



28 January 2022

**IMMIGRATION NEW ZEALAND INSTRUCTIONS: Amendment Circular No. 2022-03**

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

## Description of changes

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### ***A4.25 Medical and Chest X-ray Certificates: temporary entry class visa applications***

### ***A21 Automated electronic decision making***

### ***E7.2 Automated processing and granting***

### ***V2.20 Funds or sponsorship requirements***

Changes have been made to immigration instructions to support the migration of visitor visa products from current processing systems to the Immigration Online system, once enhancements have been made (from 31 January 2022). These changes include provisions which set out the circumstances under which an electronic system may determine that requirements are met to grant a visitor visa under instructions at V2 and V3, and when consideration will be referred to an immigration officer.

The changes also set out:

- when sponsored persons or their sponsors must provide a relevant form and
- that, where an online system does not require a Medical Certificate or Chest X-ray Certificate, an immigration officer may request one if it is required to determine whether the applicant is of an acceptable standard of health.

### ***A16.3 General Instructions on manner of processing visas***

A new general instruction has been created for immigration officers on the order and manner of processing of visa applications, under section 26(4) of the Immigration Act 2009. This general instruction sets out the manner in which immigration officers will process applications submitted once enhancements have been made to Immigration Online. The topics it covers include:

- Performing activities assigned by the enhanced Immigration Online system.
- Performing activities pertaining to final gathering of information, assessment and decision.
- Pre-decision quality checks.

**Appendix 1: Amendments to Temporary Entry instructions effective on and after 31 January 2022**

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#### A4.25 Medical and Chest X-ray Certificates: temporary entry class visa applications

- a. Applications for temporary entry class visas from applicants intending a stay in New Zealand of more than 12 months must include a completed Medical Certificate and a Chest X-ray Certificate (see A4.25(k)) which have been issued less than three months before the date the application is made, for every person included in the application, unless (c), (d) or (e) below apply.
- b. The Medical Certificate and Chest X-ray Certificate that may be required with a temporary entry visa application; include:
  - i. General Medical Certificate (INZ 1007)
  - ii. Chest X-ray Certificate (INZ 1096)
  - iii. Limited Medical Certificate (INZ 1201)
  - iv. Recognised Seasonal Employer Scheme Supplementary Medical Certificate (INZ 1143)

**Note:** Unless specified otherwise in A4.25(e), applicants should provide the General Medical Certificate (INZ 1007) and the Chest X-ray Certificate (INZ 1096).

- c. Applicants for a temporary entry class visa do not ordinarily need to provide a Medical Certificate and a Chest X-ray Certificate if:
  - i. they have provided a Medical Certificate and a Chest X-ray Certificate with an earlier visa application; and
  - ii. they were assessed as having an acceptable standard of health based on those certificates; and
  - iii. those certificates were issued less than 36 months prior to the current application.
- d. Medical Certificates and Chest X-ray Certificates do not need to be provided by the following types of temporary entry class visa applicants:
  - i. Applicants for a student visa as a fee paying foreign student (see [U4.10](#)) (except for students holding a New Zealand scholarship administered by the Ministry of Foreign Affairs and Trade (see U11), unless (f) below or A4.25.1 applies.
  - ii. Applicants for a Working Holidaymaker Extension visa (see [WH2](#)).
  - iii. Applicants (and their partner and dependent child(ren), if any) who have been recognised as having refugee or protection status in New Zealand and are eligible to apply for a permanent resident visa.
  - iv. Applicants for a Supplementary Seasonal Employment (SSE) visa for the 2020/21 season (ie for SSE visas granted with an expiry date on or before 30 June 2021).
  - v. Applicants (and their partner and dependent child(ren), if any) for a Migrant Exploitation Protection work visa (see [W120](#)).
  - vi. Applicants (and their partner and dependent child(ren), if any) for an Essential Skills work visa who provided these certificates with a previous visa application and who are in New Zealand at the time they make their application.
- e. Applicants for a temporary entry class visa who have a claim for refugee or protection status in New Zealand under consideration (and their partner and dependent child(ren)) do not ordinarily need to provide a Medical Certificate with their temporary visa application (see [E8.10.1](#)). These applicants must provide a completed Chest X-Ray Certificate.
- f. Applicants who must provide a Medical Certificate other than the General Medical Certificate (INZ 1007) are set out below:
  - i. Partners of New Zealand citizens and residence class visa holders must provide a Limited Medical Certificate (INZ 1201) and a Chest X-ray Certificate (INZ 1096) if they are intending a stay in New Zealand of more than 12 months, and they meet the criteria for residence under the Partnership Category (see F2.5(a)), unless [E7.50](#) applies.
  - ii. Dependent children of New Zealand citizens or residence class visa holders must provide a Limited Medical Certificate (INZ 1201) and a Chest X-ray Certificate (INZ 1096) if they are intending a stay in New Zealand of more than 12 months and they meet the criteria for residence under the Dependent Child Category (see [F5.1\(a\)](#)), unless [E7.50](#) applies.
  - iii. Recognised Seasonal Employer limited visa applicants must provide a Chest X-ray Certificate (INZ 1096) where A4.25.1(b) applies and a Recognised Seasonal Employer Scheme Supplementary Medical Certificate (INZ 1143) where [WH1.15.15](#) applies. Regardless of the length of intended stay, Recognised Seasonal Employer limited visa applicants are not required to provide a General Medical Certificate.
- g. Despite (c), (d)(i),(ii),(iv), (v), (vi) and (f)(iii) above, an immigration officer may require a Medical Certificate and a Chest X-ray Certificate if they consider this is necessary to establish whether the applicant has an acceptable standard of health.

