



**WORKFORCE (IMMIGRATION NEW ZEALAND)
INTERNAL ADMINISTRATION CIRCULAR NO: 08-01**

To: All Workforce/Immigration New Zealand (INZ) staff **Date:** 28 January 2008

Skilled Migrant Category: 4 February 2008 changes to operational policy

Please **read** this information and ensure that all staff members who process Skilled Migrant Category (SMC) Expressions of Interest (EOI) and residence applications are aware of what is required of them.

It is recommended that this Internal Administration Circular (IAC) be read in conjunction with Policy Amendment Circular 07/21

Purpose

1. The purpose of this IAC is to advise Workforce/Immigration New Zealand (INZ) staff of changes to the EOI system and to provide guidance on the procedures to be followed to:
 - a. manage SMC applications made (ie lodged in the prescribed manner) on and after 4 February 2008; and
 - b. manage EOI that are selected from the Pool and the resulting Invitation to Apply (ITA) for residence; and
 - c. apply amended operational policy concerning the recognition of qualifications; and
 - d. use the Australian and New Zealand Standard Classification of Occupations (ANZSCO) to assess an offer of employment (or current employment) in New Zealand.

Background

2. Policy changes to come into effect on and after 4 February 2008 were announced by Amendment Circular 07/21 on 26 November 2007. The changes relate to:
 - a. assessment of skilled employment based on the ANZSCO; and
 - b. the recognition of qualifications at level three and four of the New Zealand Register of Quality Assured Qualifications (the Register); and
 - c. other minor amendments to policy to enhance the SMC.

EOI system

3. On 4 February 2008 the EOI system will be updated to replace the New Zealand Standard Classification of Occupations (NZSCO) with the ANZSCO. Questions F1 (principal applicant's recognised qualification) and M1 (secondary applicant's recognised qualification) will be updated to reflect how qualifications at level three or four of the Register will be recognised.
4. The EOI system will not automatically convert applicant's occupational information. Therefore, for EOI that have been selected (or resulted in an ITA), the original occupation information (at questions A18, E2, and L2) will no longer be available in the EOI from 4 February 2008. Prior to this date, branches will be forwarded a report containing the original occupation details for all EOI allocated to their branch (and a tool to convert the NZSCO occupation title/code to an ANZSCO occupation title/code).
5. From 4 February 2008 potential applicants who are in the process of completing an online EOI (or those editing their submitted EOI), will be prompted to re-select their occupation (from the ANZSCO list) prior to submitting (or re-submitting the EOI).

SMC applications

6. SMC residence applications made prior to 4 February 2008 must be assessed against the policy that was in effect on the date the application was made. Applications that are made with INZ on or after 4 February 2008 must be assessed against the amended policy that comes into effect on 4 February 2008. There is no discretion on this matter.
7. On 9 November 2007 people who had been ITA'd were emailed and advised of the upcoming policy changes. They were contacted again on 28 November 2007 and advised that the policy changes had been delayed and that there will be further minor changes. They will receive further advice this week.

Expressions of Interest

8. On 9 November 2007 those people with an EOI in the Pool were also contacted about the policy changes and were requested to edit their EOI once the changes come into effect (to re-select their occupation title at questions A18 (current occupation), E2 (occupation in New Zealand, if applicable), and L2 (secondary applicant's occupation in New Zealand, if applicable)). They were also sent the follow-up email on 28 November 2007 and will receive further advice this week.
9. These people were also asked to check their claim to points for their recognised qualification after the policy changes come into effect (if they had claimed points for a qualification at level three or four of the Register). On 4 February 2008 web links (that provide the relevant operational policy) at the relevant questions in the online EOI form will be updated to include the amended policy and guidelines.
10. EOI on hand (that are being assessed by officers) should be progressed as usual, taking into consideration the upcoming policy changes. Where the policy changes may affect a potential applicant's ability to apply under the SMC (if invited to apply) they should be advised of the upcoming changes and the impact on their EOI. If the impact on their EOI may be detrimental to a subsequent residence application they should be encouraged to make their residence application before 4 February 2008.
11. Regardless of when an EOI is submitted into the Pool, selected from the Pool, or when the decision is made to invite the person to apply for residence, the residence application must be assessed against the policy that is applicable on the date the application is made with INZ. There is no discretion on this matter.

