

Assessing further comment and information from the applicant

PPI letter to Judy – her response is on the next page

Ms Judy Jones
8 Sample Street
Example Town
Ireland

Re: Visa application

Dear Ms Jones

Thank you for your application for a work visa. We received your application on 15 June 2019.

Our assessment of your application

We have made an initial assessment of your application and are not currently satisfied that you meet the character requirements of the immigration instructions.

We have received information that indicates that you are under investigation from Irish authorities in relation to potential finance fraud. Character requirement A5.45(c)(ii) states that an application will normally be declined if the applicant is under investigation for an offence which, on conviction, would make section 15 of the Immigration Act 2009 apply to them. The relevant requirements are attached as Appendix A.

The answers you provided in section D of your application also raise concerns. You were asked, “Are you currently under investigation; wanted for questioning; or facing charges – for any offence in any country?” You answered ‘no’ in each case. It appears you have therefore provided false information in your application, or withheld material information. This means you potentially fall under A5.45(b) (attached as Appendix A) which relates to the provision of false information.

Your application may therefore be potentially declined. However, we would like to give you the opportunity to comment on this information. We would ask that you respond by 19 July 2019.

Response from Judy

8 July 2019

Case Officer
Immigration New Zealand
12 Highbury Lane, London

Re: My work visa application

Dear Case Officer

Thank you for the opportunity to respond to your concerns about my work visa application. I received your letter on 5 July and it has taken a few days for me to get my thoughts together.

As you know, I am the director of a distribution company which employs eight people. About six months ago, one of my (now former) employees laid a complaint with the Irish Workplace Relations Commission (WRC). I engaged a lawyer and after several months of submissions and proceedings, we successfully defended the case. The process included a number of interviews, mostly with members of the Agency. I recall one interview with the Irish Police as well (regarding just the complaint by the employee) but I thought that was just part of the normal WRC process. The WRC issued its decision on 1 June.

On 4 July, however, the Police called me in for another interview. This time, the questions were probing more deeply into my business and it eventually was revealed to me that I was under investigation for financial irregularities. My lawyer thinks my business dealings are all above board and is confident that no charges will be laid. I understand your character requirements regarding someone who is under investigation, but I would really like to start my job in New Zealand by the end of August so I would ask that you consider this as a matter of urgency. I do not know when the Police will decide on whether to press charges; I can only assure you that if I am charged while in New Zealand, I will return to Ireland to deal with the matter and will not try to use New Zealand as a safe haven.

Regarding your second concern about the provision of false information, as I have indicated above I was not even aware I was under police investigation until just a few days ago, and just a day before I received your letter. The information I provided in the 'Character' section of the application, which I signed on 12 June, was true at the time as far as I understood.

I trust this alleviates your concerns and I request that my visa be granted as soon as possible.

Sincerely

Judy Jones

Questions

The PPI letter raised two character issues, the first being the police investigation, the second regarding Judy’s apparently false declaration.

- 1. On the first issue, what additional information has Judy’s response provided to us that we didn’t know before, and why might that be important to assessing the application?

- 2. Regarding the second issue (the apparently false declaration), what do you think of her explanation? Is her story credible?

- 3. Assuming we think her answer is credible, ie that she didn’t know about the pending investigation, does that matter? In other words, does she still fall under A5.45(b) or not?

- 4. What if the second police visit she spoke of occurred on 22 June (rather than 4 July), a week after she put in her application? Would that make a difference?

Writing for Immigration Officers - PPI

What is a PPI?

- **P**otentially **P**rejudicial **I**nformation
- formal statement notifying a client of INZ's concerns
- information we have about an applicant that could mean we cannot approve their application.
- information that could be prejudicial to the applicant's success
- **factual information or material that will or may adversely affect the outcome of the application**

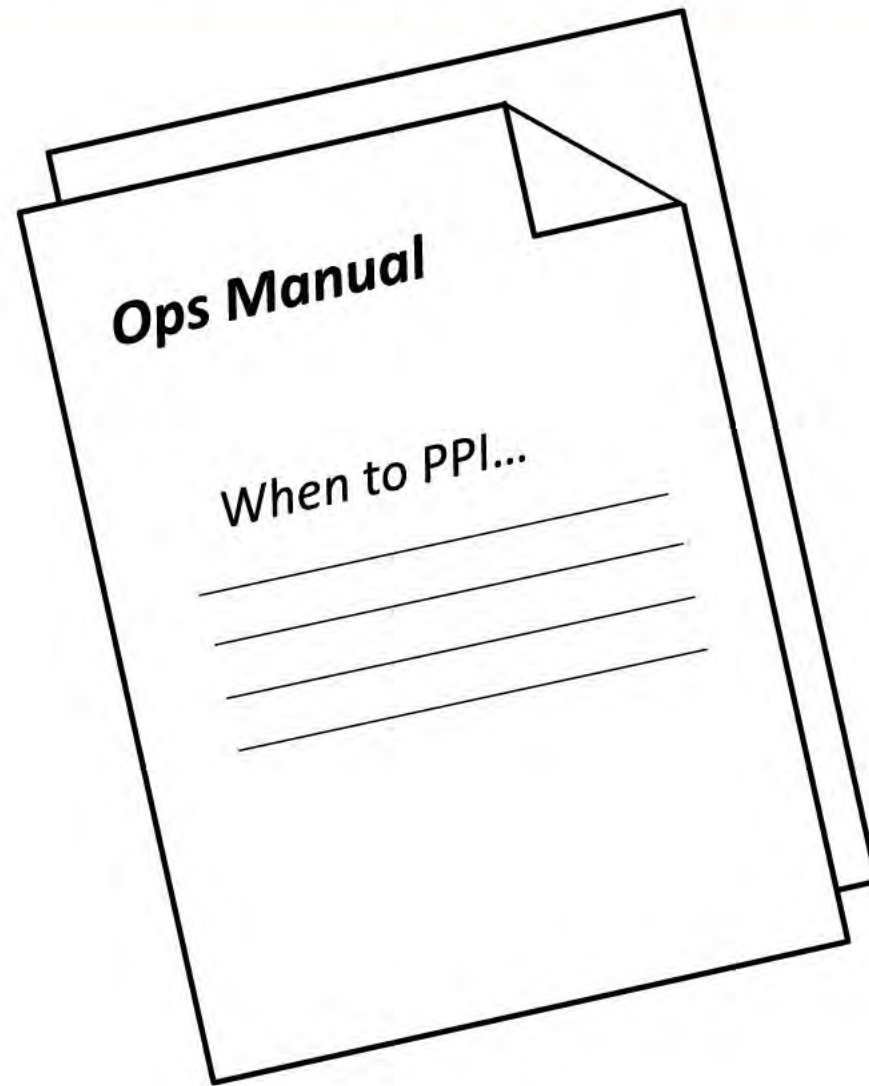
Why do we send PPI letters?



The first 'P' is the most important:
Potentially

PPI does not necessarily mean the application will be declined

Do we always need to PPI?



Plan it



*If you don't know
what you're trying
to say, nobody else
will!*

Activity 1

- What are we going to ask for?
- What instructions are going to be relevant here?
- How will this evidence help them to satisfy instructions?



Activity 2

- Which is the best example?
- Which is the worst example?
- What makes them good or bad?



Comparing PPIs



Good PPI

- Structured headings
- Gives specific reasons for concerns
- Clear and concise language
- Neutral tone
- Relevant instructions highlighted
- Explains what applicant needs to do next



Bad PPI

- Spelling/grammatical errors
- Doesn't clearly explain the reasons for INZ's concerns
- Doesn't sound open to applicant's response
- Gives incorrect timeframe for response
- Unclear what the applicant is being asked to provide

Write it - SIAC model:

Situation

- *State the facts/evidence*

Issue/ Instruction

- *What are the concerns/relevant instructions*

Assessment

- *Therefore your xxxxxxxx does not appear to meet instruction xxxxxxxx...*

Conclusion

- *May be declined*

SIAC example

Situation (state the facts/evidence)

Clause 4.2 of your employment agreement allows your employer to reduce your hours of work below 30 hours per week.

Issue

Immigration instructions at WK3.5(a)(i) state that offers of employment to Essential Skills work visa applicant must be for full-time employment. As defined by immigration instruction W2.2.10, full-time employment is considered to be at least 30 hours work per week.

Assessment and Conclusion

Your employment therefore does not appear to meet instruction WK3.5(a)(i) and may be declined.

Activity 3

Label the parts of SIAC in the example from Activity 2.



Activity 4

Write your own PPI.

Use the same scenario covered in the Rationale session.



Write it – things to avoid

- × Capital letters
- × Bold
- × Italics
- × Colour
- × Underlines
- × Acronyms, unless you explain them first
- × INZ Jargon (I am PPI'ing you because . . .)



Check it

✓ WALC



✓ Tone

× does it sound like you are pre-determining a decision?

✓ does it sound like you are neutral and open to their response?

✓ Have a second person proof read your PPI

✓ Is the due date in line with SOPs or otherwise reasonable?

✓ Have you attached the relevant instructions as an appendix?

✓ Make sure you also included the effective dates of the instructions

✓ Have you included your signature and contact details?

Activity 5

Read through the PPI response letter.

Do you think this response addresses their concerns?



PPI Writing wrap up

How to write a good PPI:

- WALC: Well-written, Accurate, Logical, Complete
- SIAC: Statement, Instruction, Assessment, Conclusion
- Plan It, Write It, Check It

Time	Topic	Resource	Your notes
	<p>Out of Scope</p> <p>[Redacted content]</p>		
5 mins	<p>Asking the applicant for comment</p> <p>At INZ, we normally give applicants the opportunity to comment on material that is potentially prejudicial to their visa application. This most commonly occurs through INZ sending a Potentially Prejudicial Information (PPI) letter. You'll learn more about PPI letters later in your induction, but the essential elements are:</p> <ul style="list-style-type: none"> • explaining why we think the applicant might not meet instructions • allowing them to provide additional information. <p>This information will help us assess the applicant's circumstances and make a fair and balanced decision. This is not the same as assessing whether a character waiver should be granted. We only do that once we are certain A5.25 or A5.45 applies.</p> <p>In summary, there are two stages to assessing an applicant against character instructions:</p> <ul style="list-style-type: none"> • <i>Stage 1:</i> Assess whether someone 'falls under' a character provision, which can be more complicated than you think. For example, at first 		

Time	Topic	Resource	Your notes
	<p>glance, it might seem that someone provided false information, but after their PPI response, if we're open minded, we might change our mind and say that actually the person didn't provide false information.</p> <ul style="list-style-type: none"> • <i>Stage 2:</i> Once we've confirmed that someone 'falls under' a character provision, only then do we consider a character waiver. This applies to A5.25/A5.45 people only and is covered in the next section. 		
45 mins	<p>Character Potentially Prejudicial Information (PPI) Distribute Activity 4 hand-out. Explain that page 1 is our PPI letter to Judy, and page 2 is her response.</p> <p>Ask them to read these and answer the questions in pairs or small groups:</p> <p><i>Question 1:</i> The PPI letter raised two character issues, the first being the police investigation, the second regarding her apparently false declaration. On the first issue, what additional information has Judy's response provided to us that we didn't know before, and why might that be important to assessing the application?</p> <p><i>Answers:</i></p> <ul style="list-style-type: none"> • She has confirmed the investigation is ongoing. This is important because the information we hold on the applicant is three months old, so we weren't sure if the investigation was still in train. • If we believe her, she first became formally aware of it just a few days ago. This is important because it helps us assess the second character issue (see Question 2 below). 	Activity 4 hand-out	

