



10 February 2020

IMMIGRATION NEW ZEALAND INSTRUCTIONS: Amendment Circular No. 2020/02

To: All Manual Holders

AMENDMENTS TO THE IMMIGRATION NEW ZEALAND OPERATIONAL MANUAL

Introduction

This circular outlines changes to the immigration New Zealand Operational Manual. A copy of the changes is attached.

All immigration officers dealing with immigration applications should read the amendments and operate in accordance with the amended instructions and instruments of delegation on and after their effective dates.

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

This amendment circular contains the new Parent category immigration instructions, which are effective on and after 24 February 2020. The new Parent category:

- has an EOI process and single tier of applications
- requires sponsorship by an adult child, or an adult child and their partner
- requires the adult child and their partner to both agree to sponsorship obligations if joint income is used to meet sponsorship requirements
- introduces new financial measures for sponsors based on the New Zealand median income
- requires sponsors to meet the income criteria for two out of the three years before the application for residence, and to provide evidence of their annual income through Inland Revenue tax statements
- takes into account the total number of parents that sponsors are committed to sponsor, including previous resident visas granted under the Parent Category, when determining the income criteria for an application.

Appendix 1: Amendments to Residence instructions effective on and after 24 February 2020

F4.1 Objective and Overview

F4.1.1 Objective

The objective of the Parent Category is to support family connections, in order to:

- a. progress New Zealand Government economic objectives for immigration; and
- b. attract and retain skilled and productive migrants, while also limiting the costs of New Zealand Government benefits.

F4.1.5 Overview

- a. An application for a resident visa under the Parent Category is a two-stage process. People who intend to submit an application for a resident visa under the Parent Category must first submit an expression of interest (EOI) in the prescribed manner (see [F4.5](#)).
- b. EOIs are entered into a Pool of EOIs and selection from the Pool may result in an invitation to apply for a resident visa under the Parent Category.
- c. EOIs may result in an invitation to apply for residence if claims made in the EOI concerning health, character, English language requirement, family relationship and sponsorship requirements are assessed as credible by an immigration officer.
- d. A residence application under the Parent Category will be approved if the requirements for health, character, English language, family relationships and sponsorship (including minimum income thresholds) are met (see [F4.15](#)).
- e. Applications for a resident visa must be in the prescribed manner and lodged within four months from the date of the invitation to apply letter (see [F4.10.1](#)).

F4.1.10 Annual limit to number of resident visas available under the Parent Category

The number of resident visas that can be granted under the Parent Category is limited to 1,000 people for each year ending 30 June.

F4.5 Expression of interest (EOI) and invitation to apply for residence

F4.5.1 Submission of EOI to the Pool

- a. A person notifies that they are interested in being invited to apply for a resident visa under the Parent Category by submitting an EOI to Immigration New Zealand (INZ) in the prescribed manner. In order to submit an EOI in the prescribed manner, a person must submit to an immigration officer:
 - i. a completed Parent Category EOI form; and
 - ii. the appropriate fee (if any).
- b. By completing an EOI, a person provides a declaration about their and their partner's:
 - i. identity, health and character; and
 - ii. English language ability or an intention to agree to pre-purchase English for Speakers of Other Languages (ESOL) tuition ([F4.25](#)); and
 - iii. relationship to their sponsoring adult child and any other children the applicants have (see [F4.30](#)); and
 - iv. adult child's, or adult child's and their partner's, eligibility to sponsor them for New Zealand residence under the Parent Category (see [F4.35.1](#)); and
 - v. sponsor's income for the past three years (see [F4.40](#)).
- c. A person may only have one EOI in the Pool at any time.
- d. It is the responsibility of the person submitting the EOI to ensure that the information given is correct in all material respects.

Note: If the partner of a principal applicant is considered to be eligible for inclusion in a Parent Category EOI but was not included, the partner will not be granted residence under the Partnership Category if the partner applies at a later date (see [F2.40.5](#)). A partner is considered eligible for inclusion in an EOI even if it appears the sponsor/s may not meet the income requirement to sponsor multiple Parent category applicants if invited to apply for residence.