Invitation to Apply

12. From 4 February 2008, before issuing an ITA, officers must ensure that any points claimed for recognised qualifications at level three or four of the Register or any claim to points for an offer of skilled employment (or current skilled employment) are still accurate. Before printing an SMC application form to accompany the ITA, the EOI will also require editing by staff to re-select the occupation details at questions A18, E2, and L2 (if applicable) from the ANZSCO data set.

Qualifications

Qualifications and skilled employment policy

13. Amended skilled employment policy will include the requirement for principal applicants with an offer of employment (or current employment) in an occupation listed in Part A of Appendix 11 to have either a set number of years' work experience or hold a relevant recognised qualification. The relevant qualification must be at, or above, the qualification level on the Register that corresponds to the indicative skill level described for that occupation in the ANZSCO (SM7.10.1(a) effective 4 February 2008 refers).
14. The qualification a principal applicant holds does not need to have the exact title as the qualification provided for in the ANZSCO. It is the level on the Register which is important.

Example - 'Pharmacy Technician' (311215) (skill level two) in the ANZSCO indicates that a New Zealand Register Diploma (which is level five on the Register) is required. If an applicant has a recognised National Certificate in Pharmacy (Technician) which is at level five of the Register, this qualification will suffice as it is at a level on the Register which corresponds to the indicative skill level (New Zealand Register Diploma) described for the occupation in the ANZSCO.

Level four National Certificates

15. From 4 February 2008 qualifications at level four of the Register must be relevant to an occupation listed in Part B or Part C of Appendix 11, to be recognised under the SMC. The qualification must also be a New Zealand National Certificate (or an overseas qualification that has been compared to such by the NZQA), with the exception of the provision detailed in paragraph 19 below.
16. For the purposes of immigration policy, National Certificates at level four of the Register differ from other qualifications at level four of the Register. It is essential that points are only awarded for National Certificates. National Certificates gained in New Zealand are only awarded by the NZQA or the relevant Industry Training Organisation (ITO). The Kiwiquals website (www.kiwiquals.govt.nz) will confirm if a qualification gained in New Zealand is a National Certificate at level four of the Register (or the actual qualification certificate itself will provide confirmation). A letter from the NZQA confirming that a specified New Zealand qualification is a National Certificate will also be acceptable.
17. A letter from the NZQA or from an education provider advising that a specified qualification (which is not a National Certificate) has "similar outcomes" to a specified National Certificate is not sufficient for the purposes of SMC policy.
18. Qualifications gained overseas that are compared to a qualification at level four of the Register by the NZQA, must also be compared to a National Certificate by the NZQA (by way of a Qualifications Assessment Report) and be assessed by an officer as relevant to an occupation in Part B or Part C of Appendix 11, to be recognised for the award of 50 points.

'Grandparenting Clause'

19. A new provision at SM14.10.1 will come into effect from 4 February 2008. This provision will allow for the recognition of New Zealand qualifications (at level three or four of the Register) which are currently recognised under the SMC (but will not ordinarily be recognised from 4 February 2008) in the following circumstances:
- where the qualification was obtained prior to 4 February 2008; or
 - where the qualification was obtained on or after 4 February 2008 but the applicant was enrolled in the course prior to 4 February 2008.
20. Applicants with qualifications that meet the provision at SM14.10.1 will be recognised for 50 points. Refer to the diagram at Appendix one for further explanation.
21. Evidence of enrolment in the course of study at 3 February 2008 must align with Student policy. That is that they held a student visa and/or permit on 3 February 2008 to undertake the course of study which resulted in the qualification for which they are claiming points. Please note that applicants must be enrolled for the actual course that qualifies for points, not a pre-requisite course or an English language course. If they did not have a student visa and/or permit on 3 February 2008, the applicant must provide evidence from their education provider that they were enrolled in the course on 3 February 2008 and evidence that they had paid the course fee in full prior to 4 February 2008 (or evidence that they were exempt from course fees, or notice of the award of a full scholarship or, in the case of a fee scholarship student, a receipt showing payment of the course fee).
22. The recognition of a qualification under the 'grandparenting clause' at SM14.10.1 does not provide for the recognition of the qualification for the purposes of the amended skilled employment policy.

