26 July 2018

IMMIGRATION NEW ZEALAND INSTRUCTIONS: Amendment Circular No. 2018/09

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 6 August 2018.

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).
Description of changes

Ban on the grant of visas to Russian individuals

New Zealand has put in place a ban on the grant of visas to Russian individuals expelled from certain countries for activities incompatible with their diplomatic status.
Appendix 1 – Amendments to Temporary Entry and Residence instructions effective on and after 6 August 2018
Ban on the grant of visas to Russian individuals expelled from certain countries for activities incompatible with their diplomatic status

a New Zealand has taken action in respect of Russian individuals expelled from certain countries for activities incompatible with their diplomatic status.

a Ordinarily, a person described in (a) above may not be granted a visa to enter New Zealand (including a transit visa).

b Where special circumstances exist (supported by cogent and reliable evidence and in consultation with MFAT) INZ may nonetheless grant a visa to such a person.

c The decision to grant a visa to a person named on the list is limited to immigration officers with Schedule 1-2 delegations (see A15.5).
R5.100 Ban on the grant of residence class visas to certain individuals and classes of individuals

R5.100.1 Ban on the grant of visas to leading members of the Government of the Federal Republic of Yugoslavia (FRY) including Serbia and their supporters

a New Zealand has taken action in respect of leading citizens of the FRY and Serbia, being persons closely aligned with the regime of Slobodan Milosevic whose activities support President Milosevic or whose actions are presumed to provide support (including members of his immediate family), and who are named on the lists of such persons held by INZ and updated from time to time.

b Ordinarily, none of the persons named on the lists held by INZ may be granted a visa to enter New Zealand (including a transit visa).

c Where special circumstances exist (supported by cogent and reliable evidence) INZ may nonetheless grant a visa to a person named on the lists.

d The decision to grant a visa to a person named on the lists is limited to immigration officers with Schedule 1-2 delegations (see A15.5).

R5.100.10 Restriction on the grant of visas to Robert Mugabe, President of Zimbabwe, and his wife

a Ordinarily, Robert Mugabe, President of Zimbabwe, and his wife, Grace, may not be granted a visa to New Zealand (including a transit visa).

b Notwithstanding (a), where special circumstances exist (supported by cogent and reliable evidence and in consultation with MFAT) INZ may nonetheless grant such a visa.

c The decision to grant a visa under (b) is limited to immigration officers with Schedule 1-2 delegations (see A15.5).

R5.100.20 Ban on the grant of visas to leading members of the Syrian regime

a New Zealand has taken action in respect of leading members of the regime in Syria, being persons closely aligned with the regime of President Bashar Hafez al-Assad, and who are named on the list of such persons held by INZ and updated from time to time.

b Ordinarily, none of the persons named on the list held by INZ may be granted a visa to enter New Zealand (including a transit visa).

c Where special circumstances exist (supported by cogent and reliable evidence and in consultation with MFAT) INZ may nonetheless grant a visa to a person named on the list.

d The decision to grant a visa to a person named on the list is limited to immigration officers with Schedule 1-2 delegations (see A15.5).

R5.100.25 Ban on the grant of visas to individuals associated with the Ukraine crisis

a New Zealand has taken action in respect of key individuals identified as being responsible for, or associated with, actions which undermine or threaten the territorial integrity, sovereignty and independence of Ukraine, and who are named on the list of such persons held by INZ and updated from time to time.

b Ordinarily, none of the persons named on the list held by INZ may be granted a visa to enter New Zealand (including a transit visa).

c Where special circumstances exist (supported by cogent and reliable evidence and in consultation with MFAT) INZ may nonetheless grant a visa to a person named on the list.

d The decision to grant a visa to a person named on the list is limited to immigration officers with Schedule 1-2 delegations (see A15.5).
**R5.100.30 Ban on the grant of visas to DPRK nationals**

a. United Nations Sanctions (Democratic People’s Republic of Korea) Regulations 2017 Reg 46A

b. A person who is a national of DPRK is not eligible to obtain a visa, or any other authorisation, that would entitle the person to work in New Zealand.

c. R5.100.30(a) does not apply with regard to a visa or other authorisation approved in advance by the Committee (as defined in the UN Sanctions (DPRK) Regulations 2017).

d. If the visa or other authorisation as to the eligibility of the person is approved in advance by the Committee, the decision to grant a visa to a person named on the list is limited to immigration officers with Schedule 1-2 delegations (see A15.5).

**R5.100.35 Ban on the grant of visas to Russian individuals expelled from certain countries for activities incompatible with their diplomatic status**

a. New Zealand has taken action in respect of Russian individuals expelled from certain countries for activities incompatible with their diplomatic status.

b. Ordinarily, a person described in (a) above may not be granted a visa to enter New Zealand (including a transit visa).

c. Where special circumstances exist (supported by cogent and reliable evidence and in consultation with MFAT) INZ may nonetheless grant a visa to such a person.

d. The decision to grant a visa to a person named on the list is limited to immigration officers with Schedule 1-2 delegations (see A15.5).