration Act 1987, a child is dependent if he or she is:

- a.
- i aged 17 to 24, with no child(ren) of his or her own, and
 - ii *single* (on page 16-2) and
 - iii totally or substantially reliant on their parent(s) for financial support, whether living with them or not; **or**
- b.
- i aged 16 or younger, and
 - ii single and
 - iii totally or substantially reliant on their parent(s) for financial support, whether living with them or not.
- c. When determining whether a child of 17 to 24 years of age is totally or substantially reliant on their parent(s) for financial support, visa and immigration officers must consider the whole application, taking into account all relevant factors including:
- whether the child is in paid employment, whether this is full time or part time, and its duration;
 - whether the child has any other independent means of financial support;
 - whether the child is living with its parents or another family member, and the extent to which other support is provided;
 - whether the child is studying, and whether this is full time or part time.

Effective 24/04/2006

DEPENDENT CHILD (ALL OTHER RESIDENCE POLICIES)

From policy: R2.1 Who may be included in an application (Generic residence policy)

R2.1.30 Definition of 'dependent child'

Immigration Regulations 1999 reg 20

For the purpose of lodging an application, and despite the definition in section 2 of the Immigration Act 1987, a child is dependent if he or she is:

- a.
- i aged 17 to 24, with no child(ren) of his or her own, and
 - ii *single* (on page 16-2), and
 - iii totally or substantially reliant on the *principal applicant* (on page 14-5) and/or the principal applicant's *partner* (on page 14-1) for financial support, whether living with them or not; or
- b.
- i aged 16 or younger, and
 - ii single, and
 - iii totally or substantially reliant on the principal applicant and/or the principal applicant's partner for financial support, whether living with them or not.
- c. When determining whether a child of 17 to 24 years of age is totally or substantially reliant on the principal applicant and/or the principal applicant's partner for financial support, visa

and immigration officers must consider the whole application, taking into account all relevant factors including:

- whether the child is in paid employment, whether this is full time or part time, and its duration;
- whether the child has any other independent means of financial support;
- whether the child is living with its parents or another family member, and the extent to which other support is provided;
- whether the child is studying, and whether this is full time or part time.

Effective 29/09/2003

dependent child (01/10/2001)

THIS IS NOT A CURRENT DEFINITION

From policy: R2.1.30 Who may be included in an application (Generic residence policy)

R2.1.30 Definition of 'dependent child'

Immigration Regulations 1999 reg 20

For the purpose of lodging an application, and despite the definition in section 2 of the Immigration Act 1987, a child is dependent if he or she is:

- a.
 - i aged 17 to 24, with no child(ren) of his or her own, and
 - ii single, and
 - iii totally or substantially reliant on the principal applicant and/or the principal applicant's spouse or partner for financial support, whether living with them or not; or
- b.
 - i aged 16 or younger, and
 - ii single, and
 - iii totally or substantially reliant on the principal applicant and/or the principal applicant's spouse or partner for financial support, whether living with them or not.
- c. When determining whether a child of 17 to 24 years of age is totally or substantially reliant on the principal applicant and/or the principal applicant's spouse or partner for financial support, visa and immigration officers must consider the whole application, taking into account all relevant factors including:
 - whether the child is in paid employment, whether this is full time or part time, and its duration;
 - whether the child has any other independent means of financial support;
 - whether the child is living with its parents or another family member, and the extent to which other support is provided;

- whether the child is studying, and whether this is full time or part time.

Effective 01/10/2001

DOMESTIC STUDENT

From policy: U3.35 Definition of domestic student (Student policy)

For the purposes of student policy a 'domestic student' means a 'domestic student' as defined in Section 2 of the Education Act 1989. The Ministry of Education holds a complete list of who is considered to be a domestic student for the purpose of fee payment and enrolment.

Effective 24/07/2006

E**IN THIS SECTION**

eligible sponsor	5-1
employment	5-2
exceptional talent	5-4

ELIGIBLE SPONSOR

From policy: F2.10 Definitions (Partnership policy)

F2.10.10 Definition of 'eligible sponsor' for the purposes of Partnership policy

- a. Eligible sponsor means a New Zealand citizen or resident (see F2.10.5 above) who:
- i meets the character requirement for partners supporting Partnership policy applications as set out at R5.95; and
 - ii has not previously supported or sponsored more than one other successful *principal applicant* (on page 14-5) under Partnership policy; and
 - iii has not supported or sponsored any other successful principal applicant under Partnership policy in the five years immediately preceding the date the current application is *made* (on page 11-1); and
 - iv was not, in the seven years prior to the date the application is made, the perpetrator of an incident of domestic violence which has resulted in the grant of a residence permit to a person under the policy for victims of domestic violence (see S4.5).
- b. If the sponsor was previously a successful principal applicant under Partnership policy then the sponsor will be considered to be an eligible sponsor only if:
- i at least five years have elapsed since the date he or she was granted residence under Partnership policy; and
 - ii he or she has not supported or sponsored any other successful principal applicant under Partnership policy.

Note:

~ Applications under Partnership policy include applications made under the Family category Spouse and De facto partner policies in force before Partnership policy took effect.

Effective 05/11/2007

eligible sponsor

From policy: F2.10 Definitions (Partnership policy)

F2.10.10 Definition of 'eligible sponsor' for the purposes of Partnership policy

Eligible sponsor means a New Zealand citizen or *resident* (on page 12-1) who:

- a.
- i has not previously supported or sponsored more than one other successful *principal applicant* (on page 14-5) under Partnership policy, or

- ii has not supported or sponsored any other successful principal applicant under Partnership policy in the five years immediately preceding the date the current application is *made* (on page 11-1), or
 - iii was not the perpetrator of an incident of domestic violence which has resulted in the grant of a residence permit to a person under the policy for victims of domestic violence (see S4.5).
- b. Despite (a)(i) and (ii) above, if the sponsor was a successful principal applicant under Partnership policy then they will not be considered to be an eligible sponsor unless:
- i at least five years have elapsed since the date they were granted residence under Partnership policy, and
 - ii they have not supported or sponsored any other successful principal applicant under Partnership policy.

