

25 September 2026

**IMMIGRATION NEW ZEALAND INSTRUCTIONS: Amendment Circular No. 2026-27**  
**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](http://www.immigration.govt.nz)

# Description of changes

**R2.1 Who may be included in an application**

**F2.15 Minimum requirements for the recognition of partnerships**

**E4.5 Temporary entry class visa for partners and dependent children**

Changes have been made to immigration instructions to require that under dedicated partnership-based visa categories:

- applicants and supporting partners must be at least 18 when the application is made, and
- evidence of the partnership will only be recognised from when both the applicant and supporting partner were aged 18 or over.

These changes take effect 25 September 2026.

# **Appendix 1: Amendments to residence and temporary entry instructions effective on and after 25 September 2026**

## R2.1 Who may be included in an application

See also *Immigration (Visa, Entry Permission, and Related Matters) Regulations 2010, Reg 20*

- a. Each principal applicant (see R2.1.1 below) must make a separate application.
- b. The following people may be included in a residence class visa application, regardless of whether they are living in the same country as the principal applicant:
  - i. The partner of a principal applicant (see R2.1.10 below); and
  - ii. The biological or adopted (see R3) dependent children of the principal applicant and/or partner (if the partner is included in the application) (see R2.1.30 below).

### R2.1.1 Definition of 'principal applicant'

- a. The principal applicant is the person who is declared to be the principal applicant on the residence class visa application form.
- b. When the application is assessed, the principal applicant will be the person first assessed against the criteria in residence instructions, unless the instructions indicate otherwise.

### R2.1.5 Definition of 'applicant'

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

### R2.1.10 Definition of 'partner'

- a. For the purpose of inclusion in a residence class visa application, 'partner' means a person who:
  - i. is legally married to the principal applicant; or
  - ii. is in a civil union partnership with the principal applicant; or
  - iii. is in a de facto relationship with the principal applicant.
- b. References to 'partner' in residence instructions 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.

### R2.1.15 When may partners included in an application be granted a residence class visa?

- a. For a 'partner' included in an application to be granted a residence class visa an immigration officer must be satisfied that they meet 'partnership' instructions which are:
  - i. that the principal applicant and partner are living together in a genuine and stable partnership (see F2.10.1); and
  - ii. that the couple have been living together in such a relationship for 12 months or more at the time the application is assessed; and
  - iii. that the partnership meets the minimum requirements for the recognition of partnerships set out at F2.15 in that:
    - o the couple were both aged 18 years or older at the time the application for residence class visa was made, or if aged 16 or 17 years old have the support of their parent(s) or guardian(s) **and are not applying under a dedicated partnership-based visa category**; and
    - o the couple have met prior to the application being made; and
    - o they are not close relatives (see F2.15(d)).
- b. When assessing if the duration of the partnership requirement in a. ii above is met immigration officers may include any period immediately prior to any marriage where they are satisfied the couple was living together in an interdependent partnership akin to a marriage.
- c. For the purposes of these instructions, a dedicated partnership-based visa category is where a:
  - i. New Zealand citizen or resident is supporting a Partner of a New Zealander visitor, work or resident visa application; or
  - ii. New Zealand citizen or resident is supporting a Culturally Arranged Marriage visitor visa application; or
  - iii. work visa holder is supporting a Partner of a Worker (including AEWV) visitor or work visa application; or
  - iv. student visa holder is supporting a Partner of a Student visitor or work visa application.

**Note:** For the avoidance of doubt, partners included in residence categories under the Skilled, Business, International, Humanitarian, or other non-partnership-based Family streams, or partners included in general visitor visa applications, are not considered to be applying under a dedicated partnership-based visa category.

#### **R2.1.15.1 What happens if an immigration officer is not satisfied that a couple are living together in a partnership that is genuine and stable?**

If an immigration officer is not satisfied the principal applicant and partner included in the application are living together in a partnership that is genuine and stable, then:

- a. the partner will not be granted a residence class visa; and
- b. if the principal applicant is reliant on:
  - i. the attributes of their partner included in the application; or
  - ii. the family relationship of their partner included in the application

those attributes or relationships will not be taken into account when determining eligibility of the principal applicant under residence instructions.

