

October 2023

INZ 1370



Migrant Exploitation Protection Work Visa Application

Immigration Advisers Licensing Act 2007

Under the Immigration Advisers Licensing Act 2007 it is an offence to provide immigration advice without being licensed or exempt. If your immigration adviser is not licensed when they should be, Immigration New Zealand will return your application.

For more information and to view the register of licensed advisers, go to the Immigration Advisers Authority website www.iaa.govt.nz or email info@iaa.govt.nz.

Lawyers provide immigration advice and are exempt from licensing under the Immigration Advisers Licensing Act 2007. For more information and to view the register of immigration lawyers, go to the New Zealand Law Society website www.lawsociety.org.nz.

Who should use this form?

Use this form if you are applying for a work visa because:

- you have made a report of exploitation to the Ministry of Business, Innovation and Employment and it has been assessed as credible that exploitation may have occurred; and
- your current work visa is linked to your employer;

or:

- you hold a Migrant Exploitation Protection Visa; and
- you have held your Migrant Exploitation Protection Visa for four months or more; and you require more time to continue searching for a job.

When filling in this form, write clearly in English using CAPITAL LETTERS.

Application checklist

All applicants must provide:

- | | |
|--------------------------|--|
| <input type="checkbox"/> | Completed, signed application form. |
| <input type="checkbox"/> | Two passport-sized colour photographs. |
| <input type="checkbox"/> | Passport or travel document*. |

If I am applying for...

I must also provide...

<input type="checkbox"/>	an initial Migrant Exploitation Protection Visa	<input type="checkbox"/>	<i>Report of Exploitation Assessment Letter</i> issued by the Ministry of Business, Innovation and Employment
<input type="checkbox"/>	a further Migrant Exploitation Protection Visa	<input type="checkbox"/>	Evidence of at least two acceptable attempts to seek employment over a period of four months or more**.

**While you can provide a certified copy of your passport with your application, we highly recommend you provide your original passport. This will enable us to process your application faster and it may be needed to complete your application. Please note during the processing of an application an immigration officer may request any document, including your original passport.*

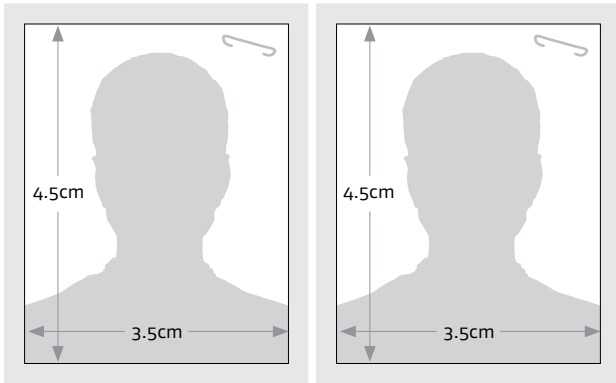
***Your evidence must show that the employment sought was in similar roles as your original employer specific work visa, and offered remuneration that meets Accredited Employer Work Visa requirements.*

Note: Detailed information about the requirements for the work visa is available on the Immigration New Zealand website, www.immigration.govt.nz.

Section A Personal details

i For more information about the questions in this section, see 'Completing Section A: Personal details' in the *Work Visa Guide*.

Attach **two** colour passport-size photographs of yourself here. The photographs must be less than six months old. Write your full name on the back of both photographs.



A1 Name as shown in passport

Family/last name

Given/first name(s)

A2 Preferred title Mr Mrs Ms Miss Dr Other (specify)

A3 Other names you are known by or have ever been known by

A4 Gender Male Female

A5 Date of birth

A6 Town/city of birth

Country of birth

A7 Passport details

Number

Country Expiry date

A8 Other citizenships you hold

A9 Partnership status Single Separated Partner/De facto Divorced
 Married/in civil union Engaged Widowed

Section B Contact details

Note: We prefer to contact you using email. Please provide your email address if you have one.

B1 Your current residential address:

Address

Telephone (landline) Telephone (mobile)

Email

B2 If you are currently in New Zealand, your most recent overseas address:

Address

B3 Name and address for communication about this application.