Note:

~ A person is considered to be the perpetrator of an incident of domestic violence if they have been convicted in New Zealand of an offence of domestic violence against such a person or they were the subject of a complaint of domestic violence against such a person investigated by the New Zealand Police where the New Zealand Police are satisfied that such domestic violence has occurred. (See S4.5.1)

~ Applications under Partnership policy include applications made under the Family category Spouse and De facto partner policies in force before Partnership policy took effect.

Effective 29/09/2003

EMPLOYMENT

From policy: W2.2 Definitions

W2.2.1 Definition of 'employment'

- a. Employment means any activity undertaken for gain or reward, but does not include:
- i representation on an official trade mission recognised by the New Zealand Government;
 - ii employment as a sales representative of an overseas company in New Zealand for a period or periods no longer than a total of 3 months in any calendar year;
 - iii activity in New Zealand as an overseas buyer of New Zealand goods or services for a period or periods no longer than a total of 3 months in any calendar year;
 - iv official business in the service of any government, or of any inter-governmental or international organisation that is entitled to any privileges and immunities under the Diplomatic Privileges and Immunities Act 1968;
 - v business consultations or negotiations in New Zealand on establishing, expanding, or winding up any business enterprise in New Zealand, or carrying on any business in New Zealand, involving the authorised representatives of any overseas company, body or person for a period or periods no longer than a total of 3 months in any calendar year;
 - vi study or training under a scholarship or other award recognised by the Minister.
- b. 'Gain or reward' includes any payment or benefit that can be valued in terms of money, such as board and lodging, goods (eg, food or clothing) and services (eg, transport).

Note: This definition does not require employment as an 'employee'. It also covers self-employment.

W2.2.5 Definition of 'New Zealand' for employment purposes

- a. A person is considered to be undertaking employment in New Zealand if at any time they are employed:
 - i on or in relation to any artificial island, installation, or structure anywhere within the territorial sea of New Zealand; or
 - ii on or in relation to any artificial island, installation, or structure anywhere within the exclusive economic zone of New Zealand or on or above the continental shelf of New Zealand; or
 - iii on board any craft that is registered in New Zealand and is engaged in activities anywhere:
 - within the territorial sea of New Zealand, or
 - within the New Zealand exclusive economic zone, or
 - on or above the New Zealand continental shelf.

A person is considered to be undertaking employment in New Zealand whether or not a New Zealand or overseas resident is providing the payment or benefit for the activity.

Effective 28/07/2008

employment (29/04/2002)

THIS IS NOT A CURRENT DEFINITION

From policy: W2.1 Who does not need to apply for a work visa or permit (Generic work policy)

W2.1.1 Definition of 'employment'

Immigration Act 1987 s 2

- a. Employment means any activity undertaken for gain or reward, but does not include:
 - i representation on an official trade mission recognised by the New Zealand Government;
 - ii employment as a sales representative of an overseas company in New Zealand for a period or periods no longer than a total of 3 months in any calendar year;
 - iii activity in New Zealand as an overseas buyer of New Zealand goods or services for a period or periods no longer than a total of 3 months in any calendar year;
 - iv official business in the service of any government, or of any inter-governmental or international organisation that is entitled to any privileges and immunities under the Diplomatic Privileges and Immunities Act 1968;
 - v business consultations or negotiations in New Zealand on establishing, expanding, or winding up any business enterprise in New Zealand, or carrying on any business in New Zealand, involving the authorised representatives of any overseas company, body or person for a period or periods no longer than a total of 3 months in any calendar year;
 - vi study or training under a scholarship or other award recognised by the Minister.
- b. 'Gain or reward' includes any payment or benefit that can be valued in terms of money, such as board and lodging, goods (eg, food or clothing) and services (eg, transport).

- c. Full-time employment is based on a working week of 30 or more hours.

Note: This definition does not require employment as an 'employee'. It also covers self-employment.

Effective 29/04/2002

EXCEPTIONAL TALENT

From policy: WR2.5 Definition of 'exceptional talent in a declared field of art, culture or sport' (Work to residence policy)

Applicants are considered to have an exceptional talent in a declared field of art, culture or sport where the New Zealand Immigration Service (NZIS) is satisfied that:

- a. the applicant has an international reputation and record of excellence in their declared field; and
- b. the applicant is still prominent in their declared field; and
- c. the applicant's presence in New Zealand will enhance the quality of New Zealand's accomplishments and participation in the declared field of art, culture or sport.

Effective 29/04/2002

F

IN THIS SECTION

final decision.....	6-1
full-time employment	6-1
funds earned or acquired legally	6-1

FINAL DECISION

From policy: R5.60 Date of final decision (Generic residence policy)

- a. The date of final decision on an application that is declined is the date when the letter advising that the application has been declined, is posted.
- b. The date of final decision on an application that is approved is the date of issue of the residence visa (if the *principal applicant* (on page 14-5) is overseas) or the date of the grant of the residence permit (if the principal applicant is in New Zealand).

Effective 26/07/1999

FULL-TIME EMPLOYMENT

From policy: W2.2 Definitions

W2.2.10 Definition of 'full-time employment'

Unless otherwise specified, full-time employment is considered to be at least 30 hours of work per week for the purpose of all work policies.

Effective 28/07/2008

FUNDS EARNED OR ACQUIRED LEGALLY

From policy: BI7.10 Ownership of nominated funds and/or assets (Investor Category)

BI7.10.1 Definition of 'funds earned or acquired legally'

Funds and/or assets earned or acquired legally are funds and/or assets earned or acquired in accordance with the laws of the country in which they were earned or acquired.

Note: Business immigration specialists have discretion to decline an application if they are satisfied that, had the funds and/or assets been earned or acquired in the same manner in New Zealand, they would have been earned or acquired contrary to the criminal law of New Zealand.

