

31 March 2016

IMMIGRATION NEW ZEALAND INSTRUCTIONS: Amendment Circular No. 2016/02

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 in Appendix 1 and operate in accordance with the amended instructions on and after 1 April 2016.

All immigration officers dealing with immigration applications should read the amendments in Appendix 2 and operate in accordance with the amended instructions on and after 11 April 2016.

All immigration officers dealing with immigration applications should read the amendments in Appendix 3 and operate in accordance with the amended operational instructions on and after 11 April 2016.

Note

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

Any enquiries about these amendments should be directed to the Immigration Contact Centre on 0508 558 855 or 09 914 4100 (Auckland only).

Changes to both residence and temporary instructions effective on and after 1 April 2016

S1.10 Samoan Quota Scheme

S1.40 Pacific Access Category

V3.10 Partners and dependent children of student work visa holders

U8.20 Partners and dependent children of holders of work visas

Several of Immigration New Zealand's visa categories have provisions that require applicants to have a minimum level of income. These figures are based on New Zealand welfare benefits. On 1 April 2016, New Zealand benefit rates will increase because of routine annual adjustments made by Work and Income. The rates increases will affect the minimum level of income in the following ways:

- The provisions for the Samoan Quota Scheme and Pacific Access Category are based on the maximum Jobseeker Support and Accommodation Supplement. The combined increase will equate to a new minimum level of income of \$33,499.44 gross per annum for these categories.
- Under the Essential Skills and Religious Worker work visa categories, an applicant is required to have a minimum level of income if their dependants are staying in New Zealand with them on visitor or student visas. This minimum income requirement is based on the maximum Jobseeker Support and Accommodation Supplement rates, and the Family Tax Credit rate for one child. The combined increase will equate to a new minimum level of income of \$36,850.44 gross per annum for these categories.

All instructions listing minimum level of income figures will be adjusted in line with increases to benefits rates. Changes also clarify that persons previously removed or deported, currently subject to a period of prohibition on entry, cannot be included in a registration for the Samoan Quota Scheme or Pacific Access Category.

Changes to residence instructions effective on and after 11 April 2016

RV1.20 Determining the eligibility of non-principal applicants

RV1.25 Declining an application from former residence class visa holders

RV2.1 Who is not eligible for a permanent resident visa?

RV2.5 How do resident visa holders or former holders qualify for a permanent resident visa?

RV2.10 Permanent resident visas for holders of resident visas with investment conditions imposed under section 49(1)

RV3.1.1 Declining an application for a variation of travel conditions

RV4.1 Who is not eligible for a second or subsequent resident visa?

RV4.10 Determining an application for a second or subsequent resident visa

The chapter 'After the grant of a resident visa' contains immigration instructions governing the grant of a Permanent Resident Visa (PRV), Second or Subsequent Resident Visa (SSRV) or Variation of Travel Conditions on a resident visa (VOTC). Following a review of this chapter a

number of minor clarifications and amendments will be made:

- Aligning character requirement provisions for non-principal applicants under the Permanent Resident Visa (PRV) and Second or Subsequent Resident Visa (SSRV) categories with requirements for principal applicants,
- Adding a provision to *Who is not eligible for a permanent resident visa?* clarifying that absolute discretion as set out in s174 of the Immigration Act 2009 cannot be used to grant a permanent residence visa for people with suspended deportation liability
- Aligning SSRV requirements with Variation of Travel Conditions (VOTC) instructions by adding a provision that prevents the grant of a SSRV for applicants where s49(1) conditions have not been met
- Adding a s50 of the Immigration Act 2009 reference to relevant provisions that provides the Minister or delegated officials the ability to impose conditions on residence class visas as an exception to instructions.
- Deleting cross references under RV1.25 as they are not needed and could create confusion as to the intent of the instruction.
- A provision concerning people not normally eligible for a PRV or SSRV is moved out of the sections *RV2.1 Who is not eligible for a permanent resident visa?* and *RV4.1 Who is not eligible for a second or subsequent resident visa?* to RV2.5 and RV4.10.

Changes to temporary instructions effective on and after 11 April 2016

WS2 Specific purpose or events

WS4 Currency of specific purpose or event visa

E3.25.1 Varying the conditions of temporary entry class visas

BH8 Temporary visa to allow processing of an Entrepreneur Residence Visa application

In order to provide a legitimate means for Entrepreneur applicants to remain lawfully in New Zealand while their residence application is assessed, a provision will be added to the *Specific Purpose or Events* instructions allowing a temporary work visa valid for up to nine months to be granted to Entrepreneur applicants who wish to continue to operate their business while the Entrepreneur Residence application is decided. Partners and dependent children will be eligible for matching visas under generic instructions.

The opportunity has also been taken to make a number of minor amendments to Specific Purpose or Event Instructions:

- clarify that although the maximum visa duration for sports players is 12 months, visas should only be granted for the duration of the job offer,
- include a cross reference to the generic requirements for job offers to make clear that job offers under specific purpose must meet standard requirements, such as being genuine and sustainable, and include information such as a description of duties, qualifications required and pay and conditions,
- align the currency of work visas that principal applicants under the Migrant Investment Instructions can be granted with what is described in the investor instructions
- align the currency of work visas for installers and servicers of machinery with New Zealand's commitments under the General Agreement on Trade in Services.

Changes to both residence and temporary instructions effective on and after 11 April 2016

RA9 Applications For Residence Class Visas

These instructions will be amended to remove reference to United Nations Sanctions (Iran) Regulations 2010 reg 25 and replaced with reference to United Nations (Iran—Joint Comprehensive Plan of Action) Regulations 2016 reg 32 which came into force on 19 February 2016. The new regulations give effect to resolution 2231 (2015) of the Security Council of the United Nations.

Appendix 4 - Long Term Skills Shortages list

The Long Term Skill Shortage List (LTSSL) in Appendix 4 will be amended to remove two occupations that are no longer in shortage (*Social Worker* and *Statistician (Fisheries Modeller)*).

The qualification and experience requirements for occupations on the LTSSL will be amended to update and clarify the qualifications needed under the LTSSL, such as replacing outdated qualifications.

Miscellaneous changes

A number of minor amendments correct or clarify immigration instructions, as follows:

- Add children of New Zealand citizens to the list of primary and secondary school domestic students who must hold a visa with study conditions, to align with the Education (Domestic Student) Notice 2013,
- Correct cross-referencing and grammatical errors within *BJ8.10 Resident visas subject to conditions under section 49(1) of the Immigration Act*,
- Align instructions for dependent children within the Refugee Quota Family Reunification Category with the generic instructions at *R2.1.30 Definition of 'dependent child'*,
- Correct an error within *BB2.1 Entrepreneur Work Visas* where outdated instructions were inadvertently recertified during the 7 December 2015 release, and also correct a spelling error,
- Remove a reference to the revoked *Immigration (Visa, Entry Permission, and Related Matters) Regulations 2010 reg 12* within *A5.5 Character checks*,
- Update instructions under *WK3 Applicants with specialist skills identified as contributing to New Zealand's economic development* to refer to the correct ministries or groups
- Correct a cross-referencing error at *F4.40.25.1(a)* with reference to the minimum income requirement for Parent Category sponsors.
- Correct an error at *S4.20.5(c)* with reference to *R2.1.30 Definition of 'dependent child'*

Changes to operational instructions effective on and after 11 April 2016

E3.35 Further temporary visas

D7.45 Exploitation of unlawful employees and temporary workers

Under Section 351 of the Immigration Act 2009 it is an offence for an employer to exploit an unlawful worker or temporary worker in this service. To reflect the amendments made to this section in 2015 the relevant provisions within the INZ Operational Manual have been updated.

Migrant workers are recognised as a vulnerable section of the workforce and as such are often reluctant to come forward and report exploitative practices by employers. To support such workers an opportunity has been taken to clarify INZ's approach to the treatment of applicants seeking a further visa who have made a claim of worker exploitation, or had a claim assessed as genuine by Immigration New Zealand under E3.35 Further Temporary Visas.

**APPENDIX 1: AMENDED IMMIGRATION INSTRUCTIONS EFFECTIVE ON AND AFTER
1 APRIL 2016**

S1.10 Samoan Quota Scheme

S1.10.1 Objective

The Samoan Quota Scheme allows up to 1,100 Samoan citizens to be granted a resident visa each year. The total number of Samoan citizens approved under this category includes principal applicants, their partners and dependent children.

S1.10.5 Criteria for a resident visa

- a. To qualify for a resident visa under the Samoan Quota Scheme, the principal applicant must:
 - i. be a Samoan citizen (having been born in Samoa or born overseas to a Samoan citizen who was born in Samoa); and
 - ii. be either in Samoa or lawfully in New Zealand at the time their application for a resident visa is made; and
 - iii. have their registration drawn from the Samoan Quota Scheme pool; and
 - iv. lodge their application for a resident visa under the Samoan Quota Scheme within eight months of written advice from INZ that their registration has been drawn from the Samoan Quota Scheme pool; and
 - v. have been aged between 18 and 45 (inclusive) at the registration closing date; and
 - vi. have an acceptable offer of employment, or have a partner included in the application who has an acceptable offer of employment (see S1.10.30 below); and
 - vii. (if they have dependent children) meet the minimum income requirement (see S1.10.35 below); and
 - viii. meet a minimum level of English language ability (see S1.10.45 below); and
 - ix. meet health and character requirements (see [A4](#) and [A5](#)).
- b. Partners and dependent children of the principal applicant who are included in the resident visa application must also meet health and character requirements for a resident visa (see [A4](#) and [A5](#)).
- c. An immigration officer may extend the eight month timeframe referred to in paragraph (a)(iv) if the officer believes the special circumstances of the applicant justify such an extension.
- d. An Assistant General Manager, Visa Services may extend the eight month timeframe referred to in paragraph (a)(iv) in relation to a class of applicants if the Assistant General Manager believes the special circumstances of the class of applicants justify such an extension.

S1.10.10 Registration process for principal registrants

- a. Principal registrants may register for entry into the Samoan Quota pool within a set registration period. The dates of the registration period will be announced each year prior to the registration opening.
- b. Principal registrants must be aged between 18 and 45 (inclusive) at the registration closing date for their registration to be accepted into the ballot.
- c. Registrations must be made on the appropriate registration form for the Samoan Quota Scheme.
- d. Registrations must be submitted during the registration period to the appropriate receiving office specified in the appropriate registration guide for the Samoan Quota Scheme.
- e. Registrations will be accepted for entry into the ballot only if they are fully completed, signed by the principal registrant, and accompanied by any documents or evidence specified as required by the registration form.
- f. Any **person** included in a registration must either:
 - i. be in New Zealand lawfully at the time the registration is made; or
 - ii. be offshore at the time the registration is made.
- g. Any **person** who has **previously overstayed** in New Zealand, but has **departed voluntarily**, and **is not subject to** a removal order or period of prohibition on entry, can register under the Samoan Quota Scheme.

S1.10.10.1 Definition of 'principal registrant'

The principal registrant is the person who is declared to be the principal registrant on the registration application form and who intends to be the principal applicant of any resulting resident visa application.

S1.10.15 Inclusion in registration of immediate family members of the principal registrant

- a. Where the principal registrant has a partner and/or dependent children all of those people must be included in the registration.
- b. If a registration is successful in the pool draw, only a partner and/or dependent children included in the registration may be included in the resulting application for a resident visa under the Samoan Quota Scheme. This limitation applies despite [R2.1](#) concerning the inclusion of family members in an application.
- c. Any partner and/or dependent children who were eligible for inclusion in the registration but were not included must not subsequently be granted a residence class visa under the Partnership or Dependent Child Categories.
- d. Despite (b) and (c) above, a partner or dependent child who was included in the registration but not in the resulting application for a resident visa may be granted a residence class visa as a principal applicant under the Partnership or Dependent Child Categories.
- e. Notwithstanding (b) above, in the event an applicant includes any partner and/or dependent child in their application who was not included in their registration, officers should allow the principal applicant an opportunity to explain the non-declaration in accordance with [R5.15](#) before applying the limitation referred to in (b).
- f. Where a person is not eligible to be included at the time of registration but is eligible at the time of the application for a resident visa (e.g. in the case of a newborn child), they may be included in the resident visa application provided [R2.1](#) is met.

S1.10.20 Number of registrations that may be lodged

Registrants must lodge (or be included in) only one registration within the registration period. If a registration is lodged that includes registrants who are already included in a registration accepted by INZ, the subsequent registration(s) will not be accepted.

S1.10.25 Selection process following closure of registration

- a. As soon as practicable following the closure of the registration period, INZ will conduct an electronic draw.
- b. Registrations will be randomly drawn from the pool until the appropriate number of potential applicants to fill the number of available places within the annual period has been drawn.
- c. Principal registrants whose registrations have been drawn from the pool will be notified by INZ in the month following the draw that their registration has been successful, and will be invited to lodge an application for a resident visa under the Samoan Quota Scheme at the appropriate receiving office of INZ not more than eight months after the date of that advice.

S1.10.30 Acceptable offers of employment

- a. Acceptable offers of employment may be in either a skilled or unskilled occupation but must be for on-going and sustainable employment. On-going and sustainable employment is:
 - i. an offer of employment or current employment with a single employer which is permanent, or indefinite, and of which the employer is in a position to meet the terms specified; or
 - ii. an offer of employment or current employment, with a single employer for a stated term of at least 12 months.

Note: When assessing whether employment is sustainable, officers may consider, but are not limited to, such factors as the residence status of the employer, the period for which the employing organisation has been established as a going concern, and the financial sustainability of the employing organisation.

Where an offer of employment or current employment is for a stated term of at least 12 months, the stated term must be valid both at the time the application is lodged and when the application is decided, in particular:

- ~ if the applicant has current employment, he or she must be in that employment, or
- ~ if the applicant has an offer of employment, the offer must continue to be valid.

- b. Acceptable offers of employment must also be:
 - i. for full-time employment (employment is full-time if it amounts to, on average, at least 30 hours per week) unless S1.10.35.1 (c) applies; and
 - ii. current at the time of assessing the application and at the time of grant of the visa; and
 - iii. genuine; and
 - iv. for a position that is paid by salary or wages (ie, positions of self-employment, payment by commission and/or retainer are not acceptable); and
 - v. accompanied by evidence of professional or technical registration if this is required by law to take up the offer; and
 - vi. compliant with all relevant employment law in force in New Zealand.

- c. An acceptable offer of employment must be from an employer who complies with all relevant employment and immigration law in force in New Zealand. Compliance with relevant New Zealand employment and immigration law will be assessed on the basis of past and current behaviour, and includes, but is not limited to:
 - i. paying employees no less than the applicable minimum wage rate; and
 - ii. meeting holiday and leave entitlements and other minimum statutory requirements; and
 - iii. meeting occupational safety and health obligations; and
 - iv. only employing people who are entitled to work in New Zealand.
- d. For the purposes of S1.10.30(a) (ii), INZ must be satisfied that the employer:
 - i. has genuine reasons based on reasonable grounds for specifying that the employment is for a stated term; and
 - ii. has advised the employee of when or how their employment will end and the reasons for their employment ending; and
 - iii. is in a position to meet the terms specified.
- e. 'Genuine reasons' for the purposes of [SM7.15\(c\)\(i\)](#) do not include reasons:
 - i. that exclude or limit the rights of a person under employment law; or
 - ii. to determine the suitability of a person for permanent or indefinite employment.

Note: In order to meet employment law, employment agreements that are for a stated term must specify in writing the way in which the employment will end and the reasons for ending the employment.
- f. If the principal applicant has dependent children, the offer of employment must also meet the minimum income requirement set out at S1.10.35 below.

S1.10.35 Minimum income requirement

- a. Principal applicants with dependent children must show that they will meet the minimum income requirement if they come to New Zealand, which is intended to ensure they can support themselves and their dependent children.
- b. The gross minimum income requirement is NZ\$**33,499.44**. This is based on the Unemployment Benefit (married and civil union rate) plus the maximum Accommodation Supplement (as set by the New Zealand Government).
- c. The minimum income requirement must be derived from an acceptable offer of employment - see S1.10.30.

S1.10.35.1 Ability to include partner's income as part of the minimum income requirement

- a. If both the principal applicant and their partner included in their application have an acceptable offer of employment in New Zealand, both of their wages or salaries may be taken into account when determining if the minimum income requirement is met.
- b. In such cases the partner's employment and income will only be taken into account if, at the time the application is assessed, an immigration officer is satisfied the principal applicant and partner have been living together for 12 months or more in a partnership that is genuine and stable (see [R2.1.15.1\(b\)](#) and [R2.1.15.5\(a\)\(i\)](#)).
- c. Where the employment (and income) of both the principal applicant and their partner is used to meet the minimum income requirement, both offers of employment must meet all the requirements in S1.10.30 except that only one has to meet the requirement that the offer be for full-time employment.