Time	Topic	Resource	Your notes
	<p><i>Question 2:</i> Regarding the second issue (the apparently false declaration), what do you think of her explanation? Is her story credible?</p> <p><i>Answer:</i> There is no one right answer; opinions may differ; however, you could say that on the face of it, without any other evidence on the file to suggest otherwise, it appears credible that she wasn't aware of the police investigation. Point out that a workplace disputes proceeding is not necessarily a criminal proceeding.</p> <p><i>Question 3:</i> Assuming we think her answer is credible, ie that she didn't know about the pending investigation, does that matter? In other words, does she still fall under A5.45(b) or not?</p> <p><i>Answer:</i> No, she doesn't. The instructions say that the applicant needs to have "provided false information". While her ticking 'no' was clearly incorrect information, it would be difficult to maintain the accusation that she set out to provide false information when she didn't know in the first place that the information was false.</p> <p><i>Question 4:</i> What if the second police visit she spoke of occurred on 22 June (rather than 4 July), a week after she put in her application? Would that make a difference?</p> <p><i>Answer:</i> Yes, because an applicant is obligated to update Immigration New Zealand of any significant change of circumstances that may affect the outcome of their application. If she hadn't told us promptly after 22 June that she was now formally under police investigation, that would be 'withholding material information' (A5.45(b)).</p>		

Time	Topic	Resource	Your notes
	<p>As it stands, while the second character issue (the non-declaration) has gone away, the first character issue is still outstanding. Judy is still under investigation.</p>		
5 mins	<p>The two-stage character process</p> <p>In summary:</p> <p><i>Stage 1:</i> Assess whether someone ‘falls under’ a character provision, which can be more complicated than you think. For example, at first glance, it seemed that Judy provided false information, but after her PPI response, we might have changed our minds on this.</p> <p><i>Stage 2:</i> Once we’ve confirmed that someone ‘falls under’ a character provision, only then do we consider a character waiver. The next step is to write a second PPI letter to Judy, which confirms this (the letter should advise that INZ no longer has concerns regarding the second issue) and to give her an opportunity to make submissions on why she should be granted a character waiver.</p> <p>You may want to point participants to A5.45.1 and note that these instructions would be copied as an Appendix at the end of the PPI letter.</p>		

Activity Two: Compare PPIs

Example 1:

Application number: 23456789

Client number: 76543210

2 September 2017

David Jones
456 Apple Road
Blockstown
Christchurch 8000

Dear David Jones

Application for a work visa for:

Applicant:

David Jones

Date of birth:

1 December 1985

Thank you for your application for a work visa. We received your application on 28 August 2017.

Our assessment of your application

We have completed an assessment of your application and have identified the following issues which may have a negative impact on the outcome of your application:

1. Genuine Attempts to Recruit New Zealand Citizens or Residents

Immigration instruction WK3.10.1(a)(i) states that an employer must have made a genuine attempt (See WK3.10.5) to recruit New Zealand citizens or residents before offering employment to a foreign worker.

Immigration instruction WK3.10.5 (b)(i) states that an employer is not considered to have made a genuine attempt to recruit suitable New Zealand citizens or residence class visa holders if the employer has advertised the work in such a way that no New Zealand citizen or residence class visa holder will or is likely to apply e.g. making foreign language skills a requirement when it is not necessary for the performance of the work.

The advertising provided states fluency in a minimum of four languages. We have concerns that this requirement is not necessary for the performance of the work of an Accountant.

We are therefore not currently satisfied that your employer has made a genuine attempt to recruit New Zealand citizens or residents before offering employment to a foreign worker as per immigration instruction WK3.10.1(a)(i) and your application may be declined.

2. Not suitably qualified for position offered

Immigration instruction WK3.20 states that immigration officers must not grant a work visa to a non-New Zealand citizen or residence class visa holder worker applying on the basis of an offer of employment, unless they are satisfied that the applicant is suitably qualified by training and experience to do the work offered and the applicant is not subject to a 'stand down period' (see WK3.20.5).

The factors that must be considered when assessing whether an applicant is suitably qualified by training and experience for a particular occupation are set out under instruction WK3.20.1.

The Australian and New Zealand Standard Classification of Occupations (ANZSCO) description for the occupation Accountant – 221111 states that most occupations in this unit group have a level of skill commensurate with a NZ Register Level 7 qualification, or that at least five years of relevant experience may substitute for the formal qualifications.

As you have not provided evidence that you meet the work experience or qualification requirements set out by the ANZSCO, it appears that you do not meet instruction WK3.20.1 and your application may be declined.

As the issues detailed above may affect the outcome of your application, we are bringing them to your attention out of fairness to you.

We have not made a decision on your application at this stage. This letter gives you the opportunity to make any comments and submit any additional evidence or information in relation to these issues.

All immigration instructions referred to in the body of this letter have been attached for your reference.

You may provide further information by 16/09/2017

Any comments or further information must be provided to this office by 16/09/2017.

If you are responding by email, please send your information to:

INZTeamInbox@mbie.govt.nz.

If you are responding by post, please send your information to:

[Immigration New Zealand, 789 Bond Road, Christchurch.](#)

What happens now?

Your application is now on hold in a centralise location awaiting your response.

1. Send us your response by **16/09/2017** by email or post. You should send all the information you want us to consider by the due date (please remember to include your application number).
2. Once the due date has passed **OR** You notify us by email to INZTeamInbox@mbie.govt.nz that you have nothing further to submit, processing of your application will continue within **5-7** working days.

PLEASE NOTE: Your application may not be assessed and completed by one Immigration Officer. The next available Immigration Officer will continue processing your application. This may not be the same Immigration Officer who sent you this letter. This Immigration Officer may not contact you again on these concerns, so you must send all information you want us to consider by the due date.

All supporting documents must be original or certified copies of originals. Any documents not in English must be translated into English by a recognised and independent translation service.

What happens if you do not send any comments or additional information?

If you do not send any comments or information by the date requested above we will make a decision on your application based on the information you have already given us. We are unlikely to approve your application based on this information.

False or misleading information

Providing false or misleading information or withholding information may make you ineligible for a visa.

What happens if your circumstances change?

You must tell us about any changes to your circumstances that may affect your application for a visa, including but not limited to changes to the following:

- the personal or family circumstances of any person included in the application
- your address or contact details (including postal address, email address, and telephone number)
- your business or employment ■ your course of study if you are applying for a student visa.

If you do not tell us about changes to your circumstances, we may decline to grant you a visa or you may become liable for deportation. While you are in New Zealand, you must make sure you hold a valid visa at all times.

Contact us

If you have any questions, you can:

- call me on 03 123 4567
- email me at `FirstName.LastName@mbie.govt.nz`
- call our Immigration Contact Centre on 0508 55 88 55 or 09 914 4100, or for those outside of New Zealand +64 9 914 4100, or
- find answers to frequently asked questions or lodge an email enquiry online at www.immigration.govt.nz/help.

You will need to tell us your application and client numbers (see the top of this letter). Please be ready to quote them when you phone.

Yours sincerely

[First Name] [Last Name]

Immigration Officer

Immigration New Zealand

Relevant Immigration Instructions

WK3.10 Determining the availability of New Zealand citizens or residents

- a. New Zealand citizens or residence class visa holder workers are considered to be 'available' if, as a result of a labour market test (see WK3.10.1), an immigration officer establishes that there are:
 - i. suitable New Zealand citizens or residence class visa holder workers who can take up the work on offer (see WK3.10.10); or
 - ii. suitable New Zealand citizens or residence class visa holder workers who can readily be trained to do the work on offer (see WK3.10.15).
- b. Immigration officers will accept that no suitably qualified New Zealand citizens or residence class visa holders are available where an occupation is included on the current Long Term Skill Shortage List, Immediate Skill Shortage List or (for employment in the Canterbury region only) Canterbury Skill Shortage List and the applicant's qualification and/or work experience meets the requirements on the list.
- c. It is not relevant to the determination of availability of New Zealand citizens or residence class visa holder workers whether those New Zealand citizen or residence class visa holder workers are prepared to do the work on the terms and conditions proposed by the employer.

Notes:

The Essential Skills in Demand Lists are published on the immigration website at <http://skillshortages.immigration.govt.nz/>.

Employment is in the Canterbury region if the entire or principal place of work is within the territorial authorities of Christchurch City Council, Selwyn District Council or Waimakariri District Council.

WK3.10.1 Labour market tests

- a. When conducting a labour market test an immigration officer must be satisfied that:
 - i. the employer has made a genuine attempt to attract and recruit suitable New Zealand citizens or residence class visa holder workers (see WK3.10.5); and
 - ii. New Zealand citizens or residence class visa holder workers are not available (WK3.10).
- b. Matters an immigration officer may take into account when determining whether or not a labour market test is satisfied include but are not limited to:
 - i. the employer's case in support of an individual worker's application; and
 - ii. evidence of a genuine attempt (see WK3.10.5) on the part of the employer to recruit New Zealand workers by way of advertising and/or use of other appropriate avenues of recruitment likely to attract New Zealand workers; and
 - iii. advice from Work and Income about the availability of New Zealand citizens or residence class visa holder workers to do the work offered; and

- iv. advice from relevant stakeholders within the particular industry, including unions.

c. In any particular case an immigration officer may decide to:

- i. determine the labour market test is satisfied by one or more of the above; or
- ii. determine that the labour market test is not satisfied by one or more of the above; or
- iii. make other inquiries.

d. Despite (c) above, but subject to (e) below, when determining whether there are New Zealand citizen or residence class visa holder workers available to undertake work in an ANZSCO Skill Level 4 or 5 occupation, immigration officers must consider advice from Work and Income about the availability of New Zealand citizens or residence class visa holder workers to do the work offered.

e. The requirement in (d) above does not apply:

- i. for any period of time where Work and Income has advised INZ of a regional absolute labour shortage for a specified occupation or industry, and the work offered is both for that occupation or industry, and in the region specified; or
- ii. where the role is included in a list of occupations published by Work and Income that are exempt from the Skills Match Report process, and meets any additional requirements of that list (e.g. region of employment).

WK3.10.5 Definition of 'genuine attempts'

a. For the purpose of these instructions an employer is considered to have made genuine attempts to recruit suitable New Zealand citizens or residence class visa holder workers if:

- i. any specifications or requirements stipulated in a job description and/or ideal person specification are restricted to those specifications or requirements necessary to perform the work on offer; and
- ii. the terms and conditions specified for the work on offer are not less than those of the New Zealand market, including payment at the New Zealand market rate; and
- iii. the extent and nature of advertising or use of other appropriate means of recruitment is such that any suitable New Zealand workers would apply or be likely to apply for the position(s), for example:
 - o listing the vacancy with Work and Income;
 - o advertising the vacancy in a national newspaper and/or website; o contracting a recruitment company appropriate to the industry.

b. For the purposes of these instructions an employer is not considered to have made genuine attempts to recruit suitable New Zealand citizens or residence class visa holders if:

i. the employer has advertised the work in such a way that no New Zealand citizen or residence class visa holder will or is likely to apply (e.g. making foreign language skills a requirement when it is not necessary for the performance of the work); or

ii. an employer has advertised the work at terms and conditions that are less than terms and conditions New Zealand citizens or residence class visa holders typically receive for equivalent work; or

iii. a Skills Match Report is required by WK2.1 (d) and an immigration officer is satisfied the employer has not considered available New Zealand citizens or residence class visa holders referred by Work and Income.