Effective 04/07/2005

funds earned or acquired legally (20/11/2002)

THIS IS NOT A CURRENT DEFINITION

From policy: BB4.1 General rules for investment funds (Investor Category)

BB4.1.10 Definition of funds earned or acquired legally

- a. Funds earned or acquired legally are funds earned or acquired in accordance with the laws of the country in which they were earned or acquired.
- b. Business immigration specialists have discretion to decline an application if they are satisfied that, had the funds been earned or acquired in the same manner in New Zealand, they would have been earned or acquired contrary to the criminal law of New Zealand.

Effective 20/11/2002

G**IN THIS SECTION**

genuine and stable	7-1
genuine attempt (Essential Skills work policy)	7-1
genuine attempt (General work policy)	7-2
genuine tourist	7-2

GENUINE AND STABLE

From policy: F2.10 Definitions (Partnership policy); E4.5 Partners and dependent children of student or work visa or permit holders (Generic temporary entry policy)

F2.10.1 Definition of 'genuine and stable' partnership

- a. A partnership is genuine and stable if a visa or immigration officer is satisfied that it:
- i is genuine, because it has been entered into with the intention of being maintained on a long-term and exclusive basis, and
 - ii is stable, because it is likely to endure.

Effective 17/10/2006

Genuine and stable (26/07/1999)

THIS IS NOT A CURRENT DEFINITION

From policy: F2.1 How does a spouse qualify for residence (Spouse policy); E4.5 Spouses or de facto partners and dependent children of student or work visa or permit holders (Generic temporary entry policy)

E4.5.1 Definition of 'genuine and stable relationship'

- a. A genuine and stable relationship is a relationship which the visa or immigration officer determines:
- i has been entered into with the intention of being maintained on a long-term and exclusive basis, and
 - ii is likely to endure.
- b. If visa and immigration officers are unable to determine whether the relationship was entered into with the intention of maintaining it on a long-term and exclusive basis, they should accept it as genuine, unless there is evidence to the contrary.

Effective 26/07/1999

GENUINE ATTEMPT (ESSENTIAL SKILLS WORK POLICY)

From policy: WK2.10

WK2.10.5 Definition of 'genuine attempts'

- a. For the purposes of this policy an employer is considered to have made genuine attempts to recruit suitable New Zealand citizens or residents if:

- i any specifications or requirements stipulated in a job description and/or ideal person specification are restricted to those specifications or requirements necessary to perform the work on offer; and
 - ii the terms and conditions specified for the work on offer are not less than those of the New Zealand market, including payment at the New Zealand market rate; and
 - iii the extent and nature of advertising or use of other appropriate means of recruitment is such that any suitable New Zealand workers would apply or be likely to apply for the position(s), for example
 - listing the vacancy with Work and Income
 - advertising the vacancy in a national newspaper and/or website
 - contracting a recruitment company appropriate to the industry.
- b. For the purposes of this policy an employer is not considered to have made genuine attempts to recruit suitable New Zealand citizens or residents if:
- i the employer has advertised the work in such a way that no New Zealand citizen or resident will or is likely to apply e.g. making foreign language skills a requirement when it is not necessary for the performance of the work; or
 - ii an employer has advertised the work at terms and conditions that are less than terms and conditions New Zealand citizens or residents typically receive for equivalent work.

Effective 28/07/2008

GENUINE ATTEMPT (GENERAL WORK POLICY)

From policy: WG3.1 Evidence required from employers requesting approval in principle to employ a non New Zealand citizen or resident worker (General work policy)

WG3.1.1 Definition of 'genuine attempts'

- a. For the purposes of this policy an employer is considered to have made genuine attempts to recruit suitable staff from within New Zealand if:
- i the extent and nature of advertising or use of other appropriate means of recruitment is such that any suitable New Zealand workers would apply or be likely to apply for the position(s); and
 - ii any specifications or requirements stipulated in a job description and/or ideal person specification are restricted to those specifications or requirements necessary to perform the work on offer; and
 - iii the terms and conditions specified for the work on offer meets the New Zealand market rate.

Effective 29/04/2002

GENUINE TOURIST

From policy: V2.5.10 Length of permitted stay (Visitor policy)

V2.5.10 Definition of 'genuine tourist'

For the purposes of the provision on length of permitted stay at V2.5.1(a)(i) above, a genuine tourist is a visitor to New Zealand who:

- a. is not working and has not worked in New Zealand, and
- b. has not had a New Zealand student permit, and

- c. is not sponsored, and
- d. has sufficient funds for maintenance and accommodation.

Effective 04/05/2009

genuine tourist (29/09/2003)

THIS IS NOT A CURRENT DEFINITION

From policy: V2.5 Length of permitted stay (Visitor policy)

V2.5.1 Definition of 'genuine tourist'

For the purposes of the provision on length of permitted stay at V2.5(a)(i) above, a genuine tourist is a visitor to New Zealand who:

- a. is not working and has not worked in New Zealand, and
- b. has not had a New Zealand student permit, and
- c. is not sponsored, and
- d. has sufficient funds for maintenance and accommodation.

Effective 29/09/2003

I

IN THIS SECTION

immediate family	8-1
immigration adviser	8-1

IMMEDIATE FAMILY

From policy: F6.5 Definitions (Sibling and adult child policy)

F6.5.5 Definition of 'immediate family'

- a. In the context of sibling and adult child policy, 'immediate family' includes all biological or adoptive parents and siblings of the *principal applicant* (on page 14-5).
- b. Step-parents and step-siblings are considered to be part of the principal applicant's 'immediate family' unless the principal applicant provides evidence that these family members have not lived as part of the principal applicant's family unit for a predominant period of the principal applicant's life since the step-relationship was created.

