



09 April 2026

IMMIGRATION NEW ZEALAND INSTRUCTIONS: Amendment Circular No. 2026-06
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

WH1.15 Who is eligible for an RSE limited visa?

A minor change has been made to enable evidence of the agreed rent payable for RSE accommodation to be provided with the applicant's visa application, if this information is not detailed in the employment agreement.

WH1.20 Minimum requirements for employment agreements under RSE instructions

A minor change has been made to remove the requirement to state the amount to be recovered for the provision of accommodation in the employment agreement.

These changes are effective on and after 6 April 2026.

Appendix 1: Amendments to Temporary Entry instructions effective on and after 6 April 2026

WH1.15 Recognised Seasonal Employer (RSE) Limited Visa Instructions

Applications for RSE limited visas must be considered under WH1.15 RSE Limited Visa Instructions in addition to the Limited Visa Instructions.

- a. All visas granted under the RSE instructions for the purpose of working for an RSE must be granted as a limited visa.
- b. An RSE limited visa has multi-entry travel conditions (see L2).
- c. An RSE limited visa has conditions allowing a person to be in New Zealand for the express purposes of undertaking seasonal employment in the horticulture and viticulture industries for a specified RSE including undertaking seasonal work until they are able to repatriate (see L2.30).
- d. For the purposes of these instructions 'seasonal work in the horticulture and viticulture industries' means planting, maintaining, harvesting, and packing crops in the horticulture and viticulture industries.

WH1.15.1 Who is eligible for an RSE limited visa?

- a. Applicants for visas under the RSE Limited Visa Instructions must:
 - i. be aged 18 or older; and
 - ii. have an employment agreement (which meets the requirements set out at WH1.20) with an employer who has RSE status and holds a current ATR; and
 - iii. meet the health and character requirements as set out at A4 and A5 with any necessary modifications and WH1.15.10; and
 - iv. meet the requirements for bona fide applicants as set out at E5; and
 - v. hold, or be approved for, acceptable medical insurance (WH1.25); and
 - vi. have an employer (including any person associated with the employer who is able to influence the recruitment, employment or supervision of workers of that employer) that is not included on a list of non-compliant employers maintained by the Ministry of Business, Innovation and Employment (MBIE) (see Appendix 10 and Appendix 18) and has not been convicted at any time of an offence under the following sections of the Crimes Act 1961: section 98 (Dealing in slaves), section 98C (Smuggling migrants), section 98D (Trafficking in persons); and
 - vii. provide evidence of the agreed rent payable for any employer-provided accommodation, if not detailed in the employment agreement.

Note: The employment agreement provided to workers must be the same as that which is provided to INZ at the ATR stage, unless it has been varied as per [WH1.10.1\(d\)](#) or the terms and conditions are more beneficial to the worker.

- b. To be granted a limited visa under RSE Limited Visa Instructions applicants must be offshore at the time of application.
- c. Holders of RSE limited visas granted entry permission may apply for a further RSE limited visa, provided they meet the requirements set out at WH1.15.1 or WH1.15.6.
- d. A subsequent RSE limited visa granted under these instructions has multi-entry travel conditions.

WH1.15.5 Who is eligible to transfer employment from one RSE to another RSE?

- a. An RSE limited visa holder may transfer from one RSE to another, provided that the worker has a current employment agreement with the second or subsequent RSE who holds a current ATR and INZ is satisfied that the transfer is consistent with the objectives of RSE instructions. Situations when transfers may be appropriate include, but are not limited to, where:
 - i. the status of the first employer as an RSE has been rescinded (see WH1.15.35); or
 - ii. the RSE limited visa holder is no longer able to work for the first RSE and INZ is satisfied that this situation is due to circumstances beyond the control of that RSE; or
 - iii. the RSE limited visa holder is currently employed by an RSE who has jointly submitted ATRs with second or subsequent RSEs as set out in WH1.10.1(g); or
 - iv. the RSE limited visa holder has been granted a visa to work for more than one employer, under WH1.10.1(g); or
 - v. the RSE limited visa holder is currently unable to repatriate and further time is required to work for the second or subsequent RSE while awaiting repatriation.
- b. In all transfer cases the period of work for the second or subsequent RSE:
 - i. must fall within the second or subsequent RSE's approved ATR period; and
 - ii. will not take the worker beyond the maximum period of stay allowed in New Zealand (see WH1.15.20).
- c. In cases where INZ has determined a worker is eligible to transfer to another RSE the worker may apply for a new RSE limited visa.
- d. Any applications for a further limited visa for the purposes of transferring from one RSE to another will only be approved where both RSEs have provided written consent to the transfer.
- e. Despite (c) above, in cases where the transfer is occurring because:
 - i. the status of the previous employer as an RSE has been rescinded; or

- ii. the worker is not currently employed by an RSE;
- a further limited visa may be granted without the consent of the previous employer.
- f. A further RSE limited visa will only be granted where the terms and conditions of employment meet all RSE requirements.

