NEW ZEALAND IMMIGRATION

12 November 2026

IMMIGRATION NEW ZEALAND INSTRUCTIONS: Amendment Circular No. 2026-34

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

RV5.125 – Resident visa applicants with dependent children unlawfully in New Zealand

Changes have been made to Generic Residence Instructions, requiring a resident visa application to be declined if an applicant has a dependent child unlawfully in New Zealand.

Appendix 1: Amendments to residence instructions effective on and after 12 November 2026

R5.125 – Resident visa applicants with dependent children unlawfully in New Zealand.

See also Immigration Act 2009 s 169 and Immigration (Visa, Entry Permission, and Related Matters) Regulations 2010, Reg 20

a. An application for a resident visa must be declined if any applicant has a biological or adopted dependent child (see R2.1.30) unlawfully in New Zealand.

b. Despite (a) above, where the child unlawfully in New Zealand is aged under 16, an application for a resident visa may be approved if the applicant is able to demonstrate that they do not 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.

c. For the avoidance of doubt, (a) above does not apply to applications for:

    i. a permanent resident visa (see RV2); or

    ii. a second or subsequent resident visa (see RV4); or

    iii. a resident visa made at an immigration control area (see R2.40.2 and R5.30.1).