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## TRANSITIONAL INSTRUCTIONS FOR PARTNERS OF ESSENTIAL SKILLS WORK VISA HOLDERS

Since 28 August 2017, partners of Essential Skills work visa holders whose employment has been assessed as lower skilled have not been eligible for a special work visa, unless WF3.1.1 applies.

### **WF3.1.1 Holders of Essential Skills work visas for lower-skilled employment who are able to support work visas for their partner**

- a. The applicant (who is the partner of the holder of an Essential Skills work visa whose employment has been assessed as lower-skilled) may be granted a work visa under these instructions if:
  - i. the applicant held a visa on the basis of their relationship to the Essential Skills work visa holder on 28 August 2017; and
  - ii. that Essential Skills work visa holder has not been required to spend 1 year outside New Zealand (subject to a stand-down period)(see [WK3.20.5](#)).

However, the instructions do not make it clear whether this applies to applicants who held an **interim visa** on 28 August 2017.

Case officers should consider the intent of the instructions when considering whether an exception to instructions is justified in regards to WF3.1.1(a)(i). An interim visa is not technically granted on the basis of a relationship, however the applicant may fit the intent of the transitional instructions at WF3.1.1 if:

- an applicant held an interim visa on 28 August 2017 while awaiting the outcome of a visa application made on the basis of their relationship to an Essential Skills work visa holder, and
- that visa was later granted, and
- the previous visa that the applicant held (before the interim visa) was also granted on the basis of their relationship to the Essential Skills work visa holder.