Same as address at **B1**, or as below

Name of contact person

Organisation name (if applicable) and address

New Zealand Business Number (if applicable) For help search: www.nzbn.govt.nz

Telephone (daytime) Telephone (evening)

Email

B4 Do you authorise the person stated at **B3** to act on your behalf? Yes No**B5** Do you authorise all other licensed immigration advisers or persons exempt from licensing who work for the organisation named at **B3** to act on your behalf (if applicable)?

Yes Note: the person identified at **B3** will receive all communication from Immigration New Zealand.

No Only the person indicated at **B3** may act on my behalf.

B6 Have you received immigration advice on this application?

i You can find a definition of immigration advice at www.immigration.govt.nz/advice.

Yes Make sure that your immigration adviser completes 'Section J: Immigration adviser's details'.

No

B7 Names and addresses of any friends, relatives, or contacts you have in New Zealand (if applicable).

Name

Address

Relationship Date of birth (if known)

Name

Address

Relationship Date of birth (if known)

Section C Your health

i You are not required to provide a General Medical Certificate or Chest X-Ray Certificate with your application. However, an immigration officer may request you provide medical certificates during the assessment of your application if they consider it necessary.

C1 Do you have tuberculosis (TB)? Yes No

C2 Do you have any medical condition that requires, or may require, one of the following during your stay in New Zealand?

- Renal dialysis Yes No
- Hospital care Yes No
- Residential care Yes No

Residential care is defined as in-patient care for people with psychiatric, sensory or intellectual disabilities or live-in facilities for the aged.

C3 If you have answered Yes to any of the questions in **C1** and **C2**, provide details.

C4 Are you pregnant?

- Yes Date you are due to give birth

D	D	M	M	Y	Y	Y	Y
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 Go to **C5**
- No Go to Section D.

C5 If you intend to give birth in New Zealand, please indicate how the cost of maternity health services will be paid for and provide the relevant evidence.

- Not applicable as I do not intend to give birth in New Zealand.
- I am, or will be eligible for publicly-funded maternity health services and have provided evidence of my eligibility.
- I will cover the cost myself and have attached copies (not originals) that I have at least NZ\$9000 of funds available.
- My sponsor has guaranteed to cover the cost and I have attached a completed *Sponsorship Form for Temporary Entry (INZ 1025)*.

Section D Your character

All applicants must complete this section.

i You are not required to provide a new Police Certificate with your application. However, an immigration officer may request you provide a police certificate during the assessment of your application if they consider it necessary.

D1 Have you been convicted at any time of any offence, including any driving offence? *Please note that this includes any conviction(s) outside of New Zealand subsequently cleared or wiped by 'clean slate' legislation.*

Yes No

D2 Are you currently:

- under investigation Yes No
 - wanted for questioning Yes No
 - facing charges Yes No
- for any offence in any country?

D3 Have you ever been:

- excluded Yes No
 - refused entry Yes No
 - removed or deported Yes No
- from any country, excluding New Zealand?

D4 Have you ever been refused a visa/permit to visit, work, study or reside in any country, excluding New Zealand?

Yes No

D5 Have you ever been a member of, or adhered to, any terrorist organisation? Yes No

D6 Have you had (or currently have) an association with, membership of, or involvement with, any government, regime, group or agency that has advocated or committed war crimes, crimes against humanity and/or other gross human rights abuses? Yes No

If you have answered yes to any of the questions above give full details. This includes full details of any charges, convictions and the sentence or penalty imposed. Continue on a separate piece of paper if necessary.

Section E Type of Migrant Exploitation Protection Visa

E1 Tick the option that applies to you:

I am applying for an initial Migrant Exploitation Protection Visa. *Go to section F.*

I hold a Migrant Exploitation Protection Visa and am applying for a further visa to continue searching for a job.

Go to section H.

Section F Employment

Applicants for an initial Migrant Exploitation Protection Visa must complete this section.
Applicants for a further Migrant Exploitation Protection Visa can go to section H.

