



# Application for Residence Guide

Skilled Migrant Category

## Information about this guide

This guide will help you to complete your *Application for Residence under the Skilled Migrant Category (INZ 1104)* once you have received an invitation to apply for residence from Immigration New Zealand. It will also explain our process for assessing your application.

You should read this guide before completing the application form and refer to it as you complete the application. The guide explains:

- the evidence you need to provide with your application form; and
- our process for assessing your application.

If you need more information about the Skilled Migrant Category criteria, or you need help understanding any of the terms used, you should also read the *Skilled Migrant Category Expression of Interest Guide (INZ 1101)*.

## How can this guide help me to apply for residence in New Zealand?

You can only apply for residence under the Skilled Migrant Category if you have received an Invitation to Apply for residence from Immigration New Zealand (INZ).

Once you have received an Invitation to Apply, the information in this guide will help you complete and submit your *Application for Residence in New Zealand under the Skilled Migrant Category (INZ 1104)* correctly. The guide also sets out our process for assessing your application.

## How you can help INZ process your application quickly

You can help us make a decision on your application quickly by:

- reading this guide carefully; and
- providing all the information and documents requested in the application form.

Please take time to read this guide carefully, and have it in front of you when preparing the documents you need to provide with your *Application for Residence in New Zealand under the Skilled Migrant Category*.

We may not be able to accept your application if you do not complete the application form fully, and also provide us with all the documentation required for lodgement of the application.

If you are applying for residence while you are in New Zealand on a visitor, work, or student visa, you must ensure that your visa remains valid at all times. If you are currently in New Zealand, you are only eligible to apply for residence if you have a valid temporary visa.

## Who can help you fill out the form?

You can apply for residence by completing and compiling all the necessary forms and documentation yourself, or you can ask another person to help you, including:

- a lawyer
- a consultant
- a licensed immigration adviser
- any other person (including a friend), that you ask to help you apply for residence.

Any person that gives you immigration advice must be licensed or exempt from being licensed (see [www.iaa.govt.nz](http://www.iaa.govt.nz) for more information). INZ treats all applicants equally. We do not give preferential service to applicants with agents, advisers, or other representatives.

We deal with agents, advisers, or representatives in the following ways:

- You may give your own address or the address of your representative as a point of contact for INZ. If you choose to give your representative's address, all correspondence from INZ will be sent to your representative (unless you let us know otherwise).
- If you stop using the services of your representative, you must cancel your authorisation in writing to INZ, or we will continue to deal with them. If you hire a new representative, you will need to provide a new authorisation to INZ so we can contact them on your behalf. If you are changing your immigration adviser, please use the form *Immigration Adviser Details (INZ 1160)*.

You also need to be aware that you are responsible for any documents or information you submit to INZ, or that your agent, adviser or representative submits on your behalf.

If any person helps you complete the form (eg by interpreting or translating it, or by filling it in for you) he/she must also sign the declarations section of the form in the space provided for people assisting an applicant.

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## What are 'lodgement requirements'?

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When we use the legal term 'lodgement requirements', we are referring to all the documents and information you must provide for your application to be accepted for consideration.

## How long do I have to lodge my application for residence?

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The lodgement requirements will have been listed in your Invitation to Apply for residence in New Zealand. If your application does not meet these 'lodgement requirements', INZ will not be able to accept it. Please remember that you have four months from the date you are invited to apply for residence, in which to prepare and lodge your application. We can give no extensions beyond this time frame.

You can also provide additional information or documents after your application has been accepted for consideration, but you must do so before a decision on your application is made by INZ. Once a decision has been made, we will not be able to consider any further information or documents you provide.

## Changes in the information you have provided

INZ wants you to have every chance of making a successful application. To do this, you must keep us informed of any change in your circumstances, or of any changes to the information you have provided.

## THE APPLICATION FOR RESIDENCE FORM

### Who is the principal applicant?

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The person named as the 'principal applicant' in your Expression of Interest needs to be the 'principal applicant' in your application. This person will be the first person assessed against New Zealand Residence Instructions.

If you are the principal applicant, you must complete the *Application for Residence in New Zealand under the Skilled Migrant Category*. The form will contain all the information you gave us in your *Expression of Interest Form (INZ 1100)*.

## As principal applicant, what should I do first to complete the application form?

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Make sure you review carefully all the details on your application form. If you have previously given us information that is no longer relevant or is incorrect, please place a line through this information and write the new information in the table in the section of the form called 'Amendments or New Information'.

If the new information relates to questions which have been left unanswered, or you have said were not applicable in your Expression of Interest, please answer these questions on this new form and show which questions you have updated in the table in the section 'Amendments or New Information'.

Please remember that any person included in an application for residence is an applicant, but there can be only one principal applicant.

If you submit a residence application and hold a work visa and your partner and children hold temporary visas linked to your work visa, **they must be included and cannot be subsequently removed** from your family's residence application. Failure to do may result in your application not being accepted.