Example - where someone holds a Certificate in Carpentry (recognised for the award of 50 points under SM14.10.1) the qualification will not meet the requirements of skilled employment policy if the applicant has an offer of employment as a carpenter (a relevant National Certificate at level four is required, or three years' relevant recognised work experience).

Using the ANZSCO

23. The ANZSCO is a comprehensive list of occupations produced by Statistics New Zealand (in conjunction with the Australian Bureau of Statistics) to replace the NZSCO. The complete ANZSCO document, along with a specialised search function, is currently available at www.immigration.govt.nz/ANZSCO and is also on the Staff Toolkit.

Structure

24. The structure of the ANZSCO is similar to the NZSCO in that there are hierarchical levels. The ANZSCO has eight major groups (managers, professionals, technicians and trades workers, community and personal service workers, clerical and administrative workers, sales workers, machinery operators and drivers, and labourers). The full ANZSCO structure is provided at page 35 of the ANZSCO document at www.immigration.govt.nz/ANZSCO.

ANZSCO alternative titles

25. The ANZSCO contains 998 occupations, some with additional titles and listed specialisations.

Example - the occupation of 'Economist' (224311) lists 'Economic Analyst' as an alternative title and Agricultural Economist, Econometrician, Economic Forecaster,

Environmental Forecaster, Health Economist, Labour Market Economist, Mineral Economist, and Taxation Economist as specialisations under 'Economist' (refer to Appendix one).

Establishing an occupation's ANZSCO title

26. As noted in paragraph 24, ANZSCO occupations can have a range of occupational specialisations. A search through the electronic version of the ANZSCO (using the **Ctrl F** function), or by using the specialised search function available at www.immigration.govt.nz/ANZSCO, may locate the occupation as it is stated in the ANZSCO.
27. An applicant's occupation may have a different title to what is in the ANZSCO, but the core tasks are consistent.

Example - an applicant may have an offer of employment as a 'Purchasing Manager'. A search of this job title in the ANZSCO will not locate an occupation with this exact title. However, by looking in the appropriate ANZSCO Minor Group (Construction, Distribution and Production Managers) the occupation of 'Purchasing Manager' is likely to be the same as a 'Supply and Distribution Manager' (133611). Although the title is different, comparing the ANZSCO core tasks with the applicant's job description would confirm whether an offer of employment (or current employment) as a 'Purchasing Manager' would be classified as a 'Supply and Distribution Manager' in the ANZSCO.

Core tasks

28. From 4 February 2008, one of the requirements under SM7.10.1 is that the principal applicant can demonstrate that their employment in New Zealand substantially matches the description for that occupation (including core tasks) as set out in the ANZSCO. This will help ensure that the job in which an applicant is claiming to be employed in (or will be employed in) is consistent with the ANZSCO occupation that they are claiming points for.

Example - we need to be satisfied that someone claiming to have an offer of employment as a 'carpenter' is undertaking the same core tasks and responsibilities as a carpenter as outlined in ANZSCO and not those of a 'carpenter's assistant' (821111).