#### **R2.1.15.5 What happens if the partnership is considered to be genuine and stable but is less than the 12 months required?**

- a. If an immigration officer is satisfied the principal applicant and partner included in the application are living together in a partnership that is genuine and stable, but the duration of that partnership is less than the 12 months required, then:
  - i. in any case where the grant of a residence class visa to a principal applicant is reliant on the relationship with or attributes of their partner the application must be declined under residence instructions; or
  - ii. in any case where the grant of a residence class visa to a principal applicant is not reliant on the relationship with or attributes of their partner the immigration officer may proceed with processing the principal applicant for the residence class visa but defer the final decision on the partner to enable the qualifying period to be met.
- b. If a partner's application for a residence class visa has been deferred as described in (a)(ii) above they may be granted a work visa (once an application has been made) for a period sufficient to enable the qualifying period to be met and any further assessment of their residence class visa application to be completed (see WF2.20).

#### **R2.1.20 Evidence of relationship with partner**

Principal applicants must provide:

- a. evidence of their relationship with their partner included in the application; and
- b. evidence that their partnership is genuine and stable. (F2.20.15 sets out the types of evidence that are required).

**Note:** In each case where a person relies on being the partner of a principal applicant for the purposes of inclusion in an application (and subsequent grant of a residence class visa), the onus of proving that the person included is the partner of the principal applicant, that their partnership is genuine and stable, and of the required duration lies with the principal applicant and their partner (see F2.5(c)).

- c. When assessing whether the principal applicant and partner meet partnership requirements under dedicated partnership-based visa categories (defined in R2.1.15(c)), evidence of the partnership will only be recognised from when both the applicant and supporting partner were aged 18 years or older.

#### **R2.1.25 Polygamous marriages and relationships**

As an exception to the exclusivity requirement which forms part of the definition of a genuine and stable partnership (see F2.10) principal applicants in polygamous marriages or relationships (i.e. marriages or relationships with more than one partner) may have only one partner included in their application for a residence class visa.

#### **R2.1.27 When may dependent children be included in an application and be granted a residence class visa?**

For a 'dependent child' to be included in an application to be granted a residence class visa, an immigration officer must be satisfied that they are a dependent child.

#### **R2.1.30 Definition of 'dependent child'**

 See also *Immigration (Visa, Entry Permission, and Related Matters) Regulations 2010, Regs, 4, 20*

For the purpose of inclusion in an application, and despite the definition in section 4 of the Immigration Act 2009, a child is dependent if they:

- a. are:
  - i. aged 21 to 24, with no child(ren) of their own; and

- ii. single (see F5.5); 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; or
- b. are:
  - i. aged 18 to 20, with no child(ren) of their own; and
  - ii. single (see F5.5); or
- c. are:
  - i. aged 17 or younger; and
  - ii. single (see F5.5); or
- d. are applying for a South Island Contribution resident visa and were previously determined to be dependent under WR7.20.1.
- e. When determining whether a child of 21 to 24 years of age is totally or substantially reliant on the principal applicant and/or the principal applicant's partner for financial support immigration officers must consider the whole application, taking into account all relevant factors including:
  - o whether the child is in paid employment, whether this is full time or part time, and its duration;
  - o whether the child has any other independent means of financial support;
  - o whether the child is living with its parents or another family member, and the extent to which other support is provided;
  - o whether the child is studying, and whether this is full time or part time.
- f. If a child is in paid employment, and is working part time in accordance with visa conditions granted under I13.15.5(a), U13, V3.10.20, V3.20.5 or E3.26.5(d), this will not be considered when determining whether the child is totally or substantially reliant on an adult as per (e) above.

#### **R2.1.35 Evidence of dependence**

- a. Children up to 17 years of age are presumed to be dependent if they are single.
- b. Children aged 18 to 20 years of age are presumed to be dependent if they are single and have no child(ren) of their own.
- c. For children aged 21 to 24 years of age:
  - i. evidence of actual dependence may be required; and
  - ii. If the child undertook work under I13.15.5(a), U13, V3.10.20, V3.20.5 or E3.26.5, evidence that this work was in accordance with their visa conditions may be required.