F4.5.5 Selection of Expressions of Interest from the Pool

- a. EOIs will be selected from the Pool based on the date the EOIs were entered into the Pool.
- b. EOIs will be selected in sufficient numbers to meet the annual limit to the number of resident visas available under the Parent Category (see [F4.10.1](#)).
- c. EOIs are selected from the Pool periodically on the Government's behalf by the Ministry of Business, Innovation and Employment.

F4.5.10 Invitation to apply (ITA) for a resident visa under the Parent Category

- a. People whose EOIs have been selected from the Pool may be issued an ITA for a resident visa under the Parent Category.
- b. An immigration officer may invite a person to apply for a resident visa under the Parent Category if they are satisfied that:
 - i. the information provided does not indicate the presence of any health or character issues which may adversely affect their ability to be granted a resident visa under the Parent Category; and
 - ii. claims about English language are credible or the applicant has the intention to pre-purchase ESOL tuition (see [F4.25](#)); and
 - iii. it is credible that the parent's relationship to their sponsoring adult child and any other children they have will meet requirements when the parent/s are granted residence (see [F4.15.5](#)); and
 - iv. it is credible that the sponsoring adult child or the sponsoring adult child and their partner will meet the sponsorship requirements when the parent/s are granted residence (see [F4.35](#)); and
 - v. the income from their sponsoring adult child or the total income of their sponsoring adult child and their partner will likely meet the minimum income threshold for two out of the three years prior to ITA date (see [F4.40](#)); and
 - vi. if joint income is considered, it is credible that the sponsoring adult child's partner meets the requirements for joint sponsorship set out at [F4.35.5](#) when the parent/s are granted residence.
- c. An immigration officer may decide not to issue an ITA for a resident visa under the Parent Category if they are not satisfied claims made within the EOI are:
 - i. credible; or
 - ii. sufficient to meet the requirements of the Parent Category.
- d. An immigration officer may seek further evidence, information and submissions from a person whose EOI has been selected from the Pool, for the purpose of determining whether their claims are credible and whether there are any health or character issues that may adversely affect their ability to be granted a resident visa under the Parent Category.
- e. In any particular case, the selection of an EOI from the Pool may not result in an invitation to apply for a resident visa under the Parent Category. No person is entitled as of right to an invitation to apply for a visa and the decision to issue or revoke an invitation is a matter for the decision by the immigration officer.

Note: A decision to invite a person to apply for a resident visa under the Parent Category does not guarantee in any subsequent application for a resident visa a positive assessment of any requirements for the Parent Category or generic residence (including health and character).

F4.5.15 False or misleading information in an Expression of Interest

See also Immigration Act 2009 ss58 and 93

- a. It is sufficient grounds to decline a Parent Category resident visa application if:
 - i. false or misleading information is provided as part of an Expression of Interest (EOI or associated submission); or
 - ii. relevant, potentially prejudicial information is withheld from an EOI or associated submission; or
 - iii. an applicant or their agent fails to advise an immigration officer of any fact or material change in circumstances that occurs after an EOI is submitted that may affect a decision to invite the person to apply for a resident visa or to grant a resident visa.
- b. Information relating to a claim made in an EOI by either the person expressing interest or their agent that is factually inaccurate and is relevant to the issuing of an invitation to apply or the assessment of a resident visa application will be considered misleading unless the person expressing interest can demonstrate that there is a reasonable basis for making that claim.

F4.10 Applying for residence and assessing residence applications

F4.10.1 Invitation to apply

A person may only apply for a resident visa under the Parent Category if:

- a. they have been issued an invitation to apply under the Parent Category; and
- b. the application for a resident visa under the Parent Category is lodged within four months of the date of the letter inviting them to apply; and
- c. that invitation has not been revoked.

F4.10.5 Assessing Parent Category Applications

- a. Applications under the Parent Category will be approved if the requirements outlined in [F4.15](#) are met.
- b. The income of the sponsoring adult child or the total income of the sponsoring adult child and their partner will be assessed as per [F4.40](#).

F4.15 Parent Category Requirements

F4.15.1 Health, character and English language requirements

Applicants under the Parent Category must meet:

- a. the health and character requirements specified at [A4](#) and [A5](#); and
- b. a minimum standard of English, or pre-purchase English for Speakers of Other Languages tuition to the specified level (see [F4.25](#)).

