

VISA PAK ISSUE 396 — 05 APRIL 2019

CALCULATING POLICE AND MEDICAL CERTIFICATES FOR TEMPORARY VISAS

The purpose of this advice to staff is to remind staff that while Immigration instruction A4.25(a) and A5.5(a) are similar, how these two timeframes should be calculated differs. The timeframe calculation for Medical Certificates is *contiguous*, whereas the timeframe calculation for Police Certificates is *cumulative*. While most offices take a consistent approach, discrepancies have been noticed when visiting offices.

A4 – Medical Certificates - Contiguous

Under A4 instructions, the greater than 12 month period that an applicant intends to stay is the contiguous period from either their most recent arrival in New Zealand (if onshore), or the date they will arrive in New Zealand (if offshore) through to the end date of their allowed period of stay.

- If an offshore applicant has applied for a visa intending a period of stay of 8 months, and they have previous visits to New Zealand of 10 months and 7 months, then their contiguous period of stay for the intended visit is 8 months and they are not required to provide a Medical Certificate (but may require a Chest X-ray Certificate).
- If an onshore applicant has applied for a visa intending a period of stay of 8 months, and they have been in New Zealand for 5 months already, then their contiguous period of stay during their current visit is $5 + 8 = 13$ months and they must provide a Medical Certificate.

A5 - Police Certificates - Cumulative

Under A5 instructions, the 24 month period that an applicant intends to stay is the cumulative sum of all time they have spent in New Zealand previously, and the intended period of time they would stay if their visa were granted.

- If an offshore applicant has applied for a visa intending a period of stay of 8 months, and they have previous visits to New Zealand of 10 months and 7 months, then their cumulative period of stay is $10 + 7 + 8 = 25$ months and they must provide a Police Certificate(s).

For both health and character instructions, provisions exist at A4.25(f) and A5.5(a)(iii) for Immigration Officers to require health or character checks if they have decided that it is necessary.



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Such decisions should be made only where there is a reasonable basis to believe that there may be health or character concerns, such as information from a third party or a declaration in a previous application. When making such requests for a Medical or Police Certificate, applicants should ordinarily be advised of the reason why an officer has decided that it is necessary.