

VISA PAK ISSUE 568 — 26 JANUARY 2024

PROCESSING PERMANENT RESIDENT VISA APPLICATIONS FOR PARTNERS AND DEPENDENT CHILDREN NOT INCLUDED IN 2021 RESIDENT VISA APPLICATIONS

Currently, the Enhanced Immigration Online System (ADEPT) does not allow a user the ability to add a secondary applicant after an application has been submitted. Neither the applicant nor Immigration New Zealand (INZ) staff have this functionality. In some instances, applicants for a 2021 Resident Visa were advised by the Immigration Contact Centre to upload a cover letter to their application to request their partners and/or dependent children to be included. INZ would then rectify the situation by raising the secondary applicants on AMS. In some instances, INZ overlooked requests and the principal applicants were granted resident visas without their partners and/or dependent children included.

When the affected cases were brought to INZ's attention, it was considered whether the partners and/or dependent children would have met instructions to be granted resident visas as secondary applicants if they had been included. Their circumstances were considered on a case-by-case basis and affected individuals were referred through the office referral process where appropriate.

The subsequent grant of a resident visas for affected individuals has meant the start dates of their visas are later than those of the principal applicants, which means that the principal applicants will be eligible to apply for Permanent Resident Visas (PRV) sooner than their partners and dependent children.

Process for affected individuals

In the interests of fairness, if an application for a PRV is received from an affected individual and they do not meet the relevant immigration instructions for the reasons outlined above, it is recommended that an Immigration Manager in the PRV processing office considers using the power under section 72(3) of the Immigration Act 2009, delegated under power 11 of Schedule 2, to grant a PRV to a resident visa holder as an exception to instructions, if appropriate.



If an affected individual enquires about the ramifications of having the second resident visa granted, please advise them we will consider their circumstances and take into account the date when the principal applicant's resident visa was granted when assessing their PRV application.

Should some affected individuals make separate applications, the office may consider waiving affected applicants' fees, if appropriate.