F4.15.5 Family relationship requirements

Applicants under the Parent Category must:

- a. be sponsored by an adult child (see [F4.20.5](#)) that meets family relationship requirements at [F4.30](#) or an adult child and their partner; and
- b. have no dependent children (see [F4.30.5](#)).

F4.15.10 Sponsorship requirements

- a. Any person acting as a sponsor must meet acceptable sponsor requirements as set out at [R4.5](#).
- b. An adult child sponsor must not be a dependent child (see [F4.20.10](#)).
- c. The joint income of a sponsoring adult child and their partner may only be considered if sponsorship requirements are met for both the adult child and their partner, as outlined at [F4.35.5](#).

F4.15.15 Minimum income requirement

The sponsoring adult child's income or the total income of the sponsoring adult child and their partner (if the income of the adult child's partner is used to meet minimum income requirements) must meet the required income threshold for two out of the three years prior to the date of the ITA letter (see [F4.40](#)).

F4.15.20 Evidential requirements

All applicants and their sponsors under the Parent Category must meet the evidential requirements set out at [F4.45](#).

F4.20 Definitions

F4.20.1 Definition of 'dependent child'

- a. For the purpose of the Parent Category, and despite the definition in section 4 of the Immigration Act 2009, a child is dependent if they:
 - i. are:
 - o aged 21 to 24, with no child(ren) of their own; and
 - o single (see [F5.5](#)); and
 - o totally or substantially reliant on their parent(s) for financial support, whether living with them or not; or
 - ii. are:
 - o aged 18 to 20, with no child(ren) of their own; and
 - o single (see [F5.5](#)); or
 - iii. are:
 - o aged 17 or younger; and
 - o single (see [F5.5](#)).
- b. When determining whether a child of 21 to 24 years of age is totally or substantially reliant on their parent(s) for financial support, immigration officers must consider the whole application, taking into account all relevant factors including whether the child:
 - i. is in paid employment, whether this is full-time or part-time, and its duration;
 - ii. has any other independent means of financial support;
 - iii. is living with their parents or another family member, and the extent to which other support is provided; or
 - iv. is studying, and whether this is full-time or part-time.

F4.20.5 Definition of 'adult child'

For the purpose of the Parent Category, 'adult child' means a child of 18 or older, unless they are dependent (see [F4.20.1](#)).

F4.20.10 Definition of 'adult child' for sponsorship purposes

- a. For sponsorship purposes, 'adult child' means a child of 18 or older.
- b. However, children aged 18 to 24 must only be considered as 'adult children' for sponsorship purposes if they can satisfy an immigration officer that they, like other sponsors, are able to meet sponsorship undertakings (see [R4.10](#)) and the minimum income requirement (see [F4.40](#)).

Note: Parents sponsored by adult children who are also dependent children will not meet the requirements at [F4.30.5](#).

F4.20.15 Definition of 'ordinarily resident' in New Zealand

For sponsorship purposes, a person is considered to be 'ordinarily resident' in New Zealand where an immigration officer is satisfied that New Zealand is their primary place of established residence (see [F4.35.1](#))

