

INFORMATION SHEET: IMMIGRATION POLICY CHANGES AFFECTING STUDENTS

28 June 2011

Education is one of New Zealand's top five export industries, contributing approximately \$2.3 billion to the New Zealand economy each year and supporting 32,000 jobs.

Changes to immigration policies are aimed at attracting more genuine international students, and enabling the best and brightest to stay in New Zealand so that they can help drive economic growth through increased productivity and innovation.

The changes target higher level students and move immigration incentives away from short, lower level qualifications to ensure that those students who choose to stay here are better positioned to take up genuinely skilled employment.

The changes, which will begin taking effect from 25 July 2011, will:

- strengthen student visa requirements and conditions (without introducing additional compliance for good quality education providers),
- facilitate access to study and training for genuine students, and
- facilitate pathways to work and residence for highly skilled graduates.

As a package, the changes will better support growth in the export education industry and New Zealand's wider economic objectives.

THE KEY CHANGES FROM 25 JULY 2011

- More criteria will be introduced to determine whether students are genuinely here to study, such as ensuring education providers have assessed students' competencies for the course before issuing an offer of place.
- Students will be required to attend their courses at all times, as required, unless they have genuine reasons for their absence.
- Students' progress will be primarily determined by their education provider and assessed against the education provider's own academic progress policies.

- Students will need to satisfy Immigration New Zealand (INZ) that they are supplying genuine evidence of funds for maintenance.
- Those who provide sponsorship and financial undertakings will be required to:
 - › be either friends or relatives (if they are individuals), and
 - › genuinely intend to support the student and hold sufficient funds for each student they are acting for.
- More flexibility for genuine students will be introduced by extending sponsorship eligibility to organisations or government agencies, and allowing third parties who provide financial undertakings offshore to continue with onshore applications.
- INZ will have more powers to ensure that students are only granted student visas to study at good quality education providers.
- The validity period of medical and police certificates for PhD students, their partners and dependants will be extended from 24 to 36 months, the same as for fee-paying foreign students.
- Work visa holders will no longer need to obtain a variation of conditions to undertake training authorised by their employer as part of their job.
- Work visas will only be available to the partners of students studying postgraduate courses and courses on the Long Term Skills Shortage List (LTSSL) at level 7 (bachelor's degree level) and above, rather than to the partners of any students studying courses on the LTSSL.

Changes to Study to Work visas

- Students who obtain a second, higher qualification at bachelor's degree or postgraduate level will be able to obtain a second Graduate Job Search visa.
- The two Study to Work policies have been renamed and will have a new objective in immigration instructions. The Study to Work policies are the:
 - › Graduate Job Search visa (unchanged)
 - › Graduate Work Experience visa (previously called "Work on completion of a course of study, with an offer of employment").

- The new objective will ensure that the primary purpose of the two policies is to link New Zealand employers with highly skilled graduates and provide a pathway to residence for those students.
- A new definition of 'relevance' will be introduced under the Graduate Work Experience instructions to provide better guidance for whether a job offer is relevant to a qualification.
- Students with three-year qualifications that are not recognised under the SMC (i.e. courses below level 4) will no longer be eligible for the Graduate Work Experience visa.
 - › a postgraduate qualification and have studied in New Zealand for one academic year (minimum of two semesters and eight months study) (10 points), or
 - › a postgraduate qualification and have studied in New Zealand for a minimum of two academic years (15 points).
- English for speakers of other languages (ESOL) qualifications will no longer qualify for SMC points. These are mostly used to prepare students for higher level study.
- Former international students with diploma or certificate level qualifications will be required to meet the minimum standard of English for the Skilled Migrant Category (International English Language Testing System average score of 6.5)
- Changes will also ensure that more former students who qualify for residence will be required to have a skilled job in New Zealand.

Changes to the Skilled Migrant Category

- The changes to the Skilled Migrant Category apply to new students who commence studying a New Zealand qualification on or after 25 July 2011. They do not apply to students who already hold New Zealand qualifications or students who are currently studying towards New Zealand qualifications.
- Applicants for residence can currently access points for recognised qualifications. From 25 July 2011, the points will be differentiated on the following basis:

QUALIFICATION (NZQF)	CURRENT	FROM JULY 2011
Levels 3–6*	50	40
Levels 7–8	50	50
Levels 9–10	55	60

*Level 3 must be on the List of Qualifications Recognised as an Exception.

- The partners of principal applicants can currently access points for recognised qualifications. From 25 July 2011, the points will be differentiated on the following basis:

QUALIFICATION (NZQF)	CURRENT	FROM 25 JULY 2011
Levels 3–6*	20	10
Levels 7–10	20	20

*Level 3 must be on the List of Qualifications Recognised as an Exception.

- Applicants claiming bonus points for having obtained recognised New Zealand qualifications must have:
 - › a bachelor's degree and have studied in New Zealand for a minimum of two academic years (over four semesters of at least 16 months in total) (10 points), or

FROM NOVEMBER 2011

- The definition of full-time study will be based on the type of course, rather than the type of provider, to improve consistency across education providers and make it easier for genuine students to access student visas.

FROM 2 APRIL 2012

Study to Work changes

- The changes to the Study to Work instructions apply to new students who commence studying a New Zealand qualification on or after 2 April 2012. They do not apply to students who already hold New Zealand qualifications or students who are currently studying towards New Zealand qualifications.
- To qualify for Study to Work visas, students will need to have obtained a recognised New Zealand qualification of at least two academic years' (a minimum of four semesters and 16 months in total) duration unless they have obtained:
 - › two SMC points-accruing (level four to six) qualifications in succession of at least one academic year's (minimum of two semesters and eight months study) duration each, provided the second course is at a higher level – e.g. a one-year level five qualification followed by a one-year level six qualification, or

- › a postgraduate qualification of at least one academic year's duration, or
- › a credit-transferred bachelors' degree with at least one year's study in New Zealand, or
- › any level seven qualification of at least one academic year's duration.

OTHER CHANGES IN APRIL 2012

- Funds required by applicants for Graduate Job Search Visas will rise from \$2,100 to \$4,200.
- Funds required by partners of student visa holders who are applying for work visas will be \$4,200.
- Funds required for student visa applicants will increase from the current \$10,000 per year to \$15,000 per year for courses 36 weeks or longer, or pro-rated at \$1,250 per month for shorter courses (less prepaid living expenses).

The immigration instructions underpinning the changes that are being introduced on 25 July 2011 are currently being finalised and will be published on the Immigration New Zealand website at: www.immigration.govt.nz in July 2011.