

VISA PAK ISSUE 410 — 26 JULY 2019

REGISTRATION REQUIREMENTS – WORK VISAS

There are a number of occupations which require registration by law in order to legally undertake employment in that occupation. For work visas, this requirement is reflected in immigration instructions at W2.10.1(b)(ii) which requires applicants to produce evidence to show that they can meet any of the necessary requirements to obtain full or provisional New Zealand registration, and refers to SM10 for the list of occupations requiring registration. The list can be found at SM10.5.

W2.10.1(b)(iii) provides a specific requirement for doctors and dentists – applicants must produce evidence of an offer of employment and evidence from the New Zealand Medical or Dental Council that they are eligible for registration subject only to attending a personal interview with a Council representative within one month of their arrival in New Zealand.

Although ANZSCO sometimes states that an occupation requires registration, in some cases this can be based on Australian requirements, and is not necessarily reflective of New Zealand legal requirements. The employer's answer to question B11 on the Employer Supplementary Form (INZ 1113) can provide some guidance but is also not determinative. SM10.5 should be used as the basis for any determination that an occupation requires registration.

Please note that some occupations only require occupational registration for some types of work within that occupation. If the job offered does not involve work for which registration is required, then we do not need to see evidence of registration. There is previous advice which clarifies requirements for specific occupations such as Visa Pak issue 181 for Architects, and Visa Pak issue 253 and issue 290 for plumbers, gasfitters and drainlayers. A further example is Early Childhood Education Teachers where 50% of teachers must hold an early childhood teaching qualification, and only the 'person responsible' in a teacher-led service must be registered and certified, as well as hold an early childhood teaching qualification.

W2.10.1(b)(ii) only requires that the applicant can meet any of the necessary requirements to obtain full or provisional New Zealand registration, not necessarily that an applicant holds registration. One way to show that this instruction is met prior to registration being obtained is to show that an application for registration has been made and provide evidence from the employer that it is likely to be successful. For example, teachers can often meet this requirement through a letter from their principal.