

VISA PAK ISSUE 585 — 27 JUNE 2024

GRANTING OF TRAVEL CONDITIONS FOR RECOGNISED REFUGEES AND PROTECTED PERSONS

Introduction — This Visa Pak replaces all previous advice relating to the imposing or variation of travel conditions to recognised refugees and protected persons who hold temporary entry class visas.

Granting of travel conditions for recognised refugees and protected persons:

Previously, recognised refugees and protected persons applying for temporary entry class visas would not normally be granted temporary visas with conditions allowing for travel (travel conditions) unless they provided either a cover letter with their application requesting travel conditions or by submitting an application for variation of travel conditions if they already held a valid temporary visa.

Immigration officers processing temporary entry class visa applications for recognised refugees and protected persons should consider granting multiple entry travel conditions by default if the decision is to approve the visa. This is due to recognised refugees having the right to exercise their freedom of movement and by doing so have the right to be granted multiple entry travel conditions with their temporary visas.

It is to be noted that there are no specific immigration instructions which outline the conditions of a recognised refugee or protected persons temporary entry visa. However, the general concept of [E8.10](#) instructions is relied upon for lodgement purposes due to a lack of any other applicable temporary category immigration instructions. As no formal instructions exist, immigration officers are to exercise discretion to grant temporary visas under [E7.10\(b\)](#) or [S3.25\(b\)](#) to determine what visa is appropriate to their needs.

If a recognised refugee returns to the country they claimed asylum from:

If processing or border staff have come across situations where they have concerns around an applicant potentially returning to the country from which they fear persecution (usually their country of nationality), staff are required to inform the Refugee Status Unit (RSU) via the following email address: RSU@mbie.govt.nz with the subject line “**Attn: Review of Status Team**”.

When notifying RSU of these concerns, staff must also include the following information:

- Applicant’s full name
- Client number
- Date of birth
- Brief summary of any information known about the return to the home country
- Any evidence to support the basis of these concerns

Please note: If it has been established that a recognised refugee has returned to the country from which they fear persecution, that this will not affect the current processing of the temporary entry class visa but may affect their status as a recognised refugee in New Zealand.