#### **R2.1.40 Evidence of relationship with dependent children**

The principal applicant must provide one of the following documents as evidence of the relationship of the principal applicant and/or partner included in the application with any dependent child included in the application:

- a. the birth certificate showing the names of the parent(s); or
- b. adoption papers showing that the child has been legally adopted by the principal applicant or partner; or
- c. in the case of a child adopted by custom, a declaration by the adoptive parent(s) separate from, and in addition to, any similar declaration made on an application form (see R3.5.1).

#### **R2.1.45 Children under 16 whose parents are separated or divorced**

- a. If the parents of a child aged under 16 included in an application for a residence class visa are separated or divorced, the applicant parent must have the right to remove the child from the country in which rights of custody or visitation have been granted; or if no such rights have been granted, from the country of residence.
- b. Such children cannot be included in an application unless the applicant parent produces satisfactory evidence of their right to remove the child from the country in which the rights of custody or visitation have been granted or if no such rights have been granted, from the country of residence.
- c. Except where (d) applies, evidence of the right to remove the child from the country in which rights of custody or visitation have been granted must include:
  - i. legal documents showing that the applicant has custody of the child and the sole right to determine the place of residence of the child, without rights of visitation by the other parent; or
  - ii. a court order permitting the applicant to remove the child from its country of residence; or
  - iii. legal documents showing that the applicant has custody of the child and a signed statement from the other parent, witnessed in accordance with local practice or law, agreeing to allow the child to live in New Zealand if the application is approved.

- d. Where an immigration officer is satisfied that:
  - i. by virtue of local law, the applicant parent has the statutory right to custody of the child; and
  - ii. it is not possible or required under that local law to obtain individualised legal documents to verify that custodial right, the child may be included in the application.

#### **R2.1.50 Children under 16 with only one parent included in the application for a residence class visa.**

- a. If one of the parents of a child aged under 16 is not included in the application for a residence class visa, the applicant parent must have the right to remove the child from its country of residence.
- b. Such children cannot be included in an application unless the applicant parent produces satisfactory evidence of their right to remove the child from its country of residence.
- c. Except where (e) applies, evidence of the right to remove the child from its country of residence in cases where one parent is not included in the application for a residence class visa, but the parents are not separated or divorced, must include:
  - i. a written statement confirmed by both parents at interview; or
  - ii. a court order permitting the applicant to remove the child from its country of residence.
- d. If, because of the death of one of the parents of a child aged under 16, only one parent is included in the application, the death certificate of the other parent must be provided.
- e. The child may be included in the application where an immigration officer is satisfied that:
  - i. by virtue of local law, the applicant parent has the statutory right to custody of the child; and
  - ii. it is not possible or required under that local law to obtain individualised legal documents to verify that custodial right.

#### **R2.1.55 Situation of dependent of partners included in an application**

- a. Any dependent child who is reliant on inclusion in an application solely by virtue of being the dependent child of the principal applicant's partner included in an application (i.e. they are not a child of the principal applicant) may not be granted a residence class visa unless their parent partner is granted a residence class visa.
- b. If their parent partner is granted a work visa as provided for in R2.1.15.5 (b) above then they may also be granted a temporary visa of a type appropriate to their needs (once an application has been made) for the same period.

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**Example:** a dependent child intending to attend school in New Zealand must apply for a student visa.

## F2.15 Minimum requirements for the recognition of partnerships

Partnerships will only be recognised for the purposes of these instructions if:

- a. the couple are both aged 18 years or older at the time that the application for a residence class visa was lodged; or
- b. (if one or both of the parties to the partnership are aged 16 years or older but are less than 18 years of age at the time their application for a residence class visa is lodged), they have the support of the parent(s) or guardian(s) of that (those) party(ies) and are not applying under a dedicated partnership-based visa category; and
- c. the couple have met prior to the date the application under these instructions is made; and
- d. the couple are not close relatives.

