

VISA PAK ISSUE 554 — 25 AUGUST 2023

GENERAL VISITOR VISAS – CLARIFICATION AROUND ‘6 IN 12’ VERSUS ‘9 IN 18’ MONTH STAY DURATIONS IN NEW ZEALAND

Introduction — This guidance, which has been developed in consultation with representatives from across the business, seeks to provide clarification around how long general visitor visa holders are able to spend in New Zealand. This guidance seeks to clarify the confusion that currently exists around the application of the ‘6 in 12 months’ versus the ‘9 in 18 months’ rule in relation to general visitor visa stay durations in New Zealand.

What do immigration instructions say?

Confusion around general visitor visa stay durations is likely a result of immigration instructions referencing both the 6 in 12 and 9 in 18-month rules. We can differentiate the application of the two stay duration rules as:

6 in 12 months stay duration – applicable when granting entry permission into New Zealand to any multiple journey general visitor visa traveller or visa waiver traveller applying for a visa and entry permission together

[V2.15\(c\)](#) indicates that multiple journey general visitor visa holders “may be granted entry permission, provided that they will not spend more than six months in New Zealand in the 12-month period before the end of their current stay”.

[V2.5.1\(d\)](#) confirms that visa waiver nationals may also be granted a visitor visa on arrival “for a total of no more than six months in the 12-month period before the proposed expiry date of the visa”(noting the majority of visa waiver nationals are granted a three-month visa on arrival).

9 in 18 months stay duration – is applicable only when an application is under assessment. The 18-month period calculation will depend on the visa entry type the applicant is applying for

[V2.15\(b\)\(iii\)](#) relates to applicants applying for a *multiple journey visa*. This section indicates that to be eligible for a multiple journey visa (e.g. one which allows stays of up to six months), the applicant must not have been in New Zealand for more than nine months in the preceding 18-month period *at the time the application is submitted*.

[V2.5.1](#) relates to the following applicants:

- Offshore applicants who are seeking a one off stay of up to nine months in New Zealand, and
- Onshore applicants who wish to extend their current stay in New Zealand for more than six months.

It is the *proposed expiry date of the visa*, as set out in [V2.5.1\(b\)](#), which will be taken into consideration when considering the duration of the visa to be granted to these applicants.

Examples of the 6 in 12-month rule in practice:

Q: If a traveller on a multiple journey general visitor visa (or visa waiver traveller) who is in New Zealand already wishes to remain longer than six months what should they do?

The traveller should apply onshore for an extension of their stay if they wish to stay in New Zealand for a period of more than six months in a 12-month period. A further visa may be granted if they meet the 9 in 18-month rule, i.e. they will not have spent more than nine months in New Zealand out of the 18-month period before the proposed expiry date of their visa. Health requirements, triggered by the total period of stay which includes the proposed extension, must also be met.

Q: If a non-visa holding traveller (or visa waiver traveller) knows in advance that they wish to remain in New Zealand for a nine-month period, what should they do?

When the traveller applies for their visa, they should indicate in their application the duration they wish to stay in New Zealand. As long as they meet the 9 in 18-month rule (i.e. they will be out of New Zealand for nine months in the 18-month period before the proposed expiry date of the visa) and other requirements to be granted a visitor visa, they can be considered for a nine-month single journey visa.

Q: If traveller on a multiple journey general visitor visa stays in New Zealand for three months, then leaves for three months, can they then return to New Zealand and stay for a further six months?

No, as instructions will not be met as they will be spending more than 6 months in the 12-month period before the end of their intended stay.

Previous stay			Three months out			New intended stay (6 months)					
IN	IN	IN	OUT	OUT	OUT	IN	IN	IN	IN	IN	IN

Q: If a traveller on a multiple journey general visitor visa stays in New Zealand for three months, then leaves for three months, can they travel back to New Zealand and stay for a further three months?

Yes, as instructions will be met as they will not be spending more than 6 months in the 12-month period before the end of their intended stay. Note: all requests for entry permission are assessed by Immigration New Zealand Border staff, this assessment may include the traveller needing to provide evidence of onward travel within a three-month period.

Previous stay			Three months out			New intended stay (3 months)					
IN	IN	IN	OUT	OUT	OUT	IN	IN	IN	OUT	OUT	OUT