Effective 28/08/2017

WK3.20 Requirements for applicants

To grant an Essential Skills work visa, an immigration officer must be satisfied that the applicant:

a. is suitably qualified by training and experience to do the work offered; and

b. if the Essential Skills work visa is for lower-skilled employment (WK3.5.1), is not required to spend time outside New Zealand (referred to as an applicant who is subject to a 'stand-down period' – see WK3.20.5).

WK3.20.1 Determining that an applicant is suitably qualified

a. When assessing whether an applicant is suitably qualified by training and experience to do the work offered, immigration officers will consider whether the qualifications and work experience required by the occupation described in the ANZSCO substantially matches the applicant's proposed employment

b. Immigration officers must consider whether:

i. the applicant holds a relevant qualification that is comparable to the qualification described for that occupation in the ANZSCO; or

ii. the applicant has the relevant work experience that the ANZSCO indicates may substitute for the required qualification; or

iii. the employment is in an occupation included on the Essential Skills in Demand Lists and the applicant meets the relevant requirements specified for that occupation.

c. Immigration officers must be satisfied that the qualifications and/or work experience provided by the applicant are relevant to their proposed employment in New Zealand.

WK3.20.5 Applicants who are required to spend time outside New Zealand (subject to a 'stand-down period')

a. An Essential Skills work visa holder may hold visas allowing work in lower-skilled employment (as defined in WK3.5.1) for a maximum period of 3 years before they are required to spend time outside New Zealand (subject to a stand-down period)

b. Applicants subject to a stand-down period are not eligible for a further Essential Skills work visa for lower-skilled employment until they spend 12 consecutive months outside New Zealand.

c. A person who has spent 12 consecutive months outside New Zealand is no longer subject to a stand-down period and may be granted further Essential Skills work visas for the duration allowed by [WK4.1\(a\)\(iii\)](#).

d. Essential Skills work visas applied for before 28 August 2017 did not include an assessment of skill-band under [WK3.5.1](#) and are therefore not considered when calculating the 3 year maximum period.

Effective 28/08/2017

Example 2:

Application number: 34567890

Client number: 98765432

2 May 2017

Sue Black
369 White Avenue
Redtown
Wellington
New Zealand

Dear Sue Black

Application for a student visa for:

Applicant:

Sue Black

Date of birth:

1 June 1996

Thank you for your application for a student visa - Full fee paying. We received your application on 21 April 2017.

Our assessment of your application

We have completed an assessment of your application and have identified the following issues which may have a negative impact on the outcome of your application:

Concerns with your Sponsor – Funds

Immigration Instructions state that we must be satisfied that you have sufficient funds available to maintain yourselves throughout your stay in New Zealand. Please see Immigration Instruction U3.20 which states you applicants must have at least \$1,250 per month (or \$15,000 per year) available for maintenance and accommodation, or you can provide a completed sponsorship form for temporary entry completed by an acceptable sponsor, the criteria for which are outlined in Immigration Instructions E6.5. Please note that the decision as to whether a sponsor is acceptable is that of Immigration New Zealand and is completely discretionary.

After reviewing your sponsorship form we have concerns your sponsor does not have sufficient funds to meet their sponsorship obligations and therefore if they can be considered an acceptable sponsor your sponsor only provided one payslip to indicate their income. We cannot make a reasonable assessment on your sponsors funds with the limited information provided.

We are giving you the opportunity to provide alternative evidence that you meet the requirements for sufficient funds to maintain your stay in New Zealand. This could be evidence that you hold sufficient funds on your own, or evidence of a different sponsor in New Zealand, who can be considered as an acceptable sponsor for you.

While we are open to you providing evidence as to why you believe your current sponsor should be considered as acceptable, however you should note they have been deemed as unacceptable, if you choose to pursue using them as your sponsor and fail to provide satisfactory evidence that they are suitable to sponsor you, we are unlikely to give further opportunities to provide alternative evidence to meet the financial requirements of student visa instructions (U3.20) and will make a decision based on the information you have provided.

Please provide the following information by due date: 7 May 2016

- You must provide three months bank statements from all Bank accounts you hold in New Zealand, these must show at least NZ\$1,250 per month or NZ\$15,000 per year. You must provide an explanation for any deposits and withdrawals over \$1,000 during this period. You are required to provide evidence to support your explanation, such as transfer receipts or bank documents.
- Further evidence to show your sponsor can meet sponsorship obligations with funds of \$1,250 per month other intended sponsorship.
- Alternatively, you may provide a new Sponsorship Form for Temporary Entry (form INZ1025) filled out by a different New Zealand Citizen or Resident with proof they have the funds to support you for the duration of your course and/or Bank.

Any further information you feel relevant to your application should also be provided.

All supporting documents must be original or certified copies of originals and, if not in English, must be translated into English by a recognised and independent translation service.

What happens if you do not send any comments or additional information?

If you do not send any comments or information by the date requested above we will make a decision on your application based on the information you have already given us. We are unlikely to approve your application based on this information.

False or misleading information

Providing false or misleading information or withholding information may make you ineligible for a visa.

Contact us

PLEASE NOTE: Please send any documentation in support of your current application to INZteam@mbie.govt.nz – this is an automated mailbox, and you will not receive a reply. Please also ensure you attach your application number, client number, or full name and date of birth to the email.

Kind Reagards,

Immigration New Zealand

Relevant Immigration Instructions

U3.20 Sufficient funds for maintenance while in New Zealand

See also Immigration Act 2009 ss 48, 55

- a. Applicants must provide evidence to satisfy an immigration officer that they have sufficient funds available to maintain themselves throughout the period of their stay in New Zealand.
- b. Evidence may include but is not limited to:
 - i. a notice of the award of a full scholarship; or
 - ii. a completed Sponsorship for Temporary Entry (INZ 1025) form (see U3.20.5); or
 - iii. a completed Financial Undertaking for a Student (INZ 1014) form, which covers a stay in New Zealand for the length of the visa (see U3.20.10); or
 - iv. funds held by or on behalf of the student (see U3.20.20).

U3.20.5 Sponsorship

- a. A sponsor for a student visa application must be an acceptable sponsor (see E6.5) and be either:
 - i. a natural person who is a relative or a friend of the applicant; or
 - ii. an organisation or government agency (an individual must be nominated as the authorised contact).
- b. A sponsor for a fee-paying foreign tertiary student who is applying from within New Zealand must have sponsored that student's initial student visa. c. Sponsors must satisfy an immigration officer that they:
 - i. are bona fide (i.e. are genuinely intending to meet sponsorship obligations); and
 - ii. genuinely hold sufficient funds for each student they are sponsoring.

U3.20.10 Financial Undertaking

- a. Before the student's arrival in New Zealand, a financial undertaking may be provided by a third party.
- b. If the third party is a person, they must be a relative or a friend of the applicant.
- c. If the third party is not a person, they must nominate an individual as an authorised contact.
- d. The third party providing the financial undertaking must satisfy an immigration officer they:
 - i. are bona fide (i.e. are genuinely intending to meet their financial obligations as set out on the Financial Undertaking for a Student (INZ 1014) form); and
 - ii. genuinely hold sufficient funds for each student they are supporting.
- e. Where a third party wishes to continue providing a financial undertaking for the student's subsequent onshore student visa applications, they may do so if they continue to meet (d).

U3.20.15 Determining whether a sponsor or third party providing a financial undertaking is bona fide

To determine whether a sponsor or third party providing a financial undertaking is bona fide, immigration officers may consider:

- a. the relationship between the applicant and the sponsor or third party;
- b. any previous breaches of financial obligations set out in undertakings;
- c. the number of student visa applications they are currently supporting;
- d. the period of time for which funds have been held by the sponsor or third party; and
- e. the student's ability to access funds from the sponsor or third party while in New Zealand.

U3.20.20 Funds held by or on behalf of the student

- a. Where funds are held by or on behalf of the student, immigration officers must be satisfied that the funds are from a genuine source and are genuinely available for the purposes of the applicant's maintenance requirements.
- b. When determining whether a student has sufficient funds to maintain themselves throughout their stay in New Zealand, immigration officers may consider the period of time for which funds have been held by the student and the student's ability to access funds while in New Zealand.

U3.20.25 Funds required for students taking programmes of study lasting less than 36 weeks

Students taking programmes of study lasting less than 36 weeks must provide evidence they have funds of at least NZ\$1,250 per month of study available to maintain themselves during their stay in New Zealand (less prepaid living expenses).

Note: This evidence may be sighted after the application has been approved in principle.

U3.20.30 Funds required for students taking programmes of study lasting 36 weeks or longer

Students taking programmes of study lasting 36 weeks or longer must provide evidence to satisfy an immigration officer that:

- a. they have NZ\$15,000.00 per year available to maintain themselves during their stay in New Zealand (less prepaid living expenses); or
- b. if they are citizens of Samoa and Tonga a written guarantee of maintenance from a relative in New Zealand who is either a New Zealand citizen or residence class visa holder.

U3.20.35 Sufficient funds for maternity health services

Pregnant applicants for a student visa who are due to give birth while in New Zealand must provide evidence that they:

- a. have funds of at least NZ\$9,000 available to pay for maternity health services; or
- b. have sponsorship by a person, an organisation or a Government agency which meets generic sponsorship requirements set out at E6.5, to cover maternity health services; or
- c. have a guarantee of financial undertaking by a third party which covers maternity health services (see U3.20.10); or
- d. are eligible for publicly-funded maternity health services.

E6.5 Acceptable sponsors

See also Immigration Act 2009, ss 4, 48, 49, 55

- a. Whether sponsorship is required for any type of temporary entry class application will be determined in immigration instructions for that type of application (see [V2.20](#) and [V2.25](#) for visitors, [U3.20](#) and [U3.25](#) for students, [W2.15](#), [W2.20](#), [WM3](#) and [WR2.15](#) for workers).
- b. A sponsor for a temporary entry class application must be deemed acceptable by the Minister of Immigration or an immigration officer.
- c. An acceptable sponsor must either be a natural person, an organisation, or a government agency (including Crown entities and State Owned Enterprises), defined as follows:
 - i. a natural person must be a New Zealand citizen or the holder of a current residence class visa that is not subject to conditions under section 49(1)(a) or section 50 of the Immigration Act 2009; or
 - ii. an organisation must be registered in New Zealand as a company, incorporated society or charitable trust; or
 - iii. a government agency must be a government department named in Schedule 1 of the State Sector Act 1988, or a Crown entity as defined in section 7(1) of the Crown Entities Act 2004.
- d. Whether natural persons, organisations or government agencies can sponsor a specific type of application will be determined in immigration instructions for that type of application.
- e. A sponsor who is not a natural person must nominate an individual as the authorised contact for the purpose of sponsorship.
- f. All acceptable sponsors must:
 - i. provide written undertakings for the maintenance, the accommodation, and the cost of deportation or repatriation of the applicant (see [E6.15](#)); and
 - ii. meet any other sponsorship requirements specified in the relevant immigration instructions (if any).
- g. It is a matter for the absolute discretion of the Minister of immigration or the immigration officer whether a person (or organisation or government agency) is acceptable as a sponsor, and no appeal lies against their decision, whether to any court, the Tribunal, the Minister of Immigration, or otherwise.

Note: for the purpose of sponsorship requirements, Crown entities as defined in section 7(1) of the Crown Entities Act 2004 include Crown agents, autonomous Crown entities and independent Crown entities, Crown entity companies, Crown entity subsidiaries, school boards of trustees, and tertiary institutions.