Effective 24/04/2006

IMMIGRATION ADVISER

From policy: A18.5 Definition of 'immigration adviser'

A18.5 Definition of 'immigration adviser'

Immigration Advisers Licensing Act 2007 ss 5 and 7

Immigration adviser means a person who provides immigration advice. Immigration advice:

- a. means using, or purporting to use, knowledge of or experience in immigration to advise, direct, assist, or represent another person in regard to an immigration matter relating to New Zealand, whether directly or indirectly and whether or not for gain or reward; but
- b. does not include:
 - i providing information that is publicly available, or that is prepared or made available by the Department; or
 - ii directing a person to the Minister or the Department, or to an immigration officer, a visa officer, or a refugee status officer (within the meaning of the Immigration Act 1987), or to a list of licensed immigration advisers; or
 - iii carrying out clerical work, translation or interpreting services, or settlement services.

An immigration adviser can act as an agent on behalf of their immigration client.

Note: 'Agent' means any individual authorised to act on behalf of the applicant or registrant or sponsor or employer. It includes, but is not limited to, lawyers, consultants and representatives.

Effective 04/05/2009

K**IN THIS SECTION**

key employee9-1

KEY EMPLOYEE

From policy: BE2.1 Employee of a relocating business (Employees of relocating businesses policy)

BE2.1.5 Definition of key employee

A key employee is an employee of the business whom the chief executive officer (CEO) of the relocating business reasonably considers will be essential to the operation of the relocated business in New Zealand.

Effective 26/07/1999

L**IN THIS SECTION**

lawful business enterprise	10-1
lawfully and permanently	10-1
legal guardian	10-1
lodge	10-3

LAWFUL BUSINESS ENTERPRISE

From policy: BI6.5 Business definitions (Investor Category)

BI6.5.15 'Lawful business enterprise'

A business enterprise is an organisation that:

- a. operates in a commercial environment with the goal of returning a profit, and
- b. is not set up primarily for passive or speculative purposes.

Effective 04/07/2005

LAWFULLY AND PERMANENTLY

From policy: F4.5 Definitions (Parent policy)

F4.5.1 Definition of 'lawfully and permanently'

People who are lawfully and permanently in a country are **either**:

- a.
 - i citizens of that country, or persons who have the right of, or permission to take up, permanent residence in that country; **and**
 - ii actually residing in that country; **or**
- b. living in a refugee camp in that country with little chance of repatriation.

Note: if a person is actually residing in a country in which they do not have the right of, or permission to take up, permanent residence, for the purpose of determining whether an applicant meets parent policy they are deemed to be lawfully and permanently in the country in which they were predominantly living in the last 10 years and in which they are entitled to reside lawfully and permanently.

Effective 24/04/2006

LEGAL GUARDIAN

From policy: V3.100 Guardians accompanying students to New Zealand (Visitor policy)

V3.100.5 Definition of 'legal guardian'

For the purposes of this policy a 'legal guardian' is

- a. the person with the legal right and responsibility to provide for the care (including education and health) of an international student. This includes the student's biological or adoptive parents, testamentary guardian, or court-appointed guardian; and
- b. the person who usually provides for the care of the student in the student's home country.

Effective 15/11/2004

guardian (01/07/2004)

THIS IS NOT A CURRENT DEFINITION

From policy: V3.100 Guardians accompanying students to New Zealand (Visitor policy)

V3.100.5 Definition of 'guardian'

For the purposes of this policy, a 'guardian' means the person with the legal right and responsibility to provide for the care (including education and health) of an international student; and usually provides for the care (including education and health) of an international student, and usually provides for the care of the student in the student's home country. This definition includes the student's biological or adoptive parents, testamentary guardian, or court-appointed guardian.

Effective 01/07/2004

guardian (01/04/2004)

THIS IS NOT A CURRENT DEFINITION

From policy: V3.100 Guardians accompanying students to New Zealand (Visitor policy)

V3.100.1 Definition of 'guardian'

For the purposes of this policy, a 'guardian' means the person:

- a. with the legal right and responsibility to provide for the care (including education and health) of an international student; and
- b. usually providing for the care of the student in the student's home country.

This definition includes biological and adoptive parents, New Zealand and foreign court-appointed guardians and testamentary guardians.

Effective 01/04/2004

guardian (29/09/2003)

THIS IS NOT A CURRENT DEFINITION

From policy: V3.100 Guardians accompanying students to New Zealand (Visitor policy)

V3.100.1 Definition of 'guardian'

For the purposes of this policy a 'guardian' is the student's biological or adoptive parents, testamentary guardian, or court-appointed guardian who usually provides for the care (including education and health) of the student in the home country and has the legal right and responsibility to provide that care.

Effective 29/09/2003

LODGE

From policies: R2.20 and E4.25 Date an application is lodged (Generic residence and temporary entry policies)

An application is lodged on the date that the NZIS receives it.

Note: If an application is processed using AMS, the date the application is lodged is referred to in AMS as the date 'tendered'.

Effective 26/07/1999

M

IN THIS SECTION

made	11-1
management experience.....	11-2
mandatory requirements	11-2
market rate (RSE policy).....	11-2
market rate (work visa or permit)	11-2
minimum period of time	11-3
minimum wage	11-3
minor	11-3

MADE

From policy: E4.30 Date an application is made (Generic temporary entry policy)

Immigration Act 1987 ss 14D(1), 25(2)

- a. An application is made on the date that it is lodged only if, on that date, it is lodged in the prescribed manner.
- b. Visa and immigration officers determine whether applications are lodged in the prescribed manner by assessing whether all mandatory requirements for lodgement have been met.
- c. If a visa or immigration officer determines that an application is not lodged in the prescribed manner and requests further documents (see E4.75), the application is made on the date that the NZIS receives the last of any outstanding documents necessary to meet the prescribed manner for lodgement.

Note: if applications are processed using AMS, the date an application is made is referred to in AMS as the date 'accepted'.

Effective 26/07/1999

MANAGEMENT EXPERIENCE

From policy: BI6.5 Business definitions (Investor Category)

BI6.5.10 'Management experience'

Management experience means experience in the planning, organisation and control of the activities of a business.