F4.25 English language requirements for the Parent Category

F4.25.1 Minimum standard of English

- a. Applications under the Parent Category must be declined if any applicant included in the application has not met the minimum standard of English or the requirements to pre-purchase English for speakers of other languages (ESOL) tuition.
- b. Applicants under the Parent Category meet the minimum standard of English if they provide:
 - i. acceptable English language test results, as set out at [F4.25.45](#) (no more than two years old at the time the application is lodged); or
 - ii. other evidence that satisfies an immigration officer that, taking account of that evidence and all the circumstances of the application, they are a competent user of English. These circumstances may include but are not limited to:
 - the country in which the applicant currently resides;
 - the country(ies) in which the applicant has previously resided;
 - the duration of residence in each country;
 - whether the applicant speaks any language other than English;
 - whether members of the applicant's family speak English;
 - whether members of the applicant's family speak any language other than English;
 - the nature of the applicant's current or previous employment (if any) and whether that is or was likely to require skill in English language;
 - the nature of the applicant's qualifications (if any) and whether the obtaining of those qualifications was likely to require skill in the English language; or
 - iii. evidence of one of the following:
 - completion of all primary education and at least 3 years of secondary education (that is, the equivalent of New Zealand Forms 3 to 5 or years 9 to 11) at schools using English as the language of instruction;
 - completion of at least 5 years of secondary education (that is, the equivalent of New Zealand Forms 3 to 7 or years 9 to 13) at schools using English as the language of instruction;
 - completion of a course of at least 3 years duration leading to the award of a tertiary qualification at institutions using English as the language of instruction;
 - that the applicant holds General Certificate of Education (GCE) "A" Levels from Britain or Singapore with a minimum C pass (the passes must specifically include the subjects English Language or Literature, or Use of English);
 - that the applicant holds International Baccalaureate – full Diploma in English Medium;
 - that the applicant holds Cambridge Certificate of Proficiency in English – minimum C pass;
 - that the applicant holds Hong Kong Advanced Level Examinations (HKALE) including a minimum C pass in Use of English;
 - that the applicant holds STPM 920 (Malaysia) – A or B pass in English Literature;
 - that the applicant holds University of Cambridge in collaboration with University of Malaya, General Certificate of English (GCE) "A" levels with a minimum C pass. The passes must specifically include the subjects English or General Paper;
 - that the applicant holds South African Matriculation Certificate, including a minimum D pass in English (Higher Grade);
 - that the applicant holds South African Senior Certificate, including a minimum D pass in English (Higher Grade), endorsed with the words 'matriculation exempt';
 - that the applicant holds a New Zealand Tertiary Entrance Qualification gained on completing the seventh form; or
 - iv. are citizens of Samoa who have applications assessed under the Parent Category at the Apia Immigration New Zealand (INZ) branch and, after an interview, satisfy an immigration officer that they have sufficient English language ability.
- c. When applying (b) (iv) above, the interviewing immigration officer determines if applicants meet the minimum English language requirement by assessing whether they are able to:
 - i. read English; and
 - ii. understand and respond to questions in English; and
 - iii. maintain an English language conversation about themselves, their family or their background.
- d. In any case, an immigration officer may require any or each applicant to provide an English language test result in terms of (b)(i) above. In such cases, the English language test result will be used to determine whether the applicant meets the minimum standard of English.

Note: Full consideration must be given to all evidence of English language ability provided before a decision to request an English language test result under [F4.25.1](#) (d) is made. If an English language test result is requested, the reason(s) behind the decision must be clearly documented and conveyed to the applicant.

F4.25.5 Pre-purchase of English for Speakers of Other Languages (ESOL) tuition

- a. Instead of meeting the minimum standard of English, any applicant may pre-purchase ESOL tuition. ESOL tuition must be pre-purchased from the Tertiary Education Commission (TEC) by paying the required charge to INZ (who collect this charge on behalf of TEC).
- b. Applicants must pay any ESOL charge due, sign the ESOL Agreement (see [F4.25.20](#)) and return it to INZ within the time specified by INZ before a resident visa is able to be granted.

F4.25.10 The amount of ESOL tuition to be pre-purchased by applicants

For the purposes of the Parent Category, the amount of ESOL tuition to be paid is NZ\$1,735 per applicant, which gives an ESOL entitlement of NZ\$1,533.33 per applicant.

F4.25.15 TEC to arrange ESOL tuition

- a. The applicant is entitled to tuition to the value of the ESOL entitlement of the ESOL tuition charge. This does not include the INZ and TEC administration costs.
- b. TEC advises the applicant of the list of suitable ESOL tuition providers in New Zealand, from which the applicant may nominate one of their own choice.
- c. TEC will manage the contract between the ESOL tuition provider and the applicant.
- d. The applicant must advise TEC of their New Zealand address.

F4.25.20 Applicant's agreement with TEC

- a. Each applicant who pre-purchases ESOL tuition must sign an Agreement with TEC by which they agree, among other things, that they understand the rules for taking up ESOL tuition in New Zealand and the refund provisions.
- b. The content of the Agreement is determined by INZ and TEC.
- c. Included with the Agreement is a Schedule that sets out the personal details of the applicant and the amount of tuition to be purchased.

