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# Self-Assessment Guide for Residence in New Zealand

A guide to the options for gaining residence in New Zealand

## Residence in New Zealand

Potential migrants who want to live in New Zealand permanently must first obtain a residence class visa entitling them to live, study and work indefinitely in this country. This guide summarises the various residence categories and the requirements you will need to meet to live in New Zealand as a permanent resident.

If, after reading this guide, you want more details about applying for residence, visit [www.immigration.govt.nz](http://www.immigration.govt.nz).

If you're a New Zealand or Australian citizen, you don't need to apply for residence to live in New Zealand, although you will still need to show a valid New Zealand or Australian passport on your arrival in New Zealand.

If you are entering New Zealand with a current Australian Permanent Residence Visa or a current Australian Resident Return Visa, you will normally be granted a New Zealand resident visa on arrival. However, you can still be refused residence if you are not of good character. (See 'Character requirements' for further information.)

In New Zealand, residence and citizenship are different. If you are granted residence, you retain your original citizenship, and you can also apply for New Zealand citizenship. Immigration New Zealand (INZ) does not administer citizenship law. Enquiries regarding New Zealand citizenship and passports should be directed to the Department of Internal Affairs or a New Zealand consular or diplomatic office. See our website [www.immigration.govt.nz](http://www.immigration.govt.nz) for further information.

## KIA ORA – WELCOME

New Zealand welcomes new migrants – people who will contribute to our country by bringing valuable skills or qualifications, setting up a business, or making a financial investment.

We also encourage family reunification by allowing residents and citizens to sponsor or support other family members for residence. We believe migrants make a valuable contribution to our society, and help us develop and strengthen our relationships with other parts of the world.

## The New Zealand Residence Programme

The New Zealand Residence Programme (NZRP) contains residence goals set by Government to meet New Zealand's ongoing skills requirements and humanitarian commitments. The number of places available to migrants under the NZRP is reviewed by Cabinet periodically.

Currently the overall NZRP is set at 85,000 to 95,000 approved places between July 2016 and June 2018.

The NZRP includes:

- the Skilled/Business stream (approximately 50,500 to 57,500 places),
- the Family stream (approximately 27,000 to 29,000 places), and
- the International/Humanitarian stream (approximately 7,500 to 8,500 places).

## Requirements of your residence class visa

We can impose requirements on you if you are granted a resident visa under the Investor, Employees of Relocating Businesses, Entrepreneur Residence or Skilled Migrant categories. (Details of these requirements are given under the sections about these categories later in this guide.) The Minister of Immigration can also impose requirements on you if the Minister has granted a resident visa to you as an exception to instructions.

The requirements may remain for up to two years after you are first granted residence except if you are granted residence under the Migrant Investment Instructions, in which case requirements will remain for up to four years.

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If you show us that you've met them after this time, we will write to you confirming that the requirements no longer apply. After this your residence status is permanent. It is important that you meet the requirements within this time as if you don't you (and any accompanying family members) may become liable for deportation.

## How decisions are made

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The Minister of Immigration sets residence instructions. By law, INZ must assess applications according to the rules of these instructions.

## Your health, character and English language ability

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### Health requirements

Read our leaflet *Health Requirements (INZ 1121)* for full details of the health information you will need to submit as part of your application.

### Character requirements

You and any family members included in your application must be of good character, whatever the category. To prove that, you and everyone in your family who is 17 years of age and older needs to provide police certificates from:

- your country of citizenship (unless you can provide satisfactory evidence to an immigration officer that a police certificate is either not available or is unduly difficult to obtain); and
- any country you have been in for 12 months or more in the last 10 years, whether in one visit or more.

For information on how to obtain a police certificate you can visit our website [www.immigration.govt.nz/policecertificate](http://www.immigration.govt.nz/policecertificate).

Accessing the website is the quickest means of obtaining this information, however if you do not have access to the internet you can either:

- call us on 0508 55 88 55 if you are in New Zealand, or (09) 914 4100 if you are in Auckland; or
- contact your nearest INZ office.

You will probably be refused residence in New Zealand on character grounds if:

- you have ever been convicted and sentenced to imprisonment for five years or more; or
- you are subject to a current or permanent prohibition on entering New Zealand, or have been deported from another country; or
- there is reason to believe you might be associated with criminal groups, constitute a danger to New Zealand, or engage in criminal offending after your arrival.

### English language requirements

You will have a better chance of settling successfully in New Zealand if you can speak English. You (and everyone else aged 16 or over who is accompanying you) will need to meet a minimum standard of English if you are applying under the Skilled Migrant, Pacific Access or Business categories (except the Investor Plus (Investor 1 Category)). If you are applying under Religious Worker instructions you will be required to meet the minimum English language requirements. You won't need to meet English language requirements if you're applying under any other residence from work categories. However, all partners and/or children included in any residence from work category application, including under Religious Worker instructions, will need to meet English language requirements.

Details of the minimum standards for each category, and what evidence you need to provide, can be found on our website [www.immigration.govt.nz](http://www.immigration.govt.nz). Alternatively, see our leaflet *English Language Information (INZ 1060)*.

## Your application

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### Principal applicant

The principal applicant is the person who will be primarily assessed against the instructions criteria. If this is you, you should fill in the application form.

### Non-principal applicants

Non-principal applicants are any other people who you include in the application, such as your partner and/or children.

## Partners

You can include your partner in your application, but you must have been living together in a genuine and stable relationship for at least 12 months and meet other minimum requirements for your partnership to be recognised. See 'Minimum requirements for recognition of partnerships'.

## Dependent children

You can include your children and your partner's children in your application if they are single and aged 17 or younger or are single, aged 18-24 years and have no children of their own. Children aged 21 to 24 years must be either totally or substantially reliant on you or your partner for financial support, whether or not they are living with you or your partner.

Your partner's children cannot be approved for residence unless you and your partner are able to meet the minimum requirements for recognition of partnerships (see 'Minimum requirements for recognition of partnerships').

If you are applying for residence under the Parent Category or the Parent Retirement Category, you will not be eligible for residence if you have dependent children.

## Custody of dependent children

If you have custody of a child who is under 16 years of age and you are separated or divorced from the other parent, you need to provide us with evidence that you have the legal right to remove that child from their home country.