29. When determining the core tasks for an applicant's occupation, the applicant's job description is required. It is expected that the contents of the job description will substantially match the relevant 'Unit Group tasks' and a majority of the core tasks for the occupation that the applicant is claiming an offer of employment (or current employment) in (see Appendix two for examples of the information contained in the ANZSCO).
30. If officers are not satisfied that the applicant's employment substantially matches the ANZSCO core tasks for the occupation, there may be alternative occupations that are listed in the ANZSCO which are more closely aligned with the applicant's offer of employment (or current employment) in New Zealand.

Example - an applicant has claimed points for an offer of employment as a Chef (351311). The job description provided by the applicant includes the following:

- Following direction toward portion control, cooking standards and wastage.
- Examining foodstuffs to ensure quality.
- General food preparation as required.
- Cooking food including seasoning, portioning food, and preparing the food for service.

- Cleaning duties as required and directed from kitchen supervisors.
- Maintenance of dishes as required.
- Storing food (in the refrigerator or freezer as required).
- Train other kitchen staff when requested.
- Following directives from the kitchen supervisor as required.
- Following all hygiene and Health and Safety regulations within the kitchen.

In this example, when referring to the ANZSCO Unit Group tasks and the occupation's core tasks, it is clear that the job description does not substantially match the core tasks listed for 'Chef' in the ANZSCO. In fact, there are only two listed tasks that match the job description. The applicant's job description is more consistent with the core tasks for 'Cook' (351411) and on checking the core tasks for this occupation it is established that, based on the ANZSCO, the offer of employment is actually as a Cook and not a Chef as the applicant's job title states. Verification may be required to confirm that the job description has not been fraudulently altered to align with ANZSCO core tasks.

Case-by-case assessment

31. As all applications are going to be different it is important to assess an application in its entirety and to not always take a rigid approach when assessing an offer of (or current) employment against skilled employment policy.

Example - the company in which an applicant will be employed may not undertake some of the core tasks that are listed in the ANZSCO, and therefore the applicant would not be required to undertake the tasks as part of their work. To illustrate this point, the ANZSCO listed core tasks for an 'Electrical Line Mechanic' (342211) are "installs, maintains, repairs and patrols electrical sub-transmission and distribution systems". If an applicant has an offer of employment as an Electrical Line Mechanic for a company that specialises in only installing electrical sub-transmission and distribution systems (and outsources the maintenance, repair and patrol of such systems), their job description would not include a majority of the ANZSCO listed tasks as they are not all relevant to the employer. In this example, officers should still consider the applicant as having an offer of skilled employment as an Electrical Line Mechanic as the job description substantially matches the relevant ANZSCO occupational tasks.

'Not elsewhere classified'

32. Applicants may have an offer of employment (or current employment) in an occupation that cannot be found in the ANZSCO either as the actual occupation title, an alternative title, or as a specialisation that has the same core tasks and requirements as an occupation in the ANZSCO. The ANZSCO accommodates for this by including occupation classifications that can include an occupation in a minor group that is not elsewhere classified in the ANZSCO. A 'not elsewhere classified' occupation is denoted by the addition of 'NEC' at the end of the occupation title (refer to Appendix three). The NEC function is designed to accommodate occupations that are not included in the ANZSCO due to their obscurity or because there is a "lack of numerical significance in Australia or New Zealand".¹

Example - an applicant may have an offer of employment as a fingerprinting officer (a specialised police occupation that is often, but not necessarily, performed by a