Effective 04/07/2005

MANDATORY REQUIREMENTS

From policy: X3.10 Requirements for lodging an application for a returning resident's visa (Returning Resident's Visa policy)

X3.10.1 Mandatory requirements

Immigration Act 1987 s 14C(1)

Immigration Regulations 1999 reg 5

The mandatory requirements are that RRV applications must be completed in full and submitted to a visa officer, together with:

- a. the applicant's current passport or certificate of identity; and
- b. evidence that the applicant holds, or has held (or is considered under section 44 of the Act to hold or have held) a residence permit; and
- c. the appropriate fee (if any).

Note: The passports of **all** persons included in the application must be submitted with the application.

Effective 26/07/1999

MARKET RATE (RSE POLICY)

From policy: WH1.20 Requirements for employment agreements under RSE policy

WH1.20.15 Market Rate

For the purpose of RSE policy, 'market rate' is the typical rate a New Zealand citizen or resident is paid for doing the equivalent work, in the same period, in the same region. The 'market rate' may be expressed in terms of a 'per hour' rate or a piece rate.

Effective 26/11/2007

MARKET RATE (WORK VISA OR PERMIT)

From policy: W2.2 Definitions

W2.2.15 Definition of 'New Zealand market rate'

- a. For the purposes of work policy (with the exception of WH1 Recognised Seasonal Employer policy), the New Zealand market rate is the rate of pay which would be required to recruit a New Zealand citizen or resident to do equivalent work.

- b. When assessing the New Zealand market rate, factors visa and immigration officers may consider, include, but are not limited to:
- i the typical rate of pay a New Zealand citizen or resident worker receives for equivalent work;
 - ii rates of pay provided by collective agreements for the relevant industry;
 - iii the region of employment;
 - iv the period of employment;
 - v the other terms and conditions of employment (such as the hours of work);
 - vi the level of training and experience required for the position.

Effective 28/07/2008

MINIMUM PERIOD OF TIME

From policy: BK9.15 Minimum period of time in New Zealand (Active Investor Migrant Policy)

The *principal applicant* (on page 14-5) under each category of the Active Investor Migrant Policy must spend the following minimum time periods in New Zealand in each of the last three years of the four year investment period:

- a. General Investor (Active) Category – 40 percent of each year (146 days per year).
- b. Professional Investor Category – 30 percent of each year (109 days per year).
- c. Global Investor Category – 20 percent of each year (73 days per year).

Effective 26/11/2007

MINIMUM WAGE

From policy: WH1.20 Requirements for employment agreements under RSE Policy

WH1.20.10 Pay deductions

The minimum wage means the statutory amount set for adults under the Minimum Wage Act 1983. The current minimum wage rate can be found at www.ers.dol.govt.nz.

Effective 26/11/2007

MINOR

From policy: Y4.40 Detention of minors (Border Policy)

Y4.40.1 Definition of 'minor'

Immigration Act 1987 s 141B

A minor is an unmarried, dependent child who is under 17 years of age.

Effective 01/10/1999

N**IN THIS SECTION**

New Zealand organisation of national repute.....	12-1
New Zealand qualification	12-1
New Zealand resident.....	12-1

NEW ZEALAND ORGANISATION OF NATIONAL REPUTE

From policies: WR2.10 & RW3.1 Definition of 'New Zealand organisation of national repute' (Work from residence and Residence from work policies)

A 'New Zealand organisation of national repute' is:

- a. a New Zealand organisation that has a nationally recognised record of excellence in a field of art, culture or sport, or
- b. a New Zealand organisation that has a nationally recognised record of excellence in fostering exceptional talent in a field of art, culture or sport.

Effective 29/04/2002

NEW ZEALAND QUALIFICATION

From policy: G2.20 Minimum points (General Skills Category)

THIS TERM RELATES TO PERMANENTLY ARCHIVED POLICY

G2.20.1 Definition of 'New Zealand qualification'

A New Zealand qualification is a qualification that is:

- a. conferred by a New Zealand institution; and
- b. obtained by the person undertaking at least half the course requirements in New Zealand.

Effective 01/07/2003

NEW ZEALAND RESIDENT

From policy: F2.10 Definitions (Partnership policy)

F2.10.5 Definition of 'New Zealand resident' for the purposes of Partnership policy

New Zealand resident means a person who:

- a.
 - i holds a current New Zealand residence permit or current New Zealand returning resident's visa; or
 - ii holds a valid Australian passport.
- b. Despite (a) above, the following people are defined as New Zealand residents for the purposes of Partnership policy only where a visa or immigration officer is satisfied that New

Zealand is their primary place of established residence at the time the application under partnership policy is made and at the time of assessment of the application:

- i holders of valid Australian passports who do not hold a current New Zealand residence permit or current New Zealand returning residents' visa;
 - ii holders of current New Zealand residence permits that have been granted on the basis that the person is the holder of an Australian resident return visa;
 - iii holders of current New Zealand returning residents' visas issued to the holder of a New Zealand residence permit that was granted on the basis that the person is the holder of an Australian resident return visa.
- c. Where (b) applies, evidence must be provided that the sponsor's primary place of established residence is New Zealand. The evidential requirements are set out at F2.20.5.

Effective 29/09/2003

New Zealand resident (26/07/1999)

THIS IS NOT A CURRENT DEFINITION

From policy: F2.1 How does a spouse qualify for residence?

F2.1.10 Definition of 'New Zealand resident'

New Zealand resident means a person who holds:

- a. a current New Zealand residence permit or current New Zealand returning resident's visa, or
- b. a valid Australian passport.

Effective 26/07/1999

O**IN THIS SECTION**

owning a business 13-1

OWNING A BUSINESS

From policy: BI6.5 Business definitions (Investor Category)

BI 6.5.5 'Owning a business'

Owning a business means owning at least 25 per cent of a business.