F4.25.25 Completion of Agreement

- a. When an application for a resident visa is approved in principle, applicants will be given two copies of the Agreement to complete for each person in the application undertaking ESOL tuition.
- b. After completion of the Agreement, one copy is retained by the applicant, and the other copy is returned to the relevant INZ processing office with the tuition fee(s).
- c. If the Agreement is not signed and returned to INZ within the time specified by INZ, the resident visa application must be declined.
- d. The INZ copy of the Agreement should be sent to the TEC.

F4.25.30 Failure to pre-purchase ESOL tuition

Any ESOL tuition fee must be paid before a resident visa may be granted. If the tuition fee is not paid to the INZ within the specified time, the resident visa application must be declined.

F4.25.35 Limited period to use ESOL tuition

- a. If ESOL tuition is purchased, the applicant must complete the tuition within five years from the date of payment.
- b. ESOL tuition will not be available without further payment, nor will refunds be given, to applicants who do not take up ESOL tuition within the time limits specified at (a) above.

F4.25.40 Refund of ESOL tuition fees

- a. If ESOL tuition fees are paid but the applicant does not take up residence by being a residence class visa holder in New Zealand, a refund of the ESOL tuition fee may be granted upon request to INZ. The request must be made in writing.
- b. Requests for refunds must be declined if they are made more than six months after the expiry of the travel conditions allowing travel to New Zealand.
- c. Immigration officers considering requests for refunds must be satisfied that none of the applicants included in the application have:
 - i. entered New Zealand as residents; or
 - ii. hold resident visas with current travel conditions.
- d. The person who paid the ESOL tuition fee will only be refunded the ESOL entitlement. INZ and TEC administration costs will not be refunded.

F4.25.45 Acceptable English language test results

The following English language test results are acceptable:

Test	Minimum score required
International English Language Testing System (IELTS) - General or Academic Module	4.0 or more in at least two of the four skills (Listening, Reading, Writing and Speaking) Or An overall score of 5.0 or more
Test of English as a Foreign Language Internet-based Test (TOEFL iBT)	At least two of the following skill scores: Listening: 2 or more Reading: 2 or more Writing: 11 or more Speaking: 11 or more Or An overall score of 35 or more
Pearson Test of English Academic (PTE Academic)	29 or more in at least two of the four skills (Listening, Reading, Writing and Speaking) Or An overall score of 36 or more
B2 First (First Certificate in English) (formerly Cambridge English: First (FCE)) or B2 First for Schools (First Certificate in English) (formerly Cambridge English: First (FCE) for Schools)	142 or more in at least two of the four skills (Listening, Reading, Writing and Speaking) Or An overall score of 154 or more
Occupational English Test (OET)	Grade D or higher in at least two of the four skills (Listening, Reading, Writing and Speaking) Or Grade C or higher in all four skills (Listening, Reading, Writing and Speaking)

F4.30 Family relationship requirements for the Parent Category

F4.30.1 Who are considered to be children of the principal applicant?

- a. For the purposes of the Parent Category, children of the principal applicant include:
 - i. all biological or adopted children of the principal applicant; and
 - ii. any child of the principal applicant's partner (whether or not the partner is included in the application) if that child has lived with the principal applicant for a predominant period of the child's life between the time their relationship with the principal applicant began and until the time the child turned 18 years of age.
- b. For the purposes of the Parent Category, where the principal applicant is a legal guardian, children of the principal applicant include:
 - i. the New Zealand citizen or resident sponsor; and
 - ii. all biological and adopted children of the principal applicant; and
 - iii. any children of whom they are (or were) legal guardians by reason of the parents of those children being deceased; and
 - iv. any child of the principal applicant's partner (whether or not the partner is included in the application), if that child has lived with the principal applicant for a predominant period of the child's life between the time their relationship with the principal applicant began and until the time the child turned 18 years of age.
- c. For the purposes of the Parent Category, where the principal applicant is a grandparent, children of the principal applicant include:
 - i. the New Zealand citizen or resident sponsor; and
 - ii. all biological and adopted children of the principal applicant; and
 - iii. any child of the principal applicant's partner (whether or not the partner is included in the application), if that child has lived with the principal applicant for a predominant period of the child's life between the time their relationship with the principal applicant began and until the time the child turned 18 years of age.

