



31 October 2025

IMMIGRATION NEW ZEALAND INSTRUCTIONS: Amendment Circular No. 2025-39
AMENDMENTS TO THE IMMIGRATION NEW ZEALAND OPERATIONAL MANUAL

Introduction

This circular outlines changes to immigration instructions. A copy of the amended instructions is attached.

All immigration officers dealing with immigration applications should read the amendments and operate in accordance with the amended instructions from the effective date.

Note

The amendments described in this circular will be published in the Immigration New Zealand Operational Manual in due course.

Information about these changes is available on our website www.immigration.govt.nz.

Description of changes

U13.10 Work conditions for secondary school students

U13.15.1 Work conditions for up to twenty-five hours in any given week

V3.10.20 Dependent children awaiting the outcome of a family residence visa application

V3.20.5 Dependent children awaiting the outcome of a family residence visa application

E3.26. Varying the conditions of student visas

U3.40 Students who wish to change their study conditions

I3.15.5 Conditions of SMC interim visas

U11.1 Students holding a New Zealand scholarship undertaking employment

U16.1 Application and evidence

U16.5 Currency and conditions

Changes have been made to immigration instructions to increase in-study work rights for eligible holders of Student Visas, dependent child visitor visas, and Skilled Migrant Category (SMC) interim visas from 20 to 25 hours per week

Changes have also been made to extend eligibility for in-study work rights to all tertiary students on approved exchange or Study Abroad programmes at universities and polytechnics.

In addition, international students who want to switch to a lower-level course or change course provider are required to apply for a new Student Visa, unless the change in provider is for reasons beyond their control.

Appendix 1: Amendments to Temporary Entry instructions effective on and after 3 November 2025

U13.10 Work conditions for secondary school students

- a. For secondary school students, a student visa may be granted with conditions to allow the holder to work, for up to 25 hours in any given week and full-time during the Christmas-New Year vacation period where the student:
 - i. is a full-time student in Years 12 or 13; and
 - ii. has provided written permission from their school; and
 - iii. has written parental consent.
- b. Where a secondary school student is undertaking a student exchange with an Exchange Provider Organisation (EPO), written permission from the EPO is also required (see E11.55.20).
- c. Despite (a)(ii), (iii) and (b) above, secondary school students aged 18 years of age or older do not require parental consent or written permission to be granted conditions allowing full-time work during the Christmas-New Year vacation period.
- d. Despite E7.10(a)(ii), immigration officers may apply these instructions to any eligible student visa application for secondary school students that was submitted before 3 November 2025 and as of that date had not been decided.

U13.15.1 Work conditions for up to twenty-five hours in any given week

- a. A student visa holder may be granted with conditions to work for up to 25 hours in any given week during the validity of the visa if the student is:
- i. undertaking a full-time programme of study (see U6.1.1) of at least two academic years' duration; or
 - ii. undertaking a full-time programme of study, culminating in a New Zealand qualification at level four or higher on the New Zealand Qualification Framework; or

Note: Micro-credentials are not qualifications, even if they are listed on the NZQCF. They are therefore excluded when assessing eligibility for work rights under (b).

- iii. undertaking full-time study as part of an approved tertiary student exchange scheme (see E11.45); or
- iv. engaged in a full-time programme of study of at least 24 teaching weeks duration; and
 - o an immigration officer is satisfied that the primary purpose of the programme of study is to develop English language skills; and
 - o the student can provide acceptable English language test results, as set out at U13.15.20 (no more than 2 years old at the time the application is lodged); or
- v. undertaking full-time English language study of at least 14 consecutive weeks' duration at an education provider that:
 - o is a university; or
 - o holds Category One status under the NZQA EER quality assurance system; or

Note: When assessing eligibility for work rights under (e) for an applicant who holds a current student visa, all consecutive previous English language study undertaken on this and any previous student visa can be counted towards the 14 consecutive week period provided the programme of study the applicant is applying for:

- follows directly from their current study and
- is with the same provider as that on their current and any previous student visa.

- vi. undertaking a full-time Study Abroad programme under a study abroad partner agreement with a New Zealand Tertiary education institution.

