



17 March 2020

**Immigration New Zealand Operational Manual: Amendment Circular No. 2020-09**

**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](http://www.immigration.govt.nz).

## Summary of contents

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This amendment circular details changes to Immigration New Zealand's Operational Manual, and contains the following:

- The description of changes section contains a summary of the changes to immigration instructions.
- Appendix 1 contains amended *Border Entry instructions* effective on and after 11:59 pm 17 March 2020
- Appendix 2 contains amended *Temporary Entry instructions* effective on and after 18 March 2020.

Additions to immigration instructions are highlighted for ease of reference. Deletions have not been highlighted.

## Description of changes

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### Implementing the New Zealand Government response to the novel coronavirus (COVID-19) outbreak

#### ***Y4.50 People who must be refused entry permission: novel coronavirus (COVID-19) outbreak***

Changes have been made to immigration instructions to extend the temporary border measures for a further 14 days until 11:59 pm 31 March 2020.

The Diamond Princess cruise ship has been removed from the temporary border measures.

The following people continue to be excluded from this provision:

- New Zealand citizens
- New Zealand resident and permanent resident visa holders
- The partner, dependent children or legal guardian travelling with a New Zealand citizen, resident or permanent resident visa holder
- Australian citizens and permanent resident visa holders whose primary place of residence is New Zealand
- People covered by regulation 25 of the Immigration (Visa, Entry Permission, and Related Matters) Regulations 2010.

These instructions are effective on and after 11:59pm 17 March 2020.

#### ***E3.15 Conditions to which holders of temporary entry class visas are subject***

Changes have been made to immigration instructions to require all temporary entry class visa holders to comply with instructions from a Medical Officer of Health which relate to a notifiable or quarantinable disease. This includes any requirement to self-isolate or any directions from a Medical Officer of Health.

See the Ministry of Health website for more information about self-isolation:

<https://www.health.govt.nz/our-work/diseases-and-conditions/covid-19-novel-coronavirus/covid-19-novel-coronavirus-health-advice-general-public>.

These instructions are effective on and after 18 March 2020.

**Appendix 1 - Amendments to Border Entry instructions effective on and after 11:59pm 17 March 2020**

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## Y4.50 People who must be refused entry permission: novel coronavirus (COVID-19) outbreak

*See also Immigration Act 2009 ss 22 and 107.*

- a. Entry permission must be refused to any person, except a person listed in Y4.50(b), who is not otherwise dealt with under Y4.1 and who has been present in, or transited through, mainland China or Iran within 14 days prior to:
  - i. the boarding of a commercial craft for the purpose of travelling to New Zealand; or
  - ii. if arriving in New Zealand other than by a commercial craft, upon arrival in New Zealand.
- b. The following persons must be granted entry permission:
  - Those listed in Y3.10(a)
  - The partner, legal guardian or any dependent children who are travelling with a New Zealand Citizen or a person listed at Y3.10(a)
  - Australian citizens or a person who holds a current permanent residence visa (including a resident return visa) issued by the Government of Australia, where New Zealand is their primary place of established residence.
- c. A person subject to (a) above may still be granted entry permission by an immigration officer as an exception to instructions (see Y4.45).
- d. These instructions are valid until 11:59pm 31 March 2020.

### **Notes:**

- For the avoidance of doubt, New Zealand citizens are not subject to this instruction and people subject to regulation 25 of the Immigration (Visa, Entry Permission, and Related Matters) Regulations 2010 are deemed to be granted entry permission.
- 'Commercial craft' and 'craft' have the same meaning as section 4 of the Immigration Act 2009.

**Appendix 2 – Amendments to Temporary Entry instructions effective on and after 18 March 2020**

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### E3.15 Conditions to which holders of temporary entry class visas are subject

See also Immigration Act 2009 ss 48, 49, 52, 77

- a. The holder of a temporary entry class visa may:
- i. visit New Zealand consistent with the conditions of the visa, for any lawful purpose; or
- Examples:** Holidaying, sightseeing, family and social visits, amateur sport, business consultations, undergoing medical treatment.
- ii. work in New Zealand, or within the exclusive economic zone of New Zealand, only if the conditions of the visa allow, and only consistently with those conditions; or
  - iii. study in New Zealand, only if the conditions of the visa allow, and only consistently with those conditions; or
  - iv. undertake the express purpose for which they were approved to travel to New Zealand, and only consistently with the express purpose conditions, if granted a limited visa.
- b. An interim visa holder may work, study or visit only as authorised by the terms or conditions of their interim visa.
- c. Subject to any special direction to the contrary, every visitor, work and interim and limited visa that is not an interim or limited visa granted for the purpose of study, is subject to the following conditions:
- i. at all times during the currency of the visa to be in New Zealand, the holder has sufficient funds available for the holder's maintenance in New Zealand, or a current approved sponsorship undertaking (see E6); and
  - ii. at all times during the currency of the visa to be in New Zealand, the holder has the means to travel to a country to which the holder has a right of entry, such means to be in the form of:
    - o a fully paid travel ticket to any such country; or
    - o sufficient funds held in New Zealand by or on behalf of or in trust for the holder to purchase any such ticket; or
    - o a current approved sponsorship (see E6).
- d. The holder of any temporary entry class visa is subject to the condition that they comply with any instruction from a Medical Officer of Health which relates to a notifiable or quarantinable disease.
- e. Despite E7.10(a)(ii), (d) above applies to all visas granted (including in an immigration control area) on and after 18 March 2020.

**Note:** A notifiable or quarantinable disease is any disease referred to in Part 1 and Part 3, respectively, of Schedule 1 of the Health Act 1956.