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## **RESIDENT VISA- VARIATION OF TRAVEL CONDITIONS (VOTC)- RV3**

Instructions at [RV3.1 b](#) make it very clear that travel conditions can only be varied if the applicant's resident visa is valid. A resident visa is always valid when the holder is in New Zealand. However, if the holder is outside New Zealand the resident visa is only valid if the current travel conditions have not expired.

When making a decision on a VOTC application, in cases where the holder is outside New Zealand, it is critical the VOTC decision be made before the travel conditions expire, because once the conditions have expired; there are no existing conditions, and therefore no conditions to vary.

The fact the VOTC application was accepted before the travel conditions expired is irrelevant with VOTC applications.

If the travel conditions for a VOTC applicant expire before an Immigration Officer is able to assess and decide the application, then the application can be replaced and considered under Second or Subsequent Resident Visa (SSRV) instructions [RV4](#).

However, not all VOTC applicants will be eligible for an SSRV meaning there is potential for the applicant/s to lose their residence.

Given the restrictions outlined above and out of fairness to applicants it is essential in cases where travel conditions are current at the time of application that VOTC applications are prioritised and are processed on the day they are received and before travel conditions expire.