S1.10.40 Evidence of employment offer

- a. Evidence of an offer of employment is original or certified copies of the following documents:
 - i. a written offer of employment; and
 - ii. a detailed job description; and
 - iii. an employment agreement entered into by the employer and the principal applicant, stating:
 - o the terms of employment; and
 - o the hours of work; and
 - o the period during which employment may begin.
- b. Additional evidence may include, but is not limited to:
 - i. any information requested by INZ; and
 - ii. the results of any verification undertaken by INZ; and
 - iii. information from the employer or recruitment agency.

S1.10.45 Minimum English language requirement

The interviewing immigration officer determines whether principal applicants meet the minimum English language requirement by assessing whether they are able to:

- a. read English; and
- b. understand and respond to questions in English; and
- c. maintain an English language conversation about themselves, their family or their background.

S1.10.50 Determining applications

- a. The immigration officer must sight the original job offer and verify that it is genuine and current by checking:
 - i. directly with the employer; or
 - ii. through the nearest office of INZ to the employer in New Zealand; or
 - iii. by some other appropriate arrangement.
- b. The immigration officer must then assess the applicant's English language ability against the criteria at S1.10.45 above.

S1.10.55 Grant of visas

- a. If an application for a resident visa under the Samoan Quota Scheme is approved and the applicant is in New Zealand lawfully, a resident visa will be granted.
- b. If an application for a resident visa under the Samoan Quota Scheme is approved and the applicant is in Samoa, the principal applicant will be granted with a resident visa with travel conditions allowing first entry within three months, while the partner and dependent children will be granted resident visas with travel conditions allowing first entry within 12 months.

S1.40 Pacific Access Category

S1.40.1 Objective

The Pacific Access Category allows up to 250 citizens of Fiji, 250 citizens of Tonga, 75 citizens of Tuvalu, and 75 citizens of Kiribati to be granted residence class visas in New Zealand each year. The total number of individuals approved under each category includes principal applicants, their partners and dependent children.

S1.40.5 Criteria for a resident visa

- a. To qualify for a resident visa under the Pacific Access Category, the principal applicant must:
 - i. be a citizen of Fiji, Tonga, Tuvalu, or Kiribati; and
 - ii. have their Pacific Access Category registration drawn from the relevant Fiji, Tonga, Tuvalu, or Kiribati pool of the Pacific Access Category; and
 - iii. lodge their application for a resident visa under the Pacific Access Category within eight months of written advice from INZ that their registration has been drawn from the relevant Fiji, Tonga, Tuvalu, or Kiribati pool of the Pacific Access Category; and
 - iv. have been aged between 18 and 45 (inclusive) at the registration closing date; and
 - v. have an acceptable offer of employment or have a partner, included in the application, who has an acceptable offer of employment (see S1.40.30 below); and
 - vi. (if they have dependent children) meet the minimum income requirement set out at S1.40.35 below; and
 - vii. meet a minimum level of English language ability (see S1.40.45 below); and
 - viii. meet health and character requirements (see [A4](#) and [A5](#)).
- b. Principal applicants who are citizens of Fiji:
 - i. must be either in Fiji or lawfully in New Zealand at the time their application under the Pacific Access Category is made; and
 - ii. must have been born in Fiji or born overseas to a Fijian citizen who was born in Fiji.
- c. Principal applicants who are citizens of Tonga:
 - i. must be either in Tonga or lawfully in New Zealand at the time their application under the Pacific Access Category is made; and
 - ii. must have been born in Tonga or born overseas to a Tongan citizen who was born in Tonga.
- d. Principal applicants who are citizens of Kiribati:
 - i. must be either in Kiribati or Fiji or lawfully in New Zealand at the time their application under the Pacific Access Category is made; and
 - ii. must have been born in Kiribati or born overseas to a Kiribati citizen who was born in Kiribati.
- e. Principal applicants who are citizens of Tuvalu:
 - i. must be either in Tuvalu or Fiji or lawfully in New Zealand at the time their application under the Pacific Access Category is made; and
 - ii. must have been born in Tuvalu or born overseas to a Tuvaluan citizen who was born in Tuvalu.
- f. Partners and dependent children included in applications under the Pacific Access Category must also meet health and character requirements (see [A4](#) and [A5](#)).
- g. An immigration officer may extend the eight-month timeframe referred to in paragraph (a)(iii) if the officer believes the special circumstances of the applicant justify such an extension.
- h. An Assistant General Manager, Visa Services may extend the eight-month timeframe referred to in paragraph (a)(iii) in relation to a class of applicants if the Assistant General Manager believes the special circumstances of the class of applicants justify such an extension.

S1.40.10 Registration process for principal registrants

- a. Principal registrants may register for entry into the relevant Fiji, Tonga, Tuvalu, or Kiribati pool of the Pacific Access Category within a set registration period. The dates of the registration period will be announced each year prior to the registration opening.
- b. Principal registrants must be aged between 18 and 45 (inclusive) at the registration closing date for their registration to be accepted into the ballot.
- c. Registrations must be made on the appropriate registration form for the Pacific Access Category.
- d. Registrations must be submitted during the registration period to the appropriate receiving office specified on the Pacific Access Category registration guide applicable to the country.
- e. Registrations will be accepted for entry into the ballot only if they are fully completed, signed by the principal registrant, submitted together with the appropriate fee and accompanied by any documents or evidence as required by the registration form.

- f. Any **person** included in a registration must either:
 - i. be in New Zealand lawfully at the time the registration is made; or
 - ii. be offshore at the time the registration is made.
- g. Any **person** who has **previously overstayed in New Zealand, but has departed voluntarily, and is not subject to a removal order or period of prohibition on entry**, can register under the Pacific Access Category.

S1.40.10.1 Definition of 'principal registrant'

The principal registrant is the person who is declared to be the principal registrant on the registration application form and who intends to be the principal applicant of any resulting residence class visa application.

S1.40.15 Inclusion in registration of immediate family members of the principal registrant

- a. Where the principal registrant has a partner and/or dependent children all of those people must be included in the registration.
- b. If a registration is successful in the pool draw, only a partner and/or dependent children included in the registration may be included in the resulting application for a resident visa under the Pacific Access Category. This limitation applies despite [R2.1](#) concerning the inclusion of family members in an application.
- c. Any partner and/or dependent children who were eligible for inclusion in the registration but were not included must not subsequently be granted a residence class visa under the Partnership or Dependent Child Categories.
- d. Despite (b) and (c) above, a partner or dependent child who was included in the registration but not in the resulting application for a resident visa may be granted a residence class visa as a principal applicant under the Partnership or Dependent Child Categories.
- e. Notwithstanding (b) above, in the event an applicant includes any partner and/or dependent child in their application who was not included in their registration, officers should allow the principal applicant an opportunity to explain the non-declaration in accordance with [R5.15](#) before applying the limitation referred to in (b).
- f. Where a person is not eligible to be included at the time of registration but is eligible at the time of the application for a resident visa (e.g. in the case of a newborn child), they may be included in the resident visa application provided [R2.1](#) is met.

S1.40.20 Number of registrations that may be lodged

Registrants must lodge (or be included in) only one registration within the registration period. If a registration is lodged that includes registrants who are already included in a registration accepted by INZ, the subsequent registration(s) will not be accepted.

S1.40.25 Selection process following closure of registration

- a. INZ will conduct an electronic draw as soon as practicable after the closure of the registration period.
- b. Registrations will be randomly drawn from the pool of registrations, until the appropriate number of potential registrants to meet the various quotas of available places within the annual period has been drawn.
- c. Principal registrants whose registrations have been drawn from the various pools will be notified by INZ in the month following the draw that their registration has been successful and that they must lodge a full application under the Pacific Access Category to the appropriate receiving office of INZ not more than eight months after the date of that advice.
- d. Principal registrants who are unsuccessful in the registration process within a particular registration period are able to re-register within subsequent registration periods at a reduced fee.

S1.40.30 Acceptable offers of employment

- a. Acceptable offers of employment may be in either a skilled or unskilled occupation but must be for on-going and sustainable employment. On-going and sustainable employment is:
 - i. an offer of employment or current employment with a single employer which is permanent, or indefinite, and of which the employer is in a position to meet the terms specified; or
 - ii. an offer of employment or current employment, with a single employer for a stated term of at least 12 months.

Note: When assessing whether employment is sustainable, officers may consider, but are not limited to, such factors as the residence status of the employer, the period for which the employing organisation has been established as a going concern, and the financial sustainability of the employing organisation.

Where an offer of employment or current employment is for a stated term of at least 12 months, the stated term must be valid both at the time the application is lodged and when the application is decided, in particular:

- ~ if the applicant has current employment, he or she must be in that employment, or
- ~ if the applicant has an offer of employment, the offer must continue to be valid.

- b. Acceptable offers of employment must also be:
- i. for full-time employment (employment is full-time if it amounts to, on average, at least 30 hours per week) unless S1.40.35.1 (c) applies; and
 - ii. current at the time of assessing the application and at the time of grant the visa; and
 - iii. genuine; and
 - iv. for a position that is paid by salary or wages (ie, positions of self-employment, payment by commission and/or retainer are not acceptable); and
 - v. accompanied by evidence of professional or technical registration if this is required by law to take up the offer; and
 - vi. compliant with all relevant employment law in force in New Zealand.
- c. An acceptable offer of employment must be from an employer who complies with all relevant employment and immigration law in force in New Zealand. Compliance with relevant New Zealand employment and immigration law will be assessed on the basis of past and current behaviour, and includes, but is not limited to:
- i. paying employees no less than the applicable minimum wage rate; and
 - ii. meeting holiday and leave entitlements and other minimum statutory requirements; and
 - iii. meeting occupational safety and health obligations; and
 - iv. only employing people who are entitled to work in New Zealand.
- d. For the purposes of S1.40.30(a)(ii), INZ must be satisfied that the employer:
- i. has genuine reasons based on reasonable grounds for specifying that the employment is for a stated term; and
 - ii. has advised the employee of when or how their employment will end and the reasons for their employment ending; and
 - iii. is in a position to meet the terms specified.
- e. 'Genuine reasons' for the purposes of [SM7.15\(c\)\(i\)](#) do not include reasons:
- i. that exclude or limit the rights of a person under employment law; or
 - ii. to determine the suitability of a person for permanent or indefinite employment.
- Note:** In order meet employment law, employment agreements that are for a stated term must specify in writing the way in which the employment will end and the reasons for ending the employment.
- f. If the principal applicant has dependent children, the offer of employment must also meet the minimum income requirement set out at S1.40.35 below.

S1.40.35 Minimum income requirement

- a. Principal applicants with dependent children must show that they will meet the minimum income requirement if they come to New Zealand, which is intended to ensure they can support themselves and their dependent children.
- b. The gross minimum income requirement is NZ\$33,499.44. This is based on the Unemployment Benefit (married and civil union rate) plus the maximum Accommodation Supplement (as set by the New Zealand Government).
- c. The minimum income requirement must be derived from the acceptable offer of employment - see S1.40.30.

S1.40.35.1 Ability to include the partner's income as part of the minimum income requirement

- a. If both the principal applicant and their partner included in their application have an acceptable offer of employment in New Zealand, both of their wages or salaries may be taken into account when determining if the minimum income requirement is met.
- b. In such cases the partner's employment and income will only be taken into account if, at the time the application is assessed, an immigration officer is satisfied the principal applicant and partner have been living together for 12 months or more in a partnership that is genuine and stable (see [R2.1.15.1\(b\)](#) and [R2.1.15.5\(a\)\(i\)](#)).
- c. Where the employment (and income) of both the principal applicant and their partner is used to meet the minimum income requirement, both offers of employment must meet all the requirements in S1.40.30, except that only one has to meet the requirement that the offer be for full-time employment.

S1.40.40 Evidence of employment offer

- a. Evidence of an offer of employment is original or certified copies of the following documents:
 - i. a written offer of employment; and
 - ii. a detailed job description; and
 - iii. a letter from the employer stating whether or not any occupational registration is required by law for the principal applicant to take up the position; and
 - iv. an employment agreement entered into by the employer and the principal applicant, stating:
 - o the terms of employment; and
 - o the hours of work; and
 - o the period during which employment may begin.
- b. Additional evidence may include, but is not limited to:
 - i. any information requested by INZ; and
 - ii. the results of any verification undertaken by INZ; and
 - iii. information from the employer or recruitment agency.

S1.40.45 Minimum English language requirement

Immigration officers determine whether principal applicants meet the minimum English language requirement by assessing whether they are able to:

- a. read English; and
- b. understand and respond to questions in English; and
- c. maintain an English language conversation about themselves, their family or their background.

S1.40.50 Determining applications

- a. Immigration officers must sight the original job offer and verify that it is genuine and current by checking:
 - i. directly with the employer; or
 - ii. through the nearest office of INZ to the employer in New Zealand; or
 - iii. by some other appropriate arrangement.
- b. Immigration officers must assess the applicant's English language ability against the criteria at S1.40.45 above.

S1.40.55 Grant of visas

- a. If an application for a resident visa under the Pacific Access Category is approved and the applicant is in New Zealand lawfully, a resident visa will be granted.
- b. If an application for a resident visa under the Pacific Access Category is approved and the applicant is in Fiji, Tonga, Kiribati, or Tuvalu, the principal applicant will be granted a resident visa with travel conditions allowing first entry within three months, while the partner and dependent children will be granted resident visas with travel conditions allowing first entry within 12 months.

U8.20 Dependent children of holders of work visas

- a. Dependent children (see [E4.1](#)) of work visa holders who wish to study in New Zealand may be granted student visas unless the work visa holder has been granted a work visa under any one of the following categories:
 - i. Foreign crew of fishing vessels (see [WJ](#)); or
 - ii. Recognised Seasonal Employer (RSE) Work instructions (see [WH1](#)); or
 - iii. Supplementary Seasonal Employment (SSE) instructions (see [WH3](#)); or
 - iv. Silver Fern Job Search Instructions (see [WL2](#)); or
 - v. Skilled Migrant Category Job Search Instructions (see [WR5](#)); or
 - vi. Working Holiday Scheme instructions (see [W12](#)); or.
 - vii. domestic staff of diplomatic, consular or official staff (see [W14](#)).
- b. Dependent children of work visa holders as defined in (a) above are regarded as domestic students (see [U3.35](#)) for the purpose of all tuition fees at primary and secondary schools for the period of the parent's work visa.
- c. Dependent children (see [E4.1](#)) of work visa holders may be granted student visas without the need to produce evidence of enrolment.
- d. Guarantees of accommodation and/or maintenance for dependent children may be waived provided this is covered by the income of the work visa holder parent or by evidence of funds or guarantees submitted with the work visa application of the parent (see [W2.15](#)).
- e. Dependent children of people granted work to residence visas must meet health and character requirements for residence class visa applications as set out at [A4](#) and [A5.15](#) to [A5.25](#).
- f. Despite (a)(v) dependent children of Skilled Migrant Category (SMC) Job Search visa holders may be granted student visas if the related SMC application was under consideration on or before 24 July 2011.

U8.20.1 Dependent children of Essential Skill work visa holders

See also Immigration Act 2009 ss 56, 157

- a. Dependent children (see [E4.1.10](#)) of holders of work visas granted under the Essential Skills work instructions ([WK](#)) after 30 November 2009 will only be granted a student visa if their parent(s) meet a minimum income threshold.
- b. The minimum income threshold is NZ\$**36,850.44** gross per annum and must be met and maintained wholly by the salary or wages of a parent or parents holding an Essential Skills work visa.
- c. Evidence must be provided of the Essential Skills work visa holder's current salary or wages to satisfy an immigration officer that the applicant's parent(s) meet the minimum income threshold.
- d. Despite (b) above, dependent children of Essential Skills work visa holders whose parents have an application being considered under the Samoan Quota or Pacific Access Category must meet the minimum income requirements of those instructions (see [S1.10.35](#) or [S1.40.35](#)) to be eligible for a student visa under these instructions.
- e. Dependent children are not required to be assessed against the Essential Skills minimum income threshold if their parent(s):
 - i. have held any temporary work visa before 30 November 2009; and
 - ii. have remained on a valid visa from 30 November 2009 until the date of the dependent child's application under U8.20.
- f. If a visa application is declined under these instructions and the dependent child becomes unlawful the parent(s) may become liable for deportation.
- g. If the parent(s) do not maintain the minimum income threshold for the duration of their or their dependent child's visa both the parent(s) and child may become liable for deportation.