## Customary adoptions

Children who have been informally adopted at an early age by members of their extended family according to custom are regarded as members of the host family into which they were adopted and will not be approved for residence as part of your family.

## Mandatory inclusion of family members

If you submit a residence application and hold a work visa and your partner and/or children hold temporary visas linked to your work visa, they must be included and cannot be subsequently removed from your residence application. Failure to do so may result in your application being declined.

## Other things you need to know

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### Agents, advisers and third parties

You can apply for residence by completing and submitting the necessary forms yourself or you can ask another person – such as a friend, lawyer, or immigration adviser – to help you. (We refer to people who help you in this way as your 'agent', 'adviser' or 'representative'.) We give all applicants equal treatment so you are free to choose whether or not to use an agent. Our website [www.immigration.govt.nz](http://www.immigration.govt.nz) has lots of information about migrating to and settling in New Zealand and also provides links to other services that may be able to help you.

Please be aware of the following if you do decide to use an agent, adviser or representative.

- You can give your own address or your agent's, adviser's or representative's address as our point of contact. However, there may be times when we want to work directly with you.
- If you give your agent's, adviser's or representative's address, we will send them all correspondence about your application – including notices for interviews and original documents.
- If you stop using the services of your agent, adviser or representative, or hire a new one, you will need to tell us in writing or we will continue to deal with them. If you are changing your immigration adviser, please use the form *Immigration Adviser Details (INZ 1160)*.
- You are responsible for any documents or information that you submit with your application as well as any information that your agent, adviser or representative submits on your behalf.

### Online checking of applications

This service is only available to applications lodged at INZ offices listed at the back of this guide.

You can check the progress of your application online. You can register for this service by selecting this option in your application. If you select this option you will be advised of the outcome of your application by email. If you decide to use an agent, adviser or representative to represent you they will be sent instructions on how to access the online enquiry system.

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## Immigration levy

Applicants for residence must pay an immigration levy when they submit their application. Information about the immigration levy and the amount you will need to pay are in our Fees Guide (INZ 1028).

## Advance passenger screening

New Zealand has implemented a system designed to enhance the security of New Zealand's borders. You may be refused permission to board your flight to come to, or return to New Zealand if:

- you do not have an appropriate visa to enter New Zealand; or
- your visa has expired; or
- your visa has not been transferred to your current/new passport or the passport being used to enter New Zealand.

To minimise any disruption to your travel plans, please ensure your travel documents are up to date and that you have the appropriate and current visa. If you have any questions check [www.immigration.govt.nz](http://www.immigration.govt.nz).

## New Zealand Residence Programme

The Government manages the number of people who are granted residence in New Zealand each year through the New Zealand Residence Programme. The programme has three streams – Skilled/Business, Family Sponsored and International/Humanitarian – with set limits on the number of approvals granted for each group. Each stream has a different intent, focus and rules. On the following pages you will find an overview of the various instructions and the rules for each of the categories under each stream.

## Tax obligations while residing in New Zealand

If you are planning to work in New Zealand, you will need an IRD number. All your tax, entitlement and personal details are linked to this number, which is unique to you. This is administered by Inland Revenue, New Zealand's tax service. You can apply for an IRD number online at [www.ird.govt.nz/irdnum-individuals](http://www.ird.govt.nz/irdnum-individuals).

Most types of individual income derived from overseas are temporarily exempt from tax in New Zealand if you fulfil certain conditions. The temporary tax exemption is available to new migrants and returning New Zealanders who have not been resident for tax purposes in New Zealand for at least 10 years. See [www.ird.govt.nz/temp-tax-exemption](http://www.ird.govt.nz/temp-tax-exemption) for further information.

## Importing your car, boat, and/or household items

You may be able to bring your car, boat, and/or household items to New Zealand free of Customs charges. For detailed information on restrictions, and to find out if you must pay Customs charges, see the New Zealand Customs Service website [www.customs.govt.nz](http://www.customs.govt.nz). For enquiries telephone 0800 428 786 (within New Zealand), +64 9 300 5399 (outside New Zealand), or email [feedback@customs.govt.nz](mailto:feedback@customs.govt.nz).

## SKILLED/BUSINESS STREAM

The purpose of the Skilled/Business stream is to help talented and entrepreneurial migrants gain residence in New Zealand. The categories in this stream are the:

- Skilled Migrant Category;
- Business Categories (Migrant Investment Instructions, Entrepreneur Residence, Employees of Relocating Businesses); and
- Residence from Work categories (Talent (Accredited Employers) Residence Instructions, Talent (Arts, Culture, and Sports) Residence Instructions, and Long Term Skill Shortage List).

### Skilled Migrant Category

New Zealand offers many opportunities for skilled migrants, particularly in industries and regions experiencing growth and skill shortages. The Skilled Migrant Category has been designed to give priority to meeting those needs and opportunities. If you are interested in migrating to New Zealand as a skilled migrant, and if you have the skills we need, then we are ready to work with you to meet our mutual goals.

### How does the Skilled Migrant Category work?

#### The prerequisites

To be considered under this category you need to be of good health, good character, have a reasonable standard of English, and be under the age of 56 years. You will also need to meet the threshold of 100 points to register an Expression of Interest. (See *English Language Information (INZ 1060)* for full English language requirements and information on how to meet them.)

#### The points system

The points system is designed to reflect which applicants have the most to offer New Zealand so that INZ can extend invitations to apply for residence to them. Points are available for skilled employment in New Zealand, work experience, qualifications and age. Bonus points are also available. The points and bonus points are set out on the table under 'The Skilled Migrant Category points system'.

#### Objectives of the Skilled Migrant Category

You will see from the prerequisites and points system that the Skilled Migrant Category is designed to minimise the risk of a mismatch between the skills migrants bring and the skills

New Zealand needs. The highest points will be available to qualified, skilled migrants who are already working in skilled employment in New Zealand. Research has confirmed that such migrants settle more quickly and are able to match their New Zealand counterparts in salary levels and standards of living.

Although a skilled job offer is not a prerequisite, you can see how important it is to consider ensuring that your skills are needed in New Zealand before you sell your home, leave your job and move to New Zealand. Be wary of anyone who offers to guarantee you residence or to sell you a job offer – it may be a fraudulent practice and could result in your Expression of Interest or application being declined.