- b. Despite E7.10(a)(ii), immigration officers may apply these instructions to any eligible student visa application that was submitted before 3 November 2025 and as of that date had not been decided.

V3.10.20 Dependent children awaiting the outcome of a family residence visa application

- a. Dependent children who have made a visitor visa application as a child of a work visa holder (V3.10) may be granted work rights, enabling them to work for up to 25 hours in any given week and full-time during the summer holiday period (1 December-31 January inclusive annually) where they:
- i. meet age requirements as a result of being between 17 and 24 years old (inclusive) when they make their application; and
 - ii. have provided evidence to satisfy an immigration officer that they have successfully completed year 13 of secondary school (or the overseas equivalent) if they are aged 17 years old when they make their application; and
 - iii. are included as a dependent child in an application for residence under one of the below categories:
 - o Partnership Category (F2)
 - o Skilled Migrant Category Resident Visa (SM); or
 - o Skilled Migrant Category Visa (SR3); or
 - o Green List: Straight to Residence (SR4); or
 - o Green List: Work to Residence (SR5); or
 - o Care Workforce: Work to Residence (SR6); or
 - o Transport Sector: Work to Residence (SR7).
- b. Despite E7.10(a)(ii), immigration officers may apply these instructions to any eligible dependent children awaiting the outcome of a family residence visa application that was submitted before 3 November 2025 and as of that date had not been decided.

Notes:

-The summer holiday period is defined as running from 1 December to 31 January (inclusive) annually for visitor visa holders with work conditions which specify that they may undertake full-time work during the summer holiday period. This definition does not apply under student visa instructions, where the summer holiday period is determined by the associated education provider.

-Evidence that a 17-year-old applicant has completed year 13 of secondary school (or the overseas equivalent) may include, but is not limited to: a letter from their secondary school, a final school report or a graduation certificate.

-As per R2.1.30(f) where immigration officers are required to assess the financial dependence of children included in a resident application, any part-time work undertaken in accordance with these conditions will not affect that assessment.

V3.20.5 Dependent children awaiting the outcome of a family residence visa application

- a. Dependent children who have made a visitor visa application as a child of a New Zealand citizen or resident (V3.20) may be granted work rights, enabling them to work for up to 25 hours in any given week and full-time during the summer holiday period (1 December-31 January inclusive annually) where they:
 - i. Meet age requirements as a result of being between 17 and 24 years old (inclusive) when they make their application; and
 - ii. have provided evidence to satisfy an immigration officer that they have successfully completed year 13 of secondary school (or the overseas equivalent) if they are aged 17 years old when they make their application; and
 - iii. have applied for residence under the Dependent Child Resident Visa (F5) category.
- b. Despite E7.10(a)(ii), immigration officers may apply these instructions to any eligible dependent children awaiting the outcome of a family residence visa application that has not been decided and was submitted before 3 November 2025.

Notes:

- The summer holiday period is defined as running from 1 December to 31 January (inclusive) annually for visitor visa holders with work conditions which specify that they may undertake full-time work during the summer holiday period. This definition does not apply under student visa instructions, where the summer holiday period is determined by the associated education provider.

Evidence that a 17-year-old applicant has completed year 13 of secondary school (or the overseas equivalent) may include, but is not limited to: a letter from their secondary school, a final school report or a graduation certificate.

-As per R2.1.30(f) where immigration officers are required to assess the financial dependence of children included in a resident application, any part-time work undertaken in accordance with these conditions will not affect that assessment.