Note: Where both parents hold Essential Skills work visas, their income may be combined to meet the minimum income threshold.

U8.20.5 Dependent children of work visa holders under Religious Worker instructions

See also Immigration Act 2009 ss 56, 157

- a. Dependent children of a holder of a work visa under Religious Worker instructions ([WM](#)) will only be granted a student visa if the:
 - i. minimum income threshold is met by the Religious Worker visa holder and their partner; or
 - ii. religious organisation sponsoring the principal applicant agrees to sponsor the dependent children.
- b. Under (a)(i) above:

- i. the minimum income threshold is NZ\$36,850.44 gross per annum; and
- ii. the minimum income threshold must be met and maintained by the salary, wages or a stipend received by the Religious Worker visa holder and their partner; and
- iii. evidence must be provided of the current salary, wages or stipend of the Religious Worker visa holder and their partner; and
- iv. if a visa application is declined under these instructions and the dependent child becomes unlawful the parents may become liable for deportation; and
- v. if the parents do not maintain the minimum income threshold for the duration of their visa or their dependent child's visa, both the child and the parents may become liable for deportation.

Note: The income of both parents may be combined to meet the minimum income threshold.

V3.10 Partners and dependent children of student or work visa holders

Subject to the provisions of [E4.5](#):

- a. Partners (see [E4.1.20](#)) of student or work visa holders may be granted visitor visas if that type of visa is appropriate to their needs for the currency of the partner's visa.
- b. Dependent children (see [E4.1.10](#)) of student or work visa holders may be granted visitor visas if that type of visa is appropriate to their needs for the currency of the parent's visa.
- c. Despite (a) and (b) above, partners and dependent children of the following persons are not eligible for the grant of a visa under these instructions:
 - i. people granted a work visa under the instructions for Foreign Crew of Fishing Vessels (see [WJ](#)); or
 - ii. people granted a work visa under the instructions for Recognised Seasonal Employer (RSE) (see [WH1](#)); or
 - iii. persons granted a work visa under the instructions for Supplementary Seasonal Employment (SSE) (see [WH3](#)); or
 - iv. persons granted a work visa under the Silver Fern Job Search Instructions ([WL2](#)); or
 - v. persons granted a work visa under the Skilled Migrant Category Job Search Instructions (see [WR5](#)); or
 - vi. persons granted a work visa under a Working Holiday Scheme (see [W12](#)); or
 - vii. persons granted a work visa as a domestic staff member of diplomatic, consular or official staff (see [W14](#)).
- d. Partners and dependent children of people granted work to residence visas must meet health and character requirements for residence class visa applications as set out at [A4](#) and [A5.15](#) to [A5.25](#).
- e. Despite (c) (v) partners or dependent children of Skilled Migrant Category (SMC) Job Search visa holders may be granted visitor visas if the related SMC application was under consideration on or before 24 July 2011.

V3.10.1 Dependent children of Essential Skills work visa holders

- a. A dependent child of a holder of a work visa granted under the Essential Skills work instructions ([WK](#)) after 30 November 2009 will only be granted a visitor visa if the minimum income threshold is met.
- b. Despite (a) above, dependent children born in New Zealand after 30 November 2009 will not be tested against the threshold until their parent(s) next applies for an Essential Skills work visa.
- c. Despite (a) and (b) above, the minimum income threshold does not apply if the dependent child's parent(s):
 - i. have held any temporary work visa before 30 November 2009; and
 - ii. have remained on a valid visa from 30 November 2009 until the date of the dependent child's application under V3.10.

V3.10.5 Minimum income threshold

- a. The minimum income threshold is NZ\$**36,850.44** gross per annum.
- b. The minimum income threshold must be met and maintained wholly by the salary or wages of a parent or parents holding an Essential Skills work visa.
- c. Evidence must be provided of the Essential Skills work visa holder's current salary or wages.
- d. Despite (a) above, if the dependent child is included in a Samoan Quota or Pacific Access Category application, the minimum income threshold is the amount specified in Samoan Quota or Pacific Access Category instructions.
- e. If a visa application is declined under these instructions and the dependent child becomes unlawful the parent(s) may become liable for deportation.
- f. If the parent(s) do not maintain the minimum income threshold for the duration of their or their dependent child's visa, both the child and the parent(s) may become liable for deportation.

Note: Where both parents hold Essential Skills work visas, their income may be combined to meet the minimum income threshold.

V3.10.10 Dependent children of work visa holders under Religious Worker instructions

See also Immigration Act 2009 ss 56, 157

- a. Dependent children of a holder of a work visa under Religious Worker instructions (WM) will only be granted a visitor visa if:

- i. the minimum income threshold of NZ\$36,850.44 gross per annum is met by the Religious Worker visa holder and their partner; or
 - ii. the religious organisation sponsoring the principal applicant agrees to sponsor the dependent children.
- b. Under (a)(i) above:
- i. the minimum income threshold must be met and maintained by the salary, wages or a stipend received by the Religious Worker visa holder and their partner; and
 - ii. evidence must be provided of the current salary, wages or stipend of the Religious Worker visa holder and their partner; and
 - iii. if a visa application is declined under these instructions and the dependent child becomes unlawful the parents may become liable for deportation; and
 - iv. if the parents do not maintain the minimum income threshold for the duration of their visa or their dependent child's visa, both the child and the parents may become liable for deportation.

Note: The income of both parents may be combined to meet the minimum income threshold.

**APPENDIX 2: AMENDED IMMIGRATION INSTRUCTIONS EFFECTIVE ON AND
AFTER 11 APRIL 2016**

A5.5 Character checks

See also *Immigration (Visa, Entry Permission, and Related Matters) Regulations 2010 Regs 5(2)(d)(iii), 6(2)(c)(iv), 10(2)(e)(iii)*

- a. Character checks must be carried out for the following categories of applicant:
- i. those aged 17 and over applying for residence class visas; and
 - ii. those aged 17 and over applying for temporary entry class visas who intend to stay in New Zealand for 24 months or longer; and
 - iii. other applicants for temporary entry class visas who warrant a character check if the immigration officer decides it is necessary.

Note: the 24-month period in A5.5(a)(ii) above includes time already spent in New Zealand prior to the application being made.

- b. It is a mandatory requirement (see [R2.40](#)) for first time applicants for a residence class visa aged 17 and over to obtain a police or similar certificate from:
- i. the applicant's country of citizenship; and
 - ii. each country in which the applicant has lived for 12 months or more (whether on one visit or intermittently) in the last 10 years (but see [A5.10.1](#)).

Applicants for a further residence class visa under [RV2](#) or [RV4](#) will not usually need to submit a police or similar certificate, unless specifically asked to by an immigration officer. Applicants for a further residence class visa applying under any other category are required to submit a police or similar certificate as if they were applying for residence for the first time.

Note: the requirement in A5.5(b) above does not apply to Australian citizens, holders of a current Australian permanent residence visa and holders of a current Australian resident return visa, applying for a resident visa at an immigration control area.

- c. If required, applicants aged 17 and over applying for a temporary entry class visa must obtain a police or similar certificate from:
- i. their country of citizenship; and
 - ii. from any country in which they have lived for five or more years (whether on one visit or intermittently) since attaining the age of 17 years.
- d. Despite (c) above, student visa applicants do not have to provide a police or similar certificate until they are aged 20 or over if they:
- i. held a student visa when they turned 17; and
 - ii. have held consecutive student visas (or interim visas with study conditions) since the date they turned 17; and
 - iii. are applying for a further student visa.
- e. Despite (d) above, a police or similar certificate is required if an immigration officer decides it is necessary.

BB2.1 Entrepreneur Work Visas

- a. The Entrepreneur Work Visa is a category of temporary entry class visa with conditions that allow self-employment in New Zealand.

Applicants for an Entrepreneur Work Visa may be approved, if they meet the **requirements of BB3.1.**

- b. Applicants and any partner or dependent child/ren accompanying them must meet health and character requirements for residence as set out at [A4](#) and [A5](#).
- c. Applicants and any partner or dependent child/ren accompanying them must also meet all requirements under Generic Temporary Entry Instructions.

BB2.1.1 Currency of Entrepreneur Work Visas

- a. An Entrepreneur Work Visa may be granted for a total period of up to 3 years, encompassing an Entrepreneur Start-Up stage and Entrepreneur Balance stage. Only one fee and one immigration levy will be charged for an Entrepreneur Work Visa.
- b. The Entrepreneur Start-Up stage is the first 12 months of the Entrepreneur Work Visa (though a business immigration specialist may extend the Entrepreneur Start-Up stage under [BB4.5.5](#)). During the Entrepreneur Start-Up stage, the holder of the Entrepreneur Work Visa is expected to establish and commence the operation of an agreed business in New Zealand.
- c. If the holder does not meet the requirements in BB4.5(a) during the Entrepreneur Start-Up stage, the visa expires at the end of the Entrepreneur Start-Up stage.
- d. If the holder does meet the requirements in BB4.5(a), the visa will be valid for the balance of the 3 year period. This is the Balance stage of the Entrepreneur Work Visa.
- e. A further Entrepreneur Work Visa (also known as a Renewal) may be granted beyond the 3 year period, if the conditions at BB4.10 are met, the application is approved by a business immigration specialist, and the prescribed fee is paid.

BB2.1.5 Conditions of Entrepreneur Work Visas

- a. The conditions specified on an Entrepreneur Work Visa will include the following conditions relating to work:
 - i. As: Self-employed
 - ii. For: (Business type and trading name of business)
 - iii. At: (Location of business)
- b. The travel conditions on the visa will give permission to travel to New Zealand for multiple journeys.
- c. Entrepreneur Work Visas and any other temporary visas granted to the holder of an Entrepreneur Work Visa's partner or dependent child/ren are subject to the condition that the holder must not apply for and be granted welfare assistance under the Social Security Act 1964 while in New Zealand during the currency of their Entrepreneur Work Visas or any visa gained through their relationship with a holder of an Entrepreneur Work Visa.

BH8 Temporary visa to allow processing of an Entrepreneur Residence Visa application

- a. Upon application, principal applicants under Entrepreneur Residence Visa Category instructions may be granted a multiple entry Specific Purpose or Event work visa valid for 9 months (see WS2) if:
 - i. they hold a valid Entrepreneur Work Visa or Long Term Business Visa; and
 - ii. their application for a residence class visa under the Entrepreneur Residence Visa Category instructions is under assessment by Immigration New Zealand; and
 - iii. they are applying for a Specific Purpose or Event visa to continue to operate the business identified in their business proposal or subsequently modified with the consent of a business immigration specialist.

The Specific Purpose or Event work visa will specify the same work conditions as the applicant's existing Entrepreneur Work Visa or Long Term Business Visa.

BJ8.10 Resident visas subject to conditions under section 49(1) of the Immigration Act

See also Immigration Act 2009 s 49

All resident visas granted under one of the Migrant Investment Categories must **be** subject to the following conditions under section 49(1) of the Immigration Act 2009:

- a. that the principal applicant retains an acceptable investment in New Zealand for a minimum of three years under the Investor 1 Category or four years under the Investor 2 Category and spends a minimum period of time in New Zealand during the required investment period (see [BJ8.15](#)); and
- b. that the principal applicant informs the nearest **office** of INZ of any changes of New Zealand address during the investment period; and
- c. that a principal applicant who was awarded 1 point for English language ability (IELTS 3) under the Investor 2 Category must complete a minimum 20 hours of English language tuition with a New Zealand registered school or tertiary education provider as defined in the Education Act 1989 within the four year investment period; and
- d. at the two-year anniversary of the investment period, the principal applicant submits evidence that they are:
 - i. retaining an acceptable investment in New Zealand; and
 - ii. meeting minimum period of time in New Zealand requirements; and
- e. that within 3 months after the expiry date of the investment period, the principal applicant submit evidence to INZ that they have met requirements **(a)** and **(c)** if applicable.

E3.25 Conditions of temporary entry class visas may be imposed, varied or waived

See also Immigration Act 2009 ss 52, 386 A(3) and 387A

- a. On granting a temporary entry class visa, the Minister or an immigration officer may:
 - i. impose conditions in addition to those specified in temporary entry instructions in relation to a visa of that class or type;
 - ii. vary or waive conditions that would otherwise apply to a visa of that class or type.
- b. Following the grant of a temporary entry class visa, the Minister or an immigration officer may:
 - i. impose further conditions whether or not the conditions are specified in temporary entry instructions in relation to a visa of that class or type;
 - ii. vary or cancel conditions that would otherwise apply to a visa of that class or type or which were imposed when the visa was granted.
- c. The Minister or an immigration officer may also do one or more of the things mentioned in E3.25 (b) by agreement with the visa holder.
- d. The Minister or an immigration officer must notify the visa holder in writing of the conditions imposed, varied, waived or cancelled in E3.25 (b) or (c) above. Notice must be:
 - i. given to the visa holder personally; or
 - ii. sent to the contact address.

Note: If the contact address is a physical address, notice must be sent by registered post to that address. If the contact address is an electronic address, notice must be sent by electronic means to that address.

- e. The conditions imposed, varied, waived or cancelled take effect:
 - i. from the date the visa is granted, if the condition is imposed, varied, or waived when the visa is granted; or
 - ii. from the date specified in the notice. The specified date must not be earlier than the date of notification.

E3.25.1 Varying the conditions of temporary entry class visas

See also Immigration Act 2009 s 52

- a. Holders of temporary entry class visas should apply for a variation of the conditions of their visa if:
 - i. they wish to work and do not have a visa that allows work in New Zealand; or
 - ii. they hold a work or visitor visa and wish to undertake a programme of study in New Zealand for longer than 3 months (unless [U2.5](#) applies); or
 - iii. they hold a work visa limited by conditions and wish to change employers, and/or occupation and/or the place of employment.
- b. Immigration officers may grant a variation of conditions in such cases provided that the applicant completes an Application for Variation of Conditions and produces:
 - i. the appropriate fee;
 - ii. a valid passport or travel document;
 - iii. documents which support the requested variation, such as:
 - o an offer of employment (see [WK2.10.10](#)); or
 - o an offer of place at a suitable education provider (see [U3.5](#)), and evidence of tuition fee payment or exemption (see [U3.10](#)); and
 - iv. any other documents or information requested by the immigration officer.
- c. A variation of conditions will only be granted where the varied conditions still meet the objectives of the instructions which the visa was granted under.
- d. In order to meet the objective of Essential Skills instructions, particularly [WK1.1\(c\)](#), Essential Skills visa holders seeking to change occupation or place of employment will not be granted a variation of conditions and must instead apply for a new work visa, unless their occupation is listed on the Essential Skills in Demand Lists and the applicant meets the requirements of the list.
- e. Holders of visitor visas granted under V3.100 Guardians accompanying students to New Zealand may only be granted a variation of conditions for part time work or part time study between the hours 9:30am and 2:30pm Monday to Friday (inclusive) (see [V3.100.35](#)).
- f. Holders of visitor visas may be granted a variation of conditions for a duration of six weeks to undertake seasonal work (planting, maintaining, harvesting and packing crops) in any region where the Ministry of Social Development has identified a shortage of seasonal labour and for any employer in the horticulture or viticulture industries, provided the applicant has not been granted a variation of conditions for this purpose since their most recent entry to New Zealand.

- g. Holders of student visas may be granted a variation of conditions to allow them to work in line with the requirements at [U13](#).
- h. Holders of a work visa granted under [WS2](#) as players or professional sports coaches may apply for a variation of conditions of their work visa to undertake additional employment. A variation of conditions may be granted if:
 - i. the terms of the existing employment have been met, and will continue to be met; and
 - ii. the secondary employment is offered by the sports club or a company involved in the sport and the position is offered solely to this particular player or coach; or
 - iii. the secondary employment is offered by an employer other than the sports club or a company involved in the sport and an immigration officer is satisfied that there are no New Zealand citizens or residence class visa holders available to be employed in the position (see [WK2.5](#)).

E3.35 Further temporary visas

See also Immigration Act 2009 s 57(1), s351

- a. A temporary visa holder in New Zealand may apply for a further visa at any time before the current visa expires.
- b. An application for a visa must be made in the manner prescribed for the class or type of visa sought (see [E4.50.1](#)).
- c. Where an applicant has made a claim of workplace exploitation against him or herself, as defined in section 351 of the Immigration Act 2009 (see [D7.45](#)), or has had such a claim accepted as genuine by Immigration New Zealand, then in determining whether he or she is eligible for a further visa, immigration officers may disregard:
 - i. any previous periods when the applicant had been working in breach of the conditions of his or her current or previous visa/s, and/or
 - ii. any previous periods of unlawfulness in the applicant's immigration history during which he or she was employed and he or she has provided evidence of workplace exploitation in respect of that employer.

