



28 September 2023

**IMMIGRATION NEW ZEALAND INSTRUCTIONS: Amendment Circular No. 2023-35**

**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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### ***SR1 Skilled Residence Visas***

#### ***A16.1 General Instructions for the order of processing visa applications***

Changes have been made to general instructions to update the priority processing order for Skilled Residence applications which will take effect from 29 September 2023. This covers applications under Work to Residence, Straight to Residence and the Skilled Migrant Category.

Applications will be prioritised where:

- i. applicants are employed or have been offered employment in an occupation listed in Tier 1 of the Green List; or
- ii. applicants have an hourly rate equivalent to or higher than three times the median wage rate; or
- iii. for the Skilled Migrant Category, applicants qualify for six points without work experience.

Immigration instructions that prioritise all Green List Skilled Residence applications have been removed effective from 12 September 2023. The removal of these instructions will also be applied to Skilled Residence instructions that will be effective from 9 October 2023.

**Appendix 1: Amendments to Residence instructions effective on and after 12 September 2023**

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## **SR1 Skilled Residence Visas**

### **SR1.1 Overview**

- a. This chapter contains instructions for the grant of the following types of resident visas:
  - i. Skilled Residence: Green List Straight to Residence visa;
  - ii. Skilled Residence: Green List Work to Residence visa;
  - iii. Skilled Residence: Care Workforce Work to Residence visa; and
  - iv. Skilled Residence: Transport Sector Work to Residence visa.
- b. The Skilled Residence visas set out at (a) above are sub-categories of the Skilled Migrant Category.

**Appendix 2: Amendments to Residence instructions effective on and after 9 October 2023**

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## SR1 Skilled Residence Visas

### SR1.1 Overview

- a. This chapter contains instructions for the grant of the following types of resident visas:
  - i. Skilled Migrant Category (SR3);
  - ii. Green List: Straight to Residence (SR4);
  - iii. Green List: Work to Residence (SR5);
  - iv. Care Workforce: Work to Residence (SR6); and
  - v. Transport Sector: Work to Residence (SR7).
- b. The Skilled Residence visas set out at (a)(ii) to (v) above are sub-categories of the Skilled Migrant Category.

**Appendix 3: Amendments to general instructions effective on and after 29 September 2023**

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## A16.1 General Instructions for the order of processing visa applications

For the avoidance of doubt, general instructions are to be read alongside and subject to any immigration instructions specifically addressing order or manner of processing visa applications.

For the purposes of this general instruction, residence class visa applications are categorised in groups. Groups consist of either application types within a particular overarching policy, a category with different but associated visa policies, or specific applications that are grouped together in the Immigration New Zealand Operational Manual. Current groupings are found at A16.5.

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 29 September 2023:

All applications

- a. Applications of the same group should generally be processed in lodgement date order unless specified below.
- b. Within the Skilled Residence group, applications will be prioritised where:
  - i. applicants are employed or have been offered employment in an occupation listed in Tier 1 of the Green List; or
  - ii. applicants have an hourly rate equivalent to or higher than three times the median wage rate; or
  - iii. for the Skilled Migrant Category, applicants qualify for six points without work experience.

**Note:** The hourly rate equivalent to the median wage is set out in the applicable immigration instructions and may change. At the date of giving this General Instruction the hourly rate equivalent to three times the median wage is \$88.98 per hour or an annual salary of \$185,078.40. The current immigration instructions should be referred to when applying this General Instruction.

- c. Within the Family Residence group, Partnership and Dependent Child Family applications will be prioritised.
- d. Within the Refugee (and other special visas) Residence group, applications for the following permanent resident visas will be prioritised:
  - i. Christchurch response (2019)
  - ii. Afghan Emergency Resettlement Category
  - iii. Refugee and Protection Category
  - iv. Refugee Quota Family Reunification Category
  - v. Community Organisation Refugee Sponsorship Category Pilot.
- e. These instructions do not prevent immigration officers according urgency to the processing of any particular visa application when the individual circumstances so warrant that.

**Note:** Processing timeliness of applications generally, as well as those particular applications assigned priority over others in their group, will vary based on factors including resourcing, availability of relevantly trained immigration officers, system capacity, volumes, typical complexity of the application and can change depending on circumstances.

The prioritisation for allocation set out above does not affect the date the application is made. An application is made on the date the application is submitted in accordance with the applicable immigration regulations.

The previous General Instructions dated 16 March 2023 as to the order of processing of visa applications made under section 26(4) of the Immigration Act 2009, published at A16.1 of the *Immigration New Zealand Operational Manual*, are revoked.

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Immigration

19 September 2023