

VISA PAK ISSUE 468 — 21 MAY 2021

WD3.5.1 TRANSITIONAL REQUIREMENTS PRIOR TO 16 NOVEMBER 2020

In 2018, the Government made changes to post-study work visas to ensure clear pathways for students who study in high areas of demand for skills to help New Zealand's growing economy. A transitional arrangement was put in place to ensure existing international tertiary students and post-study work visa holders were not disadvantaged by the changes.

WD3.5.1 post-study work visa transitional instructions allow for applicants to be granted a two or three year open work visa (depending on whether they have previously held a WD visa) if they held or had applied for a student visa on 8 August 2018. INZ has become aware that in some instances the durations of post-study visas granted to applicants were granted for less than the three years set out in immigration instructions prior to the change in immigration instructions that came into effect on 16 November 2020.

WD3.5.1(a) has since been amended to clarify that the student visa that had been applied for or held on 8 August 2018 needs to be a qualification that would qualify under normal post-study work visa instructions (and not just any student visa). The amendments to WD3.5.1(a) instructions came into effect on 16 November 2020 and information was published in Visa Pak 457.

In the interests of fairness, INZ is assessing the impact on people who were granted one or two year visas during this period. INZ has reviewed the applications for people individually and will contact them directly if they, and any partners and children dependent on the post-study work visa, may be considered for the grant of a visa to reflect the duration they were entitled to.

INZ is assessing the impact on people who:

- Had submitted an application for a post-study work visa (open employer conditions) on or after 26 November 2018 and before 16 November 2020, and
- Had that application approved and were granted a visa duration fewer than three years, and



- On 8 August 2018, either held a student visa or had made an application for a student visa that was subsequently approved, and
- Had not been granted a visa duration fewer than three years for a different reason, for example due to their passport validity.

People who fall outside of those parameters will not be eligible, and will not be contacted by INZ. INZ expects to complete this work by the end of June 2021.