Finally, remember to complete the form in English.

## When do I pay the residence application fee and immigration levy?

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You will need to pay the correct residence application fee and immigration levy when you lodge your application. Your Invitation to Apply for residence will list both the fee and immigration levy amount, and the ways that you can pay the fee and immigration levy.

To find out how much to pay, where to send your application, and how long a decision may take, see [www.immigration.govt.nz/fees](http://www.immigration.govt.nz/fees).

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## Will I need to supply photographs?

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With your application form, you will need to attach two recent passport-sized photographs of each person included in your application. All photographs will need the person's name, and the date the photograph was taken, written on the back. Make sure that the names on the photographs match exactly those on your application form.

## Will I need to supply original documents to support my application?

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In order to make a decision on your application, we need to see documents to support the statements you have made in your Expression of Interest.

All documents you supply with your application should be either originals or certified copies of originals. If you send certified copies, we may ask for originals at a later date. Your Invitation to Apply for residence may include instructions about whether you should provide original documents or certified copies.

'Certified copies' are photocopies that have been stamped or endorsed by a person who confirms the copy is a true copy of the original. The person who certifies the copy must be authorised to do so by law, in your home country or in New Zealand (eg a Justice of the Peace, notary public, lawyer or court official).

Before we can make a decision on your application, we may need to ask you for further information or evidence not listed in your Invitation to Apply. We may also need to verify the information in these additional documents.

## How would you like us to return your documents?

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If you would like us to return your original documents by 'secure post', please provide a prepaid self-addressed registered envelope or courier pack with your application.

## Will I need my original documents translated?

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If any of your documents are not in English, you must have them translated into English. Any translation provided must:

- be accompanied by the original documents or certified copies; and
- not be made by you, any of your family members or an immigration adviser assisting with your application; and
- be certified as a correct translation made by a person familiar with both languages and competent in translation work; and
- be on the official letterhead of the translation business (if applicable); and
- have the stamp or signature of the translator or translation business; and
- be paid for by you.

Translations may be prepared by:

- the Translation Service of the New Zealand Department of Internal Affairs; or
- reputable people within the community who are known to translate documents accurately; or
- embassies or high commissions (if the translation is endorsed with the appropriate embassy or high commission seal); or
- any other private or official translation business.

If you are considering applying for New Zealand citizenship at a later date you may want to have your documents translated by the Translation Service of the Department of Internal Affairs. For details see [www.dia.govt.nz](http://www.dia.govt.nz).

## Which documents might I need to support my application for residence?

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The next part of this guide takes you through each of the sections of the *Application for Residence under the Skilled Migrant Category*, and gives you details of the documents that you may be asked to provide with your application in order to support each of the sections you completed in your Expression of Interest.

# GUIDE TO COMPLETING THE APPLICATION FORM

## Summary of terms

An explanation of the terms used in this guide can be found in the *Skilled Migrant Category Expression of Interest Guide (INZ 1101)*.

### Completing Section A Identity

#### Passport or identity document

INZ will need to see your current passport (the original document or a certified copy) as proof of your identity. If you are outside New Zealand and your passport is unavailable, please provide your birth certificate or another identity document. If you do submit your passport, we will generally return it to you once we have sighted it, or if you need it back in order to travel while your application is being assessed.

#### Birth certificates

You will need to provide an original, or certified copy of your full birth certificate. Full birth certificates usually show the names of the parents as well as the name of the child. Your birth certificate, as well as providing proof of your identity, will be used as evidence of your age. This is how we determine how many points can be awarded to you for your age.

#### Age

INZ awards points for age to recognise that younger people will be able to make a longer-term contribution to New Zealand.

If you are invited to apply for residence and you turn 56 years of age before you lodge your application, we will not be able to approve your application.

It is also important you understand if you have a birthday between being sent an Invitation to Apply and your application being lodged, this may mean you fall into a different age bracket. If this happens, and you are no longer eligible for as many points (see the table below), we may not be able to approve your application.

#### Lodge your application before your birthday

Although you have four months in which to lodge your application, if you know your upcoming birthday will change the age bracket you fall into, it is in your interest to lodge your application before your birthday – even though you have four months to do so.

Age (at the date the application is lodged with INZ)	Points value
20-39	30
40-44	20
45-49	10
50-55	5

### Completing Section B Character

If you have been removed, deported or excluded from any country, you may not meet character requirements and may not be eligible to be granted a visa. You must declare if you have been removed, deported or excluded from any country, excluding New Zealand.

#### Police certificates

Every person named on the application, and aged 17 years or older, will need to provide:

- a police certificate from their country (or countries) of citizenship, and
- police certificates from any country they have lived in for 12 months or more (whether in one visit or intermittently) in the last 10 years.

## How do I get a police certificate?

For information on how to obtain a police certificate from particular countries you can visit our website at [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 call us on 0508 55 88 55 if you are in New Zealand or 09 914 4100 if you are in Auckland.