Effective 04/07/2005

P**IN THIS SECTION**

partner (residence)	14-1
partner (temporary entry).....	14-2
permit 14-3	
permit (limited purpose)	14-4
personal use	14-4
place of work	14-4
prescribed manner	14-5
principal applicant (limited purpose)	14-5
principal applicant (residence)	14-5
principal applicant (temporary entry).....	14-6

PARTNER (RESIDENCE)

From policy: R2.1 Who may be included in an application (Generic residence policy)

R2.1.10 Definition of 'partner'

Immigration Regulations 1999 reg 20

- a. For the purpose of inclusion in a residence application, 'partner' means:
 - i a person who is legally married to, or
 - ii a person who is in a civil union partnership (whether opposite or same sex), or
 - iii a person who is in a de facto relationship, (whether opposite or same sex) with, the *principal applicant* (on page 14-5).
- b. References to 'partner' in Government residence policy mean 'partner' as defined in (a) above.
- c. A partner who does not meet the criteria in (a) above may not be included in a principal applicant's application and must apply for residence as a principal applicant in their own right.

Effective 04/07/2005

partner (29/09/2003)

THIS IS NOT A CURRENT DEFINITION

From policy: R2.1 Who may be included in an application (Generic residence policy)

R2.1.10 Definition of 'partner'

Immigration Regulations 1999 reg 20

- a. For the purpose of inclusion in a residence application, 'partner' means:
 - i a person who is legally married to, or
 - ii a person who is in an interdependent partnership akin to a marriage, (whether same sex or heterosexual) with, the principal applicant.

- b. References to 'partner' in Government residence policy mean 'partner' as defined in (a) above.
- c. A partner who does not meet the criteria in (a) above may not be included in a principal applicant's application and must apply for residence as a principal applicant in their own right.

Effective 29/09/2003

de facto partner (01/10/2001)

THIS IS NOT A CURRENT DEFINITION

From policy: R2.1 Who may be included in an application (Generic residence policy)

R2.1.20 Definition of 'de facto partner'

- a. For the purpose of inclusion in a residence application, a de facto partner is a partner in a heterosexual or same sex relationship who has been living with their partner in a *genuine and stable* (on page 7-1) relationship for at least 2 years immediately before their application is *lodged* (on page 10-3).
- b. References to 'partner' in Government residence policy (excluding De facto policy (see F3) mean de facto partner as defined in (a) above.
- c. A de facto partner who does not meet the criteria in (a) above may not be included in the principal applicant's application and must apply for residence as a principal applicant in their own right.

Effective 01/10/2001

PARTNER (TEMPORARY ENTRY)

From policy: E4.1 Who may be included in an application (Generic temporary entry)

E4.1.10 Definition of 'partner'

Immigration Regulations 1999 reg 20

- a. For the purpose of inclusion in an application, or where a person otherwise relies on such a relationship for the purpose of obtaining a temporary visa or permit, 'partner' means:
 - i a person who is legally married
 - ii a person who is in a civil union relationship (whether same sex or heterosexual), or
 - iii a person who is in a de facto relationship, (whether same sex or heterosexual) with,
 - a *principal applicant* (on page 14-6) in an application for a temporary visa or permit, or
 - a person who is a New Zealand citizen or *resident* (on page 12-1), or
 - a person who is an applicant for, or the holder of a student or work visa or permit.
- b. References to 'partner' in temporary entry policy mean 'partner' as defined in (a) above.

Effective 04/07/2005

partner (29/09/2003)

THIS IS NOT A CURRENT DEFINITION

From policy: E4.1 Who may be included in an application (Generic temporary entry)

E4.1.10 Definition of 'partner'

Immigration Regulations 1999 reg 20

- a. For the purpose of inclusion in an application, or where a person otherwise relies on such a relationship for the purpose of obtaining a temporary visa or permit, 'partner' means:
 - i a person who is legally married to, or
 - ii a person who is in an interdependent partnership akin to a marriage, (whether same sex or heterosexual) with,
 - a principal applicant in an application for a temporary visa or permit, or
 - a person who is a New Zealand citizen or resident, or
 - a person who is an applicant for, or the holder of a student or work visa or permit.
- b. References to 'partner' in temporary entry policy mean 'partner' as defined in (a) above.

Effective 29/09/2003

de facto partner (26/07/1999)

THIS IS NOT A CURRENT DEFINITION

From policy: E4.1 Who may be included in an application (Generic temporary entry)

E4.1.10 Definition of 'de facto partner'

- a. A de facto partner is a partner in a heterosexual or same sex relationship who has been living with their partner in a *genuine and stable* (on page 7-1) relationship for at least 2 years immediately before their application is *made* (on page 11-1).
- b. References to 'partner' in temporary entry policy mean de facto partner as defined above.

Effective 26/07/1999

PERMIT

From policy E3.5 Permits (Generic temporary entry)

Immigration Act 1987 ss 2(1), 4(2), 35AB

- a. Subject to paragraph (b), a permit is an endorsement by an immigration officer in a passport, or a certificate of identity which confirms that the holder:
 - i is a person who requires a permit to be in New Zealand, and
 - ii may lawfully remain in New Zealand while the permit is current.
- b. Where provision is made for the grant of permits by electronic means, any permit granted by that means will be electronically entered and retained in the records of the Department of Labour. Permits granted by electronic means must specify the following information:
 - i the name of the permit holder;
 - ii the passport number of the permit holder, or where the holder is accepted without a passport, the holder's date of birth (if known);
 - iii the date on which the permit is granted;
 - iv either the date on which the permit will expire, or the period for which it is granted;

- v such other matters including conditions, as may apply in respect of the permit.

Effective 01/07/2002

PERMIT (LIMITED PURPOSE)

From policy: L3.5 Definition of 'limited purpose permit'

Immigration Act 1987 s 34A

- a. A limited purpose permit is a permit granted to allow its holder to be in New Zealand for an express purpose only.
- b. A limited purpose permit is not a temporary permit.

Effective 01/10/1999

PERSONAL USE

From policy: BI7.25 Withdrawal of funds (Investor Category)

BI7.25.5 Definition of 'personal use'

Personal use includes, but is not limited to, investment in assets such as a personal residence, car, boat or similar.