F4.40 Evidence

F4.40.1 Evidence of relationship of parent(s) to children

- a. Evidence of a parent's relationship to their children is original or certified copies of:
 - i. birth certificates establishing the relationship of the children to the parent; or
 - ii. household registration documents, if these establish the relationship of the children to the parent; or
 - iii. evidence of adoption (see [R3](#)), which establishes the relationship of the children to the parent.
- b. Other evidence establishing the relationship of the children to the parents may also be provided, or requested by an immigration officer.

F4.40.5 Evidence of relationship to grandparent where the sponsor's parents are deceased

- a. Evidence of sponsor's relationship to their grandparent(s) is original or certified copies of:
 - i. birth certificates establishing the relationship of the sponsor to the grandparent(s); or
 - ii. household registration documents, if these establish the relationship of the sponsor to the grandparent(s); or
 - iii. evidence of adoption (see [R3](#)), which establishes the relationship of the sponsor to the grandparent(s).
- b. Other evidence establishing the relationship of the sponsor to the grandparent(s) may also be provided, or requested by an immigration officer.

F4.40.10 Evidence of legal guardianship where the sponsor's parents are deceased

Evidence of legal guardianship of the sponsor includes but is not limited to documents showing that the principal applicant had custody of the sponsor and the right to control the sponsor's upbringing before the sponsor attained the age of 18, such as the following:

- legal documents (such as the sponsor's parent's will) showing that the principal applicant was named as the guardian of the sponsor, to have custody of the sponsor and the right to control their upbringing in the event of the death of the sponsor's biological or adoptive parents; or
- a court order granting legal guardianship of the sponsor to the principal applicant (including custody of the sponsor and the right to control their upbringing) after the death of their parents and prior to the sponsor attaining the age of 18 years; or
- documents showing that the sponsor lived with the principal applicant after the death of their parents and prior to the sponsor attaining the age of 18 years; or
- documents such as medical and school records indicating that the principal applicant acted in the role of a parent for the sponsor after the death of their biological or adoptive parents and prior to the sponsor attaining the age of 18 years.

F4.40.15 Evidence that parents are deceased

- a. Evidence that a sponsor's parents are deceased is original or certified copies of death certificates for both parents.
- b. Where a death certificate is unobtainable, other documentary evidence must be provided that satisfies an immigration officer that the sponsor's parents are deceased, and the date(s) of their death.
- c. A death certificate is considered to be obtainable even if there is a possible delay or expense in obtaining it.

F4.40.20 Evidence of dependence

- a. Up to and including 20 years of age, if a child is unmarried then he or she is presumed to be dependent.
- b. For children aged 21 to 24, evidence of actual independence may be required.

F4.40.25 Evidence of sponsorship

Evidence is a Sponsorship Form for Residence in New Zealand that:

- a. confirms that the sponsor meets the requirements for sponsors who are natural persons set out at [R4.5\(d\)](#); and
- b. contains the undertakings required (see [R4.10](#)).

F4.40.25.1 Evidence that the sponsor and/or their partner meets the minimum income requirement

- a. Evidence of meeting the minimum income requirement for sponsors (see [F4.30.1](#) and [F4.35.1](#)) may include, but is not limited to, original or certified copies of the following documents:
 - an Inland Revenue Personal Tax Summary which shows all income from employment, pension and withholding payments; or
 - wage slips; or

- a current employment contract; or
 - bank statements or any other documents from financial institutions; or
 - an individual income tax return (IR3) if a sponsor derives any income from a source other than a wage or a salary, e.g. personal income from self-employment, rental properties, other investments, or trusts.
- b. Sponsors who earned self-employed income must submit evidence of their personal earnings before income tax. Revenue or sales from their business operations will not be accepted as evidence of their personal taxable income.

F4.40.30 Evidence of applicant's funds under tier one

F4.40.30.1 Evidence of guaranteed minimum lifetime income

- a. Evidence of guaranteed minimum lifetime income includes:
- i. pensions that will be paid to the applicant(s) indefinitely, including during any time that they will be New Zealand residents or citizens; or
 - ii. other stable income paid to the applicant(s) indefinitely, including during any time that they will be New Zealand residents or citizens.
- b. An immigration officer may decline an application if they are not satisfied the applicant(s) income:
- i. is guaranteed; or
 - ii. is stable (to at least the minimum level specified at [F4.30.5](#)); or
 - iii. will be paid to the applicant(s) indefinitely.

F4.40.30.5 Evidence of the principal applicant's settlement funds and assets

- a. Evidence of settlement funds and that those funds are, or have been, sourced from outside New Zealand may include, but is not limited to:
- funds held in an offshore bank account(s) (if requested, this may include evidence that funds can be accessed from New Zealand); or
 - acceptable evidence of net assets held outside New Zealand.
- b. All documents provided as valuations of assets must be:
- i. no more than three months old at the date the resident visa application is made; and
 - ii. produced by a reliable independent agency.
- c. An immigration officer may seek further evidence if they:
- i. are not satisfied that the nominated funds and/or assets were earned or acquired legally; or
 - ii. consider that the nominated funds and/or assets may have been gifted or borrowed; or
 - iii. are not satisfied with the valuation provided; or
 - iv. consider that the nominated funds and/or assets fail in some other way to meet the rules for settlement funds.

F4.40.30.10 Evidence of the transfer of the nominated funds to New Zealand

- a. Acceptable evidence of the transfer of the nominated funds must be provided by way of the telegraphic transfer documentation together with a current bank statement showing the transfer(s).
- b. An immigration officer may request any other information to satisfy them that the above requirements have been met.

F4.40.35 Evidence of being 'lawfully and permanently' in a country

- a. Evidence that a person is lawfully and permanently in a country may include, but is not limited to, original or certified copies of:
- a passport or passport pages showing identity and a visa (or permit) indicating the holder is entitled to remain indefinitely in that country; or
 - letters or other documents showing that indefinite residence in another country has been granted; or
 - a passport or passport pages showing identity and nationality; or
 - naturalisation or citizenship certificates.
- b. If a person does not need a visa (or permit) to live in their country of residence (e.g. European Union nationals living in other European Union countries), principal applicants must provide original or certified copies of:
- registration cards or certificates from the local police or municipal authority; or

- confirmation of the person's residence status from an authoritative source such as a municipal, judicial, police or government authority.

c. Under both (a) and (b) above, evidence must also be provided of actual residence in the country. Evidence may include, but is not limited to, original or certified copies of:

- correspondence addressed to the person; or
- employment references; or
- rates demands; or
- income tax returns; or
- mortgage documents; or
- documents showing that household effects have been moved to that country.

RA9 Restrictions on the grant of a visa to certain groups as designated by the United Nations Security Council

See also United Nations Sanctions (Liberia) Regulations 2001 reg 16; United Nations Sanctions (Al-Qaida and Taliban) Regulations 2007 reg 13; United Nations Sanctions (Côte d'Ivoire) Regulations 2005 reg 13; United Nations Sanctions (Democratic People's Republic of Korea) Regulations 2006 reg 17; United Nations (Iran-Joint Comprehensive Plan of Action) Regulations 2016 reg 32; United Nations Sanctions (Lebanon) Regulations 2008 reg 17; United Nations Sanctions (Democratic Republic of the Congo) Regulations 2004 reg 12D; United Nations Sanctions (Sudan) Regulations 2004 reg 13D; United Nations Sanctions (Somalia) Regulations 1992 reg 10F, United Nations Sanctions (Eritrea) Regulations 2010 reg 13; United Nations Sanctions (Libya) Regulations 2011 reg 17; United Nations Sanctions (Guinea-Bissau) Regulations 2012 reg 4; United Nations Sanctions (Central African Republic) Regulations 2014 reg 13; United Nations Sanctions (Yemen) Regulations 2014 reg 4; United Nations Sanctions (South Sudan) Regulations 2015 reg 4.

- a. In accordance with United Nations sanctions, no person who is a designated individual or specified entity may enter New Zealand or transit through New Zealand, meaning that no such person may be granted a visa. This restriction is in place for the following people:
 - i. designated individuals from Liberia
 - ii. designated individuals from Côte d'Ivoire
 - iii. designated individuals from the Democratic People's Republic of Korea (DPRK), and:
 - o their immediate family members, and
 - o people acting on their behalf or under their direction, and
 - o people assisting in the evasion of a determination by the United Nations Security Council that applies to the DPRK
 - iv. designated individuals and specified entities from Al-Qaida and Taliban
 - v. designated individuals from Iran
 - vi. designated individuals from Lebanon
 - vii. designated individuals from the Democratic Republic of Congo
 - viii. designated individuals from Sudan
 - ix. designated individuals from Somalia
 - x. designated individuals from Eritrea
 - xi. designated individuals from Libya
 - xii. designated individuals from Guinea-Bissau
 - xiii. designated individuals from Central African Republic
 - xiv. designated individuals from Yemen
 - xv. designated individuals from South Sudan.
- b. Immigration officers must contact the Ministry of Foreign Affairs and Trade when processing any immigration application from a person to whom (a) above applies.
- c. A visa may only be granted to a person to whom (a) above applies on the advice of the Secretary of Foreign Affairs and Trade.

Note: For the purposes of these instructions, a designated individual and a specified entity is someone who is named on a list of such persons held by INZ and updated from time to time.

RV1.20 Determining the eligibility of non-principal applicants

- a. For the purpose of making an application under *RV After the grant of a resident visa*:
 - i. 'principal applicant' means the principal applicant of the original resident visa application; and
 - ii. 'non-principal applicants' means the non-principal applicants included in the original resident visa application.
- b. The only requirement for the grant of a permanent resident visa to a non-principal applicant is that the principal applicant must hold a permanent resident visa, unless:
 - i. the non-principal applicant is excluded by the provisions of RV2.1; or
 - ii. the provisions requiring a secondary applicant to be assessed independently of the principal applicant apply (RV1.20.1 to RV1.20.20); or
 - iii. the non-principal applicant has never been in New Zealand as a resident (as required by RV1.5(d)).
 - iv. the non-principal applicant does not meet character instructions (see A5) (unless given a special direction or granted a character waiver) or falls under RV1.25.
- c. A non-principal applicant must be granted a variation of travel conditions to allow travel until the same date as the principal applicant's resident visa unless:
 - i. the non-principal applicant is excluded by the provisions of RV3.1(d); or
 - ii. the provisions requiring a secondary applicant to be assessed independently of the principal applicant apply (RV1.20.1 to RV1.20.20); or
 - iii. the non-principal applicant has never been in New Zealand as a resident (as required by RV1.5(d)).
- d. A non-principal applicant will be granted a second or subsequent resident visa based on the eligibility of the principal applicant for a variation of travel conditions, second or subsequent resident visa or permanent resident visa, unless:
 - i. the non-principal applicant is excluded by the provisions of RV4.1; or
 - ii. specific instructions in RV1.20.1 to RV1.20.20 apply; or
 - iii. the non-principal applicant has never been in New Zealand as a resident (as required by RV1.5(d)).
 - iv. the non-principal applicant does not meet character instructions (see A5) (unless given a special direction or granted a character waiver) or falls under RV1.25.
- e. If a non-principal applicant makes an application for further travel conditions or a permanent resident visa and the principal applicant:
 - i. does not lodge an application; or
 - ii. is declined a variation of travel conditions or a permanent resident visa; or
 - iii. does not hold a permanent resident visa or a resident visa with valid travel conditions,
 - iv. then, unless the instructions in RV1.20.1 to RV1.20.20 apply, the application will only be considered under the provisions of RV3.1.1 or RV3.10.

RV1.25 Declining an application from former residence class visa holders

See also *Immigration Act 2009* ss 10, 155, 146, 156, 158, 161, 162, 169, 437, *Immigration Act 1987* s 93

Applications from a person who no longer holds a resident visa, but who is eligible for consideration for a permanent resident visa, or a second or subsequent resident visa, will normally be declined if:

- a. an immigration officer determines that the person's resident visa was:
 - i. granted as a result of administrative error; or
 - ii. held under a false identity; or
 - iii. procured through fraud, forgery, false or misleading representation, or concealment of relevant information (together, "deception"), whether or not the person committed the deception; or
- b. an immigration officer determines that the person held a resident visa granted on the basis of a visa procured through deception, whether or not the person committed the deception; or
- c. new information becomes available within five years of when the person first held a resident visa, and an immigration officer determines that the information:
 - i. relates to the person's character; and
 - ii. was relevant at the time the visa was granted; and
 - iii. means that the person would not have been granted the visa; or
- d. while holding a resident visa or following its expiry, the person is convicted (whether in New Zealand or not):
 - i. of an offence for which the court has the power to impose imprisonment for a term of three months or more, if that offence is committed:
 - o at any time when the person was unlawfully in New Zealand; or
 - o at any time the person was the holder of a temporary entry class visa; or
 - o not later than 2 years after the person first held a residence class visa; or
 - ii. of an offence for which the court has the power to impose imprisonment for a term of two years or more, if the offence was committed not later than five years after the person first held a residence class visa; or
 - iii. of an offence and sentenced to imprisonment for a term of five years or more (or for an indeterminate period capable of running for five years or more), if the offence was committed not later than 10 years after the person first held a residence class visa; or
- e. they have been served a deportation liability notice but have not been deported within the meaning of section 10 of the *Immigration Act 2009*; or
- f. the person's resident visa was granted on the basis of being recognised as a refugee or protected person, and that recognition was cancelled under section 146 of the *Immigration Act 2009*.

Note: An immigration officer should contact **Immigration Resolutions in INZ's Service, Design and Performance branch** prior to declining an application for a permanent resident visa or second or subsequent resident visa based on the above provisions, to seek advice and to update the Resolutions Team on any current or potential deportation case.

RV2.1 Who is not eligible for a permanent resident visa?

See also Immigration Act 2009 ss 15, 16, 17, 169, 174

- a. People who are not eligible for a visa because they are subject to sections 15 and 16 of the Immigration Act 2009 (see A5.20) are not eligible for a permanent resident visa unless a special direction has been given, but may apply for a variation of their travel conditions under the provisions of RV3 Variation of travel conditions on resident visas.
- b. People who would otherwise be prohibited for entry or for grant of a visa to New Zealand because they are subject to restrictions or a ban (see RA9 and R5.100) if it were not for their New Zealand resident status are not eligible for a permanent resident visa and may only be granted a 14-day variation to their travel conditions under RV3.10.
- c. People who hold a resident visa but are liable for deportation may not apply for a permanent resident visa, though they may be granted one at the absolute discretion of the Minister or an immigration officer (see D2.30.5).
- d. People who hold a resident visa, but are liable for deportation, and have had that liability suspended, may not apply for a permanent resident visa during the period of suspension.

Note: An immigration officer should contact **Immigration Resolutions** in INZ's Service, Design and Performance branch if they need guidance on whether an applicant for a permanent resident visa is liable for deportation.

RV2.5 How do resident visa holders or former holders qualify for a permanent resident visa?

Upon application principal applicants, except for those to whom [RV2.10](#) applies, will be granted a permanent resident visa if:

- e. they either:
 - i. hold a resident visa, and have held that resident visa continuously for at least 24 months at the time of application; or
 - ii. have held a resident visa in the three months before the application is made, and had held that resident visa continuously for at least 24 months before it expired (provided RV1.25 does not apply); and
- f. their first day in New Zealand as a resident (R5.66.1(b)) was at least 24 months before the application is made; and
- g. they can demonstrate a commitment to New Zealand by meeting the requirements set out in any one of the five subsections below (RV2.5.1 to RV2.5.20); and
- h. they have met any conditions imposed under section 49(1) or [section 50](#) of the Immigration Act; and
- i. they meet character requirements for residence (see A5).

Note: Principal applicants who have been granted residence under an investor category listed in RV2.10(a) will be assessed under RV2.10 rather than RV2.5.

RV2.10 Permanent resident visas for holders of resident visas with investment conditions imposed under sections 49(1) or 50

- a. Principal applicants who have been granted a resident visa under
 - i. the Migrant Investment Categories; or
 - ii. the Parent Retirement Categorywill be granted a permanent resident visa if the requirements of RV2.10 (b) below have been met.
- b. At the time of application, principal applicants must:
 - i. hold or be deemed to hold a resident visa; and
 - ii. have held, or have been deemed to hold, a resident visa for at least 24 months; and
 - iii. have met conditions previously imposed under section 49(1) or section 50 of the Immigration Act 2009; and
 - iv. meet character requirements for residence (see A5).