**Note:** For the purposes of these instructions relationships between close relatives are considered to be:  
i. relationships specified as "prohibited degrees of marriage" under Schedule 2 of the Marriage Act 1955;  
ii. relationships specified as "prohibited degrees of civil union" under Schedule 2 of the Civil Union Act 2004; and  
iii. de facto relationships equivalent to the provisions under Schedule 2 of the Marriage Act 1955 and under Schedule 2 of the Civil Union Act 2004.

### F2.15.1 Minimum requirements for the recognition of partnership evidence under dedicated partnership-based visa categories

- a. When assessing whether the principal applicant and partner meet partnership requirements under dedicated partnership-based visa categories, evidence of the partnership will only be recognised from when both the applicant and supporting partner were aged 18 years or older.
- b. For the purposes of these instructions, a dedicated partnership-based visa category is where a:
  - i. New Zealand citizen or resident is supporting a Partner of a New Zealander visitor, work or resident visa application; or
  - ii. New Zealand citizen or resident is supporting a Culturally Arranged Marriage visitor visa application; or
  - iii. work visa holder is supporting a Partner of a Worker (including AEVW) visitor or work visa application; or
  - iv. student visa holder is supporting a Partner of a Student visitor or work visa application.

**Note:** For the avoidance of doubt, partners included in residence categories under the Skilled, Business, International, Humanitarian, other non-partnership-based Family streams, or partners included in general visitor visa applications, are not considered to be applying under a dedicated partnership-based visa category.

## **E4.5 Temporary entry class visa for partners and dependent children**

### **E4.5.1 Eligibility of dependent children for temporary entry class visas**

- a. A dependent child (see E4.1.10) may be eligible for a temporary entry class visa if their parent is:
  - i. a principal applicant in an application for a temporary entry class visa; or
  - ii. a non-principal applicant partner included in an application (i.e. they are not a dependent child of the principal applicant); or
  - iii. a New Zealand citizen or residence class visa holder.
- b. A dependent child may be granted a temporary entry class visa of a type appropriate to their needs as specified in:
  - i. Student instructions for dependants (see U8); or
  - ii. Visitor instructions for dependants (see V3.10, V3.20 and V3.125).
- c. Where the parent is an applicant for a temporary entry class visa, a dependent child may only be granted a temporary entry class visa if their parent's application is approved.
- d. A dependent child will not normally be granted a temporary visa on the basis of their relationship with a parent who is liable for deportation, or currently has their deportation liability suspended.
- e. Despite (d) above, a further temporary visa can be granted to a dependent child on the basis of their relationship with a parent who currently has their deportation liability suspended, if that child already held a temporary visa on the basis of that relationship at the time the parent became liable for deportation.
- f. Where E4.1.10(d) applies and the applicant previously held part-time work rights under U13, V3.10.20, V3.20.5 or E3.26.5(d), any work undertaken in accordance with these conditions will not be considered when assessing eligibility for a further temporary entry class visa as a dependent child.

### **E4.5.5 Eligibility of partners for temporary entry class visas**

- a. A person may be eligible for a temporary entry class visa on the basis of being the partner (see E4.1.20) of:
  - i. a principal applicant in an application for a temporary entry class visa; or
  - ii. a person who is a New Zealand citizen or residence class visa holder; or
  - iii. a person who is an applicant for, or the holder of a student, work or military visa.
- b. A person applying as a partner may be granted a temporary entry class visa of a type appropriate to their needs as specified in:
  - i. Family Stream Work instructions (see WF); or
  - ii. Student instructions for dependants (see U8); or
  - iii. Visitor instructions for dependants (see V3.10, V3.15 and V3.125).
- c. A partner may only be granted a temporary entry class visa, if an immigration officer is satisfied that:
  - i. they are living together with their partner in a genuine and stable partnership (see E4.5.25 and E4.5.30); and
  - ii. they comply with the minimum requirements for recognition of partnerships (see E4.5.15 and F2.15); and
  - iii. their partner supports the application; and
  - iv. their partner meets the character requirements for partners supporting 'partnership-based temporary entry applications' set out at E7.45; and
  - v. if their partner is a New Zealand citizen or residence class visa holder, their partner will be eligible to support a partnership-based residence class visa application within 12 months of the grant of the visa (see F2.10.10).
- d. In each case the onus of proving that a partnership is genuine and stable lies with the couple involved.
- e. A person will not normally be granted a temporary visa on the basis of their relationship with a partner who is liable for deportation, or currently has their deportation liability suspended.
- f. Despite (c) and (e) above, a further temporary can be granted to a person on the basis of their relationship with a partner who currently has their deportation liability suspended, if that person already held a temporary visa on the basis of that relationship at the time their partner became liable for deportation.

