

VISA PAK ISSUE 506 — 13 MAY 2022

APPLICATIONS FOR A VISITOR VISA FROM THE PACIFIC

On 16 May 2022, people in Pacific Forum countries (excluding Australia) will be able to apply for visitor visas. Anyone who is in, and intends to travel from, a Pacific Island Forum country is eligible to apply, including third country nationals. Applications will need to be made online through IGMS.

Pacific Forum countries include: the Cook Islands, Federated States of Micronesia, Fiji, French Polynesia, Kiribati, New Caledonia, Nauru, Niue, Palau, Papua New Guinea, Republic of the Marshall Islands, Samoa, Solomon Islands, Tonga, Tuvalu, Vanuatu.

Passports

In line with Regulations 23A and 23AA, people who apply on an online form are required to provide details of their passport or certificate of identity. Physical passports are generally requested to establish the applicant's identity. However, they are not a mandatory requirement when an application is made online.

Due to the ongoing COVID-19 risks, it has been decided that for the time being, it will not be mandatory for applicants from a Pacific Forum country to provide their physical passport when they apply for a visitor visa. Changes have been made to the online application form so that when a visitor visa application is submitted from an applicant in a Pacific Forum country, they will not be automatically directed to submit their passport to the nearest Visa Application Centre or INZ office.

The long-term approach to online applications and the requirement to provide a physical passport will be revisited nearer to the wider reopening of visitor visa applications on 31 July 2022.

Applicants are still required to provide details of their passport in the online application form. Immigration officers must complete a manual MRZ check, check the passport image against the application form image and confirm all biographical details the applicant has uploaded are a match to the biographical details on the application form.

Where there are concerns about any of these, officers should refer to their risk and verification team. Additionally, where an immigration officer considers it necessary, they retain the ability to request the physical passport to determine the application.

Visitor Visa requirements

Requirement to be a bona fide applicant

Immigration instructions at E5 require all applicants for temporary entry class visas to be 'bona fide', meaning that applicants must be able to demonstrate that:

- they genuinely intend a temporary stay in New Zealand for a lawful purpose; and
- an immigration officer considers that the applicant is unlikely to:
 - remain in New Zealand unlawfully,
 - breach any visa conditions, or
 - be unable to leave New Zealand or be subject to deportation.

When assessing the bona fides of visitor visa applicants, consideration should be given to the applicant's purpose for travel, their personal circumstances, any relevant information held from previous applications and their ability to leave New Zealand. Determination should be considered in line with immigration instructions at E5.10.

An immigration officer may consider the applicant's ability to return to their home country, especially when there are border restrictions in place. For example, if an applicant does not have the ability to secure a place in their home country's MIQ (if required by that country), an immigration officer may weigh this as evidence that the applicant is unlikely to be able to leave New Zealand, and therefore may consider they do not meet visitor visa and bona fide requirements at V2.1(a)(ii) and E5.1(b)(iii).

Please refer to IAC 13-09 for further information to support the assessment of bona fides.

Onward travel requirement

In addition to the bona fide requirement, all visitor visa applicants are required to have the means to depart New Zealand (see immigration instructions at V2.25). The onward travel requirements can be met by the provision of (but not limited to):

- travel tickets departing New Zealand
- confirmation that flights have been booked and paid for
- confirmation that the tickets will be booked where the applicant has sufficient funds
- Sponsorship Form for Temporary Entry (INZ 1025) completed by their sponsor, where the applicant is sponsored

Evidence of onward travel is not required where the applicant is applying for a visitor visa on the basis of being the partner or dependent child of:

- a work visa holder whose income is sufficient to purchase outward travel; or
- a student visa holder where the student holds a scholarship that guarantees onward travel for the family of the student.