

4 November 2015

**IMMIGRATION NEW ZEALAND INSTRUCTIONS: Amendment Circular No. 2015/09**

**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 at Appendix 1.

All immigration officers dealing with immigration applications should read the amendments and operate in accordance with the amended instructions on and after 3 November 2015.

**Note**

**The amendments described in this circular will be published in the Immigration New Zealand Operational Manual in due course.**

## **Changes to temporary entry instructions effective on and after 3 November 2015**

### **WK1.11 Essential skills visas for Filipino dairy workers who have provided false documents**

A new section of immigration instructions has been added to Essential Skills work visa instructions. The new section applies only to Filipino dairy workers who have provided false documents with a previous visa application. It allows for the grant of an Essential Skills work visa to these workers despite normal character requirements, provided they have not subsequently provided false information or withheld relevant information, and that they meet other Essential Skills criteria.

**APPENDIX 1: AMENDED IMMIGRATION INSTRUCTIONS EFFECTIVE ON AND AFTER  
3 NOVEMBER 2015**

### WK1.11 Essential skills visas for Filipino dairy workers who have provided false documents

- a. The intent of this section of Essential Skills instructions is:
  - i. to recognise that the dairy industry is of particular importance to the New Zealand economy, particularly in regional and rural New Zealand;
  - ii. to acknowledge significant levels of false and misleading information have been identified in previous work visa applications to work in the dairy industry; and
  - iii. to acknowledge that declining a large number of work visa applications for failing to meet the requirement to be of good character would have a detrimental effect on the dairy industry.
- b. These instructions apply to people who:
  - i. are nationals of the Philippines;
  - ii. are in New Zealand holding an Essential Skills work visa (or an interim visa based on holding an Essential Skills work visa at the time they made an application);
  - iii. are subject to [A5.45\(b\)](#) as an immigration officer has established that, on the balance of probabilities, in the course of applying for a New Zealand visa they provided any statement, information, evidence or submission that was false, misleading or forged;
  - iv. were granted an Essential Skills work visa to work on a dairy farm before 1 September 2015; and
  - v. are applying for a further Essential Skills work visa to work on a dairy farm.
- c. Despite the character requirement set out at [A5.45\(b\)](#) a person to whom (b) above applies may be granted an Essential Skills work visa if they:
  - i. have not subsequently withheld information or provided further false information to INZ, in particular with regard to the application in which they originally supplied false information; and
  - ii. meet all other criteria for the grant of an Essential Skills visa.