RV3.1 Applications for variations of travel conditions

- a. The duration of travel conditions on a resident visa can be varied allowing for multiple journey travel to New Zealand within the following specified time periods:
 - i. 12 months; or
 - ii. 14 days; or
 - iii. 24 months.
- b. Travel conditions can only be varied if the resident visa is valid. A resident visa is valid when:
 - i. the holder is in New Zealand; or
 - ii. the holder is outside New Zealand and the current travel conditions have not expired.
 - iii. Holders of resident visas who are in New Zealand must be granted a variation of travel conditions for a duration of at least 14 days.
- c. People who would otherwise be prohibited from entry or for the grant of a visa to New Zealand because they are subject to restrictions or a ban (see RA9 and R5.100) if it were not for their New Zealand resident status, may only be granted a variation of travel conditions under RV3.10 (14-day variation of travel conditions).

RV3.1.1 Declining an application for a variation of travel conditions

- a. An application for a variation of travel conditions by a resident visa holder in New Zealand cannot be declined.
- b. An application for a variation of travel conditions made outside New Zealand must be declined, where the applicant:
 - i. does not meet any requirements of RV3.5 to RV3.20 or
 - ii. would be otherwise prohibited from entry or for grant of a visa to New Zealand because they are subject to restrictions or a ban (see RA9 and R5.100).
- c. Applications for variations of travel conditions made outside New Zealand by applicants who have failed to meet any conditions imposed under section 49(1) or section 50 of the Immigration Act 2009, must be declined whether or not they are otherwise eligible for a variation of travel conditions.

RV3.1.5 Requests for reconsideration

- a. An applicant may seek to have the decision to decline an application for a variation of travel conditions reconsidered, if it was declined because:
 - i. the immigration officer was not satisfied with the evidence produced; or
 - ii. the application did not meet the requirements set out in instructions.
- b. Another officer with a grading the same as or higher than the officer who made the original decision will review the decision.
- c. The review process involves checking that the immigration instructions and procedures were correctly applied when the application was processed.

RV4.1 Who is not eligible for a second or subsequent resident visa?

See also Immigration Act 2009 ss 15, 16, 17

People are not eligible for a second or subsequent resident visa if:

- a. they are not eligible for a visa under section 15 or 16 of the Immigration Act 2009, unless a special direction has been given (see A5.20); or
- b. they are prohibited for entry or for grant of a visa to New Zealand because they are subject to restrictions or a ban (see RA9 and R5.100).

RV4.10 Determining an application for a second or subsequent resident visa

- a. An applicant for a second or subsequent resident visa may be granted a second or subsequent resident visa if:
 - i. the principal applicant would have met the criteria to be granted a variation of travel conditions under RV3.5, RV3.10 or RV3.15 had they applied for it on the date the current applicant's resident visa expired and those travel conditions would still be valid on the date the application for a second or subsequent resident visa was made; or
 - ii. the principal applicant would have met the criteria to be granted a permanent resident visa had they applied for it on the date the current applicant's resident visa expired and that date was less than 24 months before the date the application for a second or subsequent resident visa is made; or
 - iii. the principal applicant meets the criteria for one of the special provisions for a second or subsequent resident visa (RV4.20).
- b. A non-principal applicant may be assessed independently of the principal applicant if the instructions of RV1.20.1 to RV1.20.20 apply.
- c. Applicants for second or subsequent residence visas must meet character requirements for residence (see A5).
- d. An application will be declined if it falls under any of the criteria set out in RV1.25.
- e. Applicants who have failed to meet any conditions imposed under section 49(1) or section 50 of the Immigration Act 2009, must be declined whether or not they are otherwise eligible for second or subsequent resident visa.

RV4.15 Conditions imposed on a second or subsequent resident visa

- a. Any conditions (except travel conditions) imposed under section 49(1) or section 50 of the Immigration Act 2009 on the expired visa must be replicated on any second or subsequent resident visa granted. Any such conditions must be valid until the same date as on the applicant's previous resident visa.
- b. Multiple entry travel conditions granted on second or subsequent resident visa must be valid for the longest of:
 - i. the date the variation of travel conditions would have been valid to, had the principal applicant applied for one on the date the current applicant's resident visa expired; or
 - ii. 24 months from the date the current applicant's resident visa expired if the principal applicant was eligible for a permanent resident visa on that day; or
 - iii. the duration specified by special provisions for the grant of a second or subsequent resident visa set out at RV4.20.

S4.20 Refugee Quota Family Reunification Category

S4.20.1 Objective

The objective of the Refugee Quota Family Reunification Category, which is part of the Refugee Quota residence programme, is to:

- a. enable New Zealand to meet its international and humanitarian obligations;
- b. maintain the principle of family unity; and
- c. facilitate the successful resettlement of mandated refugees resident in New Zealand by providing them with an opportunity to sponsor immediate family members.

Note: The places available under this category are incorporated into the quota places available for the family reunification subcategory of the United Nations High Commissioner for Refugees (UNHCR) mandated refugee residence category; however applicants do not themselves have to be mandated refugees.

S4.20.5 Who is eligible for residence under the Refugee Quota Family Reunification Category?

- a. An applicant may qualify for residence under the Refugee Quota Family Reunification Category if:
 - i. they have an acceptable sponsor (see S4.20.10);
 - ii. they were declared as an immediate family member (see S4.20.15) in the sponsor's original Residence Application for Mandated Refugees form, and they can provide satisfactory evidence of the relationship;
 - iii. they meet the character requirements at [A5](#);
 - iv. they meet the health requirements specified at [A4.74](#); and
 - v. they have satisfied an immigration officer that:
 - o the circumstances and reasons for the separation from, and re-establishment of contact with, their sponsor are plausible and credible; and
 - o reunification will have a positive settlement effect on the sponsor; and
 - o they have the potential for successful settlement.
- b. Applicants are exempt from the requirement to have an acceptable standard of health (see [A4.10](#)), except for the health requirements specified at A4.74.
- c. If the applicant is a dependent child aged **21**-24, evidence must be submitted to show dependence on the sponsor (see [R2.1.30](#)).

S4.20.10 Who is an acceptable sponsor under the Refugee Quota Family Reunification Category?

- a. An acceptable sponsor is a New Zealand citizen or resident who:
 - i. was granted a residence class visa as a mandated refugee (see [S3.22](#)); and
 - ii. is living in New Zealand; and
 - iii. is an immediate family member of the sponsor (see S4.20.15); and
 - iv. has attended an interview with a Refugee Quota Branch immigration officer and been deemed to be an acceptable sponsor.

Note: A person granted permanent resident visa under this category is not able to be a sponsor under this category as they are not a mandated refugee.

- b. If the sponsor is a child aged 18 and under sponsoring a parent, the immigration officer must be satisfied that it is in the best interests of the child to grant a permanent residence visa to the parent(s).
- c. The immigration officer must be satisfied that the relationship between the sponsor and the applicant is credible and genuine. If the sponsor did not declare the applicant in their own residence application then R5.15 must be followed.

S4.20.10.1 Undertakings and responsibilities of sponsors

A sponsor under this category is exempt from meeting the sponsorship undertakings requirement at [R4.10](#).

S4.20.15 Who is an immediate family member under the Refugee Quota Family Reunification Category?

For the purposes of the Refugee Quota Family Reunification Category, an immediate family member is defined as a partner, dependent child(ren), and parents where the sponsor is a dependent child.

S4.20.20 Requirements for making an application for the grant of a permanent resident visa

- a. Applications for a permanent resident visa under the Refugee Quota Family Reunification Category must be made in the prescribed manner (see [R2.40](#)).
- b. Applications can only be made to the Refugee Quota Branch, and only after the applicant's sponsor has been deemed acceptable (see S4.20.10).
- c. Appropriately delegated immigration officers may waive by special direction:
 - i. the application fee for the applicant(s);
 - ii. the requirement to submit an overseas police clearance certificate from any country where the sponsor has a well-founded fear of persecution; and
 - iii. any other mandatory requirement for lodgement except the requirement to complete and submit a residence application form together with two passport photographs of, and medical and X-ray certificates for, each person included in the application.
- d. If a birth certificate for any person included in the application is unavailable, a statutory declaration confirming the full name, date and place of birth and full names of both parents must be submitted.
- e. If documents relating to the custody of any child aged 16 and under included in the application are unavailable, a statutory declaration confirming the legal custody of the child must be submitted.
- f. The principal applicant and partner included in the application must supply evidence to show the nature and duration of their partnership, and that it is a genuine and stable partnership (see [F2.20](#)). A statutory declaration confirming the duration and nature of the partnership must be submitted if such evidence would be unduly difficult to obtain because:
 - i. conditions in the relevant country are such that the country's governmental infrastructure is no longer functioning; and/or
 - ii. there are circumstances beyond the control of the applicants which prevent them obtaining the required evidence.
- g. If overseas police clearances are unavailable for any person aged 17 and older included in the application, a statutory declaration must be provided stating whether the applicant has been convicted, or found guilty of, or charged with, any offences against the law in the country or countries for which police clearance certificates are unavailable.

U3.35 Definition of 'domestic student'

For the purposes of student instructions a 'domestic student' means a domestic student as defined in section 2 of the Education Act 1989. The Ministry of Education holds a complete list of who is considered to be a domestic student for the purpose of fee payment and enrolment.

U3.35.1 Primary and secondary schooling domestic students who do not require a student visa, interim visa with study conditions, or limited visa

The following people are considered to be domestic students for the purpose of attending primary and secondary schools and do not require a student visa, interim visa with study conditions, or limited visa in order to undertake study in New Zealand:

- a. New Zealand citizens, including students from Tokelau, the Cook Islands and Niue;
- b. New Zealand residents;
- c. New Zealand permanent residents;
- d. People who have a letter from the Protocol Division of the New Zealand Ministry of Foreign Affairs and Trade confirming that they are entitled to any immunity from jurisdiction under the Diplomatic Privileges and Immunities Act 1968 or the Consular Privileges and Immunities Act 1971 for the current school year, until the end of the year in which their diplomatic or consular status expires.
- e. Members of the armed forces of any country, members of its civilian component, or crew members of any craft transporting such people to New Zealand, while in New Zealand:
- f. at the request or with consent of the Government of New Zealand; and
- g. in the ordinary course of the member's duty or employment.

U3.35.5 Primary and secondary domestic students who require a student visa, interim visa with study conditions, or limited visa

The following people require a student visa, interim visa with study conditions, or limited visa in order to undertake study in New Zealand but are considered to be domestic students for the purposes of attending primary and secondary schools and are exempt from paying foreign tuition fees:

- a. Dependent children of any person who is in New Zealand to study under an exchange programme approved by the New Zealand Government.
- b. Children whose application for a residence class visa is under consideration and who are the dependent children of any person who is a New Zealand citizen or the holder of a residence class visa.
- c. Children whose application for New Zealand citizenship is under consideration and who are the dependent children of a New Zealand citizen.
- d. Dependent children of any person who is onshore and the holder of a valid work visa other than those excluded under [U8.20](#).
- e. Students who have, or dependent children of any person who has, made a claim to be recognised as a refugee or protected person in accordance with Part 5 of the Immigration Act 2009.
- f. Dependent children of a foreign student enrolled in any Doctor of Philosophy (PhD) programme in a New Zealand university.
- g. Dependent children of any person who, during the current calendar year, last ceased to hold a special temporary visa (see [H2](#)).
- h. Students who have entered New Zealand for the purposes of adoption and:
 - i. whose adoption application before the New Zealand Family Court (where the Final Order will entitle that student to education as a domestic student) is supported by the Department of Child, Youth and Family Services and who has a letter from the Department of Child, Youth and Family Services confirming this support; or
 - ii. who are the subject of an Interim Order of Adoption granted by the New Zealand Family Court under section 5 of the Adoption Act 1955 (where the Final Order will entitle that student to education as a domestic student).
- i. People who are in the custody of the Chief Executive of the Ministry of Social Development pursuant to any of the following orders:
 - i. an order, pursuant to sections 78, 101 or 238(1)(d) of the Children, Young Persons and their Families Act 1989, in favour of the Chief Executive of the Ministry of Social Development; or
 - ii. an order, pursuant to section 110 of the Children, Young Persons and their Families Act 1989, appointing the Chief Executive of the Ministry of Social Development as sole guardian; or
 - iii. an order, pursuant to section 33 of the Care of Children Act 2004, whereby a child or young person is placed under the Guardianship of the Family Court or the High Court and the Chief Executive of the Ministry of Social Development is appointed as agent of the court with power and discretion to place the child.

- j. Dependent children of any person who is the holder of a New Zealand Aid Programme Scholarship.
- k. Dependent children of any person who is the holder of a visitor visa granted under [V3.115](#).
- l. Dependent children of military visa holders, while the military visa holder is in New Zealand.
- m. Children granted a student visa under [U10.5](#).
- n. Students who are in New Zealand to study under an exchange scheme approved by the Ministry of Education (see [E11.45](#)).

U3.35.10 Tertiary sector domestic students who do not require a student visa, interim visa with study conditions, or limited visa

The following people are considered to be domestic students for the purpose of attending an education provider in the tertiary sector (see [U5.20](#)) and do not require a student visa, interim visa with study conditions or limited visa in order to undertake a programme of study in New Zealand:

- a. New Zealand citizens, including students from Tokelau, the Cook Islands and Niue.
- b. New Zealand residents.
- c. New Zealand permanent residents.
- d. People who have a letter from the Protocol Division of the New Zealand Ministry of Foreign Affairs and Trade confirming that they are entitled to any immunity from jurisdiction under the Diplomatic Privileges and Immunities Act 1968 or the Consular Privileges and Immunities Act 1971 for the current academic year, until the end of the year in which their diplomatic or consular status expires.
- e. Despite (d) above, dependent children aged 21 and over of Diplomatic, Consular or Official staff, who wish to undertake tertiary study in New Zealand, may not be eligible for domestic student status and may be required to pay foreign student fees (see [H2.1\(b\)](#)).
- f. A person who has made a claim to be recognised as a refugee or a protected person in accordance with Part 5 of the Immigration Act 2009, and who is the holder of a valid temporary entry class visa.
- g. A person who has been recognised as a refugee or a protected person in accordance with Part 5 of the Immigration Act 2009, and whose application for residence is being processed.
- h. A person who is enrolled at a tertiary education provider for the purpose of participating in industry training funded under the Industry Training Act 1992.

U3.35.15 Tertiary sector domestic students who require a student visa, interim visa with study conditions, or limited visa

The following people require a student visa, interim visa with study conditions, or limited visa in order to undertake study in New Zealand but are considered to be domestic students for the purposes of attending an education provider in the tertiary sector and are exempt from paying foreign tuition fees for foreign students:

- i. Students enrolled in any Doctor of Philosophy (PhD) programme, in any New Zealand university (see [U5.20](#)).
- j. A person who is in New Zealand to study under a New Zealand Government approved exchange programme at a tertiary education provider.

WK3 Applicants with specialist skills identified as contributing to New Zealand's economic development

- a. The New Zealand Government recognises the need for highly skilled people with specialised skills, which could contribute to New Zealand's economic development to be able to qualify for work visas. From 1 July 2001, national representative organisations of occupations or industries in New Zealand experiencing significant difficulty recruiting highly skilled specialist employees from overseas under normal Work Visa instructions are able to make submissions to INZ requesting special provisions allowing the employment of such specialists.
- b. INZ will assess all such submissions, and will consult with any government agencies, or other organisations as necessary, before referring them to the Minister of Immigration and the Minister for Economic Development for decision.
- c. Any special provisions agreed by the Minister of Immigration relating to work visa applicants with specialised skills or occupations will be published in this section of immigration instructions. INZ will undertake periodic reviews of occupations included in this section to ensure that the justification for any special provisions still exists.

Note: Organisations wishing to make submissions requesting special provisions for the temporary entry of highly skilled specialist employees must address them to:

Area Manager Operations Support
Immigration New Zealand
Ministry of Business, Innovation and Employment
PO Box 1473
Wellington 6140
NEW ZEALAND

and must

- (i) demonstrate that there is a national shortage of employees in the particular occupation, and
- (ii) provide evidence that the occupation is highly skilled, and could contribute to New Zealand's economic development, particularly of a knowledge society, and
- (iii) give clear reasons why a special provision is requested for that occupation.

WS2 Specific purpose or events

Applicants who are considered to be coming to New Zealand for a specific purpose or event include the following:

- a. Business people such as:
 - i. Senior or specialist business people on short term secondments who have a job offer either in a substantial New Zealand company or a New Zealand subsidiary of an overseas company.
 - ii. A business person seconded to New Zealand as an intra-corporate transferee to take up a position in a multinational company as:
 - o an executive, or
 - o a senior manager, or
 - o specialist personnel.

