



19 November 2020

**Immigration New Zealand Operational Manual: Amendment Circular No. 2020-50**

**To: All Manual Holders**

**AMENDMENTS TO THE IMMIGRATION NEW ZEALAND OPERATIONAL MANUAL**

**Introduction**

This circular outlines changes to the Immigration New Zealand Operational Manual. A copy of the changes is attached.

All immigration officers dealing with immigration applications should read the amendments and operate in accordance with the amended immigration instructions from their effective dates.

**Note**

The amendments described in this circular will be published in the Immigration New Zealand Operational Manual in due course.

Information about these changes is available on our website [www.immigration.govt.nz](http://www.immigration.govt.nz).

## Description of changes

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### **Post-Study work visa instructions**

#### **WD3.1.5 Currency and conditions**

Changes have been made to the table of currency and conditions to clarify that a visa may be granted where a person has studied two qualifications between levels 4 and 6 on the NZQF without the need for the qualifications to have commenced in the same or consecutive calendar years.

#### **WD3.5.1 Applicants who, on 8 August 2018, held a student visa or had made a student visa application**

Changes have also been made to clarify that to be eligible for a transitional post-study work visa, on the 8 August 2018 the applicant must have held or have applied for a student visa based on a programme of study that meets ordinary requirements of Post-Study work visa instructions.

These instructions are effective from 16 November 2020.

**Appendix 1 - Proposed amendments to temporary entry instructions effective from 16 November 2020**

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## WD3.1 Determining and granting a Post-Study work visa

### WD3.1.1 Determining a Post-Study work visa application

Applicants may be granted a work visa if:

- a. they hold:
  - i. a qualification at level 7 to 10 on the New Zealand Qualifications Framework that has been studied full-time for at least 30 weeks in New Zealand; or
  - ii. a single qualification at level 4 to 6 that has been studied full-time for at least 60 weeks in New Zealand; or
  - iii. two qualifications at levels 4 to 6 that have been studied full-time for at least 60 weeks in New Zealand (including at least 30 weeks per qualification) and the second qualification is at a higher level than the first qualification; and
- b. they apply no later than three months after the end date of their student visa for that programme of study or qualification(s) or, if the qualification was a Doctoral Degree, no later than six months after the end date of their student visa; and
- c. they have successfully completed the qualification for which the student visa was granted; and
- d. they have met the requirements set out at U11.1(d) if their studies have been supported under the New Zealand scholarship programme administered by the Ministry of Foreign Affairs and Trade; and
- e. they have NZ\$4,200 in funds available to maintain themselves during their stay in New Zealand; and
- f. they have not previously been granted a Post-Study work visa unless:
  - i. they have undertaken and completed a second higher qualification that is either a New Zealand Bachelor's Degree or postgraduate qualification, and have studied that qualification full-time in New Zealand for at least 30 weeks; or
  - ii. they are working towards occupational registration and meet the requirements at WD3.1.15; or
  - iii. transitional provisions apply (see WD3.5).

### WD3.1.5 Currency and conditions

- a. The currency of the work visa depends on the qualification(s) gained as set out in the table below:

<b>Qualification completed and programme duration</b>	<b>A Post-Study work visa may be granted for:</b>
<b>i. a level 7 Bachelor's Degree or level 8 to 10 qualification</b> that has been studied full-time for at least 30 weeks in New Zealand	Three years
<b>ii. a level 7 Graduate Diploma</b> that has been studied full-time for at least 30 weeks in New Zealand	One year. Plus an additional one year, if the applicant is in the process of gaining registration with a registration authority and meets the requirements of WD3.1.15
	Two years, if the study was undertaken outside of Auckland and completed by 31 December 2021 (see WD3.1.10)
<b>iii. any other level 7 qualification</b> that has been studied full-time for at least 30 weeks in New Zealand	One year
	Two years, if the study was undertaken outside of Auckland and completed by 31 December 2021 (see WD3.1.10)

iv. <b>a single qualification at level 4 to 6</b> that has been studied full-time for at least 60 weeks in New Zealand	One year
	Two years, if the study was undertaken outside of Auckland and completed by 31 December 2021 (see WD3.1.10)
v. <b>two qualifications at levels 4 to 6</b> that have been studied full-time for at least 60 weeks in New Zealand (including at least 30 weeks per qualification) and the second qualification is at a higher level on the NZQF than the first qualification.	One year
	Two years, if the study was undertaken outside of Auckland and completed by 31 December 2021 (see WD3.1.10)

- b. A holder of a Post-Study work visa may work for any employer in any occupation in any location, subject to meeting [E7.40](#).

