

VISA PAK ISSUE 625 — 16 MAY 2025

Work right conditions for students undertaking a Masters by Research

Along with PhD students, Masters by Research students are eligible for unlimited work rights. The purpose of this Visa Pak is to provide clarification about which Masters students are eligible for unlimited work rights under immigration instruction U13.15.15.

Structure of Masters Programmes

Immigration instruction [U13.15.15](#) states that a student visa may be granted with conditions to allow the holder unlimited work rights if the student is undertaking a Masters by Research and the qualification is awarded by a New Zealand tertiary institution.

The [New Zealand Qualifications Framework](#) provides information on the structure of a Masters degree. These can be structured in the following three ways:

- **A Masters by thesis** includes 120 credits, of which 90 credits (at level 9) consist of a research project presented in the form of a thesis, dissertation, substantial research paper or scholarly creative work.
- **A Masters by thesis and coursework** includes 240 credits, of which at least 90 credits (at level 9) are in the form of a thesis, dissertation, substantial research paper or scholarly creative work, and of which up to 150 credits are from coursework.
- **A Masters by coursework** is at least 120 to 240 credits and is achieved through coursework consisting of courses, project work, and research in varying combinations.

INZ's interpretation of Masters by Research draws on the NZQA Framework and includes only Masters degrees which have a substantial research component. To be eligible for the grant of unlimited work rights under U13.15.15, a student must be enrolled in a Masters degree where they are undertaking a thesis, dissertation, substantial research paper, or scholarly creative work of at least 90 credits. In accordance with the NZQA Framework, a Masters degree composed of less than 90 credits of research is considered a Masters by coursework because it does not contain a significant research component.

Eligibility for Work Rights

Student visa applicants who are enrolled at any university, or Te Pūkenga/polytechnic provider who are undertaking a Masters degree that includes at least 90 credits of research, are eligible for the grant of unlimited work rights for the **full duration** of their programme under immigration instructions U13.15.15. This includes students enrolled in a Masters degree where the first part of the degree is coursework and the second part of the degree is at least 90 credits of research.

Considering exceptions for students studying at Private Training Establishments



In the Education and Training Act 2020, and immigration instruction [U5.20](#), New Zealand tertiary institutions are defined as Universities, Polytechnics, Colleges of Education, and Wananga. Private Training Establishments (PTEs) are classified by their own immigration instruction ([U5.15](#)), which reflects the separate definition of private training establishments in the Education and Training Act 2020.

By this definition, a student visa holder undertaking a Masters by Research degree at a PTE is not eligible to be granted unlimited work rights. However, it is recommended that immigration officers consider the grant of unlimited work rights to students enrolled in a Masters by Research programme at a PTE as an **exception to instructions (ETI)** for the duration of their Masters qualification. The reasons for this include:

- It is likely that PTEs did not deliver Masters by Research at the time the cabinet decision was taken. Based on this, the use of the word 'institutions' in instructions (rather than the broader terminology 'education providers') was not intended to restrict provider eligibility but was reflective of the environment at the time.
- Operational practice has seen unlimited work rights granted to students undertaking a Masters by Research course at a PTE.

The recommendation for consideration of an ETI is an interim approach designed in the interests of fairness and consistency of decision making for these students, and further guidance on processing in-study work rights will be given in due course.

Immigration officers are to include the following rationale in their visa assessment notes when granting unlimited work rights as an exception to instructions:

"This student is currently enrolled in a Masters by Research course at a Private Training Establishment. As Private Training Establishments do not meet the definition of a New Zealand tertiary institution as laid out in immigration instructions U5.20, this student will not be awarded a qualification by a New Zealand tertiary institution and therefore immigration instructions U13.15.15(b) are not met. However, it has been considered that the student's intended study is research based and the allowance of unlimited work rights will assist this student to pursue work and research opportunities related to their studies. Therefore, this student will be granted unlimited work rights as an exception to immigration instructions U13.15.15."

Immigration officers who grant an exception to instructions to students enrolled in a Masters by Research at a PTE must advise the student on approval of their visa that the work right conditions were granted as an exception to instructions.