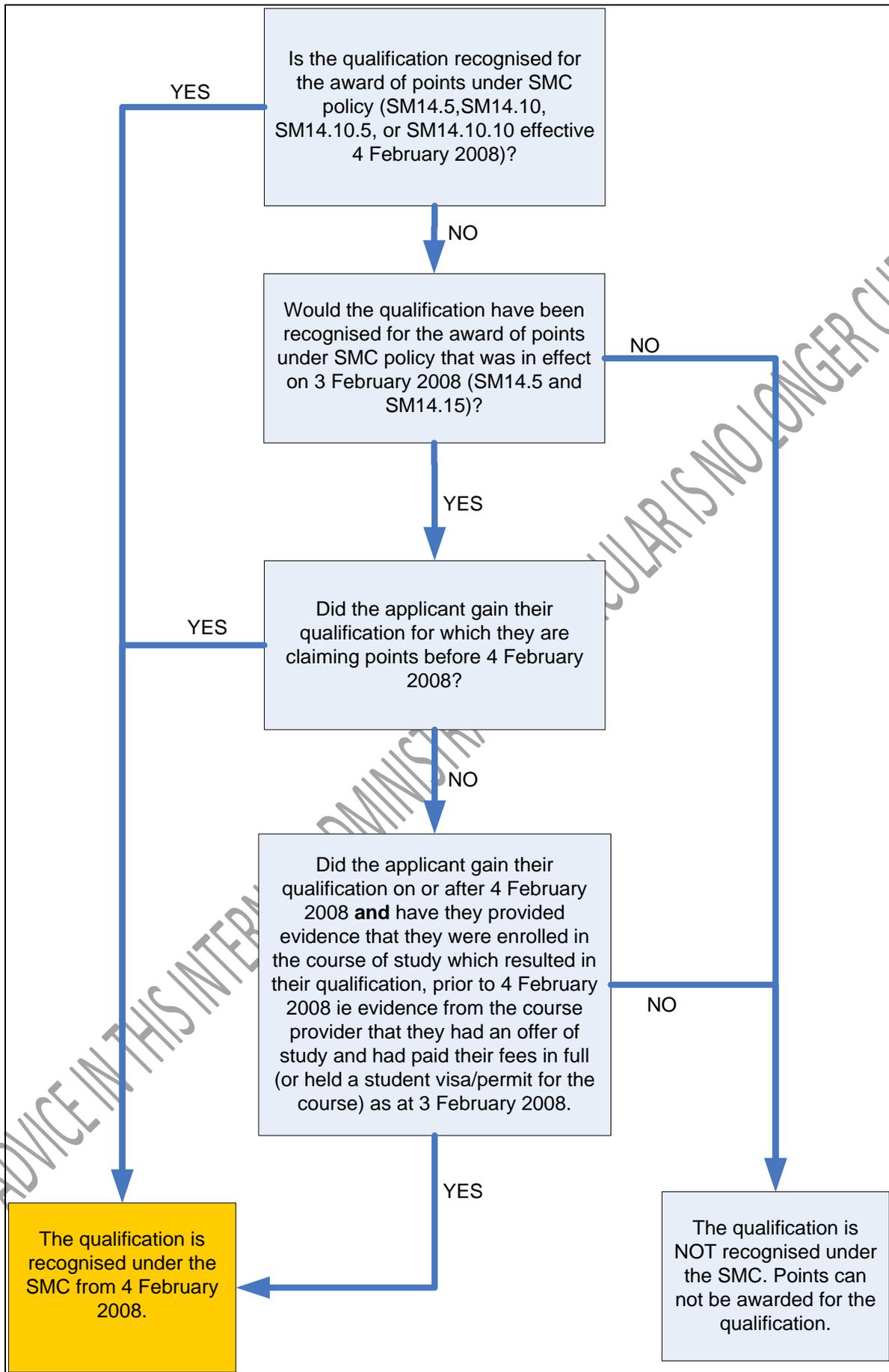
¹ Australian and New Zealand Standard Classification of Occupation (2006).

sworn police officer). This technical occupation is not listed in the ANZSCO. However, it could be assessed under the Technician and Trades Workers NEC (399999) occupational title as it may be considered a technical position and it is not classified in the ANZSCO as a discrete occupation.