Notes: In the context of these instructions 'executive' or 'senior manager' means a person who is a senior employee of an organisation and who has been employed by that organisation for at least 12 months prior to their proposed transfer to New Zealand. Additionally, they are responsible for the entire organisation's operations in New Zealand, or a substantial part of it, receiving general supervision or direction principally from higher level executives, the board of directors or stockholders of the business.

In the context of these instructions 'specialist personnel' means a person who is being transferred to undertake a specific or specialist task at a senior level within the company. Additionally, they must possess knowledge of the organisation's service, research equipment, techniques or management.

- iii. Business people wishing to undertake business activities in New Zealand who can satisfy an immigration officer that they have genuine reasons to be in New Zealand for a period or periods exceeding 3 months in any one year. Documented evidence of these reasons is required.

Notes: Seconded business persons who do not have an acceptable standard of health may be considered for a medical waiver (see [A4.65.1](#) Seconded business people).

These instructions ([WS2 \(a\) \(i\), \(ii\) and \(iii\)](#)) reflect New Zealand's international trade commitments (see [E9](#)).

- b. Principal applicants for residence under the Migrant Investment Instructions who are investigating investment opportunities and making direct investments in New Zealand (see [BJ7.40](#)).
- c. Principal applicants for residence under the Parent Retirement Category who are investigating investment opportunities and making direct investments in New Zealand (see [F3.25](#)).

Note:

~ Partners and dependent children of principal applicants under the Migrant Investment Instructions (b) may be granted a multiple journey visitor visa current for the same period as the principal applicant's visa.

~ Partners of principal applicants under the Parent Retirement Category (c) may be granted a multiple journey visitor visa current for the same period as the principal applicant's visa.

~ Dependent children of Principal applicants under the Migrant Investment Instructions (b) may be granted a student visa, provided that they meet standard student requirements (see [U3.35](#)).

- d. People with a written invitation or schedule of events invited to New Zealand to referee sports events or judge shows, displays, or exhibitions.
- e. Dance and music examiners of recognised international teaching institutions with a written invitation or job offer to conduct examinations in New Zealand.
- f. Installers or servicers of specialised machinery or equipment supplied by an overseas company who can provide evidence that installing or servicing the equipment in New Zealand is a condition of purchase.
- g. Entertainment industry sector workers (entertainers, performing artists, film and video production crew, and associated support personnel), who intend to engage in any form of private or public performance in New Zealand or work on any film or video production in New Zealand, if they meet the evidential and other requirements set out in [WS6](#).
- h. Sports players and professional sports coaches taking up a paid position in a New Zealand sports club who have a written offer of employment from that club.

Note: Players or coaches who wish to undertake additional employment may apply for a variation of conditions of their work visa once they arrive in New Zealand (see [E3.25.1](#)).

- i. Philippines nurses seeking entry to obtain New Zealand occupational registration who have a job offer from a District Health Board and have been accepted for the Nursing Council's Competence Assessment Programme.

Note: This instruction ([WS2\(i\)](#)) reflects New Zealand's international trade commitments (see [E9](#)).

- j. Principal applicants for residence under the Entrepreneur Residence Visa Category instructions who currently hold a valid visa granted under the Entrepreneur Work Visa Category or Long Term Business Visa Category instructions (see BH8).
- k. People who need to come to New Zealand for any other specific purpose or event where they meet the objective of these instructions ([WS1](#)) and the circumstances justify the grant of a work visa.

WS3 Evidence required

People applying for a specific purpose or event work visa (with the exception of entertainers, performing artists, film and video production crew, and associated support personnel who have special requirements see [WS6](#)), must provide:

- a. evidence of the amount of time they need to be in New Zealand; and
- b. evidence of a job offer that **meets the requirements of W2.10.10**, invitation, or schedule of events, if required by [WS2](#); and
- c. a completed *Employer Supplementary Form (INZ 1113)*, if a job offer is required by WS2 ; and
- d. evidence of their qualifications or experience relevant to the position or event, if required by WS2; and
- e. evidence of their international merit or distinction, if requested by an immigration officer; and
- f. evidence of any other requirements in WS2 being met.

WS4 Currency of specific purpose or event visa

- a. The currency of a specific purpose or event visa must be consistent with the time required for the holder to complete the specific purpose or event.
- b. Applicants approved entry for a specific purpose or event may be granted a multiple entry visa if appropriate. The maximum stay, including a short grace period within which the visa holder can leave New Zealand after they have completed their specific purpose or event, is:
 - i. Senior or specialist business people on short term secondments – 12 months, with the ability to be granted a further visa for 12 months to complete the specific purpose;
 - ii. Business people seconded to New Zealand as an intra-corporate transferee of a multi-national company – three years, with the ability to be granted a further visa for three years to complete the specific purpose;
 - iii. Business visitors wishing to undertake business activities in New Zealand for more than 3 months in any one year – 12 months;
 - iv. Principal applicants under Migrant Investment Instructions - for 12 months from the date approval in principle was given. A further visa may be granted upon application for up to a further 12 months for Investor 1 applicants, or a further 6 months for Investor 2 applicants (see BJ7.40);
 - v. Show judges and sports referees – for the period of their engagement and not usually more than six months;
 - vi. Dance and music examiners – for the period of their examinations and not usually more than six months;
 - vii. Installers and servicers of machinery – no more than 90 days in any 12 month period;
 - viii. Entertainers, performing artists, film and video production crew, and associated support personnel – for the period requested;
 - ix. Sports players and professional sports coaches – for the period of their job offer, up to a maximum of 12 months for players, or three years in the case of coaches employed at national or regional level;
 - x. Philippines nurses – up to three months to enable them to work while meeting their registration requirements.

Note: Philippines nurses who have been granted a work visa in order to obtain registration as a nurse will not be granted a further work visa other than for an occupation which is ANZSCO Skill Level 1 or 2.

- xi. Principal applicants for residence under the Entrepreneur Residence Visa Category instructions who currently hold a valid visa granted under the Entrepreneur Work Visa Category or Long Term Business Visa Category instructions – up to nine months.

Appendix 4 - Long Term Skill Shortage List

This is the revised Long Term Skill Shortage List, effective from 11 April 2016.

This list is part of Government immigration instructions as described in section 22 of the Immigration Act 2009 (see WR3.10.1) and Government residence instructions as described in sections 22 and 23 of the Immigration Act 2009 (see RW4).

Occupational Group	Occupation Occupations are listed by ANZSCO (Australian and New Zealand Standard Classification of Occupations) code.	Long Term Skill Shortage List Requirements Qualifications must be comparable to the standard of the New Zealand qualification listed. Also see Note 1 at the end of this list.	Bonus point requirements In order to claim bonus points for qualifications in an area of absolute skill shortage under the Skilled Migrant Category, applicants must meet the following specifications.
Agriculture and Forestry	Forest Scientist (234113)	One of the following qualifications: - Bachelor of Engineering (Honours) (Forest Engineering) (NZQF Level 8) - Bachelor of Forestry Science (NZQF Level 7) - Bachelor of Forestry Science with Honours (NZQF Level 8)	One of the following qualifications: - Bachelor of Engineering (Honours) (Forest Engineering) (NZQF Level 8) - Bachelor of Forestry Science (NZQF Level 7) - Bachelor of Forestry Science with Honours (NZQF Level 8)

<p>Construction</p>	<p>Construction Project Manager (Roading and Infrastructure) (133111)</p>	<p>One of the following:</p> <ul style="list-style-type: none"> - Bachelor of Engineering with Honours (Civil Engineering) (NZQF Level 8) - Bachelor of Construction (Construction Management) (NZQF Level 7) - Bachelor of Engineering Technology (Highways Engineering) (NZQF Level 7) - Bachelor of Engineering Technology (Civil Engineering) (NZQF Level 7) - Graduate Diploma in Construction Project Management (NZQF Level 7) - Graduate Diploma in Engineering (Highways) (NZQF Level 7) - Diploma of Engineering (Civil) (NZQF Level 6) - National Diploma in Construction Management (NZQF Level 6) - New Zealand Diploma in Engineering (Civil) (NZQF Level 6) - New Zealand Diploma in Engineering (Civil Engineering) (NZQF Level 6) - Diploma in Engineering Technology (Highways) (NZQF Level 6) - A Washington Accord or a Sydney Accord accredited undergraduate (initial) engineering degree in Civil Engineering (listed - see Note 3) - A qualification at NZQF Level 7 or higher, with a letter from IPENZ certifying that the degree and any further learning meet the benchmark requirements towards Chartered Professional Engineer professional status in New Zealand in the field of civil engineering - NZ registration in the field of civil engineering as a Chartered Professional Engineer or an Engineering Technologist by the Institution of Professional Engineers New Zealand <p>AND</p> <p>a minimum of five years' relevant post-qualification work experience</p>	<p>One of the following:</p> <ul style="list-style-type: none"> - Bachelor of Engineering with Honours (Civil Engineering) (NZQF Level 8) - Bachelor of Construction (Construction Management) (NZQF Level 7) - Bachelor of Engineering Technology (Highways Engineering) (NZQF Level 7) - Bachelor of Engineering Technology (Civil Engineering) (NZQF Level 7) - Graduate Diploma in Construction Project Management (NZQF Level 7) - Graduate Diploma in Engineering (Highways) (NZQF Level 7) - Diploma of Engineering (Civil) (NZQF Level 6) - National Diploma in Construction Management (NZQF Level 6) - New Zealand Diploma in Engineering (Civil) (NZQF Level 6) - New Zealand Diploma in Engineering (Civil Engineering) (NZQF Level 6) - Diploma in Engineering Technology (Highways) (NZQF Level 6) - A Washington Accord or a Sydney Accord accredited undergraduate (initial) engineering degree in Civil Engineering (listed - see Note 3) - A qualification at NZQF Level 7 or higher, with a letter from IPENZ certifying that the degree and any further learning meet the benchmark requirements towards Chartered Professional Engineer professional status in New Zealand in the field of civil engineering - NZ registration in the field of civil engineering as a Chartered Professional Engineer or an Engineering Technologist by the Institution of Professional Engineers New Zealand <p>AND</p> <p>a minimum of five years' relevant post-qualification work experience</p>
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Construction	Project Builder (including Building Project Manager and Site Foreman) (133112)	<p>One of the following qualifications:</p> <ul style="list-style-type: none"> - Bachelor of Construction (Construction Management) (NZQF Level 7) - Bachelor of Construction (Construction Economics) (NZQF Level 7) - Bachelor of Applied Technology - Building (NZQF Level 7) - Graduate Diploma in Construction Project Management (NZQF Level 7) - National Diploma in Construction Management (NZQF Level 6) - New Zealand Diploma in Construction (NZQF Level 6) (Relevant strand is Construction Management) <p>AND</p> <p>a minimum of three years' relevant post-qualification work experience</p>	<p>One of the following qualifications:</p> <ul style="list-style-type: none"> - Bachelor of Construction (Construction Management) (NZQF Level 7) - Bachelor of Construction (Construction Economics) (NZQF Level 7) - Bachelor of Applied Technology - Building (NZQF Level 7) - Graduate Diploma in Construction Project Management (NZQF Level 7) - National Diploma in Construction Management (NZQF Level 6) - New Zealand Diploma in Construction (NZQF Level 6) (Relevant strand is Construction Management) <p>AND</p> <p>a minimum of three years' relevant post-qualification work experience</p>
Construction	Quantity Surveyor (233213)	<p>One of the following:</p> <ul style="list-style-type: none"> - Bachelor of Construction (Quantity Surveying) (NZQF Level 7) - Bachelor of Construction (Construction Economics) (NZQF Level 7) - Student or Affiliate Membership, or MNZIQS, of the New Zealand Institute of Quantity Surveyors (with an overseas degree approved by NZIQS) <p>AND</p> <p>a minimum of three years' relevant post-qualification work experience</p>	<p>One of the following:</p> <ul style="list-style-type: none"> - Bachelor of Construction (Quantity Surveying) (NZQF Level 7) - Bachelor of Construction (Construction Economics) (NZQF Level 7) - Student or Affiliate Membership, or MNZIQS, of the New Zealand Institute of Quantity Surveyors (with an overseas degree approved by NZIQS) <p>AND</p> <p>a minimum of three years' relevant post-qualification work experience</p>
Construction	Surveyor (232212)	<p>One of the following:</p> <ul style="list-style-type: none"> - Bachelor of Surveying (NZQF Level 7) - Bachelor of Surveying with Honours (NZQF Level 8) - Registration as a Professional Surveyor with the New Zealand Institute of Surveyors - Professional Associate Membership of the New Zealand Institute of Surveyors (with an overseas degree approved by NZIS) 	<p>One of the following:</p> <ul style="list-style-type: none"> - Bachelor of Surveying (NZQF Level 7) - Bachelor of Surveying with Honours (NZQF Level 8) - Registration as a Professional Surveyor with the New Zealand Institute of Surveyors - Professional Associate Membership of the New Zealand Institute of Surveyors (with an overseas degree approved by NZIS)

Engineering	<p>Chemical Engineer (233111), Materials Engineer (233112), Civil Engineer (233211), Geotechnical Engineer (233212), Structural Engineer (233214), Electrical Engineer (233311), Electronics Engineer (233411), Industrial Engineer (233511), Mechanical Engineer (233512), Production or Plant Engineer (233513), Petroleum Engineer (233612), Environmental Engineer (233915), Engineering Professionals nec (233999)</p>	<p>One of the following:</p> <ul style="list-style-type: none"> - A Washington Accord accredited undergraduate (initial) engineering degree (listed - see Note 3) - A Bachelor of Engineering with Honours (NZQF Level 8) - A qualification at NZQF Level 7 or higher, with a letter from IPENZ certifying that the degree and any further learning meet the benchmark requirements towards Chartered Professional Engineer professional status in New Zealand - NZ registration as a Chartered Professional Engineer by the Institution of Professional Engineers New Zealand. 	<p>One of the following:</p> <ul style="list-style-type: none"> - A Washington Accord accredited undergraduate (initial) engineering degree (listed - see Note 3) - A Bachelor of Engineering with Honours (NZQF Level 8) - A qualification at NZQF Level 7 or higher, with a letter from IPENZ certifying that the degree and any further learning meet the benchmark requirements towards Chartered Professional Engineer professional status in New Zealand - NZ registration as a Chartered Professional Engineer by the Institution of Professional Engineers New Zealand.
Engineering	<p>Civil Engineering Technician (312212)</p>	<p>One of the following qualifications:</p> <ul style="list-style-type: none"> - Bachelor of Engineering Technology (Civil Engineering) (NZQF Level 7) - New Zealand Diploma in Engineering – (Civil) (NZQF Level 6) - New Zealand Diploma in Engineering (Civil Engineering) (NZQF Level 6) - National Diploma in Civil Engineering (Applied) (NZQF Level 6) - Diploma in Engineering (Civil) (NZQF Level 6) <p>AND</p> <p>a minimum of three years' work experience including a minimum of 12 months' relevant post-qualification work experience in the past 18 months</p>	<p>One of the following qualifications:</p> <ul style="list-style-type: none"> - Bachelor of Engineering Technology (Civil Engineering) (NZQF Level 7) - New Zealand Diploma in Engineering – (Civil) (NZQF Level 6) - New Zealand Diploma in Engineering (Civil Engineering) (NZQF Level 6) - National Diploma in Civil Engineering (Applied) (NZQF Level 6) - Diploma in Engineering (Civil) (NZQF Level 6) <p>AND</p> <p>a minimum of three years' work experience including a minimum of 12 months' relevant post-qualification work experience in the past 18 months</p>

