

Special direction – Vary the travel conditions for a class of offshore resident visa holders to manage the effects and deal with consequences of measures taken to contain or mitigate the outbreak or effects of COVID-19.

Pursuant to section 50(4A) of the Immigration Act 2009 (the Act), by special direction, I vary the travel conditions for a class of offshore resident visa holders, as classified in this direction, by extending those travel conditions for a period of 12 months beginning on the date on which this special direction is made.

Pursuant to section 50(4C) of the Act, the following persons are classified as persons to whom this special direction applies. A person who:

1. holds a resident visa with current travel conditions expiring within 12 months calculated from the beginning of the day on which this special direction is made; and
2. is outside New Zealand on the date this special direction is made.

For the avoidance of doubt other non-travel conditions on the resident visas held by the persons to whom this special direction applies will continue to apply.

I am satisfied that the making of this special direction is reasonably necessary to manage the effects and deal with the consequences of measures taken to contain or mitigate the outbreak of COVID-19. This is because the making of this special direction responds to the border measures taken by New Zealand and other countries which have restricted international travel. As a result some resident visa holders may have been unable or will be unable to enter New Zealand before the travel conditions on their visa expires, invalidating their resident visa, and they will have to reapply for resident visas to be able to enter, or re-enter and stay, in New Zealand. These persons met the criteria for the grant of a resident visa and will have either settled or planned to settle in New Zealand before the COVID-19 border restrictions were imposed. The number of resident visa holders affected is reasonably large and some are ineligible to have their travel conditions varied, while for others varying their travel conditions on an individual case-by-case basis would be time-consuming and offer little short term certainty for the resident visa holders in this class. I am satisfied that this special direction does not materially disadvantage the class of persons to whom it relates because it gives them more time to travel to New Zealand.

I note that, under the border restrictions in force on the day I make this special direction, people granted visas offshore who have not yet travelled to New Zealand may not be able to enter New Zealand.

Dated this 11th day of September 2020
Hon KRIS FAAFOI, Minister of Immigration

Explanatory note: *The effect of this special direction is to vary the travel conditions on resident visas by 12 months from the date it is made to the class of persons described in this special direction (all being resident visa holders offshore whose valid travel conditions will expire within 12 months of this special direction being made). This means those persons will have until 12 months from the day on which the special direction is made to travel to New Zealand on their resident visas if border restrictions allow them to enter.*

