

Subject: INZ Update
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To:

Immigration New Zealand has now received 6,912 expressions of interest (EOI) from people who believe they meet [exceptions to the border closure](#). Of the 6,859 EOIs decided so far, 1,437 meet the criteria and have been invited to apply for a visa.

Visa processing update

The movement to COVID-19 Alert Level 3 is increasing processing capacity across INZ.

All offshore offices remain closed and all onshore offices will be open next week, with limited staff numbers due to COVID-19 guidelines and the requirement to work from home when possible.

A number of technological solutions have also been implemented so that more visa processing can be done.

At Alert Level 4, INZ's limited processing capacity was focused on applications directly related to the COVID-19 response. We also implemented the Epidemic Management Notice, processes for people who have a critical purpose for coming to New Zealand and are seeking an exception to the current New Zealand border restrictions and for essential services employers who wish to use their workforce more flexibly.

In recent weeks INZ has also been processing some visa categories for applicants who are already in New Zealand, including temporary visas for victims of domestic violence, Partnership category temporary visas (including reassessments), full fee paying student visas and post study work visas.

With greater remote working capacity and with limited staff in our offices, we will be able to process additional visa categories including paper applications.

Note that INZ is not currently processing any applications from people who are offshore unless they meet the strict criteria to be granted an exception to the Border closure.

INZ will continue to update our website to reflect any changes in how we are operating.

Immigration (COVID-19 Response) Amendment Bill

As you may be aware, the Government has introduced a Bill to temporarily amend immigration legislation to support the quick and efficient management of visa changes during COVID-19.

The objective of these amendments is to give the Government greater flexibility in responding to the immediate immigration challenges posed by the COVID-19 outbreak.

The Bill will enable the government to amend visa conditions for groups of people, extend visas of groups of people for varying periods of time (enabling processing to be staggered), stop people overseas from making applications while it is not possible to travel to New Zealand due to border restrictions, and refuse entry to people entering New Zealand.

It does so by introducing eight time-limited powers:

- the power to impose, vary or cancel conditions for classes of temporary entry class visa holders

- the power to vary or cancel conditions for classes of resident class visa holders
- the power to extend the expiry dates of visas for classes of people
- the power to grant visas to individuals and classes of people in the absence of an application
- the power to waive any regulatory requirements for certain classes of application
- the power to waive the requirement to obtain a transit visa
- the power to suspend the ability to make applications for visas or submit Expressions of Interest in applying for visas by classes of people, and
- the power to revoke the entry permission of people who arrive either on private aircraft or marine vessels (to align them with people who arrive on commercial flights, who can already be refused entry).

The Bill was sent to Select Committee for consideration on Tuesday. The Select Committee will consider the Bill for one week, and will be taking written and oral submissions. You can find more information on this process (along with a copy of the Bill) [on the Committee's website](#).

FAQ

Exceptions for people to travel to NZ

My migrant employee was on holiday overseas when the border was closed and didn't get back. How soon will they be able to return?

The Government's current border restrictions mean that people on temporary visas who are currently offshore are not able to come back to New Zealand unless they meet the strict border exception criteria. Individuals who believe they meet the exceptions criteria need to submit a request for an exception to the border restrictions. If the circumstances are considered exceptional and justify travel to New Zealand for a critical purpose, individuals will be invited to apply for a visitor visa, or to vary their existing visa to allow them to travel.

Any decisions on when to lift the border restrictions will be made by the Government. More information on the border restrictions is available at www.immigration.govt.nz/about-us/covid-19/border-closures-and-exceptions.

What is the process for holders of work visas who are currently offshore to return to New Zealand?

The New Zealand border is currently closed to almost all travellers to help stop the spread of COVID-19. However the New Zealand government acknowledges that there may be extremely limited circumstances where it is appropriate for a person who is not exempt from the border restrictions to travel to New Zealand.

For more information about the exception request process, please go to our website: <https://www.immigration.govt.nz/about-us/covid-19/border-closures-and-exceptions>.

All individuals entering New Zealand will be quarantined.

Border restrictions and future migrant employment

After the lockdown period is over how soon will we be able to employ migrant labour again from overseas?

No decisions have been made by the Government on when the border restrictions will be lifted, but this is unlikely to happen at the same time that lockdown is lifted.