If anyone attempts to bribe an INZ officer then the application will be declined and charges may be laid. If you have any doubts check with INZ before paying any money to an agent or adviser.

### The process

#### Step one: You complete an initial self-assessment

Complete the 'Skilled Migrant quick check' in this guide or on the INZ website [www.immigration.govt.nz/skilledmigrant](http://www.immigration.govt.nz/skilledmigrant). This will help you decide whether or not it is worth submitting an Expression of Interest.

#### Step two: You submit an Expression of Interest

Complete an Expression of Interest. In this, you tell us about your health, character, age and English language ability, as well as the factors that will earn you points. When it is completed, submit it to INZ where it will be checked to ensure that all relevant information has been supplied.

You can complete and submit an Expression of Interest form online at [www.immigration.govt.nz](http://www.immigration.govt.nz) or on a hard copy form, which you can download from our website. The online form is easier to complete and is also less expensive than submitting a paper form.

You need at least 100 points to submit an Expression of Interest.

#### Step three: We select Expressions of Interest

Expressions of Interest that have enough points above a set number are selected automatically. The selection point may change as necessary to manage the achievement of the New Zealand Residence Programme. See [www.immigration.govt.nz](http://www.immigration.govt.nz) for more information on the number of points needed for automatic selection.

Once your Expression of Interest has been selected from the pool, following some checking, you may be invited to lodge an application for residence.

An Expression of Interest is current for a period of six months from the date of submission to the pool. If selection(s) of Expressions of Interest occur within the six-month period and yours is not selected, we will automatically withdraw your Expression of Interest at the end of the six-month period. If your Expression of Interest is selected from the pool but later returned to the pool by an immigration officer (for example if you are not awarded some of the points you claimed, but still have at least 100 points), your Expression of Interest will also be automatically withdrawn from the pool, six months from the date it was first submitted.

If your Expression of Interest is withdrawn, you can submit another one if you wish.

If we have not selected any Expressions of Interest over the six-month period, all Expressions of Interest will remain in the pool until we make the next selection.

#### Step four: We ask you to apply for residence

If you are drawn from the pool, we may send you an Invitation to Apply for residence. After you have been invited to apply you will need to send us all the necessary documents to support the claims you made in your Expression of Interest – such as passports, qualifications and relevant certificates (original documents or certified copies). The application for residence is a much simpler form to complete because you will have supplied much of the necessary information with your Expression of Interest.

#### Step five: Decision-making

We assess your application for residence against residence instructions and look at your ability to settle successfully and make a real contribution to New Zealand's social and economic development. We also undertake further verification of some of the information you have given us in your Expression of Interest. In some cases, we will assess this by conducting an interview with you covering your employment prospects, your familiarity with New Zealand and the support you are likely to have here. If you are able to demonstrate your ability, or potential, to settle in New Zealand successfully, your application can be approved and you will be granted a residence class visa.

Alternatively, you may be granted a work to residence visa to give you time to obtain an offer of skilled employment in New Zealand to help you gain residence. We will send you a letter setting out the requirements that apply to you, your partner and/or children depending on the type of visa you are granted. If you cannot meet our settlement requirements your residence application may be declined.

#### Step six: Welcome to New Zealand

We have a range of tools and resources to help you prepare for living and working in New Zealand.

The New Zealand Now website is a migrant's guide to living, working and moving to New Zealand. It includes tips on getting started in New Zealand and settling in. [www.newzealandnow.govt.nz/](http://www.newzealandnow.govt.nz/)

NZ Ready is a planning tool to help you move to and settle in New Zealand. The tool covers a range of topics, and generates a tailored list of things to know and things to do to make your migration journey a success. [nzready.immigration.govt.nz/](http://nzready.immigration.govt.nz/)

### Skilled Migrant quick check

|  |  |
|--|--|
| 1. Are you under 56 years of age?  | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 2. Are you, your partner, and your children all healthy? (See page 3.)                                     | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 3. Are you, your partner, and/or your children free of major criminal convictions and not a security risk? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 4. Can you competently speak, write and understand English?  | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 5. Have you been offered a job in New Zealand?   | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 6. Do you have a tertiary or trade qualification?  | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 7. Do you have at least two years work experience?   | <input type="checkbox"/> Yes <input type="checkbox"/> No |

If you have answered **Yes** to the first four questions and **Yes** to at least one of the last three questions, it may be worthwhile taking the next step and filling in an Expression of Interest.

## The Skilled Migrant Category points system

The table below shows how points are allocated under the Skilled Migrant Category. Please see our website [www.immigration.govt.nz](http://www.immigration.govt.nz) to get more information, definitions of terms, and an indication of your potential points score and eligibility under this category.

| Factors   | Points |
|---|--------|
| <b>Skilled employment</b>   |        |
| Current skilled employment in New Zealand for 12 months or more   | 60     |
| Offer of skilled employment in New Zealand or current employment in New Zealand for less than 12 months   | 50     |
| <b>Bonus points for employment or offer of employment</b>   |        |
| In an identified future growth area   | 10     |
| In an area of absolute skills shortage  | 10     |
| In a region outside Auckland  | 30     |
| Partner employment or offer of employment   | 20     |
| <b>Relevant work experience</b>   |        |
| Two years   | 10     |
| Four years  | 15     |
| Six years   | 20     |
| Eight years   | 25     |
| Ten years   | 30     |
| <b>Additional bonus points if work experience in New Zealand</b>  |        |
| One year  | 5      |
| Two years   | 10     |
| Three years or more   | 15     |
| <b>Additional bonus points for work experience in an identified future growth area</b>  |        |
| Two to five years   | 10     |
| Six years or more   | 15     |
| <b>Additional bonus points for work experience in an area of absolute skills shortage</b>   |        |
| Two to five years   | 10     |
| Six years or more   | 15     |
| <b>Points for recognised qualification</b>  |        |
| Level four to six on the NZQF (e.g trade qualification, diploma)  | 40     |
| Level seven or eight on the NZQF (e.g bachelor degree, bachelor degree with Honours).   | 50     |
| Level nine or ten on the NZQF (e.g Masters degree, Doctorate)   | 60     |
| <b>Bonus points for qualifications</b>  |        |
| Two years of full-time study in New Zealand completing a recognised bachelor degree (level seven on the NZQF) New Zealand qualification             | 10     |
| One year of full-time study in New Zealand completing a recognised post-graduate New Zealand qualification (levels eight, nine, or ten on the NZQF) | 10     |
| Two years of full-time study in New Zealand completing a recognised post-graduate New Zealand qualification (level nine or ten on the NZQF)         | 15     |
| Qualification in an identified future growth area   | 10     |
| Qualification in an area of absolute skill shortage   | 10     |
| Partner qualifications – recognised level four to six qualification   | 10     |
| – recognised level seven or greater qualification   | 20     |
| <b>Bonus points for family</b>  |        |
| Close family in New Zealand   | 10     |
| <b>Points for age</b>   |        |
| 20 to 29  | 30     |
| 30 to 39  | 25     |
| 40 to 44  | 20     |
| 45 to 49  | 10     |
| 50 to 55  | 5      |