**Note:** Study weeks include exam preparation time and exclude holiday periods.

#### **WD3.1.10 Qualifications completed outside Auckland**

- a. Students who successfully complete a qualification specified at WD3.1.1(a) outside Auckland by 31 December 2021 qualify for a two-year Post-Study work visa.
- b. A qualification(s) completed outside Auckland must have been studied entirely at a campus outside the territories covered by the Auckland Council.
- c. A two-year Post-Study work visa will not be granted if any part of the qualification(s) was completed at a campus located within territories covered by the Auckland Council, including distance learning components.

#### **WD3.1.15 Working towards occupational registration**

- a. Post-Study work visa holders who have successfully completed a level 7 Graduate Diploma may be granted an additional one-year Post-Study work visa (to a total of two years) if:
  - i. they are in the process of gaining registration with a registration body; and
  - ii. they require an additional year of work experience to obtain the registration; and
  - iii. the registration body is included in the list of acceptable registration authorities at WD3.1.15.1; and
  - iv. they have not been granted a two-year Post-Study work visa under WD3.1.10 due to having completed their qualification outside Auckland.
- b. To qualify for an additional one-year Post-Study work visa, applicants must currently hold a Post-Study work visa and provide:
  - i. a copy of the qualifying level 7 Graduate Diploma; and
  - ii. evidence of provisional registration with an acceptable registration authority.

##### *WD3.1.15.1 List of acceptable registration authorities*

The following are acceptable registration authorities for the purposes of Post-Study work visa instructions:

- Teaching Council of Aotearoa New Zealand

## WD3.5 Transitional requirements

### WD3.5.1 Applicants who, on 8 August 2018, held a student visa or had made a student visa application

- a. If an applicant meets the requirements at WD3.1.1 (a) to (e) and, on 8 August 2018, either held a student visa based on a programme of study set out at WD3.1.1(a) or had made an application for a student visa based on a programme of study set out at WD3.1.1(a) that was subsequently approved, and in either case the applicant completed that programme of study they may be granted a work visa for the following duration:
  - i. two years, where the applicant has previously held a Post-Study Work Visa – Open; or
  - ii. three years, where the applicant has not previously held a Post-Study Work Visa – Open.
- b. An applicant seeking to meet requirement (a) above, in part, by holding two qualifications (see [WD3.1.1\(a\)\(iii\)](#)):
  - i. must have commenced the qualifications in either the same or consecutive calendar years; and
  - ii. instead of meeting the requirement that the qualifications be at levels 4 to 6, they may hold two qualifications at levels 4 to 7.
- c. A Post-Study work visa may only be granted once under these transitional instructions.
- d. Holders of a Post-Study work visa may work for any employer in any occupation in any location, subject to meeting [E7.40](#).

### WD3.5.5 Applicants who held a "Post-Study Work Visa – Open" on 26 November 2018

- a. Applicants, who, on 26 November 2018, held a Post-Study Work Visa – Open that was granted under the previous instructions (Archived WD2), may be granted a further two-year Post-Study work visa if they:
  - i. apply before the expiry of their current Post-Study Work Visa – Open; and
  - ii. lodge their Post-Study work visa application in the prescribed manner (see [E4.50](#)).
- b. Holders of a Post-Study work visa may work for any employer in any occupation in any location, subject to meeting [E7.40](#).

### WD3.5.10 Applicants who held a "Post-Study Work Visa – Employer Assisted" on 26 November 2018

- a. Applicants who hold a Post-Study Work Visa - Employer Assisted, granted under the previous instructions (Archived WD1), may apply for a variation of conditions to allow them to work in any occupation, for any employer and in any location, subject to meeting [E7.40](#).
- b. Immigration officers may grant a variation of conditions in such cases provided the applicant completes:
  - i. an Application for a Variation of Conditions for holders of a Post-Study work visa - Employer Assisted (INZ 1243); and
  - ii. lodges their application in the prescribed manner (see [E4.50](#)).