



22 December 2021

IMMIGRATION NEW ZEALAND OPERATIONAL MANUAL: Amendment Circular No. 2021-62

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 from the effective date.

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

A16.1 General Instructions as to the order of processing visa applications

Amendments have been made to the general instructions as to the order and manner of processing of visa applications, to clarify that resident visa applications will be prioritised in date order (unless other prioritisation criteria applies) regardless of whether the applicant is offshore or onshore.

Appendix 1: Amendments to general instructions effective from 10 December 2021

A16.1 General Instructions as to the order of processing visa applications

Under section 26(4) of the Immigration Act 2009 and acting under delegated authority from the Chief Executive of the Ministry of the Business, Innovation, and Employment, I give the following general instructions as to the order and manner of processing of visa applications, effective from 10 December 2021:

Residence Applications

a. For all first priority residence applications, each category will generally be processed in lodgement date order.

b. First priority will be given to:

- i. "Skilled" residence class visa applications (that is: 2021 Resident Visa, Skilled Migrant Category and Residence from Work). Despite the general prioritisation of applications in lodgement date order, for these applications further prioritisation criteria will apply within each of the categories:
 - o For the 2021 Resident Visa category, priority will be given to applications made before 1 March 2022 where, as of 29 September 2021, the applicant had:
 - made an application for residence under the Skilled Migrant Category; or
 - made an application for residence under a Residence from Work Category; or
 - submitted an Expression of Interest for the Skilled Migrant Category; and
 - that application, or Expression of Interest, included a dependent child aged 17 or above.
 - o For the Skilled Migrant Category (SMC), priority will be given to applications with job offers where:
 - Applicants have an hourly rate equivalent to or higher than twice the median wage (currently \$54.00 per hour or an annual salary of \$112,320 or more);
 - Applicants hold current occupational registration where registration is required by immigration instructions;
 - o For Residence from Work Category applications (Talent (Accredited Employer), Talent (Arts, Culture and Sport), South Island Contribution, Religious Worker and Long Term Skill Shortage List), priority will be given to:
 - Applications which include a job offer with an hourly rate equivalent to or higher than twice the median wage (currently \$54.00 per hour or an annual salary of \$112,320 or more);
 - Applications which include a job offer which requires occupational registration where occupational registration is required by immigration instructions;
- ii. Partnership and Dependent Child Family Residence applications;
- iii. Residence class visa applications under the COVID-19 Support Residence instructions;
- iv. Applications made under the following instructions:
 - o Variation of travel conditions on a resident visa;
 - o Resident visa holders and eligible former resident visa holders applying for a permanent resident visa;
 - o Second or subsequent residence visa.
- v. Applications for a permanent resident visa under the following instructions:
 - o Residence instructions for holders of work visas granted under the Talent (Accredited Employers) work instructions (who meet requirements set out in RW2.1)
 - o Christchurch response (2019)
 - o Global impact visa.
 - o Afghan Emergency Resettlement Category
 - o Refugee and Protection Category
 - o Refugee Family Reunification Category
 - o Community Organisation Refugee Sponsorship Category Pilot

c. Second priority will be given to any other residence class visa application.

Temporary Entry Class Visa Applications

- a. First priority will be given to the following types and categories of applications for temporary entry class visas in preference to applications under other types and categories:
- i. Visa applications and variation of condition requests for those invited to apply under the COVID-19 Support Restricted Temporary instructions;
 - ii. Visa applications for victims of family violence;
 - iii. Applications to travel under the Asia-Pacific Economic Cooperation (APEC) travel card programme made by people who are not New Zealand citizens or residence class visa holders;
 - iv. Diplomatic visas;
 - v. Visa applications from partners and dependent children of New Zealand citizens and residence class visa holders made under the following instructions:
 - o Visitor visas for partners of New Zealand citizens or residence class visa holders
 - o Visitor visas for dependent children of New Zealand citizens or residence class holders
 - o Visitor visas for children entering New Zealand for adoption
 - o Visitor visas for children adopted overseas before their New Zealand citizenship is confirmed
 - o Visitor visas for culturally arranged marriage
 - o Work visas for partners of New Zealand citizens or residence class visa holders;
 - vi. All other temporary entry class visa applications where the applicant is in New Zealand.
 - vii. All temporary entry class visa applications either where the applicant is in New Zealand or where the applicant is currently in and has lodged a temporary entry class visa application from the Cook Islands or Niue.
- b. Second priority will be given to all other temporary entry class visas where the applicant is offshore (other than those that meet criteria for prioritisation above).

All applications

- a. Within the priorities set out above, applications should generally be processed in lodgement date order.
- b. These instructions do not prevent immigration officers according urgency to the processing of any particular visa application when the individual circumstances so warrant that.

The previous General Instructions dated 24 November 2021 as to the order and manner of processing of visa applications made under section 26(4) of the Immigration Act 2009 are revoked.

Alison McDonald
Deputy Secretary
Immigration

10 December 2021