

VISA PAK ISSUE 436 — 18 MAY 2020

DUE DATES ON PPI LETTERS ISSUED PRIOR TO NEW ZEALAND ENTERING ALERT LEVEL 4 LOCKDOWN, THOSE ISSUED FROM 14 MAY 2020 AND REQUESTS FOR INFORMATION

This article provides offices with guidance around due dates on Potentially Prejudicial Information (PPI) letters that were sent to applicants prior to New Zealand entering Alert Level 4 Lockdown. It also provides guidance on due dates for any new PPI letters issued from the start of Alert Level 2 and for any new requests for information.

As a result of COVID-19, New Zealand entered Alert Level 4 lockdown at 11:59pm on 25 March 2020, followed by a period at Alert Level 3. Alert Level 2 commenced on 14 May 2020.

PPI sent prior to 25 March 2020

For applications where a PPI letter was sent prior to 25 March 2020, please extend the due date until Friday 12 June 2020 (4 weeks after New Zealand entered Alert Level 2, allowing for the statutory holiday on 1 June 2020).

The purpose for this extension is to allow applicants sufficient time to obtain any required information, seek immigration advice where necessary and respond accordingly. Although some applicants may have been able to respond, or should be able to without further delay, allowing a consistent extension is fair, given many may have been affected in various ways by the lockdown (including difficulty accessing advice or support). Further extensions beyond this time can be considered on a case by case basis. Case officers should be reasonable when considering requests for further extensions, and should discuss this with their Technical Advisor if they are unsure.

While due dates will be extended, it is important to note that if an applicant is able to provide a full response before their due date is reached, case officers can look to make a decision on the application earlier upon agreement from the applicant or their representative.

New PPI sent on or after 14 May 2020

For applications where a PPI is sent on or after the commencement of Level 2 (i.e. 14 May 2020), please give the applicant 4 weeks to respond. Note this is longer than usual but it is to ensure that applicants are given a generous timeframe in light of unprecedented recent events to ensure they can obtain further information and seek immigration advice where necessary. If an applicant is able



to provide a full response before their due date is reached, case officers can look to make a decision earlier upon agreement from the applicant or their representative.

Request for Information (RFI) sent on or after 14 May 2020

Please give a minimum of 10 working days for an applicant to respond to an RFI. Please also note 1 June 2020 is a public holiday when setting your response date.

Change in circumstances

Applicants, whether they are represented or not, remain obligated to inform INZ of any relevant fact, including any material change in circumstances that occurs after the application is made, if it may affect the decision on the application.

Communication

The new due date extension will be communicated to all Licenced Immigration Advisers (LIA) and lawyers via proactive communications from National Office. However, with individual cases that are not represented by an LIA or lawyer, case officers are to make contact via email with these applicants to advise of the new due date and invite them to provide updated information if their circumstances have changed materially since the PPI was first sent. Information around new PPI due dates will also be included in the Frequently Asked Questions section available on the INZ website. Please note this is not a long term change to INZ's PPI process and that PPI timeframes will return to normal in due course.

This advice will be reviewed at the end of June 2020 and further advice may be issued.