We can only accept your application if your police certificates are less than six months old at the date your completed application is received by INZ.

### Completing Section C Health

You and your family (if included in your application\*) need to be in good health to be approved residence under the Skilled Migrant Category.

Applicants are required to provide completed medical and chest X-ray certificates, unless you have previously provided these certificates and they were issued less than 36 months ago.

If medical and chest X-ray certificates have been provided within the last 36 months, further certificates are not required unless:

- the health status of any applicant has deteriorated since their previous certificates were issued, or
- you have been requested in writing by an immigration officer to provide updated certificates, or
- any applicant included in your application has spent six consecutive months since their last chest X-ray certificate was issued, in a country, area or territory not listed as having a low incidence of TB (see the leaflet *Health Requirements (INZ 1121)* for further information).

Any medical certificates submitted must be less than three months old when we receive your application.

Pregnant women and children under 11 years of age are not required to have an X-ray, unless a special report is required.

In most countries we require medical examinations to be completed by an approved INZ panel physician. The location of your nearest panel physician can be found on our website ([www.immigration.govt.nz/paneldoctors](http://www.immigration.govt.nz/paneldoctors)).

You can find more details about our health requirements in our leaflet *Health Requirements (INZ 1121)*.

\* If you have a partner or dependent child eligible for inclusion in your residence application and you do not include them or you withdraw them from your application before it is approved, there may be implications for any future visa application:

- If they apply for residence or for a temporary entry class visa as your partner or dependent child, they will need to complete a *General Medical Certificate (INZ 1007)*, rather than a *Limited Medical Certificate (INZ 1201)* which would ordinarily be required.
- If at that time an immigration officer determines they do not have an acceptable standard of health, they will not be granted a medical waiver and the application will be declined.

### Completing Section D English language ability

**If you are the principal applicant, you will need to show that you meet the minimum standard of English.**

In your Expression of Interest you will have stated how you meet the minimum standard of English. Therefore you will need to provide evidence or proof of this with your application, eg if you stated you had an acceptable English language test result, you will need to provide this.

### Completing Section E Skilled employment

You may be awarded points for current skilled employment in New Zealand, or for an offer of skilled employment in New Zealand. Bonus points may also be awarded if your skilled employment is:

- outside Auckland
- in an area of absolute skills shortage
- remunerated at or above \$50.00 per hour (or equivalent annual salary).

It is important you understand the criteria for skilled employment. Read the 'Skilled employment' section in the *Skilled Migrant Category Expression of Interest Guide (INZ 1101)*.

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## What evidence of skilled employment do I need to provide?

To show you are able to claim points for skilled employment, you will need to provide the evidence below. Please read this section very carefully.

INZ needs to see all of these documents as evidence of skilled employment to be able to consider your application for residence:

- a written offer of employment; and
- a detailed job description; and
- an employment agreement entered into by you and the employer, stating:
  - the terms of your employment, including whether the position is full-time, the length of employment offered and the salary or wages offered; and
  - the period during which employment may begin, or the date which it began if you have already taken up the position; and
- evidence of your qualifications or work experience, and also remuneration as needed to meet the requirements for skilled employment. Refer to 'Skilled employment' in the *Skilled Migrant Category Expression of Interest Guide (INZ 1101)* for further information about skilled employment and the applicable requirements; and
- evidence of full or provisional occupational registration, if it is required by law in New Zealand to do your job; and
- an *Employer Supplementary Form INZ 1235* completed by your employer.

You will also need to ensure that your employer is not included on a list of non-compliant employers maintained by the Labour Inspectorate ([www.employment.govt.nz/employers-breaching-minimum-employment-standards](http://www.employment.govt.nz/employers-breaching-minimum-employment-standards)).

INZ may need to ask you, your employer, or your recruitment agency for further information or documents before we can make a decision on your application.

## What if I have a job outside Auckland?

If you want to claim bonus points for employment outside Auckland, make sure your job offer states the location of your job. This is needed in addition to providing general evidence that demonstrates skilled employment. The employment agreement entered into by you and your employer should also confirm the location of your job.

## What if I have a job in an area of absolute skills shortage?

If you want to claim bonus points for skilled employment in an area of absolute skills shortage, you must be currently employed in, or have a job offer in, an occupation included on the Long Term Skill Shortage List. You can get this list from the INZ website at [www.skills shortages.immigration.govt.nz/](http://www.skills shortages.immigration.govt.nz/).

As well as providing the general evidence required to demonstrate skilled employment you will also need to show evidence that:

- your current employment or job offer meets the specifications for that occupation, described in the Long Term Skill Shortage List; and
- you are suitably qualified by training and/or experience to do the job.

## What if I'm working on contract?

If you are claiming points for employment on a contract basis you must provide your current contract for services and evidence of a consistent history of contract work.



## Completing Section F Recognised qualifications

You need to provide original or certified copies of the qualification(s) you claimed points for in your Expression of Interest. You may also be asked to provide academic course transcripts.

