



File Ref: SDE-32

**WORKFORCE (IMMIGRATION NEW ZEALAND)  
INTERNAL ADMINISTRATION CIRCULAR NO: 10/19**

To:	All Workforce (Immigration) Managers	Date: 1 December 2010
	All Workforce (Immigration) Staff	
	MFAT Posts	

**CLARIFICATION OF BUSINESS PROCESSES**

*Officer for enquires: Lynne White, Quality Manager*

**Purpose**

1. The purpose of this Internal Administration Circular (IAC) is to clarify business processes necessary to meet quality requirements while still making timely assessments.
2. The business processes clarified in this IAC relate to:
  - a. File summary templates
  - b. Use of evidence from previous applications
  - c. Potentially prejudicial information where there are dependent applications
  - d. Partners included in visitor visa applications
  - e. Verification of passports using the Machine Readable Zone (MRZ) checker
  - f. Validity of police and medical certificates
  - g. Assessment of evidence of funds

**Actions**

**A: File Summary Templates**

3. The use of the file summary templates has been temporarily suspended pending further analysis of its benefits and costs. Instead of completing the file summary template, officers should ensure that complete notes are added in A MS under the following headings:

- Evidence (the documents etc. provided by the applicant to demonstrate that they meet the rules and criteria set in immigration instructions)
- Risk (including risks identified and mitigation)
- Rationale (the reasoning as to how the final decision was reached)

4. Notes under all three headings should contain references to the relevant instructions. It is not necessary to enter all the notes at once, as long as all the evidence, risks and rationale considered during the decision making process are recorded, the application will meet key requirements for quality reviews. For example it is best practice to list the evidence provided on the day the assessment begins, and then list any new evidence required and subsequently provided later as it comes in. Likewise there may be risks that are identified during the processing of the application that were not apparent at the start.
5. For more guidance about recording notes under these headings and some examples, see the table at **Appendix One**.

***B: Use of evidence from previous applications***

6. As set out above, it is important that the notes for each application clearly set out the evidence, risks and rationale for the decision. When assessing a new application, officers may take evidence provided in a previous application into account, as long as the previous application contains sufficient detail to satisfy the officer of the veracity of the decision made and the supporting information provided. This is particularly important when assessing partnership applications.
7. Officers using supporting information from previous applications in their decision making process must:
  - note the application number of the previous application they are referring to in AMS notes
  - note the relevance of the previous evidence provided to the current assessment, and
  - obtain satisfactory evidence that the applicant's situation has not significantly changed since that previous application (e.g. that they still living with the same partner).

***C: Potentially prejudicial information relating to a 'main' or principal applicant and their family***

8. Where there is potentially prejudicial information (PPI) in respect of an applicant's application, and that applicant has a partner and/or dependant children who:
  - a. are included in that application (i.e. they are dependents on the principal applicants visitor visa) or
  - b. have a separate application that is reliant on the success of the 'main' applicant's application (i.e. a dependant of a worker or student application), immigration officers should alert the principal or 'main' applicant that a decision to decline their application is likely to result in the decline of the associated family members' applications.
9. The PPI letter needs to clearly state that as dependents' eligibility for a visa is determined by whether the principal or 'main' applicant is eligible, any comments in support of their needing a visa should be sent at the same time as the response to the 'main' applicants PPI.

*For example, Mary applies for an Essential Skills work visa (Mary is the main applicant in this case). Mary's partner and two children apply for visa under the 'partner of a worker' and 'dependant of a worker' instructions. The immigration officer writes a PPI letter to Mary, as she does not appear to meet the Essential Skills requirements. This PPI letter should also state that it is likely that the family members' applications will be declined if Mary's visa is declined. No separate PPI letters to the family (the partner and two children) are required.*

10. If only one PPI letter is sent to a family in these cases then immigration officers must do all of the following:

- link all of the family members in the AMS family tab
- link the applications for the dependants to the 'main' application in AMS
- enter AMS notes for the 'main' application clearly stating that the impact on the dependants of a decision to decline has been included in the PPI letter to the 'main' applicant
- enter AMS notes on the dependent AMS applications, clearly stating that the 'main' application on which they are a dependant is going through the PPI process and that the impact on the dependants of a decision to decline that 'main' application has been included in the PPI letter to the 'main' applicant
- clearly state in the PPI letter to the 'main' applicant that they should respond to the letter on behalf of their dependants at the same time as they respond to the concerns raised about their own application, and
- name all the affected dependants in the PPI letter to the 'main' applicant.

***D: Inclusion of partners in visitor visa applications***

11. To be included in a temporary entry class visa application as a partner of a principal applicant, the partner must meet the definition of partner found at E4.1.20 of the INZ Operation Manual. Those who do not meet this definition must apply for a temporary entry class visa in their own right (refer E4.1 Who may be included in an application).