## Business categories

You can be granted residence under the Migrant Investment Instructions, the Entrepreneur Residence Category, or Employees of Relocating Businesses Category. We also have another business category – the Entrepreneur Work Visa – that is a temporary entry category intended to lead to residence under the Entrepreneur Residence Category.

People wanting to establish a business in New Zealand can be granted a work visa under the Entrepreneur Work Visa Category for three years, and apply for residence under the Entrepreneur Residence Category after operating their own business for two years or after operating it for six months if it is a high value business, which meets the criteria below. For more information on the Entrepreneur Work Visa, please check our website [www.immigration.govt.nz](http://www.immigration.govt.nz).

### Migrant Investment Instructions

| Key requirements                       | Investor Plus (Investor 1 Category) | Investor (Investor 2 Category)   |
|--|-------------------------------------|--|
| Age                                    | No requirement                      | 65 or younger  |
| Business experience                    | No requirement                      | Minimum of three years   |
| Investment funds                       | NZ\$10 million                      | NZ\$1.5 million  |
| Settlement funds                       | No requirement                      | NZ\$1 million (transfer not required)  |
| Principal applicant's English language | No requirement                      | Qualify for a minimum of 1 point for English language ability under instructions BJ5.35; or other evidence under instructions BJ5.35.1 or BF2.1. |
| Family member's English language       | No requirement                      | Same as principal applicant or pre-purchase ESOL tuition.  |

#### Section 50 requirement on residence

Maintain the investment funds in New Zealand for a minimum of three years; and spend 44 days in New Zealand in each of the last two years of the three-year investment period; and submit evidence of meeting requirements at the two-year anniversary and the expiry of the three-year investment period.

Maintain the investment funds in New Zealand for a minimum of four years; and spend 146 days in New Zealand in each of the last three years of the four-year investment period; and submit evidence of meeting requirements at the two-year anniversary and the expiry of the four-year investment period; and (if required) complete 20 hours of English language tuition.

Applicants under both categories must be healthy and of good character.

#### Both categories

All funds must be legally earned and owned either solely by you, or jointly by you and your partner or you and your dependent children. If the funds are owned partly by your partner, you will need to have been living in a genuine and stable partnership for a minimum of 12 months and meet the minimum requirements for recognition of partnerships (see 'Minimum requirements for recognition of partnerships') for the funds to be acceptable.

#### Investor (Investor 2 Category)

The Investor (Investor 2 Category) is a points-based category in which applicants must first submit an Expression of Interest and claim points in the areas of age, English language, business experience, and investment funds. The Expression of Interest will be entered into a pool if the minimum entry requirements noted in the table above are met and a minimum score of 20 points is achieved. Expressions of Interest will be selected from the pool periodically according to their points ranking. Selection from the pool may result in an Invitation to Apply for residence.

You will need to state what evidence you have to support your claims for points on the Expression of Interest form, but won't need to actually provide documents until you submit your application for residence.

## Entrepreneur Residence Category

To apply under the Entrepreneur Residence Category you need to:

- have successfully established a business in New Zealand
- be self-employed in the business
- be healthy and of good character
- meet a minimum standard of English
- not have applied for or been granted social welfare benefits in New Zealand.

Each category has additional specific requirements.

| Entrepreneur Residence Category (2 years)   | Entrepreneur Residence Category (6 months)  |
|---|---|
| You must have been lawfully working in your business in New Zealand for at least two years. | You must hold a current Long Term Business Visa or Entrepreneur Work Visa and have been lawfully working in your business in New Zealand for at least six months.   |
| Your business has significantly benefited New Zealand and is trading profitably.            | You have invested at least NZ\$0.5 million into your established business and have created a minimum of three full-time jobs for New Zealand citizens or residents. |

To have successfully established a business in New Zealand you must have established or purchased, or made a substantial investment (a minimum of 25 per cent of the shareholding of a business) in a business operating in New Zealand.

A business is considered to benefit New Zealand significantly if it promotes New Zealand's economic growth through, for example:

- introducing new or enhancing existing technology, management or technical skills; or
- introducing new or enhancing existing products, services or export markets; or
- creating new or significantly expanding existing export markets; or
- creating new job opportunities for New Zealand citizens or residents; or
- revitalising an existing business.

The business must be trading profitably on the date you lodge your application or must clearly have the potential to become profitable within the following 12 months.

## Employees of Relocating Businesses Category

This category aims to promote New Zealand as a place in which to relocate businesses.

To be considered under this category the owner(s) of the relocating business needs to satisfy us that the business will:

- operate in New Zealand; and
- be of benefit to New Zealand; and
- comply with all relevant employment and immigration law in force in New Zealand.

New Zealand Trade and Enterprise must support the relocation of the business. We will consult with New Zealand Trade and Enterprise to determine its support for the relocation of the business.

To be approved under this category you need to:

- be a key employee of a business that is proposing to relocate to New Zealand
- not qualify for residence under other residence categories
- be healthy and of good character, and
- meet a minimum standard of English.

You are a key employee if the chief executive officer of the relocating business satisfies us that you will be essential to the operation of the business in New Zealand.

If your application is approved, we will send you a letter setting out the requirements that apply to you, your partner and children (see 'Requirements of your residence class visa').