### **E4.5.10 Evidential requirements for dependent children**

If dependent children are included in an application, or are applying in their own right as the dependent child of a temporary entry class visa holder, New Zealand citizen, or residence class visa holder, evidence of their relationship to the parent must be provided in the following form:

- a. the original birth certificate showing the names of the parent(s); or
- b. original adoption papers showing that the child has been legally adopted (see R3.5.1) by the principal applicant

- or partner, or temporary entry class visa holder, New Zealand citizen, or residence class visa holder; or
- c. in the case of a child adopted by custom, a declaration by the adoptive parent(s) separate from, and in addition to, any similar declaration made on an application form. (The declaration must state that the child has been adopted by the adoptive parent(s), as well as the date of the adoption, and the country in which the adoption took place.)

#### **E4.5.15 Minimum requirements for recognition of partnerships**

For the purposes of these instructions, a partnership meets the minimum requirements for recognition of partnerships if an immigration officer is satisfied that:

- a. the couple were both aged 18 years or older at the time the application for a temporary entry class visa was made, or if aged 16 or 17 years old have their parent'(s) or guardian'(s) support for the application being lodged and are not applying under a dedicated partnership-based visa category; and
- b. the couple have met prior to the application being made; and
- c. they are not close relatives (see F2.15(d)).

#### **E4.5.16 Minimum requirements for the recognition of partnership evidence under dedicated partnership-based visa categories**

- a. When assessing whether the principal applicant and partner meet partnership requirements under dedicated partnership-based visa categories, evidence of the partnership will only be recognised from when both the applicant and supporting partner were aged 18 years or older.
- b. For the purposes of these instructions, a dedicated partnership-based visa category is where a:
  - i. New Zealand citizen or resident is supporting a Partner of a New Zealander visitor, work or resident visa application; or
  - ii. New Zealand citizen or resident is supporting a Culturally Arranged Marriage visitor visa application; or
  - iii. work visa holder is supporting a Partner of a Worker (including AEWV) visitor or work visa application; or
  - iv. student visa holder is supporting a Partner of a Student visitor or work visa application.

**Note:** For the avoidance of doubt, partners included in residence categories under the Skilled, Business, International, Humanitarian, other non-partnership-based Family streams, or partners included in general visitor visa applications, are not considered to be applying under a dedicated partnership-based visa category.

#### **E4.5.20 Evidential requirements for partners**

- a. If a partner is included in an application, or is applying in their own right as the partner of a temporary entry class visa holder, a New Zealand citizen, or residence class visa holder, the following must be provided:
  - i. evidence of their relationship, and
  - ii. evidence that demonstrates they are living together with that partner in a genuine and stable relationship (E4.5.35 sets out the types of evidence that are required).
- b. Where a person is applying for a temporary entry class visa on the basis of partnership, their partner must provide a completed Form for Partners Supporting Partnership-based Temporary Entry Applications (INZ 1146).
- c. Despite (a) above for the purposes of visitor visa instructions, where an application includes a partner as a secondary applicant, a declaration from both parties may be accepted as evidence that they are living together in a genuine and stable partnership (see E4.5.35(b)).

#### **E4.5.25 Definition of 'genuine and stable' partnership**

A partnership is genuine and stable if an immigration officer is satisfied that it:

- a. is genuine, because it has been entered into with the intention of being maintained on a long-term and exclusive basis; and
- b. is stable because it is likely to endure.