WH1.15.6 Who is eligible to apply for an RSE limited visa to extend the period to be worked for an RSE?

- a. In cases where an RSE requires a worker to remain in New Zealand for a further period to achieve the express purpose of undertaking seasonal work for that RSE including undertaking seasonal work for that RSE while they await repatriation, the worker may apply for a further limited visa if:
 - i. INZ is satisfied that the RSE has exceptional circumstances or there are circumstances beyond the control of that RSE that require them to extend the period of work for an RSE worker (e.g. due to bad weather or the worker remains unable to repatriate); or
 - ii. the RSE has indicated the potential need to extend the period of work for a limited number of RSE workers at the ATR stage, and INZ is satisfied that this is necessary and will not undermine the integrity of RSE instructions.
- b. In all cases:
 - i. the extended period of work must fall within an approved ATR period; and
 - ii. INZ must be satisfied that the employer has a genuine need to employ the worker(s) in question, for longer than the original duration of the employment agreement; and
 - iii. the extended period of work will not take the worker beyond the maximum period of stay allowed in New Zealand.

WH1.15.10 Specific health requirements for RSE limited visa applicants

Applicants for visas under these instructions must undergo screening for pulmonary tuberculosis if they have risk factors as set out in A4.25.1 and A4.25.5, regardless of their intended length of stay in New Zealand.

WH1.15.20 Currency and conditions of an RSE limited visa

- a. Visas will be granted to allow arrival in New Zealand no earlier than 14 days before, and no later than 14 days after, the expected commencement of work as stated in the employment agreement.
- b. No limited visa will be granted beyond the term of the relevant ATR.
- c. Limited visas will only be granted for a maximum stay in New Zealand of up to seven months in any 11-month period, with the exception of limited visas for citizens of Tuvalu or Kiribati who are normally resident in Tuvalu or Kiribati, which may be granted for a maximum stay of up to nine months in any 11-month period. The maximum period of stay includes any time required for internal travel and induction arrangements.
- d. Limited visas granted under RSE Limited Visa Instructions will be subject to the condition that RSE limited visa holders may undertake employment only for the RSE who holds the relevant ATR and with whom they have entered into an employment agreement.
- e. Where the non-New Zealand citizen or residence class visa holder worker ceases to be employed by an RSE, they may become liable for deportation.
- f. Limited visas granted under RSE Limited Visa Instructions will be subject to the condition that RSE limited visa holders obtain and hold acceptable medical insurance (WH1.25) for the duration of their stay in New Zealand.
- g. Limited visas granted under RSE Limited Visa Instructions will be subject to the condition that RSE limited visa holders may undertake training or a programme of study, if authorised by their employer.
- h. Limited visas granted to allow work for more than one employer under WH1.10.1(g), must specify the start and end dates of employment with each employer within the validity of the limited visa.
- i. Where a limited visa allows employment for one or more employers and specifies start and end dates of employment, it is a condition of the visa that;
 - i. the worker starts and ends employment for each employer on the dates specified on the visa; or
 - ii. the worker starts and ends employment for each employer no earlier than 21 days before the start date specified and no later than 21 days after the end date specified for employment with each employer, as specified in the employment agreement, where all employers have agreed to the amended dates.

WH1.15.25 Ineligibility for other visas

Applications from the holder of an RSE limited visa for any other type of temporary entry class visa, or a residence class visa will be declined.

