

November 2023

INZ 1379



Application for a Variation of Conditions on an Skilled Migrant Category Interim Visa

Who may apply for a variation of conditions?

You may be able to apply for a variation of conditions if you hold a Skilled Migrant Category (SMC) Interim Visa. Your application will only be granted if the new conditions meet immigration instructions.

Variations of conditions for SMC interim visa holders

- If you have an SMC interim visa with work conditions, you can apply to change your occupation, employer and/or location of employment.
- If you have an SMC interim visa with student conditions, and you are aged 16 or older you can apply to work up to 20 hours per week.
- If you have an SMC interim visa with visitor conditions, and you are a dependent child aged 18 or older, you can apply to study full-time and/or to work up to 20 hours per week.

What should you send with your application?

When you have completed the form use the checklist at the end to make sure you have sent all the documents we need.

Where do you send your application?

Send it to your nearest Immigration New Zealand office. See www.immigration.govt.nz/contactus for office addresses.

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. For more information and to view the register of immigration lawyers, go to the New Zealand Law Society website www.lawsociety.org.nz.

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.

Section A Personal details

All applicants must complete this section.

A1 Name as shown in passport

Family/last name | _____

Given/first name(s) | _____

A2 Date of birth | | |

A3 Country of citizenship | _____

A4 Passport details

Number | _____ Country | _____

Expiry date | | |

A5 Your New Zealand residential address

| _____
| _____

Telephone (daytime) | _____ Telephone (evening) | _____

Email | _____

A6 Name and address for communication about this application

Same as address at **A5**, 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) | _____

Fax | _____ Email | _____

A7 Do you authorise the person stated at **A6** to act on your behalf?

Yes No

A8 Do you authorise all other licensed immigration advisers or persons exempt from licensing who work for the organisation named at **A6** to act on your behalf?

Yes *Note: the person identified at **A6** will receive all communication from Immigration New Zealand.*

No *Only the person indicated at **A6** may act on my behalf.*

A9 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 G: Immigration adviser's details.*

No

Section B SMC interim visa holders with visitor conditions

Complete this section if you hold an SMC interim visa with visitor conditions.

B1 Are you applying for a variation of conditions to allow you to work part-time (up to 20 hours in any week)?

Yes No Go to **B2**

B2 Are you applying for a variation of conditions to allow you to study for longer than three months?

Yes No Go to **B3**

B3 Are you the dependent child in an SMC residence application and aged 18 or older?

Yes No

Note – To vary the conditions on your SMC interim visa to work and/or study, you must be aged 18 or older and included as a dependent child in an SMC residence application.

Section C SMC interim visa holders with student conditions

Complete this section if you hold an SMC interim visa with study conditions.

C1 Are you applying for a variation of conditions to allow you to work (tick all that apply):

Part-time (up to 20 hours in any week)

Full-time during my holidays

C2 If you are aged 18 or older, go to Section E: Declaration by applicant

If you are aged 16 or 17, tick the box or boxes that apply to you:

I want to be allowed to work up to 20 hours in any week during the academic year and I have attached written permission from my parent(s) and/or school enabling me to work.

I want to be allowed to work full-time during the Christmas and New Year holiday period and I have attached written permission from my parent(s) and/or school enabling me to work.

Note: If you are enrolled with an education provider and aged 16 or 17, they will need to provide written permission confirming that they support you undertaking work.

Section D SMC interim visa holders with work conditions

Complete this section if you hold an SMC interim visa with work conditions.

D1 If you are applying for a variation of conditions to allow you to work for a different employer, in a different occupation, or in a different place of employment, provide details.

Job title

Employer's name

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

Location

D2 Is the employer Accredited under the Accredited Employer Work Visa (AEWV) scheme?

Yes No

Note: To vary the conditions on your SMC interim visa, your employer must be accredited under the AEWV policy.

D3 What is your employer's Job Check approval number?

Note: this number can be found at the top of your employer's Job Check approval letter, next to their application number.

Section E Declaration by applicant

I have read and understood the Immigration New Zealand (INZ) Privacy Statement.

I have provided true and correct answers to the questions in this form.

I understand that if I provide false or misleading information in any request for a variation of the conditions of a visa that I may be committing an offence and also become liable for deportation.

I will inform INZ of any relevant fact or change of circumstance (including a change in my employment or partnership status) that may affect the decision on my application for a variation of conditions.

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, INZ will not further process my application.

I consent for INZ to make necessary enquiries about information on this form and accompanying documentation, and to share this information with other government agencies (including overseas agencies) if it is necessary to make decisions about my immigration status.

I consent for any New Zealand or overseas agency, including border or immigration agencies, education providers, financial institutions, foreign embassies, government authorities, healthcare providers, and police or other law enforcement agencies, to disclose any personal or other information related to this application form or documentation to INZ so that they can:

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

I consent for any agency that holds information (including personal information) related to those matters to disclose that information to INZ.