- h. Where an application has been made through an online system that does not require a Medical Certificate or Chest X-ray to complete the application, an immigration officer may request one, should it be required to determine that the applicant is of an acceptable standard of health.
- i. Risk factors which may indicate that an applicant should be asked to provide a Medical Certificate or Chest X-ray Certificate, where not otherwise required, may include:
- i. the applicant declaring they have a medical condition; or
  - ii. INZ having knowledge of an applicant's medical condition; or
  - iii. a recommendation from an INZ medical assessor that a future application be accompanied by an updated Medical Certificate and a Chest X-ray Certificate; or
  - iv. where A4.25.1(e) applies.
- j. Applicants must provide a Chest X-ray Certificate and specified tests, if:
- i. A4.25(a) applies; and
  - ii. the applicant did not provide a Chest X-ray Certificate or specified tests with a Medical Certificate provided in the past 36 months because of their age, or because they were pregnant; and
  - iii. their age would now require them to undertake the specified tests or provide a Chest X-ray Certificate, or they are no longer pregnant.
- k. Applicants who intend to stay in New Zealand for a total of more than 12 months include those:
- i. already in New Zealand for up to 12 months seeking a further visa to be in New Zealand for longer than 12 months; or
  - ii. applying for visas who indicate their intention is to remain in New Zealand for longer than 12 months; or
  - iii. applying for student visas and who are defined as domestic students (see [U3.35](#)), or who are students holding a New Zealand scholarship administered by the Ministry of Foreign Affairs and Trade (see U11), for a course or courses of study that are longer in total than 12 months.
- l. Applicants who intend to stay in New Zealand for more than 12 months are also subject to the provisions of A4.25.1(h) and (i).
- m. Evidence of completion of a Medical Certificate and Chest X-ray Certificate includes:
- i. a completed Medical Certificate and Chest X-ray Certificate; or
  - ii. an eMedical reference code (NZER); or
  - iii. confirmation in the applicant's visa application form that a physician is directly submitting the applicant's Medical Certificate and Chest X-ray Certificate to Immigration New Zealand

**Notes:**

~ Pregnant women and children under 11 years of age are not required to have an X-ray examination.

~ The issue date of a Medical Certificate is the date of the declaration by the examining physician concerning the overall findings of the medical examination or the date that the Medical Certificate was submitted to INZ if submitted by the physician electronically.

~ The issue date of a Chest X-ray Certificate is the date of the declaration made by the radiologist, or the date that the Chest C-ray Certificate was submitted by the physician electronically.

## A21 Automated electronic decision making

*See also Immigration Act 2009 s 28*

- a. An automated electronic system that applies criteria predetermined in accordance with immigration instructions may be used to:
  - i. rank an expression of interest
  - ii. process, grant, or refuse to grant an invitation to apply for a visa
  - iii. process an application for, grant (with or without conditions), or refuse to grant a visa
  - iv. process an application for, grant, or refuse to grant entry permission.
- b. An automated electronic system may be used to:
  - i. process, accept or refuse a request for an Electronic Travel Authority (E12)
  - ii. process, grant (with or without conditions), or refuse to grant an interim visa (I1)
  - iii. determine that requirements are met and grant a visitor visa (V2 or V3).
- c. For applications being processed in accordance with (b) above, where an immigration instruction specifically mentions an immigration officer an automated electronic system may meet that instruction instead.
- d. For applications being processed in accordance with (b) above, where an instruction mentions a specific paper form being provided, the equivalent online form can be submitted instead.