WH1.15.30 Applying for a limited visa under RSE Limited Visa Instructions

Applications for an RSE limited visa must:

- a. be made on the Application to Work for a Recognised Seasonal Employer (INZ 1142) or Application from an Onshore RSE Worker (INZ 1269) form;

- b. and meet all the requirements under Generic Temporary Entry instructions for lodging an application for a temporary entry class visa as set out at E4; and
- c. meet all the requirements for eligibility under WH1.15.1; and
- d. include an employment agreement from an employer with RSE status, or an employment agreement from each employer if the visa is to cover work for more than one employer under WH1.10.1(g), that meets the requirements for employment agreements set out in WH1.20; and
- e. include the results of pulmonary tuberculosis screening on the X-ray Certificate for Temporary Entry (INZ 1096) if the applicant has risk factors as set out in A4.25.1 and A4.25.5.

WH1.15.35 Workers whose employers lose RSE status

- a. If during the currency of an RSE limited visa the employer has their RSE status rescinded, or not renewed, the holder of that visa may seek employment with another employer with RSE status (see WH1.15.5).
- b. Where no further offer of employment under the RSE Limited Visa Instructions is obtained, the worker may become liable for deportation (see D2.15.15 and E3.5.50) and must leave New Zealand (see also L2.25(b)).

WH1.20 Requirements for employment agreements under RSE Instructions

WH1.20.1 Minimum requirements for employment agreements under RSE Instructions

Employment agreements between RSEs who hold ATRs and non-New Zealand citizen or residence class visa holder workers employed under RSE instructions must:

- a. be in writing and current at the time the RSE limited visa application is assessed by INZ, and at the time the limited visa is granted; and
- b. be consistent with the terms of any current ATR held by the employer; and
- c. be for employment in New Zealand planting, maintaining, harvesting, or packing crops in the horticulture or viticulture industries; and
- d. be for a period of no more than seven months, unless the workers are citizens of Tuvalu or Kiribati, who are normally resident in Tuvalu or Kiribati, in which case the period may be up to nine months (this period is inclusive of the time for internal travel and induction arrangements within New Zealand) (see WH1.15.20); and
- e. be genuine; and
- f. specify a "per hour" rate for the work to be performed by the worker, that is consistent with the typical rate a New Zealand citizen or residence class visa holder worker is paid for the equivalent work, in the same period and region; and
- g. where piece rates apply to the work to be performed by the worker, also specify the piece rate(s), which must be consistent with the typical rate a New Zealand citizen or residence class visa holder worker is paid for the equivalent work, in the same period and region; and
- h. comply with the minimum remuneration requirements set out below in WH1.20.5 and pay deduction requirements set out below in WH1.20.10; and
- i. comply with all relevant employment law in force in New Zealand, such as the requirements of the Employment Relations Act 2000, holiday and leave requirements, statutory health and safety obligations, and other minimum statutory requirements; and
- j. state that the employer will pay for half of the return airfare between New Zealand and the worker's country of residence, unless:
 - i. the employment agreement is for a worker who is transferring from one RSE to another (see WH1.15.5); or
 - ii. the employment agreement is for a worker who is a citizen of Tuvalu or Kiribati and is normally resident in Tuvalu or Kiribati (in which case the employment agreement must state that the employer will pay for half of the return airfare between Nadi (Fiji) and New Zealand); and
- k. comply with the minimum sick leave requirements set out below in WH1.20.25.

Note: For the purposes of these instructions, the return airfare is defined as the total cost of travel from the worker's country of residence (or from Nadi (Fiji) for a worker who is a citizen of Tuvalu or Kiribati) to New Zealand and back, including all associated taxes and fees.

WH1.20.5 Minimum remuneration under RSE Instructions

- a. The employment agreement must provide that:
 - i. the worker will be paid no less than the market rate for actual hours worked; and
 - ii. the worker will be paid at no less than the "per hour" rate specified in the employment agreement (see WH1.20.1 (f) above) for hours not worked but for which remuneration is required in terms of (b) and (c) below; and
 - iii. the total payment to the worker will be no less than the relevant minimum remuneration set out in (b) and (c) and subject to (d) below; and
 - iv. the worker must be paid for actual hours worked at a rate no less than:
 - v. minimum wage for their first two seasons; or
 - vi. minimum wage plus 10% for their third and subsequent seasons.
- b. For employment agreements that are for a period of six weeks or longer, the minimum remuneration is the greater of the following amounts:
 - i. payment at no less than 240 hours at the "per hour" rate, regardless of the actual availability of work; or
 - ii. payment for an average of 30 hours per week at the "per hour" rate for each four-week period of employment.
- c. For employment agreements that are for a period of less than six weeks, the minimum remuneration is payment for 40 hours per week, at the "per hour" rate, over the period of work offered in the employment agreement, regardless of the actual availability of work.
- d. Despite (b) and (c) above, where a worker has transferred from one RSE to another (see WH1.15.5), the minimum remuneration will be payment for an average of 30 hours per week at the "per hour" rate for each four-week period of employment.

