

08 OCT 2019

Ajay Kumar

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Ref: DOIA 1920-0515

Dear Mr Kumar,

I refer to your official information request, which was received by the Ministry of Business, Innovation & Employment (the Ministry) on 23 September 2019. You requested, under the Official Information Act 1982 (OIA), the following information:

*My name is Ajay and I want to know that "How many files are pending for partnership visitor visa in Mumbai branch and in Hamilton branch on 23rd of September 2019". Also let me know since work has been started at Hamilton branch especially for partnership visas from 1st September, is there any improvement in processing time of files.*

On 2 October 2019, you sent the Ministry further correspondence, which is copied below:

*I want a clear statement/information from Immigration NZ that how can an overseas spouse get a visitor visa in New Zealand. Nowadays, INZ has listed two categories on website one is partnership based visitor visa and second is general visitor visa.*

*In first case if you get married in overseas(Asian countries) and you stayed there for like a month and when you apply partnership based visitor visa, most of the cases client get decline and reason given by INZ is usually-*

*"The time that you have spent apart outweighs the time that you have lived together. You cannot demonstrate that you both have lived and established a life together as a couple considering the duration of living apart."*

*I know INZ has also issued VISA PAK ISSUE 400 — 10 MAY 2019 TEMPORARY VISA APPLICATIONS FOR APPLICANTS IN A RELATIONSHIP*

*The above letter is "To be in a win-win situation" for the Immigration NZ*

*Then INZ says to the client that you have to stay with your overseas partner like 3 months to establish a relationship. According to NZ Holidays Act 2003 you just get 4 four weeks off after 1 year employment. Its a straight away contradiction/breach of holiday pay act by Immigration NZ. No employer gives you 3 months off and obviously individuals have to leave their job and its a burden on country as they will have to apply for benefits from work and income.*

*In second case if you apply for a general visitor visa INZ declines it by saying that you do not meet to this category. You should apply in partnership visitor visa category.*

*This question is in public interest as Immigration NZ is playing with people's life and made their life a joke.*

*I request Immigration NZ to give us a clear procedure/category to get a visitor visa for your overseas spouse.*

While your second query is not a request for official information, as defined in section 2 of the OIA, we will provide a response within this letter as a courtesy to you.

## **Our response**

### *Part One*

The table below shows the number of partnership-based visitor visa applications that were on hand at Immigration New Zealand's (INZ) Hamilton and Mumbai offices on 23 September 2019, by visa category.

<b>Office</b>	<b>Visa category</b>	<b>Applications</b>
Hamilton	Entry for a cultural marriage	15
	Partnership	473
Mumbai	Entry for a cultural marriage	9
	Partnership	661

We cannot advise whether or not average processing times have decreased since 1 September 2019, as there is insufficient data within such a short timeframe. Information on processing times for visa applications over the past three months can be found at: <https://www.immigration.govt.nz/new-zealand-visas/waiting-for-a-visa/how-long-it-takes-to-process-your-visa-application>.

### *Part Two*

INZ has three partnership-based visa categories:

- Visitor visa – partnership
- Work visa – partnership
- Visitor visa – entry to New Zealand for the purpose of culturally arranged marriage

As your query is not about people coming to New Zealand for the purpose of a culturally arranged marriage, our response will focus on the two other partnership-related visa categories.

Both the visitor visa – partnership and the work visa – partnership require an applicant to be living together in a genuine and stable partnership with their supporting partner. INZ does not have a partnership-based visa category for people who are living apart.

In some exceptional cases, it may be appropriate for INZ to grant a visa as an exception to immigration instructions. However, there should be no expectation that visa applicants will be granted a visa, if they do not meet INZ's requirements.

A person may be granted a visitor visa – general, if they are a genuine visitor to New Zealand, who intends to depart after their visit.

If you wish to discuss any aspect of your request or this response, please contact Fraser Stretton at [fraser.stretton@mbie.govt.nz](mailto:fraser.stretton@mbie.govt.nz).

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Karen Bishop', written in a cursive style.

Karen Bishop  
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