33. From 4 February 2008 the list of occupations held at Appendix 11 will contain a number of 'NEC occupations' that can be utilised on the rare occasion where an applicant has a genuine claim that the occupation in which they have been offered employment (or are currently employed in) is not specifically listed in the ANZSCO.
34. Where an applicant claims their offer of employment (or current employment) falls under an ANZSCO 'NEC' occupation, officers must be satisfied that:
 - the 'NEC' occupation that the applicant's occupation may fall under is listed in Appendix 11 of the Operational Manual; and
 - the occupation in which they have been offered employment (or are currently employed) is clearly not classified in the ANZSCO (by looking at the occupational titles and the core tasks and requirements of the offer of employment (or current employment)); and
 - the applicant's employment requires a level of skill that is comparable to the level of skill required for an occupation in the same ANZSCO Unit Group, at the same ANZSCO skill level. Comparability should be assessed by weighing up and balancing the level of skill required to undertake the occupation and how closely the occupation aligns with other occupations in the relevant ANZSCO unit and skill level group.
35. ANZSCO 'NEC' occupations should only be used on rare occasions, to categorise occupations that are clearly not included in the ANZSCO. It is anticipated that the ANZSCO will include a majority of occupations that may be considered skilled under the SMC.

THE ADVICE IN THIS INTERNAL ADMINISTRATIVE CIRCULAR IS NO LONGER CURRENT.

Appendix one: Diagram to assist with the recognition of New Zealand qualifications



Appendix two: Example of an ANZSCO classification

UNIT GROUP 2243 ECONOMISTS

1 ECONOMISTS perform economic research and analysis, develop and apply theories about production and distribution of goods and services and people's spending and financial behaviour, and provide advice to governments and organisations on economic policy issues.

Statisticians are excluded from this unit group. Statisticians are included in Unit Group 2241 [Actuaries, Mathematicians and Statistician](#).

2 **Indicative Skill Level:**
In Australia and New Zealand:

Most occupations in this unit group have a level of skill commensurate with a bachelor degree or higher qualification (ANZSCO Skill Level 1).

3 **Tasks Include:**

- analysing interrelationships between economic variables and studying the effects of government fiscal and monetary policies, expenditure, taxation and other budgetary policies on the economy and the community
- researching, analysing and assessing the effects of labour market programs and industry policies and programs on economic growth, welfare, education and training
- investigating international and national economic situations, and particular features such as industries, regions and socioeconomic groups
- studying workplace issues such as enterprise bargaining and wage fixation, and the effect of workplace policies on productivity and economic growth
- analysing trends and advising on economic issues such as taxation levels, prices, employment and unemployment, imports and exports, and interest and exchange rates
- forecasting changes in the economic environment for short-term budgeting, long-term planning and investment evaluation
- formulating recommendations, policies and plans for the economy, corporate strategies and investment, and undertaking feasibility studies for projects
- preparing reports on research findings

4 **Occupation:**
224311 Economist

5 **224311 ECONOMIST**

6 **Alternative Title:**
Economic Analyst

7 Performs economic research and analysis, develops and applies theories about production and distribution of goods and services and people's spending and financial behaviour, and provides advice to governments and organisations on economic policy issues.

8 **Skill Level:** 1

9 **Specialisations:**

Agricultural Economist
Econometrician
Economic Forecaster
Environmental Economist
Health Economist
Labour Market Economist
Mineral Economist
Taxation Economist

Key:

- 1 Unit group title, code, and description
- 2 Unit group indicative skill level
- 3 Unit group tasks
- 4 Occupations that come under the Unit Group (in this case only one occupation)
- 5 Occupation title and code
- 6 Alternative title
- 7 Occupation core tasks and requirements
- 8 Occupation's skill level
- 9 Specialisations

Appendix three: NEC example

399999 TECHNICIANS AND TRADES WORKERS NEC

This occupation group covers Technicians and Trades Workers not elsewhere classified.

Skill Level: 3

Occupations in this group include:

- Airborne Electronics Analyst (Air Force)
- Architectural Model Maker
- Canoe Maker
- Fire Alarm Technician
- Fire Extinguisher Technician
- Glass Blower
- Hide and Skin Classer
- Kayak Maker
- Micrographic Technician
- Milking Machine Technician
- Parachute Rigger
- Pearl Technician
- Pyrotechnician
- Surfboard Maker

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