#### **E4.5.30 Definition of 'living together'**

For the purposes of these instructions:

- a. the principal applicant and their partner are considered to be living together if they are sharing the same home as partners (as defined in E4.1.20).
- b. Living together does not include:
  - i. time spent in each other's homes while still maintaining individual residences; or
  - ii. shared accommodation during holidays together; or
  - iii. flatmate arrangements; or
  - iv. any other living arrangements that are not reflective of the factors set out at E4.5.35(a).

#### **E4.5.35 Determining if the couple are living together in a partnership that is genuine and stable**

- a. Factors that have a bearing on whether two people are living together in a partnership that is genuine and stable may include, but are not limited to:
  - i. the duration of the parties' relationship;
  - ii. the existence, nature, and extent of the parties' common residence;
  - iii. the degree of financial dependence or interdependence, and any arrangements for financial support, between the parties;
  - iv. the common ownership, use, and acquisition of property by the parties;
  - v. the degree of commitment of the parties to a shared life;
  - vi. children of the partnership, including the common care and support of such children by the parties;
  - vii. the performance of common household duties by the partners; and
  - viii. the reputation and public aspects of the relationship.
- b. Evidence that the couple are living together may include, but is not limited to, original or certified copies of documents showing a shared home, such as:
  - i. joint ownership of residential property
  - ii. joint tenancy agreement or rent book or rental receipts
  - iii. correspondence (including postmarked envelopes) addressed to both principal applicant and partner at the same address.
- c. Evidence about whether the partnership is genuine and stable may include, but is not limited to, original or certified copies of documents and any other information, such as:
  - i. a marriage certificate for the parties;
  - ii. a civil union certificate for the parties;
  - iii. birth certificates of any children of the parties;
  - iv. evidence of communication between the parties;
  - v. photographs of the parties together;
  - vi. documents indicating public recognition of the partnership;
  - vii. evidence of the parties being committed to each other both emotionally and exclusively, such as evidence of:
    - o joint decision making and plans together
    - o sharing of parental obligations
    - o sharing of household activities
    - o sharing of companionship/spare time
    - o sharing of leisure and social activities
    - o presentation by the parties to outsiders as a couple.
  - viii. evidence of being financially interdependent, such as evidence of:
    - o shared income
    - o joint bank accounts operated reasonably frequently over a reasonable time
    - o joint assets
    - o joint liabilities, such as loans or credit to purchase real estate, cars, major home appliances
    - o joint utilities accounts (electricity, gas, water, telephone)
    - o mutually agreed financial arrangements.
- d. Satisfactory and sufficient proof (from documents, other corroborating evidence, or interviews) of all four of the following elements being met:
  - i. 'Credibility': the principal applicant and the partner both separately and together, must be credible in any statements made and evidence presented by them.
  - ii. 'Living together': the principal applicant and partner must be living together unless there are genuine and compelling reasons for any period(s) of separation (see E4.5.35(f) and E4.5.35(g) below).
  - iii. 'Genuine partnership': the principal applicant and partner must both be found to be genuine as to their:
    - o reasons for marrying, entering a civil union or entering into a de facto relationship; and
    - o intentions to maintain a long term partnership exclusive of others.
  - iv. 'Stable partnership': the principal applicant and partner must demonstrate that their partnership is likely to endure.
- e. A temporary entry class visa must not be granted unless the immigration officer is satisfied, having considered each of the four elements in E4.5.35(d) above (both independently and together) that the couple is living together in a partnership that is genuine and stable.

- f. If a principal applicant and their partner have lived apart for periods during their partnership, the application should not automatically be declined. Instead, immigration officers should determine whether there are genuine and compelling reasons for any period(s) of separation:
  - i. either partner's family, education or employment commitments;
  - ii. the duration of the partnership and the length of time the couple has spent apart;
  - iii. the extent to which the couple has made efforts to be together during the time apart.
- g. Despite E4.5.35(f) above, immigration officers will only consider whether there are genuine and compelling reasons for any period(s) of separation if the couple is able to satisfactorily demonstrate that they have lived together prior to the period(s) of separation.
- h. The presence or absence of any of the documents, information or evidence listed at E4.5.35(b) and (c) above is not determinative. Each case will be decided on the basis of all the evidence provided. Evidence about these matters may also be obtained at interview and can be considered up until the date of final decision.