F1 Provide details about your current employment

Employer's name

Employer's address

New Zealand Business Number (if applicable) *For help search: www.nzbn.govt.nz*

Telephone Email

Your position:

Section G Report of Exploitation

Applicants for an initial Migrant Exploitation Protection Visa must complete this section.
Applicants for a further Migrant Exploitation Protection Visa can go to section H.

G1 Have you made a report of exploitation to the Ministry of Business, Innovation and Employment (MBIE) and it has been assessed that it is credible that exploitation may have occurred?

Yes *Please provide the Report of Exploitation Assessment Letter with your application.*

No *To be eligible for this visa, you must provide the Report of Exploitation Assessment Letter with your application.*

G2 Do you confirm that the information provided in support of your report of exploitation was true and accurate?

Yes

No

Section H Attempts to Seek Employment

Applicants for a further Migrant Exploitation Protection Visa must complete this section.
Applicants for an initial Migrant Exploitation Protection Visa can go to section I.

- H1** Have you attached evidence of at least two jobs you attempted to obtain over a period of four months or more? Evidence you can provide may include, but is not limited to:
- correspondence with a potential employer regarding your job application, or
 - screenshots of job search platforms demonstrating the applications submitted, or
 - job advertisements provided alongside confirmation of job applications submitted.
- Yes *Go to question H2.*
- No *To be eligible for a further visa, you must provide evidence to demonstrate you have made attempts to seek employment.*

H2 Details of the jobs you attempted to obtain as shown in your evidence.

Employer's name

New Zealand Business Number (optional) For help search: www.nzbn.govt.nz

Name of position

Remuneration offered Date of application

.....

Employer's name

New Zealand Business Number (optional) For help search: www.nzbn.govt.nz

Name of position

Remuneration offered Date of application

Continue on a separate piece of paper if necessary.

Section I**Declaration by applicant**

I understand the questions and contents of this form and the information I have provided is true and correct.

I understand that if I make any false statements or provide any false or misleading information (including statements or information provided with the report of exploitation), my application may be declined. I may become liable for deportation.

I agree to tell Immigration New Zealand about any changes to my circumstances (including a change in my employment or partnership status) that occur after making this application.

I agree to leave New Zealand before my visa expires. If I remain in New Zealand after my visa has expired, I may be deported by Immigration New Zealand.

I agree that if I am not entitled to free health care in New Zealand, I will pay for any health care or medical assistance I may require in New Zealand.

I understand that if I have received immigration advice from an immigration adviser and if that immigration adviser is not licensed under the Immigration Advisers Licensing Act 2007 when they should be, Immigration New Zealand will return my application.

I understand that Immigration New Zealand may provide information about my entitlement to work to potential employers including via the online VisaView system. If I undertake a course of study while in New Zealand, I authorise Immigration New Zealand to provide information about my immigration status to my education provider, including via VisaView.

I authorise Immigration New Zealand to provide information about my health and my immigration status to any health service agency. I authorise any health service agency to provide information about my health to Immigration New Zealand.

I authorise Immigration New Zealand to make any necessary enquiries about information on this form and/or accompanying documentation. I authorise any agency whether in New Zealand or overseas, including but not limited to border or immigration agencies, education providers, financial institutions, foreign embassies, government authorities, healthcare providers, police or other law enforcement agencies, that holds information (including personal information) related to information on this application form and/or accompanying documentation to disclose that information to Immigration New Zealand so that they can:

- make a decision on this application
- answer enquiries about my immigration status once my application has been decided.

I have provided all the documents required by the checklist on page 1.

Signature of applicant _____

Date

D	D	M	M	Y	Y	Y	Y
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Section J Immigration adviser's details

This section must be completed by the applicant's immigration adviser. If the applicant has authorised all advisers within an organisation to act on their behalf at [B5], only the person named at [B3] must complete this section. If the applicant does not have an immigration adviser, this section does not have to be completed.


J1 If you are a licensed adviser, please provide your licence details.