Under the Employees of Relocating Businesses Category, these requirements are that you:

- work in the business for the 24 months following its relocation to New Zealand
- tell us if your address changes within this time, and
- show us that you've met the first requirement within three months after the initial 24-month period has ended.

## Residence from Work categories

### Talent (Accredited Employers) Residence Category

This is a residence category for people who were granted a 30-month temporary work visa to allow them to work for an accredited employer in New Zealand.

To be approved for residence you must:

- be in New Zealand when the application for residence is lodged
- have held a work visa granted under the Talent (Accredited Employers) Work Category for at least 24 months
- during the currency of that visa, have been employed in New Zealand for a period of 24 months by an accredited employer (or another employer if you were granted a variation of conditions to your work visa by INZ allowing you to work for them instead)
- have current ongoing employment that meets the following salary requirements

| Date your Talent work visa application was lodged | Minimum base salary requirement (per annum)* |
|---|--|
| On or after 30 July 2007 but before 28 July 2008  | NZ\$50,000                                   |
| On or after 28 July 2008                          | NZ\$55,000                                   |

\* If you have a base salary of NZ\$90,000 or more you may be eligible for a permanent resident visa.

- hold full or provisional registration, if full or provisional registration is required to practise in your occupation in New Zealand, and
- be healthy and of good character.

Your employment must be:

- full-time (on average, at least 30 hours per week)
- ongoing (permanent or indefinite, or for a stated term of at least 12 months)
- genuine, and
- compliant with relevant employment law in force in New Zealand. This includes having a written employment agreement specifying the necessary terms and conditions, and meeting holiday, special leave and occupational health and safety requirements.

Employers who want to know more about becoming an accredited employer should see the *Immigration Guide for Employers (INZ 1031)* and *Employer Accreditation Application Form (INZ 1090)*.

### Talent (Arts, Culture and Sports) Residence Category

This is a residence category for people with exceptional talent in a field of art, culture or sport who were sponsored by a New Zealand art, cultural or sporting organisation for a 30-month open temporary work visa allowing them to be actively engaged in their field in New Zealand.

To be approved you must:

- be in New Zealand when the application for residence is lodged
- have held a work visa granted under the Talent (Arts, Culture and Sports) Work Category for at least 24 months
- during the currency of that visa, have been actively engaged in your field of art, culture or sport throughout a period of 24 months in New Zealand
- be sponsored for residence by a New Zealand organisation of national repute in your field (see below)
- still be prominent in your field
- show that your continued presence in New Zealand will enhance the quality of New Zealand's accomplishments and participation in your field of art, culture or sport
- be healthy and of good character, and
- not have applied for or been granted any social welfare benefits in New Zealand.

A New Zealand organisation of national repute is defined as:

- a New Zealand organisation that has a nationally recognised record of excellence in a field of art, culture or sport, or
- a New Zealand organisation that has a nationally recognised record of excellence in fostering exceptional talent in a field of art, culture or sport.

You must provide a completed *Talent (Arts, Culture and Sports) Sponsorship Form (INZ 1091)* from an organisation of national repute with your application for residence. Either the organisation or an individual citizen or residence class visa holder must agree to sponsor you for residence, and undertake to provide you with financial support and accommodation during the first two years of your residence, if this should be necessary.

Arts, cultural or sporting organisations that want to know more about sponsoring applicants under the Talent (Arts, Culture and Sports) Work Category should see our *Talent (Arts, Culture and Sports) Sponsorship Form*.

## Long Term Skill Shortage List Residence Category

This is a residence category for people who were granted a 30-month work visa to allow them to work for an employer in New Zealand in an occupation on the Long Term Skill Shortage List.

To be approved for residence you must:

- have held a work visa granted under the Long Term Skill Shortage List Work Category for at least 24 months; and
- currently have employment (see below) with a minimum base salary of NZ\$45,000 that is in either:
  - the occupation for which you were granted a work visa under the Long Term Skill Shortage List Work Category, or
  - an occupation which is listed on the Long Term Skill Shortage List at the time your application for residence is made, and
- hold full or provisional registration, if full or provisional registration is required to practise in that occupation in New Zealand, and
- be healthy and of good character.

Your employment must be:

- full-time (on average, at least 30 hours per week)
- ongoing (permanent or indefinite, or for a stated term of at least 12 months)
- genuine, and
- compliant with relevant employment law in force in New Zealand. This includes having a written employment agreement specifying the necessary terms and conditions, and meeting holiday, special leave and occupational health and safety requirements.

To find out which occupations are included on the current Long Term Skill Shortage List, visit our website [www.immigration.govt.nz/ltssl](http://www.immigration.govt.nz/ltssl).

## Religious Worker instructions

This is a residence category for people who hold a work visa under Religious Worker instructions.

To be approved for residence under Religious Worker instructions you must:

- have genuine, ongoing New Zealand-based religious work with a sponsoring organisation whose primary purpose is advancing religion, and
- have held a work visa under Religious Worker instructions for at least three years, and
- have training and/or experience in religious work of at least five years, and
- be aged 55 years or under at the time you apply for residence, and
- meet the minimum English language requirements (see *English Language Information (INZ 1060)* for full requirements and information on how to meet them), and
- be healthy and of good character.

A sponsoring organisation must:

- be a charity registered with Charities Services with a primary purpose of advancing religion, and
- agree to sponsor you for a period of at least five years (including maintenance, accommodation and repatriation (if required)), and provide evidence of their financial ability to sponsor you for this period, and
- provide evidence of a genuine and long-term need for a religious worker. Evidence may include, for example, a statement from the sponsoring organisation or its governing body, with information about growth or expansion of the organisation and/or the religious services/activities the sponsoring organisation provides; and
- provide a copy of an employment agreement or a description of the religious work you are being sponsored to undertake.

## FAMILY SPONSORED STREAM

The purpose of the Family Sponsored stream is to help reunite families in New Zealand by granting residence to the family members of New Zealand citizens and residents.

The Family Sponsored stream includes the Partnership, Dependent Child, Parent and Parent Retirement residence categories. For information about the Parent Retirement Category, see the *Parent Retirement Category Guide (INZ 1171)*.

### Family Category

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#### Partnership Category

This category is for people who have a New Zealand resident or citizen partner and want to come to live in New Zealand with them. The minimum requirements for recognition of partnerships apply to all residence applications.