Engineering	Electrical Engineering Technician (312312)	<p>One of the following:</p> <ul style="list-style-type: none"> - Bachelor's degree in Engineering with Honours (Electrical and Electronic Engineering) (NZQF Level 8) - Bachelor of Applied Technology - Electrotechnology (NZQF Level 7) - Bachelor of Engineering Technology (Electrical Engineering) (NZQF Level 7) - Bachelor of Engineering Technology (Electrical and Electronic Engineering) (NZQF Level 7) - A Washington Accord or Sydney Accord accredited undergraduate (initial) engineering degree in Electrical Engineering (listed - see Note 3) - A qualification at NZQF Level 7 or higher, with a letter from IPENZ certifying that the degree and any further learning meet the benchmark requirements towards Chartered Professional Engineer professional status in New Zealand in the field of electrical engineering - NZ registration in the field of Electrical Engineering as a Chartered Professional Engineer or as an Engineering Technologist by the Institution of Professional Engineers New Zealand <p>AND</p> <p>a minimum of three years' relevant post-qualification work experience</p>	<p>One of the following:</p> <ul style="list-style-type: none"> - Bachelor's degree in Engineering with Honours (Electrical and Electronic Engineering) (NZQF Level 8) - Bachelor of Applied Technology - Electrotechnology (NZQF Level 7) - Bachelor of Engineering Technology (Electrical Engineering) (NZQF Level 7) - Bachelor of Engineering Technology (Electrical and Electronic Engineering) (NZQF Level 7) - A Washington Accord or Sydney Accord accredited undergraduate (initial) engineering degree in Electrical Engineering (listed - see Note 3) - A qualification at NZQF Level 7 or higher, with a letter from IPENZ certifying that the degree and any further learning meet the benchmark requirements towards Chartered Professional Engineer professional status in New Zealand in the field of electrical engineering - NZ registration in the field of Electrical Engineering as a Chartered Professional Engineer or as an Engineering Technologist by the Institution of Professional Engineers New Zealand <p>AND</p> <p>a minimum of three years' relevant post-qualification work experience</p>
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Engineering	Electronic Engineering Technician (312412)	<p>One of the following:</p> <ul style="list-style-type: none"> - National Diploma in Engineering (Electrotechnology) (NZQF Level 6) - New Zealand Diploma in Engineering (Electrical Engineering – specialisation in Electronics) - New Zealand Diploma in Engineering (Electronic Engineering) (NZQF Level 6) - a relevant Bachelor Degree (for example, Bachelor of Applied Technology - Electrotechnology (NZQF Level 7); Bachelor of Engineering Technology (Electronic Engineering) (NZQF Level 7); Bachelor of Engineering Technology (Electrical and Electronic Engineering) (NZQF Level 7); Bachelor of Engineering with Honours in Electronic Engineering, or Electrical and Electronic Engineering (NZQF Level 8)) - A Washington Accord or a Sydney Accord accredited undergraduate (initial) engineering degree in Electronic Engineering (listed - see Note 3) - A qualification at NZQF Level 7 or higher, with a letter from IPENZ certifying that the degree and any further learning meet the benchmark requirements towards Chartered Professional Engineer professional status in New Zealand in the field of Electronic Engineering - NZ registration in the field of Electronic Engineering as a Chartered Professional Engineer or an Engineering Technologist by the Institution of Professional Engineers New Zealand <p>AND</p> <p>a minimum of three years' work experience</p> <p>AND</p> <p>a minimum of 12 months' relevant post-qualification work experience in the last 18 months</p>	<p>One of the following:</p> <ul style="list-style-type: none"> - National Diploma in Engineering (Electrotechnology) (NZQF Level 6) - New Zealand Diploma in Engineering (Electrical Engineering – specialisation in Electronics) - New Zealand Diploma in Engineering (Electronic Engineering) (NZQF Level 6) - a relevant Bachelor Degree (for example, Bachelor of Applied Technology - Electrotechnology (NZQF Level 7); Bachelor of Engineering Technology (Electronic Engineering) (NZQF Level 7); Bachelor of Engineering Technology (Electrical and Electronic Engineering) (NZQF Level 7); Bachelor of Engineering with Honours in Electronic Engineering, or Electrical and Electronic Engineering (NZQF Level 8)) - A Washington Accord or a Sydney Accord accredited undergraduate (initial) engineering degree in Electronic Engineering (listed - see Note 3) - A qualification at NZQF Level 7 or higher, with a letter from IPENZ certifying that the degree and any further learning meet the benchmark requirements towards Chartered Professional Engineer professional status in New Zealand in the field of Electronic Engineering - NZ registration in the field of Electronic Engineering as a Chartered Professional Engineer or an Engineering Technologist by the Institution of Professional Engineers New Zealand <p>AND</p> <p>a minimum of three years' work experience</p> <p>AND</p> <p>a minimum of 12 months' relevant post-qualification work experience in the last 18 months</p>
Finance / Business	Procurement Manager (133612)	<p>One of the following, awarded by the United Kingdom Chartered Institute of Purchasing & Supply (CIPS):</p> <ul style="list-style-type: none"> - CIPS Level 6 Graduate Diploma in Purchasing and Supply (Professional Stage) - CIPS Level 6 Graduate Diploma in Purchasing and Supply - CIPS Level 6 Professional Diploma in Procurement and Supply <p>AND</p> <p>a minimum of five years' relevant work experience</p>	<p>One of the following, awarded by the United Kingdom Chartered Institute of Purchasing & Supply (CIPS):</p> <ul style="list-style-type: none"> - CIPS Level 6 Graduate Diploma in Purchasing and Supply (Professional Stage) - CIPS Level 6 Graduate Diploma in Purchasing and Supply - CIPS Level 6 Professional Diploma in Procurement and Supply <p>AND</p> <p>a minimum of five years' relevant work experience</p>

Health and Social Services	Anaesthetist (253211)	NZ registration within a relevant provisional vocational or vocational scope of practice with the Medical Council of New Zealand (Qualifications in this area of absolute skill shortage are: Bachelor of Medicine and Bachelor of Surgery (NZQF Level 7) – see Note 5)	NZ registration within a relevant provisional vocational or vocational scope of practice with the Medical Council of New Zealand
Health and Social Services	Clinical Psychologist (272311)	NZ registration with the New Zealand Psychologists Board (Qualifications in this area of absolute skill shortage are: Post Graduate Diploma, Master degree or Doctor of Clinical Psychology; Master of Psychology (NZQF Level 9); or Postgraduate Diploma in Psychology (NZQF Level 8) – see Note 5)	NZ registration with the New Zealand Psychologists Board
Health and Social Services	Diagnostic and Interventional Radiologist (253917)	NZ registration within a relevant provisional vocational or vocational scope of practice with the Medical Council of New Zealand (Qualifications in this area of absolute skill shortage are: Bachelor of Medicine and Bachelor of Surgery (NZQF Level 7) – see Note 5)	NZ registration within a relevant provisional vocational or vocational scope of practice with the Medical Council of New Zealand
Health and Social Services	General Practitioner (253111)	NZ registration within a relevant provisional general, general, provisional vocational or vocational scope of practice with the Medical Council of New Zealand (Qualifications in this area of absolute skill shortage are: Bachelor of Medicine and Bachelor of Surgery (NZQF Level 7) – see Note 5)	NZ registration within a relevant provisional general, general, provisional vocational or vocational scope of practice with the Medical Council of New Zealand
Health and Social Services	Medical Radiation Therapist (251212)	NZ registration in the scope of practice as a Radiation Therapist with the Medical Radiation Technologists Board (Qualifications in this area of absolute skill shortage are: Bachelor in Health Science (Medical Imaging) (NZQF Level 7), or Bachelor of Medical Imaging (NZQF Level 7), or Bachelor of Applied Science (Medical Imaging Technology) (NZQF Level 7), or Bachelor of Health Science (Medical Radiation Therapy) (NZQF Level 7), or Bachelor of Radiation Therapy (NZQF Level 7), or Postgraduate Diploma in Health Science (Magnetic Resonance Imaging) (NZQF Level 8) – see Note 5)	NZ registration in the scope of practice as a Radiation Therapist with the Medical Radiation Technologists Board

Health and Social Services	Medical Laboratory Scientist – including Cytotechnologist (Cytoscientist) (234611)	NZ registration in the scope of practice as a Medical Laboratory Scientist by the Medical Sciences Council of New Zealand (A qualification in this area of absolute skill shortage is: Bachelor of Medical Laboratory Science (NZQF Level 7) – see Note 5)	NZ registration in the scope of practice as a Medical Laboratory Scientist by the Medical Sciences Council of New Zealand
Health and Social Services	Registered Nurse (Aged Care) (254412)	NZ registration in the scope of practice as a Registered Nurse with the Nursing Council of New Zealand AND three years' experience working as a Registered Nurse with adults (A qualification in this area of absolute skill shortage is: Bachelor of Nursing (NZQF Level 7) – see Note 5)	NZ registration in the scope of practice as a Registered Nurse with the Nursing Council of New Zealand AND three years' experience working as a Registered Nurse with adults
Health and Social Services	Registered Nurse (Critical Care and Emergency) (254415)	NZ registration in the scope of practice as a Registered Nurse with the Nursing Council of New Zealand AND five years' experience working as a Registered Nurse in Critical/Emergency nursing (A qualification in this area of absolute skill shortage is: Bachelor of Nursing (NZQF Level 7) – see Note 5)	NZ registration in the scope of practice as a Registered Nurse with the Nursing Council of New Zealand AND five years' experience working as a Registered Nurse in Critical/Emergency nursing
Health and Social Services	Registered Nurse (Medical) (254418)	NZ registration in the scope of practice as a Registered Nurse with the Nursing Council of New Zealand AND five years' experience working as a Registered Nurse in Medical nursing (A qualification in this area of absolute skill shortage is: Bachelor of Nursing (NZQF Level 7) – see Note 5)	NZ registration in the scope of practice as a Registered Nurse with the Nursing Council of New Zealand AND five years' experience working as a Registered Nurse in Medical nursing
Health and Social Services	Registered Nurse (Perioperative) (254423)	NZ registration in the scope of practice as a Registered Nurse with the Nursing Council of New Zealand AND five years' experience working as a Registered Nurse in Perioperative nursing (A qualification in this area of absolute skill shortage is: Bachelor of Nursing (NZQF Level 7) – see Note 5)	NZ registration in the scope of practice as a Registered Nurse with the Nursing Council of New Zealand AND five years' experience working as a Registered Nurse in Perioperative nursing

Health and Social Services	Obstetrician and Gynaecologist (253913)	NZ registration within a relevant provisional general or general scope of practice with the Medical Council of New Zealand (Qualifications in this area of absolute skill shortage are: Bachelor of Medicine and Bachelor of Surgery (NZQF Level 7) – see Note 5)	NZ registration within a relevant provisional general or general scope of practice with the Medical Council of New Zealand
Health and Social Services	Pathologist (253915)	NZ registration within a relevant provisional vocational or vocational scope of practice with the Medical Council of New Zealand (Qualifications in this area of absolute skill shortage are: Bachelor of Medicine and Bachelor of Surgery (NZQF Level 7) – see Note 5)	NZ registration within a relevant provisional vocational or vocational scope of practice with the Medical Council of New Zealand
Health and Social Services	Physicist (Medical) (234914)	One of the following: - Certification by the Australasian College of Physical Scientists and Engineers (ACPSEM) in Medicine as a Medical Physicist - Registration or eligibility for registration on the ACPSEM Register of Qualified Medical Physics Specialists - Registration as a Clinical Scientist with the Health and Care Professions Council, United Kingdom and Membership of the Institute of Physics and Engineering Medicine, United Kingdom - Certification as a Medical Physicist by the American Board of Radiology in Medical Physics - Certification of Competence in Clinical Medical Physics as a Member of the Canadian College of Physics in Medicine	One of the following: - Certification by the Australasian College of Physical Scientists and Engineers (ACPSEM) in Medicine as a Medical Physicist - Registration or eligibility for registration on the ACPSEM Register of Qualified Medical Physics Specialists - Registration as a Clinical Scientist with the Health and Care Professions Council, United Kingdom and Membership of the Institute of Physics and Engineering Medicine, United Kingdom - Certification as a Medical Physicist by the American Board of Radiology in Medical Physics - Certification of Competence in Clinical Medical Physics as a Member of the Canadian College of Physics in Medicine
Health and Social Services	Physiotherapist (252511)	NZ registration as a physiotherapist in the general scope of practice or the specialist scope of practice with the Physiotherapy Board of New Zealand (Qualifications in this area of absolute skill shortage are: Bachelor of Physiotherapy (NZQF Level 7), or Bachelor of Physiotherapy with Honours (NZQF Level 8), or Bachelor of Health Science (Physiotherapy) (NZQF Level 7) – see Note 5)	NZ registration as a physiotherapist in the general scope of practice or the specialist scope of practice with the Physiotherapy Board of New Zealand

Health and Social Services	Psychiatrist (253411)	NZ registration within a relevant provisional vocational or vocational scope of practice with the Medical Council of New Zealand (Qualifications in this area of absolute skill shortage are: Bachelor of Medicine and Bachelor of Surgery (NZQF Level 7) – see Note 5)	NZ registration within a relevant provisional vocational or vocational scope of practice with the Medical Council of New Zealand
Health and Social Services	Renal Medicine Specialist (253322)	NZ registration within a relevant provisional vocational or vocational scope of practice with the Medical Council of New Zealand (Qualifications in this area of absolute skill shortage are: Bachelor of Medicine and Bachelor of Surgery (NZQF Level 7) – see Note 5)	NZ registration within a relevant provisional vocational or vocational scope of practice with the Medical Council of New Zealand
Health and Social Services	Sonographer (251214)	NZ registration in the scope of practice as a Sonographer with the Medical Radiation Technologists Board (Qualifications in this area of absolute skill shortage are: Bachelor in Health Science (Medical Imaging) (NZQF Level 7), or Bachelor of Medical Imaging (NZQF Level 7), or Bachelor of Applied Science (Medical Imaging Technology) (NZQF Level 7), or Bachelor of Health Science (Medical Radiation Therapy) (NZQF Level 7), or Bachelor of Radiation Therapy (NZQF Level 7), or Postgraduate Diploma in Health Science (Magnetic Resonance Imaging) (NZQF Level 8) – see Note 5)	NZ registration in the scope of practice as a Sonographer with the Medical Radiation Technologists Board
Health and Social Services	Specialist Physician in Palliative Medicine (253399)	NZ registration within a relevant provisional vocational or vocational scope of practice with the Medical Council of New Zealand (Qualifications in this area of absolute skill shortage are: Bachelor of Medicine and Bachelor of Surgery (NZQF Level 7) – see Note 5)	NZ registration within a relevant provisional vocational or vocational scope of practice with the Medical Council of New Zealand
Health and Social Services	Surgeon (General) (253511)	NZ registration within a relevant provisional vocational or vocational scope of practice with the Medical Council of New Zealand (Qualifications in this area of absolute skill shortage are: Bachelor of Medicine and Bachelor of Surgery (NZQF Level 7) – see Note 5)	NZ registration within a relevant provisional vocational or vocational scope of practice with the Medical Council of New Zealand

Health and Social Services	Veterinarian (234711)	<p>NZ registration with the Veterinary Council of New Zealand.</p> <p>(A qualification in this area of absolute skill shortage is: Bachelor of Veterinary Science (NZQF Level 7) – see Note 5)</p>	<p>NZ registration with the Veterinary Council of New Zealand.</p>
ICT, Electronics and Telecommunications	Multimedia Specialist (Film Animator) (261211)	<p>A minimum of five years specialist work experience in film animation using Maya and/or at least one of the following - Soft Image/ XSI, 3D Studio Max, Photoshop, NUKE, MARI, Python, PyQT, or Unity; including at least three years using Maya</p>	<p>One of the following qualifications:</p> <ul style="list-style-type: none"> - Postgraduate Diploma of Computer Graphic Design (NZQF Level 8) - Bachelor of Applied Visual Imaging (NZQF Level 7) - Bachelor of Art and Design (3D Animation and Visual Effects) (NZQF Level 7) - Bachelor of Communication Studies - (Digital Media) (NZQF Level 7) - Bachelor of Computer Graphic Design (NZQF Level 7) - Bachelor of Creative Industries (Graphic Design) (NZQF Level 7) - Bachelor of Creative Media Production (NZQF Level 7) - Bachelor of Creative Technologies (Digital Media) or (Game Art) (NZQF Level 7) - Bachelor of Design (Communication) or (Digital Design) or (Multimedia Design) or (Visual Communication) (NZQF Level 7) - Bachelor of Design and Arts (Graphic Design) (NZQF Level 7) - Bachelor of Design and Visual Arts (Graphic Design and Animation) (NZQF Level 7) - Bachelor of Design Innovation (Media Design - with or without Computer Graphics) (NZQF Level 7) - Bachelor of Fine Arts (Graphic Design Strand) (NZQF Level 7) - Bachelor of Media and Creative Technologies (Creative Technologies) (NZQF Level 7) - Bachelor of Media Design (Motion Design) or (Graphic Design) or (Interactive Design) (NZQF Level 7) - Bachelor of Science (Computer Science) - (focus Games and Multi Media) (NZQF Level 7) - Bachelor of Software Engineering (Game Programming) (NZQF Level 7) - Bachelor of Visual Arts (NZQF Level 7) (major or minors should include relevant fields of study - 3D visualisation, or cinematic arts, or game and play design) - Graduate Diploma of Game Development (Game Art) or (Game Programming) (NZQF Level 7) - Graduate Diploma in Creative Technology (NZQF Level 7) - Graduate Diploma in Animation (NZQF Level 7) <p>AND</p> <p>a minimum of three years' specialist work experience in film animation</p>