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.

Signature of applicant Date

A parent or guardian may sign on behalf of a child under 18 years.

Date

Section F 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 **A8**, only the person named at **A6** must complete this section. If the applicant does not have an immigration adviser, this section does not have to be completed.

F1 Tick the one option that applies to you.

- I am a licensed immigration adviser under the New Zealand Immigration Advisers Licensing Act 2007. Go to **F2**
- I am exempt from licensing under the New Zealand Immigration Advisers Licensing Act 2007. Go to **F3**

If you are unlicensed when you should be licensed under the Immigration Advisers Licensing Act 2007, Immigration New Zealand will return your client's application. It is an offence to provide immigration advice without holding a licence, unless you are exempt.

F2 Licensed advisers. Please provide your licence details.

Licence type

- full provisional limited. *List conditions specified in the register.*

Licence number *Go to Section G: Declaration by person assisting the applicant.*

F3 Exempt from licensing. Tick one box below to show why you are exempt from licensing.

- I provided immigration advice in an informal or family context only, and I did not provide the advice systematically or for a fee.
- I am a New Zealand member of Parliament or member of their staff and I provided immigration advice as part of my employment agreement.
- I am a foreign diplomat or consular staff.
- I am an employee of the New Zealand public service and I provided immigration advice within the scope of my employment agreement.
- I am a lawyer and I hold a current practising certificate as a barrister or as a barrister and solicitor of the High Court of New Zealand.
- I am employed by, or I am working as a volunteer for, a New Zealand community law centre where at least one lawyer is on the employing body of the community law centre or is employed by or working as a volunteer for the community law centre in a supervisory capacity.
- I am employed by, or I am working as a volunteer for, a New Zealand citizens advice bureau.

Go to Section G: Declaration by person assisting the applicant.

Section G 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 unlicensed when you should be licensed under the Immigration Advisers Licensing Act 2007, Immigration New Zealand will return your client's application. It is an offence to provide immigration advice without holding a licence.

For more information, go to the Immigration Advisers Authority website www.iaa.govt.nz, or email info@iaa.govt.nz or write to them at PO Box 6222, Wellesley Street, Auckland 1141, New Zealand.

Name and address of person assisting applicant

Same as address given at A6, or as below.

Family/last name

Given/first name(s)

Company name (if applicable) and address

New Zealand Business Number (if applicable)

For help search: www.nzbn.govt.nz

Telephone (daytime)

Telephone (evening)

Fax

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 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 F: Immigration adviser's details are correct.

Signature of person assisting

Date

Application checklist

OFFICE USE ONLY	Information and documents you must supply	CHECK LIST
<input type="checkbox"/>	I have completed the application form.	<input type="checkbox"/>
<input type="checkbox"/>	I have provided the application fee.	<input type="checkbox"/>
<input type="checkbox"/>	I have attached my passport or travel document*.	<input type="checkbox"/>

OFFICE USE ONLY	Information and documents you may need to supply if applying for a variation of conditions on your SMC interim visa with study conditions	CHECK LIST
<input type="checkbox"/>	I have attached the required written permission from my parent(s) and/or school enabling me to work (for SMC interim visa holders with study conditions aged 16 or 17 only).	<input type="checkbox"/>

OFFICE USE ONLY	Information and documents you may need to supply if applying for a variation of employment related conditions on your SMC interim visa with work conditions	CHECK LIST
<input type="checkbox"/>	I have attached evidence of my job offer.	<input type="checkbox"/>

Returning your documents

Please return documents to me by secure post at the address given at:

- A5
 A6

*You can provide a certified copy of your passport with your application. Please note during the processing of an application an immigration officer may request any document, including your original passport.

Section H Paying your application fee

To find out how much to pay, payment methods, where to send your application, and how long a decision may take, see www.immigration.govt.nz/fees.

Your application fee and immigration levy

Amount you are paying:

Amount

Currency

(e.g. NZD, USD, RMB)

Application number

(office use only)

Credit/debit card details

Mastercard Visa

Name of cardholder

Card number

CVC/CVV number

Note: Your CVC/CVV number is the three-digit number found on the signature strip on the back of your credit/debit card.

Expiry date

Signature of cardholder

Date

About the information you provide

Immigration New Zealand collects the information about you on this form to decide whether you are eligible for a visitor visa or a limited 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.

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. **Do not send your application to this address.**

Other documents we may need

Sometimes we may ask for additional documents or information to consider with an application.

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, we will ask you to produce it later.

For more information

If you have questions about completing the form:

- see our website www.immigration.govt.nz/contactus
- phone our call centre on 0508 558 855 (within New Zealand)