#### Minimum requirements for recognition of partnerships

To be granted residence in New Zealand you and your partner need to prove you:

- are living together (and have been for a minimum of 12 months) in a genuine and stable relationship
- are both aged 18 years or older (or can provide evidence of parental/guardian/other consent if either of you are 16 or 17 years of age)
- met each other prior to your application being made, and
- are not close relatives according to Schedule 2 of the Marriage Act 1955 or Schedule 2 of the Civil Union Act 2004. (These Acts are available on the internet at [www.legislation.govt.nz](http://www.legislation.govt.nz).)

#### Is my partner eligible to support me?

If you are applying for residence under the Partnership Category, you need to be supported by your New Zealand partner. Your partner is **not** eligible to support you if they:

- have been convicted at any time of any offence involving domestic violence or of a sexual nature prior to the date the application is made (unless granted a character waiver), or
- were the perpetrator of an incident of domestic violence which has resulted in the grant of a residence class visa to a person under the category for victims of domestic violence, or

- have been included as a partner in or supported an application where a residence class visa was granted on the basis of a partnership in the five years immediately preceding the date the current application is made, or
- have been included as a partner in or supported more than one previous application where a residence class visa was granted on the basis of a partnership.

**Note:** A residence class visa is considered to have been granted on the basis of a partnership if the New Zealand partner:

- previously supported a successful application under the Partnership Category, or
- was the principal applicant in a successful application under the Partnership Category
- was the principal applicant in any successful residence class visa application that included a secondary applicant partner who was also granted residence, or
- was granted residence as the partner of a principal applicant in any residence class visa application.

#### New Zealand residence requirements

Your partner will need to show us that New Zealand is their **primary place of residence**. When your application is made and assessed they should:

- hold a valid New Zealand or Australian passport, or
- hold a New Zealand residence class visa which was granted on the basis that they held an Australian Permanent Residence Visa or an Australian Resident Return Visa.

#### Permanent resident visa

You may be eligible for a permanent resident visa if you:

- meet all the other requirements under the Partnership Category
- have a New Zealand citizen partner who has been residing outside New Zealand for a period of five years, and
- have been living together in a genuine and stable relationship for at least five years.

## Parent Category

The Parent Category allows parents of New Zealand residents or citizens to apply for residence. You need to submit an Expression of Interest and be invited to apply before you can make an application. For more information on the Parent Category, please also see the *Parent Category Guide (INZ 1207)*.

### How does the Parent Category work?

#### *The requirements*

To be eligible under this category you need to meet all of the requirements to:

- be of good health,
- be of good character,
- have no dependent children,
- have a reasonable standard of English – see *English Language Information (INZ 1060)* for full requirements and information on how to meet them (alternatively, you can agree to pre-purchase English for Speakers of Other Languages (ESOL) tuition), and
- have an adult child who is a New Zealand citizen or resident and who is an eligible sponsor.

You will also need to meet the requirements of either tier one or tier two, and your adult child will need to be an eligible sponsor.

#### *The two-tiered system*

To gain residence under the Parent Category, you will need to meet the requirements of one of two tiers:

**Tier one:** You must either have a guaranteed lifetime minimum income of at least NZ\$27,584 per annum for a single person or NZ\$40,523 per annum for a couple, or bring at least NZ\$500,000 of settlement funds to New Zealand, or your sponsoring adult child must have an income of at least NZ\$65,000 per annum by themselves or NZ\$90,000 per annum when combined with the sponsor's partner.

**Tier two:** You must have a sponsoring adult child who has an income of at least NZ\$33,675 per annum and, if you have other adult children, they must all live lawfully and permanently outside the country that you live in.

#### *Eligible sponsors*

Amongst other things, to be an eligible sponsor your adult child must:

- have been a New Zealand resident or citizen for at least three years before you apply for residence,

- be ordinarily resident in New Zealand and have spent at least 184 days in New Zealand in each of the three years immediately before you apply for residence, and
- for the first ten years of your residence in New Zealand, undertake to ensure your maintenance in New Zealand and that you have suitable accommodation, and to pay for any costs of your deportation or repatriation, should it be necessary.

If costs are incurred by the Crown or a third party as a result of your sponsor breaching their sponsorship undertakings, you will be deemed to have breached the conditions of your visa and may become liable for deportation. These costs will also be considered to be a debt owed by the sponsor, and the sponsor will be liable to be pursued by the Crown or the third party to recover this debt.

### The process

#### *Step one: You submit an Expression of Interest*

You complete and send us an Expression of Interest form. You can get the form from either the INZ website, [www.immigration.govt.nz](http://www.immigration.govt.nz), or an INZ office. In this you will tell us about your health, character, age, English language ability, as well as the specific requirements of the Parent Category. When it is complete, submit it to INZ with the correct fee. You will need to indicate which tier you are submitting your Expression of Interest under.

Please note that INZ **will not** accept fees payments made in cash. You should not send any other documentation with your Expression of Interest form.

#### *Step two: We select Expressions of Interest*

**Please note that as at 12 May 2017, no selections from the Pool will be made until further notice.**

Expressions of Interest are submitted into the Pool under either tier one or tier two. Periodically, Expressions of Interest are selected from the Pool as follows:

- first, Expressions of Interest in tier one, in date order, and
- second, Expressions of Interest in tier two, in date order.

Expressions of Interest can stay in the Pool for an extended period of time.

Once your Expression of Interest has been selected from the Pool and checked, you may be invited to lodge an application for residence.

Checking will generally involve assessing whether the claims you have made in your form appear to meet the requirements of the category. If your Expression of Interest is selected from the Pool under tier one but later returned to the Pool by an immigration officer under tier two (this will happen if you do not appear to meet the requirements of tier one, but appear to meet the requirements of tier two), your Expression of Interest will be placed in the queue in tier two based on the date you originally submitted the Expression of Interest.

If, while your Expression of Interest is in the Pool, there is a change in your circumstances or in the information that you have provided to INZ, you must inform INZ. If any information is found to be false or misleading, we may choose not to invite you to apply for residence or your residence application may be declined should you be invited to apply based on that information.