## E7.2 Automated processing and granting

See also Immigration Act 2009 s 28

### E7.2.1 Automated processing of temporary entry class visas

An automated electronic system may determine whether an applicant meets one or more of the requirements for a visitor visa under the following immigration instructions:

- V2 General visitor
- V3.5 Business visitor
- V3.25 Children entering New Zealand for adoption
- V3.30 Children adopted overseas before their New Zealand Citizenship is confirmed
- V3.35 Culturally arranged marriage
- V3.40 Entry to New Zealand for the purpose of medical treatment or consultation (and/or escorts of patients)
- V3.45 Applicants wanting to obtain occupational registration in New Zealand
- V3.50 Persons associated with a Contracting Party to the Antarctic Treaty and other Antarctic travellers
- V3.55 Visiting Media Programme
- V3.60 Pitcairn Islanders
- V3.65 Conference delegates
- V3.70 Crew members joining vessels for aircraft
- V3.80 Visitors arriving by yacht or private aircraft
- V3.81 Owners and crew of super yachts
- V3.85 Sports people, support staff, match and tournament officials and media and broadcasting personnel associated with sports events, tours or tournaments
- V3.95 German law students and graduates
- V3.115 Work visa holders dismissed during a trial period
- V3.130 Visiting academics
- V3.140 Approved arts or music festival
- V3.145 Short-term live entertainment acts
- V3.155 Persons departing New Zealand during COVID-19

### E7.2.5 Automated grant of temporary entry class visas

- a. An automated electronic system may grant a visitor visa to an applicant who meets the requirements under the following immigration instructions:
  - i. V2 General visitor
  - ii. V3.5 Business visitor
- b. Despite (a), an automated electronic system will not grant a temporary entry class visa to a person who:
  - i. has particular alerts or warnings; or
  - ii. does not appear to meet health or character requirements; or
  - iii. has an active appeal; or
  - iv. is liable for deportation; or
  - v. has an open case or appeal with the Deputy Secretary or the Minister; or
  - vi. is a student funded through the Ministry of Foreign Affairs and Trade or the New Zealand Scholarship Programme; or
  - vii. has compliance action underway; or
  - viii. holds a visa that has been granted because the Immigration and Protection Tribunal has ordered the grant of the visa under either section 210 or 216 of the Immigration Act 2009.
- c. In cases where (b) applies, a manual assessment of the identified area will be carried out, and the decision to grant or refuse to grant a visa will be made by an immigration officer.
- d. Where a decision is made by way of an automated electronic system that decision must for all purposes be treated as a decision of an immigration officer who is authorised to make the decision under the Immigration Act 2009.

## V2.20 Funds or sponsorship requirements

*See also Immigration Act 2009 s 48*

### Applicants for a visitor visa must have either:

- a. funds that will be genuinely available to the applicant for the duration of their visa to New Zealand of at least NZ\$1000 per month for maintenance and accommodation, or NZ\$400 per month if the accommodation has been prepaid; or
- b. sponsorship by a person, an organisation or a Government agency which meets generic sponsorship requirements set out at [E6.5](#).

### V2.20.1 Evidence of funds or sponsorship

- a. Evidence of sufficient funds includes, but is not limited to the following:
  - i. cash
  - ii. travellers' cheques
  - iii. bank drafts
  - iv. recognised credit or debit cards with sufficient credit available
  - v. (for group visas) certification from a reputable travel agency
  - vi. a bank statement showing funds in an account the applicant will have access to in New Zealand
  - vii. a letter of financial support from the applicant's employer or home government, if the applicant is travelling on business
- b. Sponsored applicants **or their sponsors** must provide **the relevant sponsor or supporting partners form**.
- c. Evidence of funds or sponsorship is not required if the applicant is applying on the basis being the partner or dependent child of:
  - i. a work visa holder whose income is sufficient (V2.20(a)) to provide maintenance and accommodation to the applicant; or
  - ii. a student visa holder where the student holds a scholarship that guarantees maintenance and accommodation to the family of the student.

### V2.20.5 Sufficient funds for maternity related services

In addition to V2.20 pregnant applicants for a visitor visa who are due to give birth while in New Zealand must provide evidence that they:

- a. have funds of at least NZ\$9,000 available to pay for maternity related services; or
- b. have sponsorship by a person, an organisation or a Government agency which meets generic sponsorship requirements set out at [E6.5](#), to cover maternity related services; or
- c. are eligible for publicly-funded maternity related services.



