

Immigration Act 2009

Special direction – Grant of temporary visas to classes of people to manage effects and deal with consequences of measures taken to contain or mitigate the outbreak of COVID-19 or its effects

Under section 61A(2)(b) of the Immigration Act 2009 (the Act) of my own volition, by special direction, I grant a temporary visa to the following classes of people:

1. Principal Visa Holders: Every person who is in New Zealand on 9 May 2022, where the current visa they hold expires between 9 May 2022 and 31 December 2022 (dates inclusive) and that visa was granted under a category of immigration instructions specified in the Schedule attached to this special direction.

The start date of the visa is 9 May 2022, and the expiry date of the visa is the date that is two years from the expiry date of the person's current visa.

Under section 52 of the Act, I impose the following conditions on each visa:

- a. subject to b and c, all conditions to which the person's current visa is subject on the day before the date of this special direction
 - b. work conditions allowing the holder to work for any employer, in any region, in any employment; and
 - c. travel conditions allowing for multiple entries to New Zealand at any time during the currency of the visa.
2. Ukrainian nationals previously granted a visa by special direction: Every person who is in New Zealand on 9 May 2022, who holds a visa that was granted by the Minister of Immigration's special direction of 10 March 2022 and who, immediately before the grant of that visa, held a visa that was granted under a category of immigration instructions specified in the Schedule attached to this special direction that had a recorded expiry date of on or before 31 December 2022 (Qualifying Visa).

The start date of the visa is 9 May 2022, and the expiry date of the visa is the date that is two years from the expiry date of the Qualifying Visa before it was cancelled by the grant of the person's current visa.

Under section 52 of the Act, I impose the following conditions on each visa:

- a. subject to b, all conditions to which the person's current visa is subject on the day before the date of this special direction, and
 - b. work conditions allowing the holder to work for any employer, in any region, in any employment.
3. Partners and dependants: Every person who is in New Zealand on 9 May 2022, who holds a temporary visa based on their relationship as a partner or dependent child to a person described in paragraph 1 or 2 of this special direction, unless they are a person described in paragraph 4 (in which case the visa described therein applies), where the current visa they hold expires between 9 May 2022 and 31 December 2022 (dates inclusive).

The start date of the visa is 9 May 2022, and the expiry date of the visa is the date that is two years from the expiry date of the person's current visa.

Under section 52 of the Act, I impose the following conditions on each visa:

- a. subject to b, all conditions to which the person's current visa is subject on the day before the date of this special direction; and
 - b. travel conditions allowing for multiple entries to New Zealand at any time during the currency of the visa.
4. Partners and dependents of Ukrainian nationals previously granted a visa by special direction: Every person who is in New Zealand on 9 May 2022, who holds a visa that was granted by the Minister of Immigration's special direction of 10 March 2022 and who, immediately before the grant of that visa, held a temporary visa with a recorded expiry date of on or before 31 December 2022, that was based on their relationship as a partner or dependent child of a person described in paragraph 2 of this special direction (Qualifying Visa).

The start date of the visa is 9 May 2022, and the expiry date of the visa is the date that is two years from the expiry date of the Qualifying Visa before it was cancelled by the grant of the person's current visa.

Under section 52 of the Act, I impose as conditions on each visa all conditions to which the person's current visa is subject on the day before the date of this special direction.

For the avoidance of doubt, the class of persons included in this special direction does not include excluded persons who may not be granted a visa without a special direction under section 17 of the Act and interim visa holders.

I am satisfied that the making of this special direction is reasonably necessary to manage the effects, or deal with the consequences of, measures taken under the Act or any other enactment in New Zealand, to contain or mitigate the outbreak of COVID-19 or its effects. The border was closed to manage the outbreak of COVID-19, which resulted in a pent-up demand for visas and reduced visa processing capacity. This special direction manages the ongoing effects on processing times and resourcing due to COVID-19, by removing the demand for further visas from the system and limiting the expected surge in work visa applications as part of, and during, the phased re-opening of the New Zealand border.

I am satisfied that the grant of the new visa does not materially disadvantage the class of persons involved.

This special direction expires at the end of 31 December 2022 unless revoked earlier.

Dated this 6th day of May 2022

Hon KRIS FAAFOI, Minister of Immigration

Explanatory note: *The effect of this special direction is to grant a new visa that will expire two years after the date of expiry of the person's current visa, to onshore persons who currently hold a qualifying visa, where their current visa expires between 9 May 2022 and 31 December 2022 (dates inclusive), and every person who holds a visa that was granted by the Minister's special direction of 10 March 2022 and who, before the grant of that visa, held a qualifying visa with an expiry date between 9 May 2022 and 31 December 2022 (dates inclusive). This special direction also grants those who hold visas as their partners and dependent children a further temporary visa with the same conditions as their current visa and allowing for multiple entry for the duration of the visa. This is so that Immigration New Zealand can maintain timely processing of visa applications as the border reopens.*

Schedule

WD Post-Study work instructions

WK Essential Skills work instructions

WF2 Partners of New Zealand citizens or residence class visa holders