#### **Step three: We invite you to apply for residence**

If you have been successful, we send you:

- an official Invitation to Apply for residence
- your original *Parent Category Expression of Interest Form (INZ 1202)*
- a *Parent Category Residence Application (INZ 1206)*, and
- a *Sponsorship Form for Residence (INZ 1024)*.

At this stage, you will need to check and complete the Expression of Interest form, complete the application form, and get your sponsor to complete the sponsorship form. Send us all of these forms, with the appropriate application fee and immigration levy\* and all the necessary documentation to support your application, such as passports, birth certificates and financial documents (original documents or certified copies).

#### **Step four: Decision-making**

We assess your application for residence against residence instructions. We also fully verify everything you have told us in your Expression of Interest. Depending on whether you are able to demonstrate you meet the requirements of the Parent Category, you may have your application approved in principle.

#### **Step five: Granting residence**

If your application is approved in principle, you will need to submit your passport to Immigration New Zealand. If you have applied under tier one and have stated you will meet the

\* This application fee and immigration levy is in addition to the fee for your Expression of Interest.

requirements by bringing settlement funds to New Zealand, you will also need to transfer the settlement funds to New Zealand. Once you have done this, you may be granted residence.

#### **Sibling Adult Child Category**

The Sibling Adult Child Category closed on 15 May 2012. No new applications can be accepted.

#### **Dependent Child Category**

This category is for people who are dependent children of a New Zealand citizen or resident and who want to live permanently in New Zealand.

You may be granted residence if:

- you are aged 17 or younger
- you are single, and
- your parent(s) are lawfully and permanently in New Zealand.

OR

- you are aged 18 to 24 years
- you are single
- you have no children of your own, and
- your parent(s) are lawfully and permanently in New Zealand.

If you are aged 21 to 24 years, you must be totally or substantially reliant on an adult for financial support (whether or not that adult is your parent, and whether or not you are living with that adult).

You must also:

- have been born or adopted before your parents applied for residence, and been declared on your parents' application for residence, or
- have been born after your parents applied for residence, or
- have been adopted by your parents as a result of a New Zealand adoption or an overseas adoption recognised under New Zealand law.

Your parent(s) are lawfully and permanently in New Zealand if they are:

- citizen(s) of New Zealand, or
- the holder(s) of a New Zealand residence class visa, or
- citizen(s) of Australia living in New Zealand.

#### **Custody or visitation rights**

If you are under 16 years of age and you have a parent living outside New Zealand, your parent in New Zealand must provide evidence that the custody or visitation rights of the parent living outside New Zealand will not be breached by your coming to live in New Zealand.

## INTERNATIONAL/ HUMANITARIAN STREAM

The purpose of the International/Humanitarian stream is to fulfil New Zealand's obligations as a good international citizen. Included in this stream are United Nations mandated refugees who are approved under the annual Refugee Quota and asylum seekers who claim refugee status in New Zealand.

The categories in this stream are:

- Refugee Family Support Category
- Pacific Access Category
- Samoan Quota Scheme
- victims of domestic violence, and
- various other special policies for specific countries.

### Refugee Family Support Category

The Refugee Family Support Category allows for a number of refugees' family members to be considered for residence in New Zealand each year. You may only lodge an application for residence under this category if your New Zealand sponsor's registration was selected from the tier one or two queues and you are invited to apply.

You (and your partner and/or dependent children) may be granted residence under the Refugee Family Support Category if:

- your sponsor meets the 'eligible sponsor' requirements (see below)
- you are not eligible for residence in New Zealand under any other residence category
- you are healthy and of good character, and
- you apply within 12 months of us writing to your sponsor advising that their registration has been selected from the tier one or two queue.

### Two-tier registration system for sponsors

Registrations from tier one sponsors will be given first access to the available places under the Refugee Family Support Category by entry into the tier one queue.

Registrations are selected from the tier one queue in order of their entry into that queue until the available number of places is met.

If the annual number of places available is not filled by people included in tier one registrations from the queue, INZ will call for registrations from tier two sponsors within a specified period.

### Eligible sponsors

An eligible sponsor is a New Zealand citizen or resident who:

- was granted residence in New Zealand because they were a refugee
- has never sponsored any other principal applicant under the Refugee Family Support Category (or Refugee Family Quota), and
- is in New Zealand.

### Tier one sponsors for the queue

Tier one sponsors may sponsor their parent, grandparent, grandchild, uncle, aunt, nephew, niece, adult sibling or adult child, and that person's partner and/or dependent children.

Tier one sponsors must:

- be an eligible sponsor, and
- have no 'family member' who is eligible for residence in New Zealand under any other category of residence instructions, and **either**
- have no 'immediate family' living lawfully and permanently in New Zealand, or
- be the 'sole carer' of a dependent relative or relatives in New Zealand and have no other 'immediate family' in New Zealand (the cared-for relative must also have no other 'immediate family' in New Zealand).

### Tier two sponsors for the queue

Tier two sponsors may sponsor their parent, adult sibling, adult child, or grandparent (if that grandparent is the sponsor's legal guardian), and that person's partner and/or dependent children.

Tier two sponsors must:

- have been a New Zealand citizen or residence class visa holder for at least three years before lodging their registration
- have spent a total of 184 days or more in New Zealand in each of those three years
- have no other 'family member' who is eligible for residence in New Zealand under any other category of residence instructions, and
- be an eligible sponsor.

For more information about lodging a registration under the Refugee Family Support Category, see *Refugee Family Support Category Tier One Sponsor Registration Form (INZ 1094)*, *Refugee Family Support Category Tier Two Sponsor Registration Form (INZ 1192)*, or visit [www.immigration.govt.nz](http://www.immigration.govt.nz).

**Note:** potential applicants who are in New Zealand, must be here lawfully and not have claimed refugee status in New Zealand to be eligible to be included in a sponsor's registration.



## Pacific Access Category

The Pacific Access Category (PAC) allows a quota of Tongan, Tuvaluan, and Kiribati citizens to be granted residence in New Zealand each year.

This category is run by ballot. You can only apply for residence under this category if you lodged a registration during the annual registration period and your registration was drawn from the ballot. (The only exception to this is if the annual quota of places is not filled by applicants drawn from the ballot. See 'Unfilled places'.)

