

11 December 2015

IMMIGRATION NEW ZEALAND INSTRUCTIONS: Amendment Circular No. 2015/11

To: All Manual Holders

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 on and after 20 December 2015.

Note

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

Any enquiries about these amendments should be directed to the Immigration Contact Centre on 0508 558 855 or 09 914 4100 (Auckland only).

Changes to temporary entry instructions effective on and after 20 December 2015

E9 Trade commitments

WI19 Republic of Korea Special Work Instructions

WI19.1 Objective

WI19.5 Generic Requirements

WI19.10 Occupations list

New special work instructions are being added for the Republic of Korea which will allow qualified and/or experienced Korean nationals to be granted work visas for up to three years in certain occupations.

WI18.5 Requirements

WI18.15 Qualifying countries

WI18.20 Conditions of work visa

Republic of Korea has been added to the qualifying countries under the Primary Sector Trainees instructions, allowing up to 50 Korean nationals to be granted a work visa to undertake vocational programmes of study and work placements.

WI2.85 Korea Working Holiday Scheme

The number of available places has been increased from 1,800 to 3,000 each year. The restriction on working for the same employer for no more than three months has been removed.

**APPENDIX 1: AMENDED IMMIGRATION INSTRUCTIONS EFFECTIVE ON AND AFTER
20 DECEMBER 2015**

E9 Trade commitments

- a. One of the objectives of New Zealand's temporary entry instructions is to contribute to building strong international links. Part of this includes supporting New Zealand's position in a global trade environment, and ensuring that New Zealand's trade commitments with respect to immigration are being met.
- b. Immigration plays an important role in ensuring New Zealand's trade commitments are met through immigration instructions providing for the mobility (temporary entry) of bona fide business people into New Zealand.
- c. New Zealand has committed itself to a range of undertakings through different agreements. To date the following agreements have been signed:
 - General Agreement on Trade in Services (GATS)
 - New Zealand and Singapore Closer Economic Partnership Agreement (CEPA)
 - New Zealand and Thailand Closer Economic Partnership
 - Trans-Pacific Strategic Economic Partnership
 - Asia-Pacific Economic Cooperation (APEC)
 - New Zealand and China Free Trade Agreement
 - ASEAN-Australia-New Zealand Free Trade Agreement (AANZFTA)
 - Agreement Between New Zealand and the Separate Customs Territory of Taiwan, Penghu, Kinmen, and Matsu on Economic Cooperation (ANZTEC)
 - **Korea-New Zealand Free Trade Agreement (KNZFTA)**
- d. Details of some of these trade agreements are available on the Ministry of Foreign Affairs website at the following address: Ministry of Foreign Affairs and Trade - Trade Relationships and Agreements
- e. Specific provisions throughout immigration instructions enable New Zealand to meet the commitments that have been made in these trade agreements. These provisions are:
 - [A4.65.1](#) Seconded business people
 - [N4](#) Group Transit Visa for Chinese nationals
 - [V3.5](#) Business visitors
 - [V3.105](#) APEC Business Travel Cardholders
 - [WS2 \(a\) and \(i\)](#) Specific purposes or event
 - [WI11](#) Thai chefs
 - [WI12](#) China Special Work Instructions
 - [WI13](#) China Skilled Workers Instructions
 - [WI14](#) Philippines Special Work Instructions
 - [WI15](#) Vietnam Special Work Instructions
 - [WI17](#) Indonesia Special Work Instructions
 - [WI18](#) Primary sector trainees
 - **[WI19](#) Korea Special Work Instructions**

WI2.85 Korea Working Holiday Scheme

- a. This scheme is available to 3000 young citizens of the Republic of Korea annually.
- b. To be eligible for a work visa under this scheme, applicants must:
 - i. be citizens of the Republic of Korea; and
 - ii. have a minimum of NZ\$4,200 available funds for their maintenance during the period of stay in New Zealand; and
 - iii. agree to hold medical and comprehensive hospitalisation insurance that will remain current throughout their stay in New Zealand; and
 - iv. meet the requirements at WI2.1.1(b).
- c. Successful applicants will be granted a work visa with the following conditions:
 - i. if the applicant is outside New Zealand, first entry to New Zealand must be made within 12 months of the visa being granted, and the visa will allow work and multiple entries to New Zealand for 12 months from first arrival; or
 - ii. if the applicant is in New Zealand, the visa will allow work and multiple entry to New Zealand for 12 months.
- d. Applicants under this scheme must lodge their application in the prescribed manner (E4.50).

WI18.5 Requirements

- a. A work visa may be granted to a primary sector trainee to undertake vocational programmes of study and subsequent work placements, provided that:
 - i. the applicant is funded or supported by the government of a qualifying country ([WI18.15](#));
 - ii. there is a place available under that country's quota for primary sector trainees;
 - iii. the study requirements are met;
 - iv. the work placement requirements are met;
 - v. the applicant agrees to hold medical and comprehensive hospitalisation insurance that will remain current throughout their stay in New Zealand;
 - vi. the applicant meets health and character requirements set out in [A4](#) and [A5](#); and
 - vii. the applicant meets the requirements for bona fide applicants set out in [E5](#).
- b. Trainees will not be granted a further work visa in New Zealand for two years following the expiry of their work visa under these instructions.