If your qualification(s) are not listed in *Appendix 3 – List of Qualifications Exempt from Assessment*, you will need to provide either a Pre-Assessment Result (PAR) or International Qualifications Assessment (IQA) from the New Zealand Qualifications Authority (NZQA). Alternatively, you may provide evidence showing your qualification was assessed by the relevant occupational authority who issued you with full or provisional registration required by law in New Zealand.:

If you have claimed points for your qualifications on the basis of a PAR, you will need to provide an IQA to confirm the PAR assessment.

You need to provide all necessary evidence when you lodge your residence application.

### What if my job and qualification(s) needs occupational registration?

If your qualification is required for employment in an occupation for which occupational registration is required in New Zealand, your qualification(s) will only gain points if you can provide us with evidence of:

- full or provisional occupational registration if it is required by law to do this job; or
- current skilled employment in New Zealand, or an offer of skilled employment in New Zealand, in an occupation that does not require registration; or
- post-qualification work experience in an occupation for which registration is not required in New Zealand. You must also have been employed in that occupation for the same (or a greater) period of time than in an occupation for which registration is required by law in New Zealand.

### My qualification is from New Zealand

You may be awarded bonus points if you have studied full-time in New Zealand for at least two years and have completed a recognised bachelor degree (level 7 on the NZQF) New Zealand qualification. You may also be awarded bonus points if you have a postgraduate New Zealand qualification.

You will need to provide original or certified copies of your qualification and you may also be asked to provide your course transcript(s). You should also provide evidence of the NZQF level of your qualification(s) by submitting a printed copy of the Qualification Overview for your qualification. This report can be found by searching for your qualification on the New Zealand Qualifications Authority website [www.nzqf.govt.nz](http://www.nzqf.govt.nz).

If your New Zealand qualification is not included on the NZQF, a letter from the NZQA will be required to determine whether the qualification will qualify for points.

## Completing Section G Skilled work experience

You may gain points for skilled work experience.

Bonus points may be awarded for:

- skilled work experience in New Zealand
- skilled work experience in an area of absolute skills shortage

For more information, you may need to refer to the descriptions or definitions of the terms in the *Skilled Migrant Category Expression of Interest Guide (INZ 1101)*.

### I have skilled work experience, but I don't have skilled employment in New Zealand, and my work experience is not in an area of absolute skills shortage

If you do not have current skilled employment in New Zealand or an offer of skilled employment in New Zealand, or if your work experience is not in an area of absolute skills shortage, you can only be awarded points for skilled work experience if you can show that your work experience was gained in a comparable labour market.

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## What evidence do I need to prove I have skilled work experience?

To gain points for work experience you will need to submit documents that provide all the details below. You may need to submit several documents for one job to show all of the following information:

- the position(s) you held; and
- the dates you held the position(s); and
- whether your employment in the position(s) was full-time (ie based on a 30-hour week) or part-time (ie based on less than a 30-hour week); and
- the name and address of your employer(s); and
- a description of your role and the tasks you undertook.

There are a number of documents that may show the information we need before we make a decision on your application. You could submit the following documents as evidence for all the information required and listed above.

- References on company letterhead.
- Pay slips.
- Job specifications.
- Tax records.
- Letters of appointment.
- Contracts.
- Job assessments.

If necessary, we may need to ask you, or your previous employers, for further information or documents before making a decision on your application.

You will also need to provide evidence of how you were qualified for your skilled work experience by prior training or experience.

## Evidence of my skilled work experience in New Zealand

If you want to claim bonus points for skilled work experience in New Zealand, you will need to provide the general evidence that demonstrates skilled employment and the location of your job in New Zealand.

## Evidence of skilled work experience in an area of absolute skills shortage

You may be able to claim bonus points for work experience in an area of absolute skills shortage, if:

- your work experience was in an occupation included on the Long Term Skill Shortage List; and
- it meets the specifications for that occupation as laid out in the Long Term Skill Shortage List; and
- you are suitably qualified by training and/or experience to do that work; and
- you had occupational registration while gaining the work experience if occupational registration was required in the country where the work occurred.

You can show you meet the above requirements by providing us with the following evidence.

- Employment references which confirm:
  - previous employment in an occupation included in the Long Term Skill Shortage List; and
  - that you meet the specifications listed in the Long Term Skill Shortage List (if applicable); and
  - previous work experience that enabled you to do that work (if required); and
- qualifications demonstrating you meet the specifications included in the Long Term Skill Shortage List (if applicable) and that you were qualified (if required) for that work; and
- occupational registration certificates if you required registration.

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## Completing Section N | Principal applicant's children

A list of all your children, and your partner's children, is included here. You will need to provide the type of evidence listed in this guide at Completing Section P: Child's identity.

## Completing Section T

## Principal applicant's other family

Ensure that you have listed details for all other members of your extended family, whether they are in New Zealand or overseas.