E3.26 Varying the conditions of temporary entry class visas

See also *Immigration Act 2009 s 52*

- a. Holders of temporary entry class visas should apply for a variation of the conditions of their visa, or a Job Change if they hold an Accredited Employer Work Visa, if:
 - i. they wish to work and do not have a visa that allows work in New Zealand; or
 - ii. they hold a work or visitor visa and wish to undertake a programme of study in New Zealand for longer than 3 months (unless U2.5 applies); or
 - iii. they hold a work visa limited by conditions and wish to change employers, and/or occupation and/or the location of employment; or
 - iv. they hold a work visa as a partner of an Accredited Employer or Essential Skills work visa holder which is limited by conditions and wish to remove these conditions.
- b. Immigration officers may grant a variation of conditions for cases (a) (i)–(iii) above provided that the applicant completes the relevant application for Variation of Conditions or Job Change and produces:
 - i. the appropriate fee;
 - ii. a valid passport (or a certified copy) or travel document (or a certified copy), if not previously provided;
 - iii. documents which support the requested variation, such as:
 - o an offer of employment that meets W2.10.10, or WA4.10.1; or
 - o an offer of place at a suitable education provider that meets U3.5, and evidence of tuition fee payment or exemption that meets U3.10; and
 - o any other documents or information requested by the immigration officer.
- c. A variation of conditions will only be granted where the varied conditions still meet the objectives of the instructions which the visa was granted under.
- d. A variation of conditions to work for a specific employer (including any person associated with the employer who is able to influence the recruitment, employment or supervision of workers of that employer) will only be granted where the employer meets requirements at W2.10.5, W2.10.15 and W2.10.20 except where E3.26.1.20 applies.

E3.26.5 Varying the conditions of visitor visas

- a. Holders of visitor visas granted under V3.100 Guardians accompanying students to New Zealand may only be granted a variation of conditions for part time work or part time study between the hours of 9:30am and 2:30pm Monday to Friday (inclusive) (see V3.100.35).
- b. Holders of visitor visas may be granted a variation of conditions for a duration of six weeks to undertake seasonal work (planting, maintaining, harvesting and packing crops) in any region where the Ministry of Social Development has identified a shortage of seasonal labour and for any employer in the horticulture or viticulture industries, provided the applicant has not been granted a variation of conditions for this purpose since their most recent entry to New Zealand.
- c. Holders of visitor visas who are aged 18 or older, have left secondary school, and are included as a dependent child in an application for a 2021 Resident Visa may be granted a variation of conditions to allow them to work for up to 20 hours per week.
- d. Holders of visitor visas may be granted a variation of conditions to allow them to work for up to 25 hours in any given week and full-time during the summer holiday period (1 December-31 January inclusive annually) where they:
 - i. Hold one of the following visitor visas:
 - o Child of a New Zealander Visitor Visa (V3.20); or
 - o Child of a Worker Visitor Visa (V3.10); or
 - o A general visitor visa (V2), provided they previously held a visitor or student visa as a dependent child (U8, V3.10 or V3.20) as the child of a New Zealand citizen or resident, or the primary applicant of a residence application listed below at (v); and
 - ii. meet age requirements as a result of being between 17 and 24 years old (inclusive) when they make their application; and
 - iii. have provided evidence to satisfy an immigration officer that they have successfully completed year 13 of secondary school (or the overseas equivalent) if they are aged 17 years old when they make their application; and
 - iv. have applied for residence under the Dependent Child Resident Visa (F5) category; or
 - v. are included as a dependent child in an application for residence under one of the below categories:
 - o Partnership Category (F2); or
 - o Skilled Migrant Category Resident Visa (SM); or
 - o Skilled Migrant Category Visa (SR3); or

- o Green List: Straight to Residence (SR4); or
- o Green List: Work to Residence (SR5); or
- o Care Workforce: Work to Residence (SR6); or
- o Transport Sector: Work to Residence (SR7).

Notes:

-The summer holiday period is defined as running from 1 December to 31 January (inclusive) annually for visitor visa holders with work conditions granted under E3.26.5, V3.10.20 or V3.20.5), which specify that they may undertake full-time work during the summer holiday period. This definition does not apply under student visa instructions, where the summer holiday period is determined by the associated education provider.

-Evidence that a 17-year-old applicant has completed year 13 of secondary school (or the overseas equivalent) may include but is not limited to: a letter from their secondary school, a final school report or a graduation certificate.

-As per R2.1.30(f) where immigration officers are required to assess the financial dependence of children included in a resident application, any part-time work undertaken in accordance with these conditions will not affect that assessment.