E6.5.1 Additional criteria for natural persons

- a. In addition to the requirement of E6.5(c)(i), to be an acceptable sponsor for a temporary entry class visa application a natural person must:
 - i. be ordinarily resident in New Zealand during the term of sponsorship, unless

stated otherwise in specific instructions; and

- ii. not sponsor for the purpose of receiving a financial reward or fee; and
- iii. not have been convicted at any time of an offence under immigration law; and
- iv. not have an outstanding debt to the Crown or other third parties as a result of another sponsorship arrangement; and
- v. not sponsor a person if they have previously breached sponsorship obligations; and
- vi. not have entered insolvency procedures or be adjudicated bankrupt; and
- vii. not be liable for deportation; and
- viii. not be a person whose liability for deportation is currently suspended; and ix. not be serving a custodial sentence or be awaiting sentencing after being convicted of a crime which carries a custodial sentence.

E6.5.5 Additional criteria for organisations

a. In addition to the requirement of E6.5(c)(ii), to be an acceptable sponsor for a temporary entry class visa application an organisation must:

- i. identify a clear link between the organisation's activities and the purpose for which the applicant is coming to New Zealand; and
- ii. not sponsor for the purpose of receiving a financial reward or fee; and
- iii. not have been convicted of an offence under immigration law; and iv. not have any listed directors, trustees or management who have been convicted of an offence under immigration law; and
- v. not have an outstanding debt to the Crown or other third parties as a result of another sponsorship arrangement; and
- vi. not have previously breached sponsorship obligations; and
- vii. not be in receivership or liquidation.

Note: financial reward does not preclude an employer from sponsoring an employee where the financial reward is the expected profit the employer will make from the employee's work.

Activity Three: PPI Response

Response letter from the applicant:

30 January 2020

Dear Sir/Madam

I am writing this letter to confirm that me and my wife s 9(2)(a) got married in a traditional Sikh marriage ceremony. Ours was an arranged marriage. My parents selected my partner and we started talking in 2019. I do not remember the exact date, but we were constantly in touch from mid-2019. My cell phone records are attached.

My parents fixed a date and we got married on 4 February 2019. My wife came back to NZ due to work commitments. It's really heartbreaking that you are not counting this relationship genuine.

She has now been in India since 2 December 2019 living at my parent's house. She sacrificed her job for me because she had to come to India to visit me. Now that she is back in India again I have sent you some photographs of the two of us together.

If you have any more questions regarding our relationship please feel free to contact both of us. Because she can stay in India longer if it takes more time for the outcome of the application. I love my wife so much. All I want to say is that I want to spend rest of my life with her.

Kind regards

s 9(2)(a)

Call Records:

Note: some details have been redacted out to protect privacy

Account Activity

Name: s 9(2)(a)

Phone: +642 [REDACTED]

Email: [REDACTED]@gmail.com

Showing all transactions

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NEW ZEALAND
IMMIGRATION

Writing for Immigration Officers – PPIs

Facilitator guide



MINISTRY OF BUSINESS,
INNOVATION & EMPLOYMENT
HĪKINA WHAKATUTUKI

New Zealand Government

RESTRICTED – DO NOT RELEASE

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Introduction

Purpose

The purpose of this course is to promote the use of effective communications skills when using the Potential Prejudicial Information (PPI) process.

Learning outcomes

At the end of this course, learners will be able to demonstrate how to:

- plan and structure content effectively
- write in a clear, concise and consistent way
- follow MBIE's writing style guide <http://thelink/how/Documents/MBIE-writing-style-guide.pdf>
- follow the WALC technique to ensure a PPI letters are Well-Written, Accurate, Logical, and Complete
- write a PPI letter following the SIAC technique to ensure a PPI letter outlines the Situation, Issue/Instructions, Assessment, and Conclusion.

Audience

This course has been developed for Immigration Officers

Course duration

Approx. 5 hours

Preparation

Prerequisites

Attend the 'Decision-making' workshop and the 'Writing for Immigration – Rationale' workshop.

Required course resources

- Facilitator computer, projector and 'Writing for Immigration Officers – PPI' PowerPoint
- Learner pens/paper/highlighters
- Post-it notes
- Flipchart
- Whiteboard and markers
- Learner computers
- MBIE Writing Style Guide – online access: <http://thelink/how/Documents/MBIE-writing-style-guide.pdf>
- WALC A3 posters
- Hand-outs (one per learner):
 - Letter writing guide
 - Activity 1: Learners re-written rationale from 'Writing for Immigration – Rationale' workshop, Activity 3
 - Activity 2: Compare PPIs hand-out
 - Activity 3: PPI response
 - WALC handout
 - SIAC Examples Hand-out
 - PPI Template (ensure latest version of the template is being used)
 - Decline letter template (ensure latest version of the template is being used)

Preparation

- Be familiar with subject matter to a level where you feel confident to facilitate it, having observed a delivery as part of your preparation if possible.
- Pre-prepared examples from your experience, or from live applications, so the group can identify which step in the SIAC model they belong to.
- No breaks have been allocated to this workshop. Timings and breaks will need to be managed by the facilitator.
- Where there are activities that involve group discussion, the facilitator can change these to be pair work, group work, Post-it note submissions, to provide the best learning experience and opportunity for state changes.

Room set-up

Refer to the Learning Delivery Team for suggested room set-up.

How to use this guide

This guide uses the following layout:

Time	Topic	Resource	Your Notes
Suggested time for each section.	<p>Includes:</p> <ul style="list-style-type: none">• instructions on how to deliver each section of the topic.• model answers or links to the immigration instructions where questions relate.	<p>Resources needed for each section of a topic, including the relevant PowerPoint slide.</p>	<p>Background information to help the facilitator prepare.</p> <p>Includes:</p> <ul style="list-style-type: none">• facilitator topics: information on topics including links to relevant instructions• where the content is specific to a particular role/audience e.g. immigration officer, border officer, or compliance officer. <p>Includes space so the facilitator can add their own written notes during preparation.</p>

Course outline:

Time	Topic
45 mins	Potentially Prejudicial Information (PPI) Purpose: To understand what Potentially Prejudicial Information (PPI) is and why it's important.
30 mins	Planning a PPI Purpose: To plan a PPI to ensure the purpose of the PPI is clear to the audience.
1 hour 30 mins	Writing a PPI using WALC and SIAC Purpose: To write an effective PPI using the WALC and SIAC models.
30 mins	Things to check before you submit Purpose: To identify what to avoid when writing a PPI and be able to apply proofreading skills to a colleague's PPI.
30 mins	PPI responses Purpose: To assess whether a PPI response answers the concerns outlined in the PPI letter.
1 hour	Decline Purpose: To write a decline letter using SIAC techniques.
15 mins	Wrap up/Course closure Purpose: Course recap and evaluation completion.
Approx 5 hours	

Potentially Prejudicial Information (PPI)

Topic outcomes

By the end of this topic, learners will understand what Potentially Prejudicial Information (PPI) is and why it's important.

Topic resources

- Facilitator computer, projector and 'Writing for Immigration' PowerPoint
- Post-it notes
- Flipchart
- Whiteboard and markers
- Learner computers
- Link to Operational Manual: <http://inzkit/publish/opsmanual/#35439.htm>

Lesson plan

Time	Topic	Resource	Your notes
10 mins	Recap of Part One – Rationale – Mind map Mind map the key points from the Rationale session: <ul style="list-style-type: none">• When rationale is done right, the whole of INZ benefits• A quality rationale is Well-written, Accurate, Logical and Complete• There must be a clear link between the evidence provided and how it does/doesn't meet instructions• Quantity does not equal quality – focus on your key points.• Review your work before saving it.	Flipchart or whiteboard	

Time	Topic	Resource	Your notes
5 mins	<p>What is a PPI?</p> <p>Group discussion: <i>What do you already know about PPI?</i></p> <ul style="list-style-type: none"> • Stands for Potentially Prejudicial Information. • It is a formal statement notifying a client of INZ's concerns. • PPI is information that we have about an applicant that could mean we cannot approve their application. It is information that could be prejudicial to the applicant's success. • PPI is factual information or material that will or may adversely affect the outcome of the application. 	Slide 2	
5 mins	<p>What is the purpose of a PPI?</p> <p>Group discussion: <i>Ask: What is the purpose of a PPI letter?)?</i></p> <p>Allows the applicant to comment on information that could be prejudicial to the outcome of their application</p> <p><i>Why is that important?</i></p> <p>Ensures we have all the relevant information before we make a decision. Crucial to complying with the principles of fairness and natural justice. Required by immigration instructions.</p> <p><i>What do we want the applicant to do?</i></p> <p>Provide requested evidence by a given timeframe.</p> <p>Remember: The first 'P' is the most important – <i>Potentially</i>. PPI does not necessarily mean the application will be declined</p>	<p>Whiteboard or flipchart</p> <p>Slide 3</p>	

Time	Topic	Resource	Your notes
15 mins	<p>Advantages of a good PPI and consequences of a 'bad' PPI? Put up 2 flipcharts (one titled: Advantages of a good PPI?, and the second titled: Consequences of a 'bad' PPI?) Ask learners to use post-it notes to brainstorm.</p> <p>Answers could look like:</p> <p>Advantages: For the applicant:</p> <ul style="list-style-type: none"> • Fewer phone-calls/emails ("I don't understand....") • Better responses <p>For you:</p> <ul style="list-style-type: none"> • Less follow-up required • Improved timeliness • Better responses enable better decisions <p>For INZ:</p> <ul style="list-style-type: none"> • Less likely IPT will overturn a decision • Less likely decision will to lead to upheld complaints • Less re-work for INZ <p>Consequences: Bad PPI letters have a 'flow-on effect' on the overall assessment:</p> <ul style="list-style-type: none"> • Applicant unaware of/doesn't understand INZ's concerns • Applicant less likely to address concerns satisfactorily • Application less likely to be approved • Decision less likely to be correct or fair 	<p>Flipchart</p> <p>Post-it note</p>	
10 mins	<p>Do we always need to PPI? Discuss:</p>	<p>Whiteboard or flipchart</p>	

Time	Topic	Resource	Your notes
	<ul style="list-style-type: none"> • Are there any circumstances where PPIs aren't required? • How can we avoid sending PPIs? • How else might you obtain information? <p>Things to check:</p> <ul style="list-style-type: none"> • Has this been addressed previously? • Is the information publicly available? • Will a phone call clarify the issue? • Could the applicant quickly send you a document to confirm something easily? <p>The best PPI is the one you didn't have to send – <i>however, there are rules where you must PPI.</i></p> <p>These rules are outlined in the Ops Manual. Look up the Operational Manual (or if learners have access to a computer invite them to look it up for themselves).</p> <p>Read through the below sections of the Ops Manual and discuss as a group.</p> <p>E7.15 Potentially prejudicial information - in particular:</p> <ul style="list-style-type: none"> • discuss different rules depending on whether the applicant is onshore or offshore. Discuss why do you think that might be? • because of the difference between onshore and offshore temporary visa applications, (particularly around the principles of fairness and natural justice): there are potentially greater consequences of a decision for a person onshore. For example, onshore applicants may have moved many of their possessions to New Zealand, may have 	<p>Slide 4</p> <p>Learner computers</p> <p>Link to Operational Manual: http://inzkit/public/opsmanual/#35439.htm</p>	

Time	Topic	Resource	Your notes
	<p>enrolled in education here and/or may have been working for a New Zealand employer. This cannot generally be said of offshore applicants.</p> <p>A1.15 Fairness – in particular:</p> <ul style="list-style-type: none"> • whether the applicant is informed of information that might harm their case (often referred to as potentially prejudicial information) • whether the applicant is given a reasonable opportunity to respond to harmful information. <p>R5.20.5 Potentially prejudicial information for Residence applications: In accordance with the principles of fairness and natural justice set out in the Administration chapter (A1), applicants for a residence class visa will be given the opportunity to comment before a decision is made to decline to grant a visa on the basis of any potentially prejudicial information that they are not necessarily aware of.</p> <p>Facilitator note: If required, refer to Internal Administration Circular 11/09 for more information.</p>		

Planning a PPI

Topic outcomes

By the end of this topic, learners will know how to plan a PPI to ensure the purpose of the PPI is clear to the audience.