## Completing Section H

## Partner's identity

### What are the minimum requirements for including my partner in my application for residence?

A partner you are living with can be included in your application, and approved for residence, if:

- you have been living together in a genuine and stable partnership; and
- you have been living in the relationship for a minimum period of 12 months; and
- you and your partner meet the minimum requirements for 'recognition of a partnership' which are that:
  - you are both aged 18 years or older at the time your application for residence is made, or if aged 16 or 17 years old, you have the support of your parent(s) or guardian(s); and
  - you met prior to your application being made; and
  - you are not close relatives.

### What evidence of partnership do I need to supply?

You need to supply evidence of a genuine and stable partnership of at least 12 months with your partner. You could show evidence of this by supplying the following.

- Marriage or civil union certificate.
- Proof of shared residence (a joint mortgage, or tenancy agreements, or rent book).
- Financial dependence or interdependence (proof of shared income, or bank accounts, or accounts that show money transfers to or from your account to your partner's account).
- Birth certificates of your children.
- Any evidence of public or family recognition of your relationship.
- Correspondence (including post-marked envelopes) to you and your partner at the same address.
- Photographs of you and your partner together.
- Evidence of the duration of your relationship.
- Evidence of the support of your parent(s) or guardian(s) if either of you are aged 16 or 17 years old.

### What happens if I cannot meet the requirements for demonstrating a 'genuine and stable partnership'?

If we are not satisfied you and your partner are living together in a partnership that is genuine and stable, your partner will not be granted a residence class visa. Also, if you are claiming points for your partner's skilled employment in New Zealand, or their recognised qualification(s), we will not be able to take these points into account when determining your application.

### What happens if I have been with my partner less than 12 months?

If INZ is satisfied you and your partner are living together in a partnership that is genuine and stable, but you have been with your partner less than 12 months then:

- if approval of your application relies on points for your partner's skilled employment in New Zealand, or their recognised qualification(s), we will have to decline your application; or
- if approval of your application **does not** rely on award of points for your partner's skilled employment in New Zealand, or their recognised qualification(s), INZ may proceed with processing your application for residence, but defer the final decision on whether to grant your partner residence to allow you both to meet the 12-month qualifying period.

If your partner's application for residence has been deferred, as described above, he or she could be granted a work visa (once an application has been made). This visa would be for a period that is long enough to allow you both to meet the qualifying 12-month partnership period, and to allow us enough time to complete any further assessment of their residence application.

## What documents will my partner need to submit as part of my application?

### Passport or identity document

We will need to see your partner's current passport (the original document or a certified copy) as proof of their identity. If your partner is outside New Zealand and their passport is unavailable, you will need to provide their birth certificate or another identity document. If you do submit your partner's passport, we will usually return it once we have sighted it, or if your partner needs it for travel while your application is being assessed.

### Birth certificates

You will need to provide an original, or certified copy of your partner's full birth certificate. Full birth certificates usually show the name of the parents as well as the name of the child.

### Completing Section I Partner's character

The requirements that your partner needs to meet are the same as at Completing Section B: Character.

### Completing Section J Partner's health

The requirements that your partner needs to meet are the same as at Completing Section C: Health.

### Completing Section K Partner's English language ability

All non-principal applicants aged 16 years and over that are included in Skilled Migrant Category applications need to show they meet the minimum standard of English by either:

- providing acceptable evidence of English language ability; or
- pre-purchasing English for Speakers of Other Languages (ESOL) tuition.

In your Expression of Interest, you will have stated how you can show your partner or dependent child aged 16 years and over meets the minimum standard of English. Otherwise you will have stated that ESOL tuition would be pre-purchased. You will need to provide proof of the evidence or circumstances your partner or child had in your application. Therefore, if you stated that your partner had an acceptable English language test result, you will need to provide this.

However, if you are claiming points for your partner's skilled employment, evidence must be provided demonstrating your partner meets the English language requirements for principal applicants.

INZ may also ask an applicant to provide an English language test result. When this is the case, the English language test result will be used to determine whether the applicant meets the minimum standard of English.

### Completing Section L Partner's skilled employment

To be awarded points for your partner's current skilled employment in New Zealand or offer of skilled employment in New Zealand, your partner must:

- be included in your application; and
- meet the partnership requirements (listed at Completing Section H: Partner's identity); and
- meet the English language requirements for a principal applicant (listed under 'English language requirements' in the summary of terms in this guide).

You will need to demonstrate you are eligible to claim points for your partner's skilled employment by providing the type of evidence already listed in this guide at Completing Section E: Skilled employment.

## Completing Section M Partner's recognised qualifications

To gain points for your partner's qualification, your partner must:

- be included in your application; and
- meet the partnership requirements (listed at Completing Section H: Partner's identity); and
- meet the English language requirements for a principal applicant.

To demonstrate you are eligible to claim points for your partner's qualification, you will need to provide the type of evidence already listed in this guide at Completing Section F: Recognised qualifications.