F4.30.5 Applicants who have dependent children

Applicants under the Parent Category must not have any dependent children (see [F4.20.1](#)). An application will be declined if any applicant(s) included in the application have dependent children.

F4.30.10 Grandparents and legal guardians

Only one grandparent and their partner, or one legal guardian and their partner, may be sponsored under Parent Category.

F4.30.10.1 Grandparents

A sponsoring adult child's grandparent and their partner will be considered to be 'parent(s)', and the sponsor will be considered to be an 'adult child' under Parent Category if both the sponsor's parents are deceased (see [F4.45.5](#) and [F4.45.15](#)).

F4.30.10.5 Legal guardians

A sponsor adult child's legal guardian and their partner will be considered to be 'parent(s)' and the sponsor will be considered to be an 'adult child' under Parent Category (see [F4.45.10](#) and [F4.45.15](#)) if:

- a. both the sponsor's parents died before the sponsor attained the age of 18 years; and
- b. the principal applicant had legal guardianship of the sponsor (that is, custody of the sponsor and the right to control the sponsor's upbringing) before the sponsor attained the age of 18 years; and
- c. the principal applicant was the most recent legal guardian of the sponsor.

F4.35 Sponsorship Requirements

- a. Applicants must, from their first day as a resident in New Zealand, be sponsored by their:
 - i. adult child (who meets the family relationship requirements outlined at [F.30.1](#)); or
 - ii. adult child and their partner
- b. The supporting adult child and their partner (if joint income is considered) must sponsor the applicant or applicants for a sponsorship period aligned with the New Zealand Superannuation residency eligibility criteria (excluding the requirement that five of those years be while the parent is over 50 years of age), which is at present 10 years, regardless of whether the parent may meet the New Zealand Superannuation residency eligibility requirements in a shorter period of time.

F4.35.1 General Requirements

To act as a sponsor the adult child and the adult child's partner (if joint income is considered) must:

- a. meet the requirements to be an acceptable sponsor as set out at [R4.5](#); and
- b. agree to meet the undertakings set out at [R4.10](#) for the required sponsorship period (see [F4.35\(b\)](#)); and
- c. meet the minimum income requirement for sponsors outlined at [F4.40](#).

F4.35.5 Joint sponsorship requirements

In addition to meeting the requirements outlined at [F4.35.1](#) above, the income of a sponsoring adult child's partner may only be considered if the partner:

- a. has been living with the sponsoring adult child for a period of at least 12 months in a partnership that is genuine and stable (see [F2.10.1](#)), and they meet the requirements for the recognition of a partnership set out at [F2.15](#); and
- b. agrees to act as an additional sponsor to the application, including meeting the general requirements set out at [F4.35.1](#) above.

F4.40 Minimum income requirement for sponsors

- a. The sponsoring adult child and their partner (if joint income is considered) must demonstrate that their total income meets the minimum income threshold for two out of the three years prior to being invited to apply.

Note: For example: If the current median income is \$50,000 (Year 1), \$45,000 the year before (Year 2) and \$40,000 the year before (Year 3), the sponsor does not need to meet the latest median income of \$50,000 if they are using their income in Year 2 or Year 3 to meet the requirement. They need to meet the specific income threshold for Year 2 (\$45,000) and Year 3 (\$40,000).

- b. The minimum income thresholds are shown in the tables at [F4.40.5](#) below.
- c. The minimum income threshold is calculated based on the New Zealand median income from salary and is adjusted annually.
- d. The minimum income that sponsor/s must meet is based on:
- whether the supporting adult child's partner is jointly sponsoring the applicant; and
 - the total number of people being sponsored by the adult child and their partner (if joint income is considered) on the date a decision on the residence application is made; and
 - the median income on the last day of each year of the three year period
- e. The total number of people being sponsored includes:
- any person and their partner that has been sponsored by the adult child and/or their partner in an earlier Parent Category resident visa application and is still being sponsored within the required sponsorship period; and
 - any person and their partner who is included in the current Parent Category resident visa application.

Note: Where a partner's income was used in support of an application processed using Parent Category instructions in place before 7 October 2019, but that partner did not act as a sponsor, this is not considered 'sponsorship' for the purposes of [F4.40\(d\)\(ii\)](#) or [F4.40\(e\)\(i\)](#).