Effective 04/07/2005

personal use (20/11/2002)

THIS IS NOT A CURRENT DEFINITION

From policy: BB4.1 General rules for investment funds (Investor Category)

BB4.1.5 Definition of personal use

Personal use includes investment in assets such as a personal residence, car, boat or similar.

Effective 20/11/2002

PLACE OF WORK

From policy: SM9.10 Definition: Employment outside the Auckland region (Skilled Migrant Category)

Note: The Health and Safety in Employment Act 1992 defines a 'place of work' as meaning a place (whether or not within or forming part of a building, structure, or vehicle) where any person is to work, for the time being works, or customarily works, for gain or reward; and, in relation to an employee, includes a place, or part of a place, (not being domestic accommodation provided for the employee):

- Where the employee comes or may come to eat, rest or get first aid or pay; or
- Where the employee comes or may come as part of the employee's duties to report in or out, get instructions, or deliver goods or vehicles; or

- Through which the employee may or must pass to reach a place of work.

Effective 17/12/2003

PREScribed MANNER

From policy: E4.40 How an application must be lodged (Generic temporary entry policy)

Immigration Regulations 1999 reg 3, 3A

- Applications must be lodged in the prescribed manner.
- The prescribed manner is the manner that meets the mandatory requirements laid down for applications of the relevant type in the Immigration Regulations 1999.
- Applications that are not lodged in the prescribed manner must not be accepted for processing (see E4.75).

Effective 01/07/2002

PRINCIPAL APPLICANT (LIMITED PURPOSE)

From policy: L5.1 Who may be included in a direct application for a limited purpose visa or permit

L5.1.1 Definition of 'principal applicant'

- For limited purpose visa or permit applications the principal applicant is identified as follows:
 - the principal applicant is the person who is declared to be the principal applicant on that application; or
 - for applications for a limited purpose visa or permit to be granted for the purpose of study, the principal applicant is the person whose express purpose is study; or
 - if the express purpose of one or more persons in an application is to accompany another person also in the application, the principal applicant must be that other person; or
 - if two or more persons in an application share the same express purpose and that express purpose does not depend on the express purpose of any other person also in the application, the principal applicant may be any one of those two or more persons.

Example: a husband and wife, both doctors, wish to attend a medical conference in New Zealand. Their dependent child is to accompany them. Either the husband or the wife may be the principal applicant.

- When the application is assessed, all persons included in the application will be assessed against the policy criteria for limited purpose entry.

Effective 29/09/2003

PRINCIPAL APPLICANT (RESIDENCE)

From policy R2.1 Who may be included in an application (Generic residence policy)

R2.1.1 Definition of 'principal applicant'

- The principal applicant is the person who is declared to be the principal applicant on the residence application form.

- b. When the application is assessed, the principal applicant will be the person first assessed against the Government residence policy criteria, unless policy indicates otherwise.

Effective 04/12/2006

PRINCIPAL APPLICANT (TEMPORARY ENTRY)

From policy: E4.1 Who may be included in an application (Generic temporary entry policy)

E4.1.1 Definition of 'principal applicant'

- a. For temporary entry applications the principal applicant is identified as follows:
 - i for a visitor's visa, visitor's permit or a transit visa application, the principal applicant is the person who is declared to be the principal applicant on that application; or
 - ii for work or student visa or permit applications, the principal applicant is the person applying for the work or student visa or permit.
- b. When the application is assessed, all persons included in the application will be assessed against the policy criteria, unless policy indicates otherwise.

Effective 04/12/2006

R

IN THIS SECTION

relocating business	15-1
residential property development	15-1
risk factors for pulmonary tuberculosis.....	15-1

RELOCATING BUSINESS

From policy: BE2.1 Employee of a relocating business (Employees of relocating businesses policy)

BE2.1.1 Definition of relocating business

A relocating business is a business that proposes to operate in New Zealand, and which the business immigration specialist is satisfied is genuine.

Note: The business's proposed relocation need not involve stopping operations in its home country.

Effective 26/07/1999

RESIDENTIAL PROPERTY DEVELOPMENT

From policy: BK4.45 Definition of 'acceptable investment' (Active Investor Migrant Policy)

BK4.45.25 Residential property development

For the purposes of this policy, residential property development includes:

- a. building, or arranging to build, a household unit for the purpose of selling it; or
- b. acquiring a household unit from a person who built it or arranged for it to be built for the purpose of selling it; or
- c. acquiring and subdividing land for the purposes of residential property development; or
- d. acquiring and/or selling an existing household unit.

Effective 26/11/2007

RISK FACTORS FOR PULMONARY TUBERCULOSIS

From policy: A4.25.5 Medical certificates: temporary entry applications (Administration)

- a. A person is considered to have risk factors for pulmonary tuberculosis if:
 - i they hold a passport issued by a country not listed in Appendix 9; or
 - ii in the five years prior to application they have spent a combined total of three or more months in any one or more countries not listed in Appendix 9.

- b. Despite (a)(i) above, if an applicant provides evidence that satisfies an immigration or visa officer they have never lived or spent time in the country that issued their passport, and (a)(ii) does not apply, they will not be considered to have risk factors for pulmonary tuberculosis and the requirement to undergo a TB screening X-ray and provide the associated Temporary Entry X-ray Certificate form will not apply.

Effective 10/04/2007

S**IN THIS SECTION**

self-employment	16-1
semi-active investment	16-2
single	16-2
substantial investment	16-3
supervisory experience.....	16-3

SELF-EMPLOYMENT

From policy: BC2.1 Definition of self employment (LTBV policy)

- a. Self-employment is lawful active involvement in the management and operating of a business in New Zealand which the *principal applicant* (on page 14-5) has established or purchased, or in which the principal applicant has made a substantial investment (see (b) below).
- b. Substantial investment is defined as the purchase of 25% or more of the shareholding of a business.
- c. For the avoidance of doubt, self-employment does not include involvement of a passive or speculative nature.