## Completing Section P Child's identity

### What are the requirements for 'dependent children' included in my application?

Your dependent children, and those of your partner, can be included in your application if they:

- are aged 17 or younger; and
- are single

Or they:

- are single, and aged 18 to 24 years; and
- have no children of their own.

If they are aged 21 to 24 they must also be totally or substantially reliant on you or your partner for financial support, whether they are living with you and your partner or not.

We may ask you to provide evidence that a child aged 21 to 24 years is dependent on you and/or your partner if this is not immediately apparent from the information you provide when you lodge your application. Therefore, you may like to include information about how a child aged 21 to 24 years is dependent on you at the time you lodge your application.

Also, if your partner's dependent children are included in your application, they cannot be granted residence unless their parent (your partner) is also granted residence.

### What about adopted children?

If you have an adopted child, you must provide evidence of the adoption – whether it is a legal or a customary adoption. INZ may need to confirm a customary adoption with the person's biological parent(s), or adoptive parent(s).

Evidence of a legal adoption is original or certified copies of adoption papers from the country where the adoption was approved.

Evidence of customary adoption is a written declaration by you as the adoptive parents stating:

- the person has been adopted by you; and
- the date of the adoption; and
- the country where the adoption took place.

### What evidence of custody arrangements will I need to provide?

If you are separated or divorced and bringing a child under 16 years of age to New Zealand with you, you will need to provide evidence of your right to take the child from the country where rights of custody or visitation have been granted to the other parent, or any other person.

If the other parent of any accompanying children under 16 years of age is not included in your application for residence, you must provide evidence of your right to take the children from their country of residence.

Evidence that you have the right to take the children from their country of residence includes:

- legal documents showing:
  - you have custody of the child; and
  - the sole right to decide where they live, without any visitation rights being granted to the other parent; or
- a Court order permitting you to remove the child from its country of residence; or
- legal documents showing:
  - you have custody of the child; and
  - a signed statement from the child's other parent – witnessed according to local practice or law which confirms they agree to allow the child to live in New Zealand if your residence application is approved.

## What other documents will I need to provide on behalf of my children?

### Passport or identity document

We must see your child's passport (the original document or a certified copy) as proof of their identity. If your child is outside New Zealand and their passport is unavailable, please provide their birth certificate or another identity document. If you do submit your child's passport it will usually be returned to you once we have sighted it, or if it is needed by your child for travel while your application is being assessed.

### Birth certificates

You will need to provide an original or certified copy of your child's full birth certificate. Full birth certificates usually show the names of the parents as well as the name of the child. As well as being evidence of your child's identity and evidence of their relationship to you, the birth certificate will be used as evidence of your child's age.

If you are invited to apply for residence and a dependent child turns 25 years of age before you lodge your application, this child can no longer be included in your application. If a child is going to turn 25 years of age, and you want them to be included in your application, you should lodge your completed application with INZ before their birthday, even though you have four months to lodge your application.

## Completing Section Q Child's character

If you have a child who has turned 17 years old since you submitted your Expression of Interest, you will need to answer the questions in the form at 'Section Q: Child's character'.

Where you do have a child who is 17 years old, please refer to the requirements listed in this guide at Completing Section B: Character.

## Completing Section R Child's health

The requirements for your child's health are the same as your own. Please refer to the requirements listed in this guide at Completing Section C: Health.

## Completing Section S Child's English language ability

If you have a child who has turned 16 years old since you submitted your Expression of Interest, you will need to answer the questions in the form at 'Section S: Child's English language ability'.

Where you do have a child who is 16 years old, please refer to the requirements listed in this guide at Completing Section K: Partner's English language ability.

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## Amendments or new information

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If any of the information you provided in your Expression of Interest has changed or your circumstances have changed and you think this may have an impact on whether you can be granted residence, you will need to advise us.

Please follow the instructions in this section of the form as to how you should go about telling us of any new or changed information.

## Photographs

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You will need to attach two passport-sized photographs of each applicant included in your application as per the instructions in the section of the form titled 'Photographs'.

## Declaration

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### What do I need to understand about the declarations I will be making?

It is important you and any accompanying family members read and understand all the declarations before you agree to and sign the declaration section. If you have any questions about the Declaration section, please contact the INZ officer managing your application.

### Ability to maintain yourself and any dependants

You must declare you have sufficient personal resources to maintain yourself and your dependants for at least your first 24 months as a resident in New Zealand.

### VisaView

It is an offence for an employer to employ a person who is not entitled to work for them in New Zealand. It is also an offence for an education provider to allow a person to undertake a course of study if that person is not entitled to do so.

VisaView is an online enquiry system that allows registered employers and education providers to check whether a person who is not a New Zealand citizen can work or study in New Zealand for them.

If you believe that an employer or education provider has been given the wrong information via VisaView you may contact the Immigration Contact Centre (0508 558 855) to request correction of that information.

