



1 April 2025

**IMMIGRATION NEW ZEALAND INSTRUCTIONS: Amendment Circular No. 2025-13**

**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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***A18 Immigration adviser acting on behalf of an applicant***

***E4.50.25 No acceptance of immigration applications or requests from unlicensed immigration advisers***

***R2.44 Additional requirements for an immigration adviser acting on behalf of an applicant***

Changes have been made to immigration instructions to reflect the following changes to sections 9 and 11 of the Immigration Advisers Licensing Act (IALA):

- Section 9 has been amended to require INZ to refuse any application accepted by an electronic system or in error put forward by an unlicensed immigration adviser, unless the immigration adviser is exempt from the requirement to be licensed under the Immigration Advisers Licensing Act 2007.
- Section 11 has been amended to include employees of lawyers and incorporated law firms as persons exempt from requiring licensing.

**Appendix 1: Amendments to Operational instructions effective on  
and after 4 April 2025**

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## A18 Immigration adviser acting on behalf of an applicant

*See also Immigration Advisers Licensing Act 2007 s 9*

No immigration application or request put forward on behalf of another person by an unlicensed immigration adviser may be accepted, unless the immigration adviser is exempt from the requirement to be licensed under the Immigration Advisers Licensing Act 2007.

### A18.1 Persons exempt from licensing

*See also Immigration Advisers Licensing Act 2007 s 11*

The following persons are exempt from the requirement to be licensed under the Immigration Advisers Licensing Act 2007:

- a. a person who provides immigration advice in an informal or family context only, where the advice is not provided systematically or for a fee;
- b. a Member of Parliament or their staff who provides immigration advice as part of their employment agreement;
- c. a foreign diplomat or consular staff accorded protection as such under the Diplomatic Privileges and Immunities Act 1968 or the Consular Privileges and Immunities Act 1971;
- d. an employee of the New Zealand public service who provides immigration advice within the scope of their employment agreement;
- e. a lawyer who holds a current practising certificate as a barrister or as a barrister and solicitor of the High Court of New Zealand **and employees of lawyers and incorporated law firms**;
- f. a person employed by or working as a volunteer for a New Zealand community law centre where at least one lawyer is on the employing body of the community law centre or is employed by or working as a volunteer for the community law centre in a supervisory capacity;
- g. a person employed by or working as a volunteer for a New Zealand citizens advice bureau; and
- h. a person who provided immigration advice offshore in relation to applications or potential applications for student visas only.

## **Appendix 2: Amendments to Temporary Entry instructions effective on and after 4 April 2025**

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#### **E4.50.25 No acceptance of immigration applications or requests from unlicensed immigration advisers**

*See also Immigration Advisers Licensing Act 2007 s 9*

- a. No immigration application or request put forward on behalf of another person by an unlicensed immigration adviser may be accepted, unless the immigration adviser is exempt from the requirement to be licensed under the Immigration Advisers Licensing Act 2007. **If an application or request is accepted automatically, in error, or for any other reason, the application must be refused.**
- b. Where an immigration application or request on behalf of another person is not accepted, **or is refused,** because it contravenes E4.50.25 (a) the relevant person or body must notify that person in writing of that fact, and advise the person as to how the application or request may be re-lodged or advanced in an acceptable manner.

**Appendix 3: Amendments to Residence instructions effective on  
and after 4 April 2025**

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## R2.44 Additional requirements for an immigration adviser acting on behalf of an applicant

*See also Immigration Advisers Licensing Act 2007 s 9*

No immigration application or request put forward on behalf of another person from an unlicensed immigration adviser may be accepted, unless the immigration adviser is exempt from the requirement to be licensed under the Immigration Advisers Licensing Act 2007. **If an application or request is accepted automatically, in error, or for any other reason, the application must be refused.**

### R2.44.1 Persons exempt from licensing

*See also Immigration Advisers Licensing Act 2007 s 11*

The following persons are exempt from the requirement to be licensed under the Immigration Advisers Licensing Act 2007:

- a. a person who provides immigration advice in an informal or family context only, where the advice is not provided systematically or for a fee;
- b. a Member of Parliament, or their staff, who provides immigration advice as part of their employment agreement;
- c. a foreign diplomat or consular staff accorded protection as such under the Diplomatic Privileges and Immunities Act 1968 or the Consular Privileges and Immunities Act 1971;
- d. an employee of the New Zealand public service who provides immigration advice within the scope of their employment agreement;
- e. a lawyer who holds a current practising certificate as a barrister or as a barrister and solicitor of the High Court of New Zealand **and employees of lawyers and incorporated law firms;**
- f. a person employed by or working as a volunteer for a New Zealand community law centre where at least one lawyer is on the employing body of the community law centre or is employed by or working as a volunteer for the community law centre in a supervisory capacity;
- g. a person employed by or working as a volunteer for a New Zealand citizens advice bureau; and
- h. a person who provides immigration advice offshore in relation to applications or potential applications for temporary entry class visas with conditions authorising study in New Zealand only.