

VISA PAK ISSUE 333 — 3 NOVEMBER 2017

RELEVANCE OF R5.35 TO SECOND OR SUBSEQUENT RESIDENT VISA APPLICATIONS UNDER RV4.20.1 (A)(II)

In a previous item titled '*Second or subsequent resident visa applications under RV4.20.1 (a)(ii) – relevance of R5.35*' we provided guidance in relation to partners of New Zealand citizens applying for SSRVs when, if they applied for residence under Partnership Category in reliance on the same partnership, they would be declined residence because of R5.35.

Staff are reminded that due to a subsequent amendment to residence instructions at R5.35 below, effective 28/08/2017, partners of New Zealand citizens applying for SSRVs are no longer eligible for an SSRV under RV4.20.1 (a)(ii) if R5.35 applies to them.

R5.35 Later application under any residence category by previous applicants

An applicant for a residence class visa in New Zealand must not be approved under those instructions if their application is based on their relationship to a New Zealand permanent resident, resident or citizen who originally obtained a residence class visa as the partner or dependent child(ren) of the applicant or the applicant's partner.