F4.40.1 Meeting the minimum income requirement

- a. Only taxable income that is recorded on Inland Revenue tax statements (Summary of Income) of the sponsor/s will be recognised when calculating a sponsor's income (see [F4.40.5](#)).
- b. Income earned by another legal entity, such as a company or a trust, cannot be included unless it has been paid directly to the sponsoring adult child and/or their partner in the form of shareholder-employee salary or dividends, or is income derived from the trust. This income must appear on the Inland Revenue tax statements of the sponsoring adult child and/or their partner.
- c. The income of a sponsor's partner may only be considered if the partner meets the requirements set out in [F4.35.5](#).
- d. The sponsoring adult child and their partner (if using joint income) must meet the evidential requirements set out at [F4.45](#).

F4.40.5 Determining the three year period and the minimum income threshold for each year

- a. The period over which a sponsor's income will be assessed is the three years ending the last day of the month prior to the date the applicant/s were invited to apply
- Year 1 shall be the last 12 months from the month ending before the date of the ITA letter (i.e. this is the most recent 12 month period considered).
 - Year 2 shall be the last 12 months before the start of year 1.
 - Year 3 shall be the 12 months before the start of year 2.

Note: For example: If the ITA date is 25/04/2020, the last day of the month ending before the ITA letter is 31/03/2020 and the three year period shall be determined as follows:

- Year 1: 1 April 2019 to 31 March 2020
- Year 2: 1 April 2018 to 31 March 2019
- Year 3: 1 April 2017 to 31 March 2018

- b. The income threshold required for each year is calculated based on the median income that is in effect on the last day of each year of the three year period.

- c. The tables show the median income, the applicable time period and the corresponding income threshold for one and two sponsors supporting up to four parents:

- i. Minimum income thresholds for one sponsor:

		Number of Parents			
Effective date	Median income	1	2	3	4
24/02/2020 onwards	\$53,040	\$106,080	\$159,120	\$212,160	\$265,200
26/11/2018 to 23/02/2020	\$52,000	\$104,000	\$156,000	\$208,000	\$260,000
Before 26/11/2018	\$50,523	\$101,046	\$151,569	\$202,092	\$252,615

- ii. Minimum income thresholds for two (joint) sponsors:

		Number of parents			
Effective date	Median income	1	2	3	4
24/02/2020 onwards	\$53,040	\$159,120	\$212,160	\$265,200	\$318,240
26/11/2018 to 23/02/2020	\$52,000	\$156,000	\$208,000	\$260,000	\$312,000
Before 26/11/2018	\$50,523	\$151,569	\$202,092	\$252,615	\$303,138

Note: For example: If a single adult child is sponsoring one parent only, the applicable income threshold shall be determined by using the table in (i) above. If the ITA date is 25/03/2020 then:

- in Year 1 the end of the 12 month period is 29/02/2020 (the month ending before the ITA date). From the table in (i) above, the median income on this date is \$53,040 and the minimum income threshold for one parent is \$106,080.
- in Year 2, the last day of the year is 29/02/2019. The median income is \$52,000 on this date and the minimum income threshold is \$104,000.
- in Year 3, the last day of the year is 29/02/2018. The median income is \$50,523 on this date and the minimum income threshold is \$101,046.

- d. Where the total number of parents being sponsored is more than 4, the minimum income threshold will increase by the amount of the New Zealand median income (which applies for the stated period) for each additional parent being sponsored.

Note: For example, if the total number of parents being sponsored by one sponsor is six, the required minimum income from 24/02/2020 onwards is \$371,280 (calculated as follows: \$265,200 + (\$53,040 x 2 (additional parents)) = \$371,280).

F4.45 Evidence

F4.45.1 Evidence of relationship of parent(s) to children

- a. Evidence of a parent's relationship to their children is original or certified copies of:
 - i. birth certificates establishing the relationship of the children to the parent; or
 - ii. household registration documents, if these establish the relationship of the children to the parent; or
 - iii. evidence of adoption (see [R3](#)), which establishes the relationship of the children to the parent.
- b. Other evidence establishing the relationship of the children to the parents may also be provided, or requested by an immigration officer.