Topic resources

- Facilitator computer, projector and 'Writing for Immigration' PowerPoint
- Flipchart
- Whiteboard and markers
- Learner computers
- Learner pens and paper
- Letter Writing Guide
- Activity 1: Learners re-written rationale from 'Writing for Immigration – Rationale' workshop, Activity 3

Lesson plan

Time	Topic	Resource	Your notes
5 mins	<p>Planning a PPI</p> <p><i>Why is it a good idea to plan out your PPI before writing it?</i></p> <p>Look for:</p> <ul style="list-style-type: none">• Ensures the key points/concerns are all covered• Ensures the structure is logical• Ensures you don't miss anything• Planning it will make the writing part easier <p><i>What things might you want to consider when you are planning your PPI?:</i></p>	<p>Whiteboard or flipchart</p> <p>Slide 5</p>	

Time	Topic	Resource	Your notes
	<ul style="list-style-type: none"> Identify all the concerns that need to be covered – do NOT start writing until you have completed this! Identify the relevant immigration instructions and, if necessary, legislation Identify the potential impact on the application or future applications If there are multiple concerns, they should all be included in one letter - we can't send a letter with some concerns, have them be alleviated after a response, and then have to send another letter with further concerns. <p>REMEMBER: If you don't know what you're trying to say, nobody else will!</p>		
5 mins	<p>What are you asking for? Ask the learners: <i>What are you actually asking for when you send a PPI letter?</i> Looking for:</p> <ul style="list-style-type: none"> How the applicant can meet instructions If you require a specific document or piece of evidence, state this clearly Less follow-up is needed if the applicant knows exactly what we require. 		
5 mins	<p>Letter writing Guide Hand out the Letter guidelines hand-out. Explain that this is a guide and we will cover the steps as we go through the session. Ask learners to read through the hand-out. Explain they can use the hand-out throughout today's workshop. Check if there are any questions before moving on to the next topic.</p>	Letter writing guide	

Time	Topic	Resource	Your notes
15 mins	<p>Activity 1: Facilitator discretion whether the activity is run as a group, in pairs, or as individuals.</p> <p>Think back to the rationale part (Part One) of this workshop, in the last activity (Activity 3) we re-wrote the long rationale so that it was concise and followed WALC/SIAC.</p> <p>At the end of the rationale, the next steps were that the Immigration officer was going to PPI the applicant. As part of this workshop we will be writing that PPI but now, we will plan it out.</p> <p>Ask learners to use their own re-written rationale that they saved at the end of Part One of the workshop and plan the PPI: Think about: What are we going to ask for? What instructions are going to be relevant here? <i>V3.15 and E4.5</i> How will this evidence help them to satisfy instructions?</p>	<p>Slide 6 Whiteboard or flipchart</p> <p>Learner computers</p> <p>Pens and paper</p> <p>Activity 1: Learners re-written rationale from 'Writing for Immigration – Rationale' workshop, Activity 3</p>	

Writing a PPI using WALC and SIAC

Topic outcomes

By the end of this topic, learners will be able to write an effective PPI using the WALC and SIAC models.

Topic resources

- Facilitator computer, projector and 'Writing for Immigration' PowerPoint
- Post-it notes
- Flipchart
- Whiteboard and markers
- Highlighters
- Hand-outs:
 - WALC A3 wall posters (print A3 colour 1 page per side – 4 pages)
 - Activity 4: Compare PPIs
- Saved re-written rationale from Part One: Activity 3
 - PPI Template (ensure latest version from AMS is being used)

Lesson plan

Time	Topic	Resource	Your notes
5 mins	WALC for PPI Discuss and recap WALC – this will complement learnings from earlier Rationale training in Part One. How can you use WALC in a PPI context?	Refer to WALC A3 Posters on the wall	

Time	Topic	Resource	Your notes
	<p>Looking for: It's the same! The principles apply to PPI just as they do for rationales. They need to be Well-written, Accurate, Logical, and Complete so that the recipient understands what they need to do.</p> <p>Reassure learners that even if they do not know much about instructions yet, this workshop is preparing them to ensure that what they are writing is clear enough for a layperson to understand, especially remembering that English may not be the applicant's first language.</p>		
25 mins	<p>Activity 2: Compare PPIs</p> <p>Split group into pairs or threes.</p> <p>Hand out Activity Four and ask each group to highlight good examples of following WALC in green/blue and poor examples of WALC in red/pink/orange.</p> <p>Come back as a group and discuss</p> <ul style="list-style-type: none"> • Which is the best example? (Example 1) • Which is worst? (Example 2) • What makes them good or bad? 	<p>Slide 7</p> <p>Activity 2: Compare PPIs hand-out</p> <p>Highlighters</p> <p>Slide 8</p>	
10 mins	<p>SIAC for PPI</p> <p>In the rationale session, we looked at using the SIAC model.</p> <p>Can anyone remember what each of the letters stand for?</p> <p>S = situation</p> <p>I = issue or instructions</p> <p>A = assessment</p> <p>C = conclusion</p>	<p>Slide 9 & 10</p>	

Time	Topic	Resource	Your notes
	<p>The great thing is we can use SIAC to help us write PPIs. Let's take a look at an example (see slide 29):</p> <p>Concern about full-time employment SIAC example</p> <p>Situation (state the facts/evidence)</p> <p><i>Clause 4.2 of your employment agreement allows your employer to reduce your hours of work below 30 hours per week.</i></p> <p>Issue</p> <p><i>Immigration instructions at WK3.5(a)(i) state that offers of employment to Essential Skills work visa applicants must be for full time employment. As defined by immigration instruction W2.2.10, full time employment is considered to be at least 30 hours work per week.</i></p> <p>Assessment and Conclusion</p> <p><i>Your employment therefore does not appear to meet instruction WK3.5(a)(i) and may be declined.</i></p>		
15 mins	<p>Activity 3</p> <p>Using example 1 (the good example) from Activity 2, get the learners to identify the different areas of SIAC. Label the parts of SIAC using markers/highlighters or post-it notes.</p> <p>Activity can be done as a group, in pairs, or as individuals.</p> <p>Debrief.</p>	<p>Slide 11</p> <p>Activity 2 hand-out</p> <p>Highlighters</p>	
5 mins	<p>Dealing with multiple issues</p> <p>Ask: <i>How would you deal with multiple concerns in a PPI?</i></p> <ul style="list-style-type: none"> Address each concern individually with a separate heading, the relevant instruction, and how/why not met for EACH issue. 		

Time	Topic	Resource	Your notes
	<ul style="list-style-type: none"> Place the most serious concern at the top e.g. character, health. If the same concern causes multiple issues, place them in a logical, coherent order. If one action will address multiple concerns, consider if the required action needs to be stated multiple times. 		
30 mins	<p>Activity 4: Write your own PPI</p> <p>Now you will be writing your own PPI. Remember, this is building on your knowledge and skills from the rationale session. You've already planned it so you know what your key points are, you know WALC and SIAC, and we are going to give you a template! It's just about putting everything you have learnt so far together.</p> <p>Write your own PPI using the same scenario covered in the Rationale session. Hand-out (or email if using computers) PPI template to help learners to write the PPI.</p> <p>Assist where necessary and debrief at the end as a group.</p>	<p>Slide 12 Learners re-written rationale from 'Writing for Immigration – Rationale' workshop, Activity 3</p> <p>PPI Template</p> <p>Learner pens and paper</p> <p>Learner computers</p>	

Things to check before you submit

Topic outcomes

By the end of this topic, learners will be able to identify what to avoid when writing a PPI and be able to apply proofreading skills to a colleague's PPI.

Topic resources

- Facilitator computer, projector and 'Writing for Immigration' PowerPoint
- Post-it notes
- Flipchart
- Whiteboard and markers
- Highlighters
- GloPro link for Timeframes: <http://inzkit/publish/globalprocessmanual/#57182.htm>

Lesson plan

Time	Topic	Resource	Your notes
10 mins	<p>Check it...</p> <p>Checking your work is often overlooked. But think of it as an investment of time – if it saves you from something stupid...</p> <p>Ask: <i>What should you avoid when writing a PPI?</i></p> <p>Look for:</p> <ul style="list-style-type: none">× Capital letters (e.g. your employment letter DOES NOT include)× Bold (except for subheadings)× Italics× Colour	Slides 13 & 14	

Time	Topic	Resource	Your notes
	<ul style="list-style-type: none"> × Underlines × Acronyms (LTSSL, SMC, ELR) unless you explain them first × INZ Jargon (I am PPI'ing you because . . .) × Does it sound like you are pre-determining a decision? × Does it sound like you are neutral and open to their response? <p><i>What else should you check/consider?</i></p> <ul style="list-style-type: none"> ✓ Simple, clear language ✓ Be concise ✓ Avoid repetition ✓ No spelling or grammar mistakes ✓ Complete: have you covered all your concerns? ✓ Accurate: have you cited the right instructions and accurately reflected the information before you? ✓ Logical: do your reasons for why requirements haven't been met make sense? ✓ Is the due date in line with SOPs (refer to GloPro link) or otherwise reasonable? ✓ Have you attached the relevant instructions as an appendix? ✓ Have you included your signature and contact details? ✓ It is especially important to consider the tone of your correspondence when dealing with a sensitive issue such as domestic violence or significant health concerns. ✓ Have a second person proofread your PPI if required/time allows. 	<p>GloPro link for Timeframes: http://inzkit/public/globalprocessmanual/#57182.htm</p>	

Time	Topic	Resource	Your notes
20 mins	<p>Quality Checks</p> <p>When you are new, every decision gets quality checked (QC) by your Technical Advisors (TA) before it's sent.</p> <p>Residence applications are QC'd 100% of the time no matter how long you have been doing them.</p> <p>For other applications the QC process will reduce over time – this will be up to your TA.</p> <p>Therefore, it's important to get used to other people critiquing your work:</p> <ul style="list-style-type: none"> • Don't take their feedback personally; take it as a learning opportunity. • Remember, even people such as authors who write every single day need proof readers and editors. • It is important to check your own work too but a fresh pair of eyes can make a big difference – sometimes you can't see the wood for the trees! <p>Proofreading activity</p> <p>Swap your PPI with the person next to you and go through the PPI looking for the things we covered on slide 9-12 and anything else you may notice.</p> <p>Highlight any suggestions you have and then debrief your partner on your findings. Make changes on your own PPI based on your partner's feedback.</p>	Highlighters	

PPI responses

Topic outcomes

By the end of this topic, learners will be able to assess whether a PPI response answers the concerns outlined in the PPI letter.