### Who signs the declaration section?

You, any partner, and any dependent child aged between 17 and 24 years included in your application must sign the application form.

If any person has helped you to complete this form by explaining, translating, or filling it in for you, they must sign the declaration in the space provided for them. Make sure they read and understand the declaration before they sign it.

### What are the implications of providing false or misleading information?

Your application may be declined or you may become liable for deportation if you:

- provide false or misleading information as part of an Expression of Interest or associated submission; or
- withhold relevant potentially prejudicial information from an Expression of Interest or associated submission; or
- fail to advise us of any fact or material change in your circumstances that occurred after you submitted your Expression of Interest, or your residence application, which could have affected the decision to invite you to apply for residence or to approve your residence application.

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## Payment details

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Ensure you complete the payment details section of the application form.

## Privacy Act

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The aim of the Privacy Act is to:

- promote and protect individual privacy; and
- establish principles for collecting, using, and disclosing information about individuals; and
- establish principles for allowing each individual access to information about them that is held by public and private sector agencies; and
- provide for the appointment of a Privacy Commissioner to investigate complaints about interferences with individual privacy.

## APPLICATION PROCESS

This part of the guide gives you information about the assessment process your application will go through, and offers advice on what to expect during and after the assessment of your application.

### Resident visa assessment

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Your application will be assessed to ensure you meet the health, character, and English language requirements.

Your application will also be assessed to determine whether your claim relating to employability and capacity building factors and any other criteria is true. Your claim must meet or exceed the selection criteria at the date your Expression of Interest was selected from the Pool. In addition, you must qualify for points for either skilled work experience or recognised qualification(s).

If you meet all Skilled Migrant Category requirements (including those for health, character and English language) and are also awarded points for skilled employment, your application will be approved. Your application can also be approved if you have a Master's or Doctorate level qualification awarded following two years of full-time study in New Zealand. If you do not have either of these, you may still be eligible for a New Zealand work visa for the purpose of obtaining an offer of skilled employment.

### SMC Job Search work visa

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If you are not eligible for a resident visa because you do not have skilled employment or the required qualification, but you meet all other Skilled Migrant Category requirements, you may be eligible for an SMC Job Search work visa. The purpose of the SMC Job Search work visa is to allow you the opportunity to obtain skilled employment in New Zealand. A 9 month work visa may be granted if you are already in New Zealand, or a 12 month work visa if you are outside New Zealand. Your residence application will be deferred for the length of the work visa granted. If you receive an offer of skilled employment or begin working in a skilled job during the course of your work visa, INZ will assess your employment and make a decision on your residence application. If your work visa expires and you have not obtained a skilled job or job offer, your residence application will be declined.

### What about my family members who are included in my application?

Your family members are not automatically eligible for any temporary entry visas that are linked to your SMC Job Search work visa. If any family members wish to accompany you, they must apply and meet standard temporary entry class visa instructions.



## What issues do I need to know about if I am coming to New Zealand on a work visa?

You may find it more difficult to access insurance or loans in New Zealand or find that you have to pay higher costs for these services. Therefore we recommend you contact a range of banks, financial institutions and insurance organisations to find out about the options available to you.

You may also be required to pay duties and Goods and Services Tax (GST) on your household effects if you are bringing them to New Zealand with you. You may wish to refer to the New Zealand Customs Service website at [www.customs.govt.nz](http://www.customs.govt.nz) for further information.

## Section 49(1) conditions

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### Compliance with section 49(1) conditions

It is important that you read and understand all the following information.

If you are granted a resident visa on the basis that you qualify for points for an offer of skilled employment in New Zealand, or you have been in skilled employment in New Zealand for less than three months, you are subject to the following conditions.

- If you have an offer of skilled employment and have not been awarded bonus points for employment outside Auckland – you must take up that offer of skilled employment within three months of your first entry to New Zealand as a resident (if the visa was granted offshore), or the grant of your resident visa (if the visa was granted in New Zealand), and you must remain in that employment (or another position of employment that meets the requirements for offers of skilled employment including requirements for bonus points if the offer of employment qualified for bonus points), for a period of at least three months, or
- If you have been in skilled employment for less than three months, and have not been awarded bonus points for employment outside Auckland – you must remain in that employment (or another position of employment that meets the requirements for current skilled employment including requirements for bonus points if the employment qualified for bonus points), for a period of at least three months, or
- If you have an offer of skilled employment and have been awarded bonus points for employment outside Auckland – you must take up that offer of skilled employment within three months of your first entry to New Zealand as a resident (if the visa was granted offshore), or the grant of your resident visa (if the visa was granted in New Zealand), and you must remain in that employment (or another position of employment that meets the requirements for offers of skilled employment including requirements for bonus points if the offer of employment qualified for bonus points), for a period of at least 12 months, or
- If you have been in skilled employment for less than three months, and have been awarded bonus points for employment outside Auckland – you must remain in that employment (or another position of employment that meets the requirements for current skilled employment including requirements for bonus points if the employment qualified for bonus points), for a period of at least 12 months, and
- You must be remunerated for the employment at or above the level of remuneration on the basis of which points for skilled employment were awarded, for the duration of any other conditions imposed under section 49(1), and
- You must inform INZ of your residential address and any changes to that address while you are subject to those requirements, and
- You must submit evidence to INZ that the relevant requirements set out above have been met within five years of being granted your first resident visa.