Note: In cases where a worker has transferred from one RSE to another (see WH1.15.5), the first RSE remains liable for complying with the minimum remuneration requirements stated in (a) above in relation to the period for which the worker was employed by that RSE

WH1.20.10 Pay Deductions

Pay deductions will only be permissible where:

- a. the employer has submitted the proposed pay deduction arrangements to INZ for approval with the application for the ATR; and
- b. the employer has submitted any subsequent proposed changes to the pay deduction arrangements to INZ for approval in advance of the changes taking effect; and
- c. the requirements of relevant New Zealand employment legislation, in particular the requirements of the Wages Protection Act 1983, have been complied with; and
- d. the employer has obtained the written consent, freely given, of the worker before any deductions are made; and
- e. the employer has informed the worker that the worker can withdraw his or her consent to the deductions at any time; and
- f. the deductions are for a specified purpose and are for actual, reasonable, verifiable expenses in relation to that purpose; and
- g. the amount deducted is no greater than that deducted, in comparable circumstances, from the pay of workers who are New Zealand citizens or residence class visa holders.

Note: Employers must ensure any deductions to recover costs comply with New Zealand employment law. Where an employer is recovering costs from RSE workers by making deductions from wages, despite the worker's consent to the deductions as outlined in (d) and (e) above, these deductions cannot reduce the worker's pay actually received below minimum wage for hours worked, except for accommodation costs where the cash value is fixed in the employment agreement and the amount agreed is not unreasonable, or otherwise must not exceed 5% for lodging or 15% for board.

WH1.20.15 Market Rate

For the purpose of RSE Instructions, 'market rate' is the typical rate a New Zealand citizen or residence class visa holder 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.

WH1.20.20 Accommodation costs

- a. For the purpose of RSE Instructions, any costs recovered from workers for the provision of suitable accommodation:
 - i. must be actual, reasonable, and verifiable; and
 - ii. must be no greater than the accommodation costs in the most recent approved ATRs; and
 - iii. for ATRs submitted after 31 March 2026, must be no greater than the applicable weekly limit for the accommodation offered as detailed in the RSE Accommodation Cost Table in (see WH1.20.21(c) below), unless WH1.20.22 applies.
- b. Suitable accommodation under WH1.10.1(g)(iii) requires that the accommodation must meet all the minimum standards as detailed in the *INZ 1401 Employer Self-Audit of RSE Worker Accommodation* form.

WH1.20.21 RSE Accommodation Cost Framework

- a. The RSE Accommodation Cost Table in (c) below provides a capped pricing framework for employers to determine the maximum accommodation costs that may be recovered from workers.
- b. To qualify for a particular level within the framework, the suitable accommodation must meet all minimum standards (see WH1.20.20(b)), and:
 - i. for the level claimed, the set proportion of criteria specified in the column heading; and
 - ii. all criteria of the prior level, with one permitted exception that cannot be the 'bedroom occupancy' criterion.
- c. The RSE Accommodation Cost Table:

	Meets minimum standards	Level 1	Level 2	Level 3	Level 4
Price and applicability	Actual and reasonable, up to \$150 per week. All minimum standards are met.	Actual and reasonable, up to \$165 per week. Meets all minimum standards and 4 out of 6 Level 1 criteria.	Actual and reasonable, up to \$180 per week Meets all minimum standards Meets 5 out of 6 Level 1 criteria and 3 out of 5 Level 2 criteria.	Actual and reasonable, up to \$190 per week Meets all minimum standards and all Level 1 criteria. Meets 4 out of 5 Level 2 criteria and 4 out of 6 Level 3 criteria.	Actual and reasonable, up to \$211 per week Meets all minimum standards and all Level 1 & 2 criteria. Meets 5 out of 6 Level 3 criteria and 4 out of 6 Level 4 criteria.
Applicability criteria					
Bedroom occupancy	9m2 for 2 people in a bedroom, plus 4.5m2 for every extra person thereafter.	Average room occupancy of 5 or less people, maximum room occupancy of 6.	Average room occupancy of 4 or less people, maximum occupancy of 5.	Average room occupancy of 3 or less people, maximum occupancy of 4.	Twin-share rooms only.
Property age			Built or substantially renovated within 10 years.	Built or substantially renovated within 10 years.	Built or substantially renovated within 5 years.
Bathroom facilities	Each shower has an attached dressing area. Each compartment should have a floor area of at least one metre squared Ratio of 1 toilet & shower per 7 people	Untimed showers		Untimed showers Shower and dressing area at least 1.7m2	Untimed showers Shower and dressing area at least 1.7m2 Toilet & shower ratio of 1 per 6
Access route to toilets and showers from bedrooms	N/A			External covered access (roof, but no walls) from the same building as bedroom	Internal access only (from same building as bedroom) - i.e. don't have to leave the same building
Beds	'Suitable' beds, mattresses & bedding		If no bunk beds, then any size of bed. If bunk beds, a minimum of King Single	No bunk beds	No bunk beds. King single bed size
Cleaning	Property is kept clean and hygienic.	Cleaning materials provided		Weekly cleaning for shared areas provided by employer without additional charge.	Weekly cleaning of all shared areas and fortnightly linen wash provided by employer without additional charge.
Healthy Homes	Healthy Homes documentation required (independent certificate not specified)	Independent healthy homes certification	Independent healthy homes certification (every 5 years)		
Internet	The RSE pastoral care guide requires there to be internet.	Unlimited data and internet signal across all accommodation facilities.			

Washing	Sufficient facilities should be provided. Including a washing machine, laundry tub & sufficient space to dry clothes adequately for the number of residents.	Unpaid use of washing machines. On-site dryers available for paid use.	Washing machine AND dryer facilities available on site for no additional charge.		
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Notes:

- The accommodation cost limits set out in the RSE Accommodation Cost Table at WH1.20.21(c) will normally be updated each March based on Consumer Price Index annual percentage change for the period ended the previous December.

- Where there is no detail listed for a given criterion, the highest standard of the levels below will apply.

- The RSE Accommodation Cost Table only lists a high-level categorisation of the required minimum standards for the purposes of the RSE Accommodation Cost Framework. The full details of all standards are available in the *INZ 1401 Employer Self-Audit of RSE Worker Accommodation* form.

WH1.20.22 RSE Accommodation Cost Table Provisions

- a. As of 31 March 2026, employers who are recovering accommodation costs from workers at a rate higher than what would be permitted under the applicable level in the RSE Accommodation Cost Table, but in accordance with an approved and current ATR:
 - i. may continue charging the approved amount for a maximum period of two years until 31 March 2028 inclusive (that is, for any ATRs which allow recruitment of RSE workers within that time), provided that:
 - the property remains the same (except for age-related changes as described in (c) below), and
 - the amount charged continues to be supported by actual, reasonable, and verifiable costs; and
 - ii. must not increase the current amount during this two-year period, including making Consumer Price Index adjustments, if recovering a higher rate.
- b. Despite (a) above, employers must still comply with any applicable New Zealand employment and tax law obligations when determining or recovering accommodation costs.
- c. If the accommodation has previously qualified for a specific accommodation cost level through an approved ATR but falls into a lower level solely due to the aging of the property, the employer:
 - i. may continue to charge the accommodation cost amount that they were previously eligible to charge; and
 - ii. must not increase the accommodation cost amount (including through Consumer Price Index adjustments), unless property age is one of the chosen exceptions for the higher level.
- d. For the avoidance of doubt, where a property ages out of a level and property age is one of the chosen exceptions for that level, the employer may increase the accommodation cost amount in line with the RSE Accommodation Cost Table caps provided that the accommodation continues to meet the requirements of the higher level.

WH1.20.25 Minimum sick leave under RSE Instructions

The employment agreement must provide that the work will be entitled to paid sick leave accumulated as follows:

Day 1	1-month anniversary	2-month anniversary	3-month anniversary	4-month anniversary
2 days	2 days	2 days	2 days	2 days

Notes:

- In cases where a worker has transferred from one RSE to another (see WH1.15.5), the new employment agreement must comply with the minimum sick leave requirements in WH1.20.25.

- 'Anniversary' refers to the employment anniversary which is the date a worker began employment. For example, if the worker started on 10 October 2023, the one-month anniversary would be 10 November 2023. If they start employment on 31 October 2023 the one-month anniversary is 30 November 2023.