E3.26.10 Varying the conditions of student visas

- a. Holders of student visas may be granted a variation of conditions to allow them to work in line with the requirements at U13.
- b. Student visa holders with conditions specifying they may work for 20 hours a week who want to increase their work entitlement to 25 hours per week must apply using the online form for this purpose.
- c. Holders of student visas may be granted a variation of conditions (see U3.40) to allow them to change their programme of study to a programme of study of the same or higher level provided the proposed programme of study is being undertaken at the same education provider specified on their visa.
- d. Variations of conditions will not be granted to allow a student visa holder to enrol in a lower-level programme of study or to enrol with a different education provider (unless E3.26.10(e) below applies).
- e. Despite (d) above, a variation of conditions may be granted to allow a student visa holder to enrol with a different education provider if the student visa holder can demonstrate that the change to the new provider is for reasons beyond the student visa holder's control (for example, but not limited to, circumstances where the education provider has closed or is going to close or circumstances arising from compliance action undertaken by NZQA).

E3.26.15 Varying the conditions of Skilled Migrant Category interim visas

For the purposes of meeting E3.26.15 instructions, 'Skilled Migrant Category' (SMC) is defined as those set out in SR3 instructions. SMC interim visa conditions may only be varied in accordance with these (E3.26.15) instructions.

- a. Holders of SMC interim visas with employer-specific work conditions may be granted a variation of conditions to change employer, occupation, location of employment, or a combination of these. A variation of conditions may be granted if:
 - i. the SMC interim visa holder meets the requirements set out in E3.26.1.20; and
 - ii. the employment is paid at or above the median wage (\$33.56).
- b. Holders of SMC interim visas with student conditions may be granted a variation of conditions to allow them to work for up to 20 hours in any given week and full-time in specified vacation periods (see U13.10 and U13.15) if the interim visa holder:
 - i. meets the applicable requirements at U13; and
 - ii. is aged 16 or older; and
 - iii. has written permission from their parents and education provider (if they are enrolled with an education provider) if they are aged 16 or 17 years old; and
 - iv. is included in an SMC resident visa application as a dependent child, if they held a visitor visa directly before being granted an SMC interim visa.
- c. Holders of SMC interim visas with visitor conditions may be granted a variation of conditions to allow them to hold open study conditions and/or work for up to 25 hours in any given week and full-time during specified vacation periods (see U13.15) if they are:
 - i. aged 18 or older; and
 - ii. included as a dependent child in an application for a Skilled Migrant Category resident visa.

Notes:

- The median wage rate for Variations of Conditions of Skilled Migrant Category interim visa holders is \$33.56 and reflects the June 2024 quarter publication of median wage data by Statistics New Zealand.

- Where the SMC application includes the requirement to have a job or job offer which meets the definition of skilled employment, applicants seeking a variation of conditions will be responsible for ensuring that the planned new employment still meets the SMC application criteria.

U3.40 Students who wish to change their study conditions

See also Immigration Act 2009 ss 49, 52, 56

- a. A further student visa or variation of conditions, for the purpose of changing programme of study, education provider and/or study location, will only be granted if an immigration officer is satisfied that:
 - i. the applicant meets the student requirements set out at U3.1; and
 - ii. the applicant has not breached their visa conditions as set out at E3.20; and
 - iii. the original student visa would have been granted for the proposed programme of study, education provider, and/or study location; and
 - iv. the applicant remains a bona fide applicant (see E5.1); and
 - v. the applicant is not seeking to vary conditions to enable them to enrol in a lower-level programme of study; and
 - vi. the applicant is not seeking to vary conditions to enable them to enrol with a different education provider, unless the applicant can demonstrate that the proposed change in provider is due to circumstances beyond the applicant's control (see E3.26.10).
- b. Factors that an immigration officer may take into consideration when determining (a)(iii) and (a)(iv) above include, but are not limited to:
 - i. the time elapsed since the original visa was granted;
 - ii. whether the level and/or subject area of the proposed programme of study are significantly different from the original programme of study; and
 - iii. any relevant information held about the previous application(s) including advice from the original issuing branch (see E7.1.1).
- c. Applicants who have received New Zealand Scholarship funding within the two years prior to their application to change programme of study and/or education provider being made, must also provide evidence that the Ministry of Foreign Affairs and Trade supports the change of programme of study or education provider and that any scholarship continues.
- d. Applicants who wish to change their programme of study and/or education provider may provide evidence of payment of tuition fees after the application has been approved in principle.