Licence type full provisional limited *List conditions specified in the register*

Licence number Go to Section K: Declaration by person assisting the applicant

J2 If you are exempt from licensing, tick **one** box below to show why you are exempt from licensing then go to Section K: Declaration by person assisting the applicant.

- I provided immigration advice in an informal or family context only, and I did not provide the advice systematically or for a fee.
- I have provided immigration advice in the course of my work (employed or volunteer) and that work exempts me from the requirement to be licensed. Indicate the reason for your exemption below.
- Lawyer with current New Zealand practicing certificate Community Law Centre Citizens Advice Bureau
- New Zealand Member of Parliament or staff New Zealand public servant Foreign Diplomatic/Consular

 See www.immigration.govt.nz/adviserlicensing for more information about who is exempt from licensing.

Section K Declaration by person assisting the applicant

This section must be completed and signed by the applicant's immigration adviser, or by any person who has assisted the applicant by providing immigration advice, explaining, translating, or recording information on the form for the applicant. If the applicant does not have an immigration adviser, and no one helped the applicant to fill in this form, this section does not have to be completed.

If you are not exempt under the Immigration Advisers Licensing Act 2007, it is an offence for you to provide immigration advice without holding a license, and Immigration New Zealand will refuse to accept your client's application. More information about immigration adviser licensing can be obtained from the Immigration Advisers Authority website www.iaa.govt.nz, via email info@iaa.govt.nz or by telephone on 0508 422 422.

Name and address of person assisting applicant. Same as name and address given at [B3], or as below.

Family/last name

Given/first name(s)

Organisation name (if applicable) and address

New Zealand Business Number (if applicable) For help search: www.nzbn.govt.nz

Telephone

Email

I understand that after the applicant has signed this form it is an offence for me to change or add further information, or change or add any documents attached to the form, without making a statement identifying what information or material has been changed, added or attached and by whom. If I make these changes or additions, I must state on the form what they were, who made them and the reason they were made.

I understand that the maximum penalty for this offence is a fine of up to NZ\$100,000 and/or a term of imprisonment of up to seven years.

I certify that the applicant asked me to help them complete this form and any additional forms. I certify that the applicant agreed that the information provided was correct before signing the declaration.

I have **assisted** the applicant as an interpreter/translator

I have **assisted** the applicant with recording information on the form

I have **assisted** the applicant in another way. *Specify* _____

I have **provided immigration advice** (as defined in the Immigration Advisers Licensing Act 2007) and my details in Section J: Immigration adviser's details are correct.

Signature of person assisting _____

Date

D		D		M		M		Y		Y		Y		Y
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Deciding whether you are eligible for a visa

Immigration New Zealand collects the information about you on this form to decide whether you are eligible for a work visa. We may also use the information to contact you for research purposes or to advise you on immigration matters.

Collecting the information is authorised by the Immigration Act 2009 and the Immigration Regulations made under that Act. You do not have to provide the information, but if you do not we are likely to decline your application.

Deciding whether you are eligible to board a flight to New Zealand

The information we collect may also be used to determine whether you are allowed to board a flight to New Zealand. We will not share your personal information with airline check-in agents; however, we will send a boarding message to the airline check-in agent based on the information you have provided in this form.

Immigration New Zealand may also share the information you have provided with other government agencies that are entitled to it by law, or with other agencies (as you have agreed in the declaration). You are able to ask for the information we hold about you and have any of it corrected if you think it is necessary. The address of Immigration New Zealand is PO Box 1473, Wellington 6140, New Zealand. **This is not where your application should be sent.** Sometimes we may ask for additional documents or information so that we can consider it with this application.

Other documents you may wish to send

You may wish to send other documents or information so that we can consider it with this application. Send photocopies only (not original documents), as these documents will not be returned to you. If we need to see an original document, you will be asked to produce it later.

VisaView

It is an offence to employ a person who is not entitled to work in New Zealand. One way for employers to avoid committing this offence is to check a person's entitlement to work with Immigration New Zealand's online VisaView system. Disclosure of information through VisaView is authorised by legislation.

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