WI18.5.1 Requirements for study

- a. Trainees must study in New Zealand for a minimum of 12 weeks before they can undertake a work placement.
- b. The study must be undertaken at a high quality education provider (universities or education providers assessed as Category One by the New Zealand Qualifications Authority under the External Evaluation Review quality assurance system).

WI18.5.5 Requirements for work placements

- a. Trainees may undertake work placements related to their study up to a maximum of nine months' duration.
- b. The education provider with whom study was undertaken is responsible for:
 - i. **a**rranging, monitoring and maintaining records of all work placements, and
 - ii. arranging suitable alternative work placements should they be required, and
 - iii. notifying Immigration New Zealand should any breach of visa conditions or the employment agreement occur.
- c. Trainees must have employment agreements that comply with all relevant New Zealand employment law and be paid at least the New Zealand minimum statutory hourly wage.
- d. **No** work placements can be undertaken in the forestry sector.
- e. If an immigration officer is not satisfied an education provider is able to meet its work placement responsibilities, work visa applications may be declined under these instructions.

WI18.15 Qualifying countries

Qualifying countries	Number of available places
Chile	60
Republic of Korea	50

WI18.20 Conditions of work visa

Successful applicants will be granted a work visa and entry permission with the following conditions:

- a. the work visa will be valid for multiple entries to New Zealand for a maximum of 12 months; and
- b. the work visa will allow study at a specified education provider; and
- c. the work visa will only allow a maximum of nine months' work for a primary sector employer.

Note: These instructions reflect New Zealand's international trade commitments (see [E9](#)).

WI19 Republic of Korea Special Work Instructions

WI19.1 Objective

These instructions allow a limited number of citizens of the Republic of Korea who are qualified and/or experienced in certain occupations, and who hold a full-time New Zealand job offer in that occupation, to be granted a work visa and entry permission.

WI19.5 Generic Requirements

- a. To be granted a work visa under these instructions, applicants must:
 - i. provide a completed work visa application form, fee and immigration levy; and
 - ii. have a full-time New Zealand job offer in one of the occupations listed in [WI19.10](#), which meets the requirements set out in [W2.10](#); and
 - iii. meet the specific requirements relating to registration, qualifications and/or experience for their occupation as set out in [WI19.10](#); and
 - iv. meet health and character requirements set out in [A4](#) and [A5](#); and
 - v. meet the requirements for bona fide applicants set out in [E5](#); and
 - vi. be ordinarily and actually resident in the Republic of Korea at the time of application unless [WI19.5\(d\)](#) below applies.
- b. A labour market check is not required.
- c. Successful applicants will be granted a work visa and entry permission with the following conditions:
 - i. first entry to New Zealand must be made within six months; and
 - ii. the work visa will be valid for multiple entries to New Zealand for a maximum of three years, depending on the length of their job offer.
- d. If the initial visa is valid for less than three years, a further visa may be granted for the balance of the three-year period, as long as the applicant still meets all the requirements of these instructions.
- e. Work visas granted under these instructions must be endorsed with conditions that allow work only for a specified employer in a specified occupation.
- f. On completion of the three-year period, applicants must remain outside New Zealand for three years before applying for a further visa under these instructions.

Note: These instructions reflect New Zealand's international trade commitments (see [E9](#)).

WI19.10 Occupations list

- a. To be granted a work visa under these instructions, citizens of the Republic of Korea must have a full-time New Zealand job offer in one of the occupations listed below and meet the requirements for the relevant occupation.
- b. At any one time, the number of citizens from the Republic of Korea granted a work visa under these instructions must not:
- exceed 50 in respect of any of the occupations listed below; and
 - exceed 200 in total.

Occupation	Requirements
Biomedical Engineer	One of the following qualifications: - Relevant Washington Accord accredited undergraduate engineering degree - Bachelor of Engineering or equivalent
Food Technologist	Bachelor of Food Science or equivalent and a minimum of three years' relevant post-qualification work experience in the industry
Forest Scientist	Bachelor of Forestry Science or equivalent
Korean Language Instructor	Certificate of Korean Language Teaching issued by the Minister of Culture, Sports and Tourism
Korean Tour Guide	Valid Tour Guide Licence issued by and registered with either the Korea Tourism Organization or the Korea Tourism Association (entrusted by the Minister of Culture, Sports and Tourism)
Multimedia Designer (Film Animator)	Minimum three years' specialist work experience in film animation
Taekwondo Instructor	Taekwondo Grade 4 and above certificate recognised by Kukkiwon (World Taekwondo Headquarters)
Traditional Korean Medicine Doctor	Korean Medicine Doctor license issued by the Minister of Health and Welfare
Software Engineer	Bachelor of Engineering or equivalent
Veterinarian	Bachelor of Veterinary Science or equivalent and registration with the New Zealand Veterinary Council