Effective 20/11/2002

self-employment (26/07/1999)

THIS IS NOT A CURRENT DEFINITION

From policy: BD3.5 Definitions (Entrepreneur)

BD3.5.5 Self-employment

- a. Self-employment is lawful active involvement in the management and operating of a business in New Zealand which the principal applicant has established or purchased, or in which the principal applicant has made a *substantial investment* (on page 16-3).

- b. For the avoidance of doubt, self-employment does not include involvement of a passive or speculative nature.

Effective 26/07/1999

SEMI-ACTIVE INVESTMENT

From policy: BK4.45 Definition of 'acceptable investment' (Active Investor Migrant Policy)

BK4.45.15 Definition of 'semi-active investment'

A semi-active investment is a direct or indirect investment (including managed funds) in the equity of an existing lawful enterprise(s) which undertakes significant economic activity in New Zealand and does not qualify as an active investment.

Effective 26/11/2007

SINGLE

From policy: F5.5 Definitions (Dependent child policy)

F5.5.1 Definition of 'single'

A person is single if they are not legally married, are not in a civil union, or not living in a de facto relationship.

Note: For the purposes of this policy, partnerships are considered to exist irrespective of duration.

Effective 04/07/2005

single (29/09/2003)

THIS IS NOT A CURRENT DEFINITION

From policy: F5.5 Definitions (Dependent child policy)

F5.5.1 Definition of 'single'

A person is single if they are not legally married or not living in a partnership akin to a marriage whether same sex or heterosexual.

Note: For the purposes of this policy partnerships are considered to exist irrespective of duration.

Effective 29/09/2003

single (01/10/2001)

THIS IS NOT A CURRENT DEFINITION

From policy: F5.5 Definitions (Dependent child policy)

F5.5.1 Definition of 'single'

A person is single if they are not legally married or not living in a de facto relationship that is in the nature of a marriage.

Note: 'De facto relationship' in this definition includes relationships that would not meet the definition of 'de facto partner' in R2.1.20. The difference is that in this definition, de facto relationships may exist irrespective of duration.

Effective 01/10/2001

SUBSTANTIAL INVESTMENT

From policy: BD3.5 Definitions (Entrepreneur Category)

BD3.5.1 Substantial investment

Substantial investment means the purchase of 25% or more of the shareholding of a business.

Effective 26/07/1999

SUPERVISORY EXPERIENCE

THIS TERM RELATES TO PERMANENTLY ARCHIVED POLICY

From policy: BB3.5 Definitions (Investor Category)

BB3.5.15 Supervisory experience

Supervisory experience means having line management responsibilities in a business where such responsibilities involve the planning, organisation and control of the activities of that business.

Effective 26/07/1999

T**IN THIS SECTION**

tax resident status 17-1

TAX RESIDENT STATUS

From policy: X4.15 'Tax resident status' (Returning Resident's Visa policy)

Under this policy, 'tax resident status' means tax residence status in New Zealand, as confirmed by the New Zealand Inland Revenue Department (IRD).

Effective 26/07/1999

U**IN THIS SECTION**

unencumbered funds..... 18-1

UNENCUMBERED FUNDS

From policy: BI7.10 Ownership of nominated funds and/or assets (Investor Category)

BI7.10.5 Definition of 'unencumbered funds'

Unencumbered funds are:

- a. funds that are not subject to any mortgage, lien, charge and/or encumbrance (whether equitable or otherwise) or any other creditor claims whatsoever; and
- b. funds that can be transferred lawfully, and the transfer is in accordance with the policy at BI9.5.

Effective 04/07/2005

V**IN THIS SECTION**

visa (temporary entry)	19-1
visa (limited purpose)	19-2

VISA (TEMPORARY ENTRY)

From policy: E3.1 Visas (Generic temporary entry)

E3.1.1 Definition of 'visa'

Immigration Act 1987s 14A

- a. A visa is an endorsement by a visa officer in a passport or a certificate of identity, or in the case of an electronically issued visa, an entry made and retained in the records of the Department of Labour, that indicates that the visa officer, at the time of issuing the visa, knows of no reason why the holder of the passport or certificate of identity should not be granted the relevant permit.
- b. A visa merely entitles a person to travel to New Zealand and is not, nor does it have the effect of, a permit; nor does it entitle the holder to a permit as of right.
- c. A temporary visa authorises the granting of a temporary permit until a specified date or for a specified time (the time to be specified in months rather than weeks if possible), provided that an application has been *made* (on page 11-1) and any conditions stipulated in the visa have been met.

Effective 01/10/1999

visa (26/07/1999)

THIS IS NOT A CURRENT DEFINITION

From policy: E3.1 Visas (Generic temporary entry)

E3.1.1 Definition of 'visa'

Immigration Act 1987s 14A

- a. A visa is an endorsement by a visa officer in a passport or a certificate of identity that indicates that the visa officer, at the time of issuing the visa, knows of no reason why the holder of the passport or certificate of identity should not be granted the relevant permit.
- b. A visa merely entitles a person to travel to New Zealand and is not, nor does it have the effect of, a permit; nor does it entitle the holder to a permit as of right.

- c. A temporary visa authorises the granting of a temporary permit until a specified date or for a specified time (the time to be specified in months rather than weeks if possible), provided that an application has been made and any conditions stipulated in the visa have been met.

Effective 26/07/1999

VISA (LIMITED PURPOSE)

From policy: L2.1 Definition of 'visa'

Immigration Act 1987 s 14A

- a. A visa is an endorsement by a visa officer in a passport or a certificate of identity, or in the case of an electronically issued visa, an entry made and retained in the records of the Department of Labour, and indicates that the visa officer, at the time of issuing the visa, knows of no reason that the holder of the passport or certificate of identity should not be granted the relevant permit.
- b. A visa merely entitles a person to travel to New Zealand and is not, nor does it have the effect of, a permit; nor does it entitle the holder to a permit as of right.
- c. A limited purpose visa authorises the granting of a limited purpose permit until a specified date, provided any conditions stipulated in the visa have been met.
- d. A limited purpose visa is not a temporary visa.

Effective 01/10/1999