12. Although partnership requirements for visitor visa applicants may have a lower threshold than work or residence applications, the immigration officer must still be satisfied that the relationship is genuine and stable for the purposes of granting a visitor visa. Evidence to establish this requirement can include, but is not limited to, the following:

- Marriage certificate/ civil union certificate
- Evidence of travel together
- Photographs
- Joint utility bills and bank accounts
- Jointly owned assets
- Other evidence of public recognition of the relationship

13. AMS notes must be entered to record the rationale for the decision.
14. If there is any doubt as to the existence of the relationship then the secondary applicant must be required to submit a separate visitor visa application.

***E: MRZ checking***

15. Officers must complete the [MRZ check process](#) on the verification toolkit if:
  - it is the client's first visa application using the passport, or
  - a risk assessment indicates it is necessary to mitigate risk of identity fraud.
16. If MRZ checker is used, it is important to enter this in notes (including the passport number that was checked) so it is visible to officers processing future applications.

***F: Validity of police and medical certificates***

17. Immigration officers cannot accept police certificates that are older than six months or medical certificates older than three months. Once police and medical certificates have been accepted as part of a temporary entry visa application, they can only be used in the assessment of subsequent temporary entry visa applications for 24 months from the date the certificate was issued. If using a certificate from a previous application, the officer must record the date the certificate was issued in the notes against the current application.
18. Decisions to waive the requirement for valid medical or police certificates must be made by an appropriately delegated officer and recorded in AMS notes.

***G: Meeting sufficient funds requirements***

19. Immigration instructions require some applicants to provide evidence of sufficient funds as part of their application. The instructions define acceptable evidence of sufficient funds in several places: see V2.20 (visitor), W2.15 and WL2.20.15 (work) and U3.20 (student). INZ must ensure that the funds belong to the client and will be available to them while they are in New Zealand.
20. Evidence of sufficient funds includes, but is not limited to:
  - cash
  - New Zealand bank statements showing several months' banking history as well as the current balance
  - travellers' cheques
  - bank drafts
  - recognised credit cards with sufficient credit available
  - for group visas, certification from a reputable travel agency.
21. ATM slips showing an account balance are not suitable as they do not always have identifying details of the account holder and they do not show a banking history.
22. To assess whether an applicant genuinely owns the funds in their bank account, it is good practice to request evidence of recent transactions for the account rather

than just the balance. This guards against the practice commonly referred to as a “money-go-round” where clients deposit large amounts of funds into their accounts, obtain a print-out for immigration purposes and remove the funds soon afterwards. This may not be necessary in all cases; however the reasons for any such assessment should be recorded in AMS notes.

Simon Smith  
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Service Delivery

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

## Appendix One – Guidance for recording AMS Notes

Heading	Explanation	Example: Essential Skills Work Visa	Example: Partnership Resident Visa
Evidence	This should contain information about the evidence provided. It should also contain details of any further information requested. Once any new evidence is provided, it should also be recorded.	Employer has provided emp. agreement & job description for senior hairstylist, \$15 per hr, 35 hrs per week. Have requested more info on genuine attempts from employer, also referred to W&I.	In response to request for more evidence of living with partner, applicant provided: joint tenancy agreement dated 8/7/2009, joint bank statements dating from Nov 09 to last month, various phone bills in applicant's name, power bills in partner's name at same address from July 09.
Risks	This should record any risks that are identified by the officer, and the action taken to mitigate those risks.	Risk job offer inflated as rate of pay is low for 'senior' stylist, also applicant has only 2 yrs experience. PPIed with concerns that genuine attempts requirements not met under WK2.10.5 b (ii) as advertised terms and conditions do not meet market rate and WK2.5 b (i) that applicant not suitable qualified for position.	Risk assessment indicates client is from a high risk country for identity fraud. Checked passport against DAT* and used MRZ checker, appears genuine. Also checked previous Australian student visas in DAT, also genuine. Satisfied with client's identity.  * Document Authentication Tool
Decision Rationale	This should set out why the officer is satisfied or not satisfied that the applicant meets -the requirements of the category they are applying under -generic requirements of temporary entry or residence -health and character requirements.  If the officer has made any exceptions, the notes must explain what part of instructions they have made an exception to and why.	Decline – not satisfied that employer made genuine attempts to recruit NZer as response to PPI only stated that employer plans to increase rate of pay after client has 'proved she can do the job' – not relevant to requirement to advertise work at NZ market terms and conditions. No response to concerns under WK2.5b(i), therefore also not satisfied applicant is suitably qualified for position.	Approve – satisfied with evidence couple provided of genuine and stable relationship as per F2.30. NZ res partner is eligible under F2.10.10. Medical cert indicates ASH*, clear PCs from country of citizenship and Australia provided, NZPC also clear.  *Acceptable Standard of Health