You may qualify for residence under this category if:

- you are a citizen of Tonga, Tuvalu or Kiribati
- your registration is drawn from the ballot
- you lodge your application for residence under the PAC within eight months of us writing to you advising that your registration has been drawn from the ballot (or within the time frame specified by INZ)
- you were aged between 18 and 45 years inclusive at the registration closing date
- you or your partner have an acceptable offer of employment\* in New Zealand
- you meet a minimum level of English language ability
- you meet a minimum level of income (if you have dependent children), and
- you meet health and character requirements.

Any partner and/or dependent children who are included in your application must also meet health and character requirements.

If you are a citizen of Tonga, you must either be in Tonga or lawfully in New Zealand when you apply for residence under this category. You must also have been born in Tonga or born overseas to a Tongan citizen who was born in Tonga.

If you are a citizen of Kiribati, you must either be in Kiribati or Fiji or lawfully in New Zealand when you apply for residence under the PAC. You must also have been born in Kiribati or born overseas to a Kiribati citizen who was born in Kiribati.

\* If the applicant has dependent children the offer of employment must also meet the minimum income requirement (if the principal applicant has a partner who has a job offer, this may also be taken into account). The current minimum income threshold is available on our website [www.immigration.govt.nz](http://www.immigration.govt.nz) or by enquiring at our nearest office.

If you are a citizen of Tuvalu, you must either be in Tuvalu or Fiji or lawfully in New Zealand when you apply for residence under the PAC. You must also have been born in Tuvalu or born overseas to a Tuvaluan citizen who was born in Tuvalu.

## Acceptable offers of employment

The offer of employment can be for either you or your partner (if they are included in your application, and you meet all the requirements of our Partnership Instructions). Offers of employment may be in either a skilled or unskilled occupation but at least one must be:

- for ongoing employment (permanent, indefinite or for a stated term of at least 12 months)
- for full-time work (averaging at least 30 hours per week)
- current at the time we assess your application and grant you residence
- genuine
- for a position that is paid by salary or wages (positions of self-employment or payment by commission and/or retainer are not acceptable)
- accompanied by evidence of full or provisional registration, if full or provisional registration is required by law to take up the offer, and
- compliant with relevant employment law in force in New Zealand. This includes having a written employment contract specifying the necessary terms and conditions, and meeting holiday, special leave, minimum wage, and occupational health and safety requirements.

## Minimum income requirement

If you have dependent children you will have to show that you will meet a minimum income requirement to ensure that you can support yourself and your dependants if you come to New Zealand. For the current figure, go to [www.immigration.govt.nz](http://www.immigration.govt.nz) or contact your nearest INZ office.

If you and your partner both have an offer of employment in New Zealand, both of your wages or salaries may be taken into account when determining if the minimum income requirement is met, provided (at the time the application is assessed) an immigration officer is satisfied that your relationship meets our minimum requirements for recognition of partnerships (see Partnership Instructions). The second offer of employment must meet all the requirements for an acceptable offer of employment except the requirement that the offer be for full-time employment.

## Minimum English language requirement

For you to meet the minimum level of English ability, an immigration officer must be satisfied that you are able to read English, understand and respond to questions in English, and maintain an English language conversation about yourself, your family or your background.

## Unfilled places

If the annual quota of places under the PAC is not filled by applicants drawn from the ballot, we will call for residence applications from any citizens of the PAC countries who are lawfully in New Zealand with a job offer. Applicants must also meet all other residence criteria, as listed above.

For more information see our *Registration Form for Pacific Access Category (INZ 1092)*.

## Samoan Quota Scheme

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The Samoan Quota Scheme allows a quota of Samoan citizens to be granted residence in New Zealand each year.

The Samoan Quota Scheme is run by ballot. You can only apply for residence under these instructions if you lodged a registration during the annual registration period and your registration was drawn from the ballot. (The only exception to this is if the annual quota of places is not filled by applicants drawn from the ballot. (See 'Unfilled places' below).

You may qualify for residence under the Samoan Quota Scheme if:

- you are a citizen of Samoa
- you were born in Samoa or born overseas to a Samoan citizen who was born in Samoa
- your registration is drawn from the ballot
- you lodge your application for residence under the Samoan Quota Scheme within eight months of us writing to you advising that your registration has been drawn from the ballot (or within the time frame specified by INZ)
- you were aged between 18 and 45 years inclusive at the registration closing date

- you or your partner have an acceptable offer of employment\* in New Zealand
- you meet a minimum level of English language ability
- you meet a minimum level of income if you have dependent children, and
- you meet health and character requirements.

Any partner and/or dependent children included in your application must also meet health and character requirements.

You must be in Samoa or lawfully in New Zealand when you apply for residence under the Samoan Quota instructions.

You must also meet the acceptable offers of employment, minimum income and minimum English language requirements set out in the Pacific Access Category section.

## Unfilled places

If the annual quota of places under the Samoan Quota Scheme is not filled by applicants drawn from the ballot, we will call for residence applications from any citizens of Samoa who are lawfully in New Zealand with a job offer. Applicants must also meet all other residence criteria, as listed above.

For more information see our *Samoan Quota Scheme Registration Form (INZ 1086)*.

## Victims of domestic violence

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We can help you if you have been living in a relationship with a New Zealand citizen or resident that has ended because that person was violent towards you and you are unable to go back to your home country. Please contact a New Zealand office of INZ for further details.

## Pitcairn Islanders

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New Zealand recognises that there are few employment opportunities on Pitcairn Island. If you are a Pitcairn Islander, you can apply for residence in New Zealand if you have a firm offer of employment in New Zealand and are of good health and character.

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\* If the applicant has dependent children the offer of employment must also meet the minimum income requirement (if the principal applicant has a partner who has a job offer, this may also be taken into account). The current minimum income threshold is available on our website [www.immigration.govt.nz](http://www.immigration.govt.nz) or by enquiring at our nearest office.

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## For more information

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If you would like further information or the necessary forms for any of the residence categories referred to in this guide, please visit our website **[www.immigration.govt.nz](http://www.immigration.govt.nz)**. If you're interested in the Skilled Migrant Category, you can register an Expression of Interest online.

If you have questions about any of the information in this guide:

- see our website **[www.immigration.govt.nz/contactus](http://www.immigration.govt.nz/contactus)**, or
- telephone our call centre on 0508 558 855 (within New Zealand).