These conditions are imposed under section 49(1) of the Immigration Act 2009.

If you have a partner or child accompanying you, they will also have requirements imposed upon them that reflect your requirements.

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## Non-compliance with section 49(1) conditions

If you do not demonstrate, to the satisfaction of INZ, that you have met the conditions imposed under section 49(1) of the Act, you and the any accompanying partner or dependent child may become liable for deportation under section 159(1) of the Immigration Act 2009.

## Error and review

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If your residence application is declined and you believe that INZ made an error when assessing your application, you may ask INZ to complete a review of its decision. Examples of errors could include:

- INZ considered your application against incorrect instructions
- INZ incorrectly added the points awarded to you, or
- INZ failed to ask you for comment on an issue prejudicial to your application.

A request for a review should only be made where you are able to identify a specific error.

However, it is important to note that requests for a review will not be considered if made on the basis that you disagree with either the methods used to arrive at a decision on your application, or with the decision made on your application.

## How to contact us

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All INZ forms, guides, and fee and immigration levy information can be downloaded from the INZ website **[www.immigration.govt.nz](http://www.immigration.govt.nz)**.

You can also contact your nearest New Zealand Embassy or New Zealand High Commission.

If you have any questions about completing this form you can:

- see our website **[www.immigration.govt.nz/contactus](http://www.immigration.govt.nz/contactus)**
- telephone our call centre on 0508 55 88 55 (within New Zealand).

## LODGEMENT REQUIREMENTS CHECKLIST

The Immigration Regulations in New Zealand require that a residence application not be accepted for consideration unless particular documents are provided to an immigration officer. If you are not required to provide a standard document required for lodging an application, this will be specified to you in your Invitation to Apply. Please complete the following checklist to ensure you have provided original or certified copies of all necessary documents:

<input type="checkbox"/>	A signed and completed application form.
<input type="checkbox"/>	An application fee and immigration levy if applicable.
<input type="checkbox"/>	Two passport-size photographs for each applicant.
<input type="checkbox"/>	A current passport or certificate of identity for each applicant (or certified copies).
<input type="checkbox"/>	A full birth certificate for each applicant.
<input type="checkbox"/>	Where applicable, evidence of your relationship with your partner, as described in this guide at Completing Section H: Partner's identity.
<input type="checkbox"/>	Where applicable, evidence of the custody arrangements for dependent children, as described in this guide at Completing Section P: Child's identity.
<input type="checkbox"/>	A police certificate for each applicant aged 17 years and over from their country of citizenship and from any country in which they have lived for 12 months or more in the past 10 years, which are less than six months old at the time the application is lodged.
<input type="checkbox"/>	Completed medical certificates for each applicant which are less than three months old when the application is lodged, unless you have previously provided these certificates with an earlier visa application and they were issued less than 36 months ago. If your doctor submits your medical certificate(s) on your behalf, provide the eMedical reference number(s). Pregnant women and children aged under 11 years are not required to provide the Chest X-ray Certificate unless a special report is required.
<input type="checkbox"/>	Evidence of the English language ability of all applicants aged 16 years and over, as described under English language requirements in this guide's summary of terms (unless the secondary applicants are pre-purchasing English for Speakers of Other Languages (ESOL) tuition).
<input type="checkbox"/>	Where applicable, evidence of your and/or your partner's offers of skilled employment for which either of you are claiming points and/or bonus points, as described in this guide at Completing Section E: Skilled employment.
<input type="checkbox"/>	Evidence of your and/or your partner's full or provisional registration if either of you have current skilled employment in New Zealand or an offer of skilled employment in New Zealand in an occupation which requires registration.
<input type="checkbox"/>	Where applicable, the qualifications for which you and/or your partner are claiming points and/or bonus points.
<input type="checkbox"/>	Where applicable, an NZQA assessment (Pre-Assessment Result (PAR), International Qualifications Assessment (IQA), or Qualifications Assessment Report (QAR)) of your and/or your partner's qualifications. See this guide at Completing Section S: Child's English language ability.
<input type="checkbox"/>	Where applicable, your and/or your partner's certificate of registration. See this guide at Completing Section F: Recognised qualifications.
<input type="checkbox"/>	Where applicable, evidence of your skilled work experience for which you are claiming points and/or bonus points, as described in this guide at Completing Section G: Recognised work experience.

Please provide all the required documentation with the application. Failure to provide any of the above documentation may result in your application being returned to you.

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New Zealand Government