13.15.5 Conditions of SMC interim visas

- a. The conditions on each SMC interim visa will depend on the type of temporary visa held by the applicant, as shown in the table below:

Visa held	Conditions granted
Work (open)	Open work conditions
Work (partnership)	Open work conditions
Work (employer specific)	Same work conditions as currently held
Student (open)	Student (open) and the same work conditions as currently held if the applicant is aged 17 years or younger
	Student (open) and work conditions for up to 25 hours in any given week and full-time during specified vacation periods (see U13.15) if the applicant is 18 or older
Visitor	Same visitor conditions as currently held if the applicant is aged 19 or older
	Student (open) if the applicant is aged 18 years of younger

- b. Visas held which are work (partnership) are defined as per the note at I1.20.
- c. Open student conditions are conditions that allow study in any programme of study, at any educational institute, in any location in New Zealand.

Note: For the avoidance of doubt, those holding an SMC interim visa with open study conditions are not required to meet the conditions set out in E3.20, including progress and attendance requirements.

U11.1 Students holding a New Zealand scholarship undertaking employment

See also Immigration Act 2009 ss 52, 56

- a. New Zealand scholarship students may be granted conditions on their student visa to allow them to work during the academic year for up to 25 hours per week, during any holidays within the academic year for up to 25 hours per week, and full-time during the Christmas-New Year holiday period unless they are studying under the following schemes:
- Short Term Training Scholarships; or
 - English Language Training for Officials Scholarships

Note: New Zealand scholarship students may also be eligible for full-time work rights during scheduled vacation periods. See [U13.15.10](#)

- b. With the exception of the schemes listed under (a), New Zealand scholarship students may be granted work visas at the completion of their programmes of study for qualification-related work experience for the minimum time needed to complete practical work requirements.

Note: New Zealand scholarship senior medical and pharmacy students may be granted a work visa for their internship/registration year.

- c. New Zealand scholarship students are not permitted to:
- work in self-employment; or
 - provide commercial sexual services; or
 - act as an operator of a New Zealand business of prostitution; or
 - invest in a business of prostitution (see E7.40).
- d. Any New Zealand scholarship student, or their partner or dependent children, may only be granted a visa for New Zealand in the two-year period following completion of the student's scholarship, with written approval from the Ministry of Foreign Affairs and Trade or Education New Zealand (with the exception of a work visa to complete programme of study requirements or, if the applicant is outside New Zealand, a short-term visitor visa).
- e. Despite (d) above, where a New Zealand scholarship student has completed a Short Term Training Scholarships or English Language Training for Officials of twelve months or less in duration, the New Zealand scholarship student, their partner or dependent children may only be granted a visa for New Zealand in the one year period following completion of their scholarship or training, with the written approval from the Ministry of Foreign Affairs and Trade or Education New Zealand (with the exception of a work visa to complete programme of study requirements or, if the applicant is outside New Zealand, a short-term visitor visa).

Note: See WF4.5 for work instructions for partners of holders of student visas who are holding a New Zealand scholarship.

U16.1 Application and evidence

- a. Applicants must provide:
 - i. a completed student visa application form and fee; and
 - ii. that they have the required funds available to maintain themselves during their intended stay in New Zealand as per U3.20.25(a); and
 - iii. confirmation from their education provider that they have submitted all required material for the assessment of their qualification.
- b. If an applicant is unable to obtain confirmation from their education provider required for (a)(iii) (for example if the education provider has ceased to operate), confirmation from NZQA that they have submitted all required material for assessment can be provided instead.

U16.5 Currency and conditions

- a. Despite U13.15, a student visa holder may be granted under these instructions with conditions allowing work for up to 25 hours in any given week during the validity of the visa.
- b. Visas can be granted up to a maximum period of six months with multiple entry travel conditions.
- c. Where the education provider is continuing to operate the original programme of study, education provider and location must be specified on the visa.
- d. In the event the education provider has ceased to operate, the visa can be granted without a specified programme of study, education provider, or location.