Topic resources

- Facilitator computer, projector and 'Writing for Immigration' PowerPoint
- Flipchart
- Whiteboard and markers
- PPI response hand-out

Lesson plan

Time	Topic	Resource	Your notes
10 mins	<p>PPI responses</p> <p>When you receive a PPI response, you will need to assess the response: (Discuss as group):</p> <ul style="list-style-type: none">• What did I ask them for – have they given me something that addresses my concern to my satisfaction?• What is it that the instructions require? Do I have what I need? <p>Leave emotions out of your decision – don't let emotional aspects distract from the instructions. Bring back SIAC – what was the situation, issue. Assess the response – do I feel I have what I need?</p>	Whiteboard or flipchart	
20 mins	<p>Activity: Hand out the PPI response letter. Read through it and ask the learners what they think in terms of the response addressing their concerns?</p>	Slide 15	

Time	Topic	Resource	Your notes
	<p>Discuss as a group and use whiteboard/flipchart to record the group's rationale.</p> <p>The original Activity 3 identified the following concerns:</p> <ol style="list-style-type: none"> 1. The couple were married only four months ago. 2. There is no evidence that they have ever lived together as a couple. 3. The supporting partner returned to NZ within 2 weeks of the wedding 4. Previous chat histories are sporadic and do not demonstrate that the conversation is between the applicant and the supporting partner. 5. The couple said their separation was due to the supporting partner's employment but there is no evidence of this. 6. The applicant provided evidence of one money transfer from the supporting partner to the applicant; however, a single money transfer cannot be taken as evidence of financial interdependence. <p>The PPI response (letter, photos, call records) addresses the concerns in this way:</p> <ol style="list-style-type: none"> 1. Time has passed, so the duration of the relationship is obviously longer now. 2. The letter claims the couple have continued to live together, but we still don't have any supporting evidence of that. 3. The partner is now back in India (he claims, but you can't tell this for sure from the photos – FYI: INZ's systems can only identify that he is outside NZ, not where he is specifically). 4. More call records provided (so this concern is arguably satisfied now). 5. Partner's letter addresses this but no supporting evidence. 6. No further info provided on this point. 	<p>Activity: PPI Response hand-out</p>	

Time	Topic	Resource	Your notes
	<p>To sum up: whether or not the relationship is genuine and stable is debateable, based on the photos, call records and the duration of the marriage. However, without evidence of living together, the application must fail. And the photos aren't satisfactory evidence of living together as per these instructions: E4.5.30.</p> <p>If you have PPI'd and are now considering declining an application, first check:</p> <ul style="list-style-type: none"> • Has the applicant been given an opportunity to comment on this concern? • If not, you CANNOT use this concern as grounds for your decision • If you have sufficient other grounds to decline, proceed with those • If you don't, you need to send a further PPI letter 		

Decline letters

Topic outcomes

By the end of this topic, learners will be able to write a decline letter using SIAC techniques.

Topic resources

- Facilitator computer, projector and 'Writing for Immigration – Part One: Rationale' PowerPoint
- Learner computers
- Learner pens and paper

Decline letter template (ensure latest version from AMS is being used)

Lesson plan

Time	Topic	Resource	Your notes
10 mins	<p>Decline letters using SIAC Writing an approval letter is very straightforward, so today we will practice writing a decline letter.</p> <p>Decline letters should still follow our old friend SIAC.</p> <p>Situation/statement: Subheading – should mirror your PPI letter. Recap the concern or requirement not met</p> <p>Issue/Instructions: Recap relevant Instructions – should also mirror your PPI letter Explain what new information from the applicant you considered</p>	Slide 16	

Time	Topic	Resource	Your notes
	<p>Assessment against evidence: Discuss how the new evidence did/did not mitigate your concerns</p> <p>Concluding statement: “I am not satisfied that “</p>		
30 mins	<p>Activity 6: Writing a decline letter</p> <p>Now it’s time to write that decline letter using the template provided. Remember, this is all just building on your knowledge and skills that you’ve built up so far – and we have a template!</p> <p>Write your own decline letter following using our scenario. Hand-out (or email if using computers) the Decline template. Assist where necessary and debrief at the end as a group. Ensure learners get a colleague to proof their decline letter at the end of the activity!</p>	<p>Slide 17 Pens/paper or computers</p> <p>Decline letter template</p>	
20 mins	<p>PPIs and declines</p> <p>If you have written a PPI, regardless of whether you are approving or declining an application, you must include this in your rationale.</p> <p>Note: In the Visa Assessment Tool, the ‘decision’ section includes the options ‘PPI’ or ‘request additional information’. If you select either of these, you are prompted to explain what you intend to do next and why. A further section then appears for you to set out what happened next, and what the final outcome was.</p>		

Time	Topic	Resource	Your notes
	<p>The free-text box gives you the opportunity to structure your comments using whichever technique you feel is appropriate.</p> <p>Activity: update your rationale from the Part One session with the PPI details, then what happened (e.g. response) and your decision and why (you can copy and paste parts of your decline letter).</p>		

Course closure

Topic outcomes

By the end of this topic, learners will be able to summarise key points from the Writing for Immigration workshop in their Learning Journal.

Topic resources

- Writing for Immigration PowerPoint
- Learner computers
- Access to Learn@MBIE
- Learning Journal

Lesson plan

Time	Topic	Resource	Your notes
10 mins	<p>Recap</p> <p>Invite learners to add key points from this section to their Learning Journal. Key learnings may include:</p> <ul style="list-style-type: none">• A quality PPI is Well-written, Accurate, Logical, and Complete• Plan your PPI out before writing it: know what you are asking for• There must be a clear link between the evidence provided and how it does/doesn't meet instructions (using SIAC will help this) for PPI letters• Quantity does not equal quality; focus on your key points.• Get someone else to check your work and always proofread your work.• You must provide a fair and reasonable chance to comment <p>You have all just learnt the end-to-end process from writing rationales, to PPI letters, to assessing a response, and then writing a decline letter.</p>	<p>Slide 18</p> <p>Learning Journal</p> <p>Learner computers</p>	

Time	Topic	Resource	Your notes
10 mins	Course close This is the end of the module; invite learners to reflect on the module you and capture any addition key points in their Learning Journal.	Slide 19 Learning Journal	

Application number:

Client number:

DATE

Name

Address 1

Address 2

Address 3

Dear [First Name] [Last Name]

Application for a visitor visa for:

Applicant:

Date of birth:

Thank you for your application for a visitor visa - Partnership. We received your application on [date]

Our assessment of your application

We have completed an assessment of your application and have identified the following issues which may have a negative impact on the outcome of your application:

- [Clearly state what doesn't meet the requirements and needs further comment. You must use plain English and refer to, or provide, the relevant information.]

[Insert heading to introduce subject of first concern]

[Explain how it appears that the principal applicant does not meet the relevant instructions, including a summary of the information you have assessed to date.]

As the issues detailed above may affect the outcome of your application, we are bringing them to your attention out of fairness to you.

We have not made a decision on your application at this stage. This letter gives you the opportunity to make any comments and submit any additional evidence or information in relation to these issues.

[If you are posting the client this letter, use the following section. Delete this instruction]

You may provide further information by [date]

Any comments or further information must be provided to this office by **[date]**.

All supporting documents must be original or certified copies of originals. Any documents not in English must be translated into English by a recognised and independent translation service.

[If you are emailing the client this letter, use the following section. Write your office address into the placeholder below. Delete this instruction]

You may provide further information by [date]

Any comments or further information must be provided by [date]. This should be sent to the following address:

Immigration New Zealand

[Office address line 1]

[Office address line 2]

[Office address line 3]

[City] [postcode]

[COUNTRY]

All supporting documents must be original or certified copies of originals. Any documents not in English must be translated into English by a recognised and independent translation service.

What happens if you do not send any comments or additional information?

If you do not send any comments or information by the date requested above we will make a decision on your application based on the information you have already given us. We are unlikely to approve your application based on this information.

False or misleading information

Providing false or misleading information or withholding information may make you ineligible for a visa.

What happens if your circumstances change?

You must tell us about any changes to your circumstances that may affect your application for a visa, including but not limited to changes to the following:

- the personal or family circumstances of any person included in the application
- your address or contact details (including postal address, email address, and telephone number)
- your business or employment
- your course of study if you are applying for a student visa.

If you do not tell us about changes to your circumstances, we may decline to grant you a visa or you may become liable for deportation. While you are in New Zealand, you must make sure you hold a valid visa at all times.

Contact us

If you have any questions, you can:

- call me on
- email me at
- call our Immigration Contact Centre on 0508 55 88 55 or 09 914 4100, or for those outside of New Zealand +64 9 914 4100, or
- find answers to frequently asked questions or lodge an email enquiry online at <http://kb.immigration.govt.nz>.

You will need to tell us your application and client numbers (see the top of this letter). Please be ready to quote them when you phone.

Yours sincerely

NAME
Immigration Officer
Immigration New Zealand

Application number:

Client number:

DATE

Name

Address 1

Address 2

Address 3

Dear [First Name] [Last Name]

Application for a visitor visa for:

Applicant:

Date of birth:

Thank you for your application for a visitor visa - Partnership. We received your application on [date]

Our decision on your application

We have declined your application for a visitor visa because you do not meet the requirements set out in visitor visa immigration instructions.

We have made this decision because:

- [Clearly state the reasons you have declined the client. You must use plain English and refer to the relevant immigration instructions. Attach the relevant immigration instructions as an appendix.]

[Insert heading to introduce subject of first concern]

[Explain how the principal applicant does not meet the relevant instructions, including a summary of the information you have assessed.]

We have considered if requiring a bond or granting a limited visa would lessen our concerns or if there are any special circumstances to justify an exception to immigration instructions, but can find no reason for any of these.

[Use the following section if you are declining a visa ONSHORE. Delete these instructions]

Requesting reconsideration of this decision

You may be able to request reconsideration of this decision. To do so, you must meet **all** of the following criteria:

- Be lawfully in New Zealand
- Make the request in writing

- Submit your passport or certificate of identity
- Pay the reconsideration application fee
- Make the request no later than 14 days after the date you received notice of our decision to decline your application.

If you do not request reconsideration of our decision to decline you a visa, you may appeal against your liability for deportation on humanitarian grounds no later than 42 days after first becoming unlawfully in New Zealand.

If you do request reconsideration of our decision to decline you a visa, you may appeal against your liability for deportation on humanitarian grounds up to the later of either:

- 42 days after first being unlawfully in New Zealand, or
- 42 days after receiving the decision to decline your reconsideration request (if your request is declined)

More information on how to appeal to the Immigration and Protection Tribunal is available at <https://www.justice.govt.nz/tribunals/immigration/>

[Use the following section if you are declining a visa OFFSHORE. Delete these instructions]

Requesting a Reconsideration

There is no right of appeal or reconsideration against a decision on a temporary entry class visa application made outside of New Zealand.

If you have new information that has not been considered by INZ, you can submit a further application. This would be considered on its merits and would need to show that you meet all relevant New Zealand government immigration instructions

Contact us

If you have any questions, you can:

- call me on
- email me at
- call our Immigration Contact Centre on 0508 55 88 55 or 09 914 4100, or for those outside of New Zealand +64 9 914 4100, or
- find answers to frequently asked questions or lodge an email enquiry online at <http://kb.immigration.govt.nz>.

You will need to tell us your application and client numbers (see the top of this letter). Please be ready to quote them when you phone.

Yours sincerely

NAME

Immigration Officer

Immigration New Zealand

PARENT RES PPI TEMPLATES

Always include the relevant instructions when PPI-ing. The standard timeframe of 10 working days applies. As applicants do not have IGMS accounts for their residence applications, responses will be mailed in or emailed to the Parent Residence inbox. If emailed, it is your responsibility to print the documents supplied in response and put them into the paper application folder.

