

VISA PAK ISSUE 448 — 10 SEPTEMBER 2020

SPECIAL DIRECTION – VISITOR VISA EXTENSION

Due to the closure of offshore INZ branches and the difficulty some migrants may face returning home due to the effects of COVID-19, the Minister of Immigration has agreed to a combination of changes to visitor visa immigration instructions (the COVID-19 Short Term Visitor Visa) and an extension of some visitor visas. The changes to instructions will be implemented in mid-September. The Questions and Answers (Q&As) at the end of this article provide some initial information about this visa.

Extension

On 2 September 2020, the Minister of Immigration signed a Special Direction to extend onshore **visitor visas** with an expiry date of between 4 September and 31 October 2020 (inclusive). These were extended by five months from the date of expiry.

Exclusions

All visitor visas valid on the 4 September where the holder was onshore are extended except for the following groups of visitor visa holders:

- Guardians of student visa holders (as an extension will take their expiry out of line with the student visa holder),
- Partners and dependents of employer-assisted workers (who were extended under previous Special Directions for employer-assisted workers and their partner/dependents)
- Critical Purpose visitor visa holders (as they have travelled to New Zealand on a critical purpose visitor visa, or critical purpose VOC visa and will need to apply for further visas once onshore)

Implementation

Anyone captured in the Special Direction cohorts is lawful from the date the Special Directions came into effect (4 September 2020) regardless of what appears in AMS. If their visa expires and they appear unlawful in AMS, their visa will be extended and immigration history amended to delete the unlawful record once AMS is updated.

Once implemented, the Expiry Date Stay will be updated and will be displayed on both the Visa Summary section and Visa Detail Section (both are under Visa Tab in AMS).

INZ will email the affected visa holders to confirm their visas have been extended. It is expected that some visa holders will not receive the communication, as in some cases the address supplied may no longer be current or valid, or might have been of a third party.

If you receive an enquiry from an eligible visa holder whose visa has not been extended on AMS, please check if they meet the eligibility requirements. If you think they should have been extended please forward their details to [\[internal mailbox\]](#).



Visitor Visa Extension and COVID-19 Short term visitor visa Q&As for prospective visa applicants

Who does the COVID-19 Short term visitor visa apply to?

Individuals who are onshore in New Zealand who are genuinely unable to depart New Zealand due to the effects of COVID-19 can apply for this visa.

Can I apply for the new COVID-19 short-term visitor visa if I'm offshore?

No. The COVID-19 short-term visitor visa is for temporary migrants who are already in New Zealand and unable to leave.

From 10 August 2020, Government temporarily suspended the ability to apply for a visa from outside New Zealand, unless you are exempt.

What about people stranded overseas wanting to return to NZ?

The Government understands that many people are still in a difficult situation resulting from the worldwide COVID-19 pandemic, international travel restrictions and the closure of the New Zealand border. Many people still find themselves overseas or separated from loved ones, or needing to change how their business operates.

The Government is balancing the needs of many groups within the tight constraint of available managed isolation and quarantine which is overwhelmingly used by New Zealand citizens and residents.

What option do migrants have who have run out of money and can't buy a ticket home? What happens if they still cannot leave NZ when their two-month visitor visa expires?

Migrants who have exhausted their options to access the finances needed to leave New Zealand should contact their embassy or High Commission in the first instance.

They can apply for a COVID-19 short-term visa if they need more time to arrange support and travel home.

How many people does this affect?

There are approximately 19,000 people currently holding visitor visas onshore in New Zealand who will be eligible for the five-month extension when their current visitor visa expires.

Temporary migrants are continuing to find flights options and leave New Zealand when their visa expires. It is unclear how many temporary migrants on other visa categories will choose to apply for the COVID-19 short-term visitor visa while they arrange or wait on travel home.

I don't want to return to my home country as there's a high risk of COVID-19. Can I stay in NZ?

Temporary migrants must remain lawfully in New Zealand. The COVID-19 short-term visitor visa is intended to help people reaching the end of their current visitor, work, student or partnership visa who may not meet the criteria for another visa, and need time to arrange travel home.

INZ must believe that the person is genuinely unable to leave New Zealand and intending to depart New Zealand at the end of their stay to qualify for the COVID-19 short-term visitor visa.

Can people apply for the new visa more than once?

Yes, temporary migrants can apply for the COVID-19 short-term visitor visa more than once. However, INZ must believe that the person is genuinely unable to leave New Zealand and intending to depart New Zealand at the end of their stay to qualify.

What evidence do COVID-19 short-term visitor visa applicants need to provide to show they are genuinely unable to leave New Zealand?

Applicants may provide evidence such as plane ticket cancellations, border closures, transit-hub closures, or attempts to contact their Embassy/High Commission for assistance or repatriation. INZ must be satisfied that they are unable to leave New Zealand.