<p>ICT, Electronics and Telecommunications</p>	<p>ICT Project Manager (135112), Organisation and Methods Analyst (224712), ICT Business Analyst (261111), Systems Analyst (261112), Multimedia Specialist (261211), Web Developer (261212), Analyst Programmer (261311), Developer Programmer (261312), Software Engineer (261313), Software Tester (261314), Software and Applications Programmers nec (261399), Database Administrator (262111), ICT Security Specialist (262112), Systems Administrator (262113), Computer Network and Systems Engineer (263111), Network Administrator (263112), ICT Quality Assurance Engineer (263211), ICT Support Engineer (263212), ICT Systems Test Engineer (263213), ICT Support and Test Engineers nec (263299), Telecommunications Engineer (263311), Telecommunications Network Engineer (263312), ICT Customer Support Officer (313112)</p>	<p>One of the following:</p> <ul style="list-style-type: none"> - Bachelor of Engineering with Honours (Computer Engineering) or (Computer and Electronic Engineering) or (Computer Systems Engineering) or (Electronic Engineering) or (Electrical and Electronic Engineering) or (Electronics and Communication Engineering) or (Electronics and Computer Engineering) or (Electronic/s and Computer Systems Engineering) or (Network Engineering) or (Software Engineering) (NZQF Level 8) - Bachelor of Applied Information Technology (Network Engineering) or (Software Engineering) or (Database Architecture) or (Multi-Media and Web Development) (NZQF Level 7) - Bachelor of Arts (Information Science) or (Computer Science) (NZQF Level 7) - Bachelor of Applied Science (Computational Modelling) or (Telecommunications) or (Software Engineering) (NZQF Level 7) - Bachelor of Business Studies (Business Information Systems) (NZQF Level 7) - Bachelor of Commerce (Computer Science) or (Information Management) or (Information Systems) or (Information Systems - IT Solutions) or (Information Systems - IS Business Analysis) or (Information Science) (NZQF Level 7) - Bachelor of Computing, Communications and Technology with endorsements in Computing Technical or Multi Media or Systems Design (NZQF Level 7) - Bachelor of Computer and Information Sciences (Computer Science) or (Computational Intelligence) or (IT Service Science) or (Networks and Security) or (Software Development) (NZQF Level 7) - Bachelor of Computing and Mathematical Sciences (Computer Science) (NZQF Level 7 or with Honours at NZQF Level 8) - Bachelor of Computing Systems (NZQF Level 7) - Bachelor of Electronic Commerce (Computer Science - this major has various relevant specialisations) (NZQF Level 7) - Bachelor of Engineering Technology (Computer and Mobile Systems Engineering) or (Electrical and Electronic) or (Electronic Engineering) or (Network and Communication Engineering) (NZQF Level 7) - Bachelor of Information Sciences (Computer Science) or (Information Technology) or (Software Engineering) (NZQF Level 7) - Bachelor of Information and Communication Technologies (NZQF Level 7) 	<p>One of the following:</p> <ul style="list-style-type: none"> - Bachelor of Engineering with Honours (Computer Engineering) or (Computer and Electronic Engineering) or (Computer Systems Engineering) or (Electronic Engineering) or (Electrical and Electronic Engineering) or (Electronics and Communication Engineering) or (Electronics and Computer Engineering) or (Electronic/s and Computer Systems Engineering) or (Network Engineering) or (Software Engineering) (NZQF Level 8) - Bachelor of Applied Information Technology (Network Engineering) or (Software Engineering) or (Database Architecture) or (Multi-Media and Web Development) (NZQF Level 7) - Bachelor of Arts (Information Science) or (Computer Science) (NZQF Level 7) - Bachelor of Applied Science (Computational Modelling) or (Telecommunications) or (Software Engineering) (NZQF Level 7) - Bachelor of Business Studies (Business Information Systems) (NZQF Level 7) - Bachelor of Commerce (Computer Science) or (Information Management) or (Information Systems) or (Information Systems - IT Solutions) or (Information Systems - IS Business Analysis) or (Information Science) (NZQF Level 7) - Bachelor of Computing, Communications and Technology with endorsements in Computing Technical or Multi Media or Systems Design (NZQF Level 7) - Bachelor of Computer and Information Sciences (Computer Science) or (Computational Intelligence) or (IT Service Science) or (Networks and Security) or (Software Development) (NZQF Level 7) - Bachelor of Computing and Mathematical Sciences (Computer Science) (NZQF Level 7 or with Honours at NZQF Level 8) - Bachelor of Computing Systems (NZQF Level 7) - Bachelor of Electronic Commerce (Computer Science - this major has various relevant specialisations) (NZQF Level 7) - Bachelor of Engineering Technology (Computer and Mobile Systems Engineering) or (Electrical and Electronic) or (Electronic Engineering) or (Network and Communication Engineering) (NZQF Level 7) - Bachelor of Information Sciences (Computer Science) or (Information Technology) or (Software Engineering) (NZQF Level 7)
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Recreation, Hospitality and Tourism	Chef (351311)	<p>One of the following qualifications:</p> <ul style="list-style-type: none"> - New Zealand Certificate in Cookery (NZQF Level 4) - National Certificate in Hospitality (Cookery) (NZQF Level 4) - New Zealand Diploma in Cookery (Advanced) (NZQF Level 5) (Relevant strand is Cookery) <p>AND</p> <p>a minimum of five years' combined experience in establishments offering a la carte/banqueting or commercial catering, with a minimum of two years at Chef de Partie (Section Leader level or higher)</p>	<p>One of the following qualifications:</p> <ul style="list-style-type: none"> - New Zealand Certificate in Cookery (NZQF Level 4) - National Certificate in Hospitality (Cookery) (NZQF Level 4) - New Zealand Diploma in Cookery (Advanced) (NZQF Level 5) (Relevant strand is Cookery) <p>AND</p> <p>a minimum of five years' combined experience in establishments offering a la carte/banqueting or commercial catering, with a minimum of two years at Chef de Partie (Section Leader level or higher)</p>

Science	Other Spatial Scientist (232214)	Bachelor degree majoring in Geography or Computer Science AND a minimum of two years' relevant post-qualification work experience in GIS applications (Key Application/ Systems include: ESRI – ARC/GIS; ARC/INFO ARC/SDE; Intergraph GeoMedia; Pitney Bowes MapInfo; GE Smallworld; Oracle Spatial; PostGIS/Postgres; MS SQL Server 2008; Bentley Maps, Geographic; Erdas; Geoserver; Safe FME)	Bachelor degree majoring in Geography or Computer Science AND a minimum of two years' relevant post-qualification work experience in GIS applications (Key Application/ Systems include: ESRI – ARC/GIS; ARC/INFO ARC/SDE; Intergraph GeoMedia; Pitney Bowes MapInfo; GE Smallworld; Oracle Spatial; PostGIS/Postgres; MS SQL Server 2008; Bentley Maps, Geographic; Erdas; Geoserver; Safe FME)
Science	Environmental Research Scientist (234313)	One of the following qualifications: - PhD (NZQF Level 10) with evidence of study in water quality science - Bachelor of Science (NZQF Level 7) specialising in Environmental Science/s or Environmental Studies, or with an endorsement in Environmental Science - Bachelor of Science (Technology) (NZQF Level 7) specialising in Environmental Sciences - Bachelor of Applied Science (Environmental Management) (NZQF Level 7) - Bachelor of Environmental Management (NZQF Level 7) - Bachelor of Technology (Environmental Technology endorsement) (NZQF Level 7) AND a minimum of one year's relevant post-qualification work experience	One of the following qualifications: - PhD (NZQF Level 10) with evidence of study in water quality science - Bachelor of Science (NZQF Level 7) specialising in Environmental Science/s or Environmental Studies, or with an endorsement in Environmental Science - Bachelor of Science (Technology) (NZQF Level 7) specialising in Environmental Sciences - Bachelor of Applied Science (Environmental Management) (NZQF Level 7) - Bachelor of Environmental Management (NZQF Level 7) - Bachelor of Technology (Environmental Technology endorsement) (NZQF Level 7) AND a minimum of one year's relevant post-qualification work experience
Science	Food Technologist (234212)	One of the following qualifications: - Bachelor of Food Technology with Honours (Food Product Technology) or (Food Process Engineering) (NZQF Level 8) - Bachelor of Applied Science (Human Nutrition) (NZQF Level 7) - Bachelor of Science (Food Science) (NZQF Level 7) - Bachelor of Science (Human Nutrition) (NZQF Level 7) - Bachelor of Science (Nutrition) (NZQF Level 7) AND a minimum of three years' relevant post-qualification work experience in the industry	One of the following qualifications: - Bachelor of Food Technology with Honours (Food Product Technology) or (Food Process Engineering) (NZQF Level 8) - Bachelor of Applied Science (Human Nutrition) (NZQF Level 7) - Bachelor of Science (Food Science) (NZQF Level 7) - Bachelor of Science (Human Nutrition) (NZQF Level 7) - Bachelor of Science (Nutrition) (NZQF Level 7) AND a minimum of three years' relevant post-qualification work experience in the industry

Trades	Automotive Electrician (321111)	One of the following qualifications: - National Certificate in Motor Industry (Automotive Engineering) (NZQF Level 4) - National Certificate in Motor Industry (Automotive Electrical Engineering) (NZQF Level 4) - National Certificate in Motor Industry (Automotive Electrical and Mechanical Engineering) (NZQF Level 4) (relevant strand is Electrical and Electronics)	One of the following qualifications: - National Certificate in Motor Industry (Automotive Engineering) (NZQF Level 4) - National Certificate in Motor Industry (Automotive Electrical Engineering) (NZQF Level 4) - National Certificate in Motor Industry (Automotive Electrical and Mechanical Engineering) (NZQF Level 4) (relevant strand is Electrical and Electronics)
Trades	Diesel Motor Mechanic (including Heavy Vehicle Inspector) (321212)	National Certificate in Motor Industry (Automotive Heavy Engineering) (NZQF Level 4) AND a minimum of three years' relevant post-qualification work experience	National Certificate in Motor Industry (Automotive Heavy Engineering) (NZQF Level 4) AND a minimum of three years' relevant post-qualification work experience
Trades	Electrician (General) (341111)	NZ registration as an electrician or a limited certificate as an electrician from the Electrical Workers Registration Board	NZ registration as an electrician or a limited certificate as an electrician from the Electrical Workers Registration Board
Trades	Electric Line Mechanic (342211)	NZ registration as a line mechanic or a limited certificate as a line mechanic from the Electrical Workers Registration Board (Qualifications in this area of absolute skill shortage are: National Certificate in Electricity Supply (Line Mechanic Distribution) (NZQF Level 4) or National Certificate in Electricity Supply (Line Mechanic Transmission) (NZQF Level 4) – see Note 5)	NZ registration as a line mechanic or a limited certificate as a line mechanic from the Electrical Workers Registration Board
Transport	Ship's Officer (231214)	Officer in Charge of a Navigational Watch (on ships of 500 gross tonnage or more) Certificate of Competency (issued in accordance with Regulation II/1 of the International Convention on Standards of Training Certification and Watchkeeping for Seafarers (STCW78 as amended) and subject to recognition by Maritime New Zealand) AND a minimum one year's relevant post-certification work experience	No bonus points available via this column

Transport	Ship's Engineer (231212)	Marine Engineer Class 3 (Officer in Charge of an Engineering Watch on ships of 750 kilowatts or more) Certificate of Competency (issued in accordance with Regulation III/1 of the International Convention on Standards of Training Certification and Watchkeeping for Seafarers (STCW78 as amended) and subject to recognition by Maritime New Zealand) AND a minimum three years' relevant post-certification work experience	No bonus points available via this column
Transport	Ship's Master (231213)	Master of a Foreign Going Ship (Master on ships of 3,000 gross tonnage or more) Certificate of Competency (issued in accordance with Regulation II/2 of the International Convention on Standards of Training Certification and Watchkeeping for Seafarers (STCW78 as amended) and subject to recognition by maritime New Zealand) AND a minimum three years' relevant post-certification work experience	No bonus points available via this column

Note 1: Qualifications listed (unless an exception is stated) are New Zealand awarded qualifications on the New Zealand Qualifications Framework (NZQF). Overseas qualifications must be comparable to the standard of the New Zealand qualification listed or a qualification listed in the New Zealand Standard Classification of Education. Overseas qualifications therefore require an International Qualification Assessment (IOA) from the New Zealand Qualifications Authority stating the comparable NZQF qualification.

Note 2: Where post-qualification work experience is included as a requirement it applies to all qualifications listed for the occupation (unless otherwise indicated).

Note 3: Where a Washington Accord accredited undergraduate engineering degree is a requirement, the engineering degree has to be awarded from or after the date the country became a signatory, and must be on the list of accredited programmes of the signatory country. To determine if an engineering degree awarded is Washington Accord accredited, please refer to the links from the International Engineering Alliance on their website:

<http://www.ieagrements.org/Washington-Accord/Accredited.cfm>.

Where a Sydney Accord accredited undergraduate engineering degree is a requirement, the engineering technology degree has to be awarded from or after the date the country became a signatory, and must be on the list of accredited programmes of the signatory country. To determine if an engineering technology degree awarded is Sydney Accord accredited, please refer to the links from the International Engineering Alliance on their website:

<http://www.ieagrements.org/Sydney/signatories.cfm>.

Note 4: Qualifications held by applicants claiming points based on this list under the Skilled Migrant Category must be recognised under the Skilled Migrant Category.

Note 5: Where New Zealand registration is specified as a requirement and states "a qualification(s) in this area of absolute skill shortage is/are", a person only needs to hold the particular New Zealand registration and to have undertaken any necessary work experience in order to meet the requirements of the List. In these cases, qualifications are listed only for the purposes of people applying for work visas under WF4.1.

APPENDIX 3: AMENDED OPERATIONAL INSTRUCTIONS EFFECTIVE ON AND AFTER 11 APRIL 2016

D7.45 Exploitation of unlawful employees and temporary workers

See also *Immigration Act s 351*

- a. An employer commits an offence against the Immigration Act 2009 who, while allowing an unlawful employee or temporary worker to work in the employer's service:
 - i. is responsible for a serious failure to pay to the employee money payable under the Holidays Act 2003; or
 - ii. is in serious default under the Minimum Wage Act 1983 in respect of the employee; or
 - iii. is responsible for a serious contravention of the Wages Protection Act 1983 in respect of the employee.
- b. It is also an offence for an employer, while allowing an unlawful employee or temporary worker to work in the employer's service, to take an action with the intention of preventing or hindering the employee from:
 - i. leaving the employer's service; or
 - ii. leaving New Zealand; or
 - iii. ascertaining or seeking his or her entitlements under the law of New Zealand; or
 - iv. disclosing to any person the circumstances of his or her work for the employer.
- c. The following matters may be taken into account in deciding whether a failure, default, or contravention is serious:
 - i. the amount of money involved; and
 - ii. whether it comprises a single instance or a series of instances; and
 - iii. if, it comprises a series of instances, the number of instances and the period over which they occurred; and
 - iv. whether or not it was intentional; and
 - v. whether the employer concerned has complied with record-keeping obligations imposed by the Act concerned; and
 - vi. any other relevant matter.
- d. The following are examples of actions of the kind referred to in (b) above:
 - i. taking or retaining possession or control of a person's passport, any other travel or identity document, or travel tickets; or
 - ii. preventing or hindering a person from:
 - o having access to a telephone; or
 - o using a telephone; or
 - o using a telephone privately; or
 - o leaving premises; or
 - o leaving premises unaccompanied; or
 - iii. preventing or hindering a labour inspector (within the meaning of the Employment Relations Act 2000) from entering or having access to any place or premises to which he or she is entitled to have access under any enactment.
- e. In these provisions, in relation to an employer:
 - i. a temporary worker means a person:
 - o who the employer knows holds a temporary entry class visa; or
 - o who holds a temporary entry class visa and in respect of whom the employer is reckless as to whether or not the person holds a temporary entry class visa
 - ii. an unlawful employee means a person who undertakes work for the employer that:
 - o the employer knows, under this Act, the person is not entitled to undertake; or
 - o the person is, under this Act, not entitled to undertake and in respect of which the employer is reckless as to whether or not the person is entitled to undertake the work.