For any generic PPI templates (health, character, etc.) please make use of the templates in the T:drive (Christchurch-> PPI Suite-> Residence 2021-> PPI blurbs has some good generic ones, just make sure the details and instructions are correct for a Parent Residence application). Parent Residence-specific templates are below (note: these haven't been fully cleared by TAs yet like T:drive templates, and are intended as guides only).

Issue	Blurb	Relevant instructions
<p>The applicants have/may have dependent children. F4.15(c)</p>	<p><u>Dependent Children</u></p> <p>Immigration instruction F4.15(c) outlines that to be granted a visa under Parent Category instructions, applicants must have no dependent children. Immigration instruction F4.20.1 considers a child dependent for the purposes of the Parent Category up to the age of 24, depending on their personal circumstances.</p> <p>You have declared on your INZ 1206 form that you have a child, name, that was born on date. This means on the date your application was lodged, they were age years old.</p> <p>[OR]</p> <p>It appears from our records that you have a child, name, that may be dependent as they were born on date and were therefore age years old on the date your application was lodged.</p>	<p><u>F4.15 Parent Category Requirements</u></p> <p>F4.15.1 Applicant requirements</p> <p>Applicants under the Parent Category must:</p> <ol style="list-style-type: none"> a. meet the health and character requirements specified at A4 and A5; and b. have a minimum standard of English, or pre-purchase English for Speakers of Other Languages tuition to the specified level (see F4.25); and c. have no dependent children (see F4.30.5); and d. have at least one sponsoring adult child who: <ol style="list-style-type: none"> i. meets the family relationship requirements set out at F4.30 and

DELETE THE INSTRUCTIONS THAT DO NOT APPLY

Under the Parent Category definition, a child that is 21 to 24 years old is dependent if:

- they have no child(ren) of their own; and
- they are single; and
- they are totally or substantially reliant on their parent(s) for financial support, whether living with them or not.

The immigration instructions for determining whether a child of 21 to 24 years of age is totally or substantially reliant on their parent(s) for financial support are included at the end of this letter for your reference.

We are therefore not currently satisfied that you have no dependent children as per immigration instruction F4.15(c) and your application may be declined.

[OR]

Under the Parent Category definition, a child that is 18 to 20 years old is dependent if:

- they have no child(ren) of their own; and
- they are single.

We are therefore not currently satisfied that you have no dependent children as per immigration instruction F4.15(c) and your application may be declined.

[OR]

- ii. meets the sponsorship requirements set out at [F4.35](#), including the minimum income threshold requirements; and
- e. (if the applicant is jointly sponsored by two people) have sponsors who each meet the requirements set out at [F4.35](#) and who meet the joint sponsorship requirements set out at [F4.35.5](#); and
- f. meet the evidential requirements set out at [F4.40](#).

Effective 12/10/2022

F4.30 Family relationship requirements for the Parent Category

F4.30.5 Applicants who have dependent children

Applicants under the Parent Category must not have any dependent children (see [F4.20.1](#)). An application will be declined if any applicant(s) included in the application have dependent children.

F4.20 Definitions

F4.20.1 Definition of 'dependent child'

- g. For the purpose of the Parent Category, and despite the definition in section 4 of the Immigration Act 2009, a child is dependent if they:
 - i. are:

	<p>Under the Parent Category definition, a child that is aged 17 or younger is dependent if they are single.</p> <p>We are therefore not currently satisfied that you have no dependent children as per immigration instruction F4.15(c) and your application may be declined.</p>	<ul style="list-style-type: none">• aged 21 to 24, with no child(ren) of their own; and• single (see F5.5); and• totally or substantially reliant on their parent(s) for financial support, whether living with them or not; or <p>ii. are:</p> <ul style="list-style-type: none">• aged 18 to 20, with no child(ren) of their own; and• single (see F5.5); or <p>iii. are:</p> <ul style="list-style-type: none">• aged 17 or younger; and• single (see F5.5). <p>h. When determining whether a child of 21 to 24 years of age is totally or substantially reliant on their parent(s) for financial support, immigration officers must consider the whole application, taking into account all relevant factors including whether the child:</p> <ul style="list-style-type: none">i. is in paid employment, whether this is full-time or part-time, and its duration;ii. has any other independent means of financial support;
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		<ul style="list-style-type: none"> iii. is living with their parents or another family member, and the extent to which other support is provided; or iv. is studying, and whether this is full-time or part-time.
<p>Minimum income requirements not met F4.35.1(b)(ii)/F4.35.5</p>	<p><u>Minimum income requirement for sponsors not met</u></p> <p>Immigration instruction F4.35.1(b)(ii) states that each sponsor for a Parent Category application must meet the relevant minimum income requirement for sponsors as outlines in F4.35.5.</p> <p>Immigration instruction F4.35.5 states that:</p> <ul style="list-style-type: none"> a. The sponsor or joint sponsors must: <ul style="list-style-type: none"> i. have total income that meets the minimum income threshold set out at F4.35.5.1; and ii. meet that income threshold for two 12-month periods within the 3 years prior to being invited to apply (as set out at F4.35.5.1); and iii. demonstrate that income through the evidential requirements set out at (F4.35.5.10). b. The calculation of the minimum income threshold will consider any parents currently sponsored by the sponsors, as set out at F4.35.5.15. c. The two 12-month periods may not overlap. d. If there are joint sponsors, the 12-month periods must be the same for both sponsors. 	<p>F4.35 Sponsorship Requirements</p> <p>F4.35.1 General Requirements</p> <ul style="list-style-type: none"> a. A sponsor or sponsors on a Parent Category application must be: <ul style="list-style-type: none"> i. the adult child of the principal applicant; or ii. the adult child of the principal applicant and that adult child’s partner (joint sponsorship); or iii. the adult child of the principal applicant and one other adult child of either applicant included in the application (joint sponsorship). b. Each sponsor must: <ul style="list-style-type: none"> i. meet the requirements to be an acceptable sponsor as set out at R4.5; and

(DELETE ANY THAT DO NOT APPLY)

Periods overlap

Based on the Inland Revenue tax statements provided as evidence of your **sponsor's/joint sponsors'** income provided to date, your sponsor does not appear to meet the instructions set out at F4.35.5(c) as they overlap.

The Inland Revenue tax statements provided for **SPONSOR 1 NAME** are dated **XX/XX/XXXX – XX/XX/XXXX** and **XX/XX/XXXX – XX/XX/XXXX**. Therefore, your application does not meet Immigration instruction F4.35.5(c) and may be declined.

OR

Not the same 12-month periods for joint sponsors

The Inland Revenue tax statements provided for **SPONSOR 1's NAME** are dated **XX/XX/XXXX – XX/XX/XXXX** and **XX/XX/XXXX – XX/XX/XXXX** but the Inland Revenue tax statements provided for **SPONSOR 2's NAME** are dated **XX/XX/XXXX – XX/XX/XXXX** and **XX/XX/XXXX – XX/XX/XXXX** and as they are not the same 12-months periods for both sponsors Immigration instruction F4.35.5(d) is currently not met and your application may be declined.

OR

Two out of three income periods not met

- ii. meet the relevant minimum income requirement for sponsors outlined at F4.35.5; and
 - iii. agree to meet the undertakings set out at [R4.10](#) for the required sponsorship period (see (c) below); and
 - iv. must not be a dependent child (see F4.20.10).
- c. The sponsor(s) must sponsor the applicant or applicants for a sponsorship period of 10 years.
 - d. A maximum of two people can act as sponsors in a Parent Category application.
 - e. A sponsor can sponsor a maximum of six parents.

F4.35.5 Minimum income requirement for sponsors

- f. The sponsor or joint sponsors must:
 - i. have total income that meets the minimum income threshold set out at F4.35.5.1; and
 - ii. meet that income threshold for two 12-month periods within the 3 years prior to their EOI being selected (as set out at F4.35.5.1; and

Sponsor does not meet Minimum Income Thresholds – F4.35.5.1

Immigration Instruction F4.35.5.1 states that the minimum income threshold for sponsors under the Parent Category must be met as set out in F4.35.5.1 (b) and (c).

Income of any sponsor needs to be equal to or greater than the thresholds as set out below.

b. Minimum income thresholds for one sponsor:

Effective date	Median income	Number of Parents				
		1	2	3	4	5
2022 onwards	\$57,740.80	\$86,611.20	\$115,481.60	\$144,352	\$173,222.40	\$202,092.80
2021	\$56,160.00	\$84,240	\$112,320	\$140,400	\$168,480	\$196,560
2020	\$53,040.00	\$79,560	\$106,080	\$132,600	\$159,120	\$185,640

If sponsorship is for one sponsor, the minimum income threshold needs to meet the requirements as below:

c. Minimum income thresholds for two (joint) sponsors:

Effective date	Median income	Number of Parents				
		1	2	3	4	5
2022 onwards	\$57,740.80	\$115,481.60	\$144,352	\$173,222.40	\$202,092.80	\$230,963.20
2021	\$56,160.00	\$112,320	\$140,400	\$168,480	\$196,560	\$224,640
2020	\$53,040.00	\$106,080	\$132,600	\$159,120	\$185,640	\$212,160

- iii. demonstrate that income through the evidential requirements set out at (F4.35.5.10).
- g. The calculation of the minimum income threshold will consider any parents currently sponsored by the sponsors, as set out at F4.35.5.15.
- h. The two 12-month periods may not overlap.
- i. If there are joint sponsors, the 12-month periods must be the same for both sponsors.
- j. The income of a sponsoring adult child’s partner may only be considered if:
 - i. the partner is acting as a joint sponsor; and
 - ii. the partner has been living with the sponsoring adult child for a period of at least 12 months in a partnership that is genuine and stable (see [F2.10.1](#)); and
 - iii. they meet the requirements for the recognition of a partnership set out at [F2.15](#).

F4.35.5.1 Minimum income thresholds

If sponsorship is for two sponsors, the minimum income threshold is as follows:

!

OUTCOME – Adapt as required

You were invited to apply on XX/XX/XXXX and therefore were able to provide sponsor income evidence of meeting income threshold as per F4.35.5.1 for two 12-month periods 3 years prior to that date.

You have provided the below income as evidence of your sponsor's (joint sponsors') income:

12-month period	Sponsor 1	Sponsor 2
Date to date	NZD\$000,000	NZD\$000,000
Date to date	NZD\$000,000	NZD\$000,000
Date to date	NZD\$000,000	NZD\$000,000

Based on this information, your sponsor(s) does not appear to meet the instructions set out at F4.35.5(a)(ii)/F4.35.1 as your sponsor(s) do not appear to meet the relevant income threshold for two 12-month periods within the 3 years prior to you being invited to apply, therefore, your application may be declined.

- k. The minimum income threshold for sponsors under the Parent Category is based on the following and is set out in the tables at (b) and (c) below:
 - i. 1.5 times the median income if sponsoring a single parent; and
 - ii. an additional 0.5 times the median income for each additional parent sponsored; and
 - iii. an additional 0.5 times the median income (combined) if two people are acting as sponsors.

l.

Effective date	Median income	Number of Parents			
		1	2	3	4
2022 onwards	\$57,740.80	\$115,481.60	\$144,352	\$173,222.40	\$202,092.80
2021	\$56,160.00	\$ 112,320	\$ 140,400	\$ 168,480	\$ 196,560
2020	\$53,040.00	\$ 106,080	\$ 132,600	\$ 159,120	\$ 185,640

Minimum income thresholds for one sponsor:

m.