Any decision made in regards to employing migrant labour in the future will need to

take into account the wider impacts of COVID-19, including any changes to the labour market.

In the short term employers should consider alternative solutions, for example employing someone already currently in New Zealand.

Should I still be interviewing and planning/recruiting for new migrants to come out in July / August?

No decisions have been made by the Government on when the border restrictions will be lifted, but this is unlikely to happen at the same time that lockdown is lifted.

Any decision made in regards to employing migrant labour in the future will need to take into account the wider impacts of COVID-19, including any changes to the labour market. In the short term employers should consider alternative solutions, for example employing someone already currently in New Zealand.

My employee went overseas and now cannot return for an unknown period of time. His work Visa is to expire in June. Can we promise him his job will be here when he returns? What do we do in the meantime?

Example case: Our worker is now stuck in the Philippines. He is due to start back on the 4th of April but given the current situation that is unlikely.

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For more information about the exception request process, please go to our website: <https://www.immigration.govt.nz/about-us/covid-19/border-closures-and-exceptions>.

All individuals entering New Zealand will be subject to quarantine or isolation.

You may need to think about alternative options, for example employing someone currently in NZ who is either a New Zealand citizen/resident or has a current visa with appropriate work rights.

Visa flexibility

I have a worker on a temporary work visa transferring from another employer to me and who is due to start now. Can they start working for me at the end of the lockdown period if it is not processed by INZ in time?

No. Work visa holders may only work for the employer(s) specified in their visa conditions until a Variation of Conditions or new visa has been granted.

My employer and I have agreed to reduced hours and / or reduced pay during the lockdown. What do I need to do now to ensure that I am not in breach of my visa?

INZ and other Government agencies involved in the COVID-19 response are engaging regularly with employers and other stakeholders and listening to their concerns. The Government is looking at options for temporary work visa holders who have been affected by COVID-19 and will make decisions as soon as possible.

However, the priority at the moment is on ensuring the continuation of essential services. More information is available at www.immigration.govt.nz/about-us/covid-19/coronavirus-update-inz-response.

We are unable to lodge a work visa application with the Skills Match Report because WINZ is closed. Will INZ waive this requirement?

This will be on a case by case basis, and only in exceptional circumstances. You can

still apply for a work visa and include an explanation noting you are currently unable to obtain a Skills Match Report.

My employer is pressuring me to take a paycut. I hold a work to residence work visa. This will take me below the minimum base salary requirement. Will it impact my eligibility for residence?

What if this is due to the 80% govt subsidy?

INZ and other Government agencies involved in the COVID-19 response are engaging regularly with employers and other stakeholders and listening to their concerns. The Government is looking at options for temporary work visa holders who have been affected by COVID-19 and will make decisions as soon as possible. However, the priority at the moment is on ensuring the continuation of essential services. To be granted residence, the applicant would need to have employment that meets immigration instructions. INZ has no discretion in terms of residence instructions.

Variation of conditions for essential workers temporary visa holders

My company provides essential services – one of my employees holds a temporary work visa to work in Occupation A, but I need more workers in Occupation B during the lockdown. What needs to happen for my employee to be able to work in Occupation B temporarily?

The Government has recently made some changes to relax visa conditions for some work visa holders working in an essential service. More information is available at www.immigration.govt.nz/about-us/covid-19/coronavirus-update-inz-response.

I am an essential worker Nurse – I hold a work visa to work as a nurse during the week but I would like to help the COVID-19 response in NZ by working another healthcare related job in the weekends. Can I submit VOC to do this?

The Government has recently made some changes to relax visa conditions for some work visa holders working in an essential service. More information is available at www.immigration.govt.nz/about-us/covid-19/coronavirus-update-inz-response.

I am an essential worker Nurse – I normally work for a DHB at a private clinic. This work has been stopped during lockdown. I have been approached and asked to work another job with another employer to assist with the COVID-19 response in NZ. Can I get a VOC to work this other job? If I do what happens to my original employment?

The Government has recently made some changes to relax visa conditions for some work visa holders working in an essential service. More information is available at www.immigration.govt.nz/about-us/covid-19/coronavirus-update-inz-response.