F4.45.5 Evidence of relationship to grandparent where the sponsoring adult child's parents are deceased

- a. Evidence of the sponsoring adult child's relationship to their grandparent(s) is original or certified copies of:
 - i. birth certificates establishing the relationship of the sponsor to the grandparent(s); or
 - ii. household registration documents, if these establish the relationship of the sponsor to the grandparent(s); or
 - iii. evidence of adoption (see [R3](#)), which establishes the relationship of the sponsor to the grandparent(s).
- b. Other evidence establishing the relationship of the sponsor child to the grandparent(s) may also be provided, or requested by an immigration officer.

F4.45.10 Evidence of legal guardianship where the sponsoring adult child's parents are deceased

Evidence of legal guardianship of the sponsoring adult child includes but is not limited to documents showing that the principal applicant had custody of the sponsor and the right to control the sponsor's upbringing before the sponsor attained the age of 18, such as the following:

- a. legal documents (such as the sponsor parent's will) showing that the principal applicant was named as the guardian of the sponsor, to have custody of the sponsor and the right to control their upbringing in the event of the death of the sponsor's biological or adoptive parents; or
- b. a court order granting legal guardianship of the sponsoring adult child to the principal applicant (including custody of the sponsor and the right to control their upbringing) after the death of their parents and prior to the sponsor attaining the age of 18 years; or
- c. documents showing that the sponsor lived with the principal applicant after the death of their parents and prior to the sponsor attaining the age of 18 years; or
- d. documents such as medical and school records indicating that the principal applicant acted in the role of a parent for the sponsor after the death of their biological or adoptive parents and prior to the sponsor attaining the age of 18 years.

F4.45.15 Evidence that parents are deceased

- a. Evidence that a sponsoring adult child's parents are deceased is original or certified copies of death certificates for both parents.
- b. Where a death certificate is unobtainable, other documentary evidence must be provided that satisfies an immigration officer that the sponsor's parents are deceased, and the date(s) of their death.
- c. A death certificate is considered to be obtainable even if there is a possible delay or expense in obtaining it.

F4.45.20 Evidence of dependence

- a. Up to and including 20 years of age, if a child is unmarried then he or she is presumed to be dependent.
- b. For children aged 21 to 24, evidence of actual independence may be required.

F4.45.25 Evidence of sponsorship

Evidence is a Sponsorship Form for Residence in New Zealand that:

- a. confirms that the sponsor/s meet the requirements for sponsors who are natural persons set out at [R4.5\(d\)](#); and
- b. contains the undertakings required (see [R4.10](#)).

F4.45.30 Evidence that the sponsoring adult child and their partner (in case of joint income) meet the minimum income requirement

Evidence of meeting the minimum income requirement for the sponsor and their partner (see [F4.40](#)) must be demonstrated through their annual Inland Revenue tax statements.

F4.45.35 Evidence to be considered 'ordinarily resident' in New Zealand

Evidence of the sponsor/s to be considered 'ordinarily resident' in New Zealand may include but is not limited to:

- a. correspondence addressed to the sponsor/s
- b. employment records
- c. travel movements outside of New Zealand
- d. banking records
- e. rates demands
- f. Inland Revenue records
- g. mortgage documents
- h. tenancy and utility supply agreements
- i. documents showing that the New Zealand partner's household effects have been moved to New Zealand.

F4.45.40 Verification of family details and documents

Immigration officers may refer to former applications lodged by applicants, family members of applicants or sponsors in order to verify declarations made by applicants about their family details (such as the number of family members, the whereabouts of family members, or an applicant's or partner's marital status). Income tax statements submitted may be verified with the Inland Revenue Department.

F4.50 Conditions of a resident visa granted under the Parent Category

See also Immigration Act 2009 ss 49, 55

- a. A resident visa granted under the Parent Category is subject to the condition, that the sponsor(s) of the visa holder meet their obligations as set out at [R4.10](#) for 10 years from the visa holder's first day as a resident in New Zealand.
- b. The multiple entry travel conditions on a resident visa granted under the Parent Category must be valid for 10 years from the visa holder's first day as a resident in New Zealand.