**Appendix 2: Amendments to general instructions effective from 13  
January 2022**

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## A16.3 General Instruction on manner of processing visas

### A16.3.1 Introduction and background

- a. Under section 26(4) of the Immigration Act 2009, the chief executive may give general instructions to immigration officers on the order and manner of processing any application, or specified classes of application. If such general instructions are given, an immigration officer must process an application in accordance with those instructions.
- b. The purpose of this general instruction is to set out the manner in which visa applications submitted using the enhanced Immigration Online system must be processed by immigration officers to enable automated processing.

**Note:** Enhancements are being made to INZ's Immigration Online system. This General Instruction applies to applications made using the enhanced system.

### A16.3.5 General Instruction on manner of processing visas using the Immigration Online system

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 manner of processing of visa applications using the Immigration Online system, effective from 31 January 2022

#### A16.3.10 Performing activities assigned by the enhanced Immigration Online system

- a. An immigration officer who is responsible for processing visas in the enhanced Immigration Online system will complete activities in the following manner:
  - i. An officer will accept activities in the general order in which they become available in their work dashboard; pending activities in the dashboard are anonymised (ie no details of the applicant are presented)
  - ii. An officer may only return activities unprocessed in limited circumstances (which include conflict of interest) and with the approval of their manager
  - iii. An officer is expected to focus on the specific activity, without considering the visa application as a whole or other activities already completed by the system, unless they consider this is necessary in the circumstances to complete the activity they are assessing
  - iv. The officer must process the activity through to completion, including carrying out further verification activity, or requesting verification be carried out by a verification officer. The officer must record the outcome "instruction met", "instruction not met" or "cancelled"
  - v. Where a specific activity requires the exercise of judgment or discretion in order to reach an outcome, for example a risk or bona fides assessment, the officer must record their reasons for reaching the outcome
  - vi. If the officer considers that a specific matter should be escalated to enable wider consideration of an application, then the officer should discuss this with their manager or a technical adviser. Examples of when this is warranted may include:
    - o Where high risk is identified
    - o Where false or misleading information may have been provided
- b. Where A16.3.10.a.vi applies, the manager may choose to manually allocate all activities within the application to a single officer.

**Note:** The activity-based manner of processing visas is designed to support efficient visa processing. Immigration officers may be assigned to one or more virtual teams based on their capability type, and other factors such as to manage volumes of work on hand at INZ.

### A16.3.15 Performing activities pertaining to final gathering of information, assessment and decision

- a. An immigration officer carrying out the final assessment of an application where one or more instructions were not met:
  - i. Will consider any activities where the system or an immigration officer determined that instructions were not met, or where concerns were raised by (an) immigration officer(s)
  - ii. Is not required to review any activities where the system or an immigration officer determined the instructions were met, but may do so if necessary or appropriate
  - iii. Will notify the applicant about any further information required, or any potentially prejudicial information (where applicable, in accordance with immigration instructions)
  - iv. Will apply principles of fairness and natural justice when considering any further information provided, or if the applicant fails to provide any further information when the timeframe for the provision of information has passed
  - v. Will consider whether an exception to instructions is required and appropriate
  - vi. May, but is not obligated to, consider whether the applicant meets the requirements to be granted a visa under a different category
  - vii. Will reach a final decision on the application and record reasons for the outcome.

**Note:** Where all activities have been completed, and where either some instructions are not met, concerns have been raised, or the visa is of a type that is not fully automated, the system will raise an activity for an officer to carry out a final assessment of an application where one or more instructions were not met. As part of this assessment, the immigration officer may request further information, or disclose potentially prejudicial information to the applicant before reaching a decision on the application.

### A16.3.20 Pre decision quality checks

- a. Where an activity is subject to a pre decision quality check, the immigration officer that carried out that activity should:
  - i. Give consideration to the intent and context of any advice given as a result of a quality check and carry out any rework that may be necessary
  - ii. Document any rework in a way that clearly identifies how the quality advice has been acted on
  - iii. Amend the outcome of the original assessment, if rework identifies that instructions are no longer met as originally assessed, or are met where previously assessed as not met.
- b. When all activities have been completed, the application will be finalised and notified.

**Note:** Some activities and applications will be selected for pre-finalisation quality checks.

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13 January 2022