I have an application for a Variation of Conditions in process to commence work for a new employer. I am unable to work for my old employer and am facing financial strain due to lack of income. Is there any process for consideration of priority processing based on humanitarian factors rather than essential services only?

INZ and other Government agencies involved in the COVID-19 response are engaging regularly with employers and other stakeholders and listening to their concerns. The Government is looking at options for temporary work visa holders who have been affected by COVID-19 and will make decisions as soon as possible. However, priority at the moment is on ensuring the continuation of essential services. More information is available at www.immigration.govt.nz/about-us/covid-19/coronavirus-update-inz-response

Extensions to visas under Epidemic Management Notice
Were South Island Contribution Visas extended under the Epidemic Management Notice?

Yes. Holders of a work, student, visitor, limited or interim visa with an expiry date of 2 April to 9 July 2020 inclusive who were in New Zealand on 2 April 2020 will have had their visa automatically extended to 25 September 2020. If you did not receive an email confirming your visa was extended, please use the Visa Verification Service to confirm.

Visas were automatically extended if they expired between 2 April and 9 July 2020 but what happens if the visa expires after that?

The worker will need to either depart or apply for a further visa closer to the time of expiry.

Other

What about temporary migrants who want to go home but are stuck here?
What about people on student visas whose visa was automatically extended but they are no longer studying? Is their student visa still valid?

Students whose visa had an expiry date of 2 April to 9 July 2020 inclusive, and who were in New Zealand on 2 April 2020, had their visa automatically extended to 25 September 2020. Their visa conditions remain the same as before the visa was extended.

Those who are already employed in an essential services role will be able to work longer hours while New Zealand remains in Alert Level 3 or 4 and for six weeks following. Their employer must make a request to vary the visa conditions. We have also announced changes specifically for those student visa holders working in supermarkets and the healthcare sector to undertake more employment than they were able to previously. More information about these changes can be found here: <https://www.immigration.govt.nz/about-us/covid-19/coronavirus-update-inz-response>. We understand that some student visa holders may have had their student visa extended automatically but may have finished their course of study and do not intend to undertake any further studies. Students who no longer wish to study in New Zealand should notify their education provider as soon as they are able to. Their education provider will in turn notify INZ on the student's behalf. We are considering options for students in this circumstance and will provide more information as it is available.

Students who have finished their course of study can make plans to return home where possible.

Are there any plans to allow people already in New Zealand on visitor visas to work while they are stuck here?

People who come to New Zealand temporarily as tourists are required to have enough money to maintain themselves in New Zealand and pay for their return flights home. These requirements remain in place; therefore there has been no consideration of allowing visitor visa holders to work. Short term visitor visa holders should seek assistance from the Embassy or Consulate and/or look into options for returning home if they are unable to support themselves while remaining in New Zealand. Individuals who are currently in New Zealand on a visitor visa and wish to work while they are here, need to apply for and be granted a work visa to be legally able to work in New Zealand.

INZ understands there are a number of temporary work visa holders whose work has been affected by the current COVID-19 situation and we are currently looking at further options for these individuals and will make decisions as soon as possible.

However, the priority at the moment is on ensuring the continuation of essential services. Some changes have already been made for those work visa holders already employed in essential services. More information about these changes can be found here: <https://www.immigration.govt.nz/about-us/covid-19/coronavirus-update-inz-response>.

My migrant worker was due to finish in April and now can't go home. They are living in our accommodation and have nowhere to go. I need the house for my new workers. What should we do?

Foreign nationals who are not currently employed or are experiencing any difficulties should talk to their Consulate or Embassy for assistance, especially regarding repatriation flights.

Support to self-isolate is available for those in particular hardship through the Temporary Accommodation Service and local Civil Defence Emergency Management (CDEM) Groups. More information is available at www.temporaryaccommodation.mbie.govt.nz.

I am on a visa with work conditions and am currently unable to return to New Zealand due to the current travel restrictions. Is my employer eligible to receive the wage subsidy even though I am not in New Zealand and pay me my wages? What if my work visa expires whilst I am overseas?

You should contact the Ministry of Social Development for enquiries relating to INZ to the Wage Subsidy Scheme.

If your work visa expires whilst overseas, you will need to apply for a new work visa.

If your question is not answered above, please contact us, we may be able to assist and or look and search for the answer;

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