Effective date	Median income	Number of Parents			
		1	2	3	4
2022 onwards	\$57,740.80	\$115,481.60	\$144,352	\$173,222.40	\$202,092.80
2021	\$56,160.00	\$ 112,320	\$ 140,400	\$ 168,480	\$ 196,560
2020	\$53,040.00	\$ 106,080	\$ 132,600	\$ 159,120	\$ 185,640

		<p>Minimum income thresholds for two (joint) sponsors:</p> <ul style="list-style-type: none"> n. The income threshold required to be met for each 12-month period is calculated based on the median income that is in effect at the end of each 12-month period the sponsor is providing evidence for, according to the tables above. o. The median income for each year is based on the median hourly earnings from wages and salaries for the June quarter in the previous year released by Statistics New Zealand. It is converted into an annual rate based on a 40-hour working week. <p>-</p>
<p>English language requirements not met</p>	<p><u>English language requirements not met</u></p> <p>- Immigration instructions F4.25.1 outline that applications under the parent Category must be declined if any applicant included in the application has not met the minimum standard of English or the requirements to pre-purchase English for speakers of other languages (ESOL) tuition.</p> <p>You have provided us with the following evidence of meeting English language requirements:</p> <ul style="list-style-type: none"> • XXXXXXX • XXXXXXX • XXXXXXX 	<p>F4.25.1 (b) overview:</p> <p>b) Applicants under the Parent Category meet the minimum standard of English if they provide:</p> <ul style="list-style-type: none"> i. acceptable English language test results, as set out at F4.25.45 (no more than two years old at the time the application is lodged); or ii. other evidence that satisfies an immigration officer that, taking account of that evidence and all the circumstances of the application, they are a

We have also conducted an interview with you over the phone on XX/XX/XXXX, where we were not satisfied that you have sufficient English language ability for the following reasons [\[provide your rationale here\]](#)

We have concerns that the evidence you provided does not meet the English language requirements and that Immigration instructions F4.25.1 are met.

OR

-
You **have not** provided us with any evidence of meeting English language requirements, and you have not indicated that you intend to pre-purchase English for speakers of other languages (ESOL) tuition.

We are therefore not currently satisfied that you have met English language requirements as per immigration instruction F4.25.1 and your application may be declined.

OR

You have provided us with a copy of a pre-purchased English language course. However, the course is not on the list of the Tertiary Education Commission and does not indicate that you pre-purchased ESOL course as per Immigration Instructions.

We are therefore not currently satisfied that you have met English language requirements as per immigration instruction F4.25.1 and your application may be declined.

competent user of English. These circumstances may include but are not limited to:

- the country in which the applicant currently resides;
 - the country(ies) in which the applicant has previously resided;
 - the duration of residence in each country;
 - whether the applicant speaks any language other than English;
 - whether members of the applicant's family speak English;
 - whether members of the applicant's family speak any language other than English;
 - the nature of the applicant's current or previous employment (if any) and whether that is or was likely to require skill in English language;
 - the nature of the applicant's qualifications (if any) and whether the obtaining of those qualifications was likely to require skill in the English language; or
- iii. evidence of one of the following:
- completion of all primary education and at least 3 years of secondary education (that is, the equivalent of New Zealand Forms 3 to 5 or years 9 to 11) at schools using English as the language of instruction;

OR

You have indicated that you meet the English requirements, and you are confident English speaker. However, upon checking the documents you have provided us with and after conducting an interview, we have concerns that you do not meet English language requirements.

We are therefore not currently satisfied that you have met English language requirements as per immigration instruction F4.25.1 and your application may be declined.

- completion of at least 5 years of secondary education (that is, the equivalent of New Zealand Forms 3 to 7 or years 9 to 13) at schools using English as the language of instruction;
- completion of a course of at least 3 years duration leading to the award of a tertiary qualification at institutions using English as the language of instruction;
- that the applicant holds General Certificate of Education (GCE) "A" Levels from Britain or Singapore with a minimum C pass (the passes must specifically include the subjects English Language or Literature, or Use of English);
- that the applicant holds International Baccalaureate – full Diploma in English Medium;
- that the applicant holds Cambridge Certificate of Proficiency in English – minimum C pass;
- that the applicant holds Hong Kong Advanced Level Examinations (HKALE) including a minimum C pass in Use of English;
- that the applicant holds STPM 920 (Malaysia) – A or B pass in English Literature;
- that the applicant holds University of Cambridge in collaboration with University of Malaya, General Certificate of English (GCE) "A" levels with a minimum C pass. The passes must specifically include the subjects English or General Paper;

		<ul style="list-style-type: none">• that the applicant holds South African Matriculation Certificate, including a minimum D pass in English (Higher Grade);• that the applicant holds South African Senior Certificate, including a minimum D pass in English (Higher Grade), endorsed with the words 'matriculation exempt';• that the applicant holds a New Zealand Tertiary Entrance Qualification gained on completing the seventh form; or <p>iv. are citizens of Samoa and, after an interview, satisfy an immigration officer that they have sufficient English language ability.</p> <ul style="list-style-type: none">• When applying (b) (iv) above, the interviewing immigration officer determines if applicants meet the minimum English language requirement by assessing whether they are able to:• read English; andii. understand and respond to questions in English; andiii. maintain an English language conversation about themselves, their family or their background. <p>d.</p> <p>In any case, an immigration officer may require any or each applicant to provide an English language test result in terms of (b)(i) above. In such cases, the English language test result will be used to determine</p>
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		whether the applicant meets the minimum standard of English.
<p>Sponsor is not ordinarily resident and/or has not been a resident/citizen for at least three years F4.35(b)</p>	<p><u>Acceptable Sponsor</u></p> <p>Immigration instruction F4.35(b) outlines that to be granted a visa under Parent Category instructions, an applicant’s sponsor must meet the requirements to be an acceptable sponsor under residence instructions.</p> <p>In the case that the sponsor is a natural person, instruction R4.5(d)(ii) states they must have been a New Zealand citizen and/or the holder of a New Zealand residence class visa (or a residence permit or returning resident’s visa under the Immigration Act 1987) for at least three years immediately preceding the date the application they wish to sponsor is made.</p> <p>Our records show that your sponsor has held a residence class visa since date. This application was lodged on date, which is less than three years after they became a New Zealand resident.</p> <p>We are therefore not currently satisfied that your sponsor is acceptable as per immigration instruction R4.5(d)(ii). As such, they do not appear to meet the sponsorship requirements at F4.35(b) and your application may be declined.</p> <p><u>Ordinarily Resident Sponsor</u></p> <p>Immigration instruction F4.35(b) outlines that to be granted a visa under Parent Category instructions, an applicant’s sponsor must meet the requirements to be an acceptable sponsor under residence instructions.</p>	<p><u>F4.35 Sponsorship Requirements</u></p> <p><u>F4.35.1 General Requirements</u></p> <p>a. A sponsor or sponsors on a Parent Category application must be:</p> <ul style="list-style-type: none"> i. the adult child of the principal applicant; or ii. the adult child of the principal applicant and that adult child’s partner (joint sponsorship); or iii. the adult child of the principal applicant and one other adult child of either applicant included in the application (joint sponsorship). <p>b. Each sponsor must:</p> <ul style="list-style-type: none"> i. meet the requirements to be an acceptable sponsor as set out at R4.5; and ii. meet the relevant minimum income requirement for sponsors outlined at F4.35.5; and iii. agree to meet the undertakings set out at R4.10 for the required sponsorship period (see (c) below); and iv. must not be a dependent child (see F4.20.10).

In the case that the sponsor is a natural person, instruction R4.5(d)(iii) states they must be ordinarily resident in New Zealand and for each of the three 12-month portions within the three years immediately preceding the date the application they wish to sponsor is made, have spent a total of 184 days or more in New Zealand.

From your sponsor's movements in and out of New Zealand, it doesn't appear they have spent 184 days or more in New Zealand every year for the past three years. Their movements in the past three years according to our records are as follows:

(Provide your rationale here)

On **date**, your sponsor left New Zealand and has not returned/did not return until **date**.

[AND/OR]

In **year** they were in New Zealand **number** days.

We are therefore not currently satisfied that your sponsor is acceptable as per immigration instruction R4.5(d)(iii). As such, they do not appear to meet the sponsorship requirements at F4.35(b) and your application may be declined.

If you believe our records are incorrect and your sponsor has been ordinarily resident as per instructions, you can provide evidence of this (for example, if they arrived on a different passport than they left on, you could provide their travel details and evidence of that passport).

R4.5 Acceptable sponsors

See also Immigration Act 2009, s 48

- c. In order to sponsor an applicant for a residence class visa, a sponsor must be
 - i. deemed acceptable by the Minister of Immigration or an immigration officer; and
 - ii. meet the relevant eligibility criteria for acceptable sponsors set out in this chapter; and
 - iii. meet any further criteria imposed by the specific residence category the applicant is applying under.
- d. It is a matter for the absolute discretion of the Minister of Immigration or an immigration officer whether a person is acceptable as a sponsor.
- e. A sponsor may be a natural person, an organisation or a government agency. A specific residence category may specify restrictions regarding the types of entity that may sponsor under that category.
- f. If the sponsor is a natural person then they:
 - i. must be a New Zealand citizen or the holder of a current residence class visa that is not subject to conditions under section

		<p>49(1)(a) or section 50 of the Immigration Act 2009; and</p> <ul style="list-style-type: none">ii. must have been a New Zealand citizen and/or the holder of a New Zealand residence class visa (or a residence permit or returning resident's visa under the Immigration Act 1987) for at least three years immediately preceding the date the application they wish to sponsor is made; andiii. must be ordinarily resident in New Zealand and for each of the three 12 month portions within the three years immediately preceding the date the application they wish to sponsor is made, have spent a total of 184 days or more in New Zealand; andiv. must not sponsor for the purpose of receiving a financial reward or fee; andv. must not have been convicted at any time of an offence under immigration law; andvi. must not have an outstanding debt to the Crown or other third parties as a result of another sponsorship arrangement; andvii. must not sponsor a person if they have previously breached sponsorship obligations; and
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		<ul style="list-style-type: none"> viii. must not have entered insolvency procedures or be adjudicated bankrupt; and ix. must not be liable for deportation; and x. must not be a person whose liability for deportation is currently suspended; and xi. must not be serving a custodial sentence or be awaiting sentencing after being convicted of a crime which carries a custodial sentence; and xii. must not have arrived in New Zealand as a member of a mass arrival group, with the exception of a person who was an unaccompanied minor when they arrived (see C8.5.5) or a person acting as a sponsor under RW3.
<p>Secondary sponsor is not ordinarily resident and/or has not been a resident/citizen for at least three years F4.35(b)</p> <p>[And based on this, the primary sponsor does</p>	<p><u>Your secondary sponsor does not appear to meet the requirements of being an acceptable sponsor as per R4.5(d)(ii) and R4.5(d)(iii)</u></p> <p>Immigration instruction R4.5(d)(ii) states that to be an acceptable sponsor, the person must have been a New Zealand citizen or the holder of a New Zealand residence class visa (or a residence permit or returning residents visa under the Immigration Act 1987) for at least three years immediately preceding the date the application they wish to sponsor was made. Your application was submitted on DATE, and it appears that your secondary sponsor – Sponsor Name – has only gained residency as of DATE. This is not a sufficient time period to be considered an acceptable sponsor, it</p>	<p><u>^ as above</u></p>

not meet the income threshold as a sole sponsor]

therefore appears that your secondary sponsor is not eligible to sponsor you. Based on this information, your application may be declined.

AND / OR

Immigration instruction R4.5(d)(iii) states that a person must be ordinarily a resident in New Zealand and for each of the three 12 month periods within the three years immediately preceding the date the application they wish to sponsor was made, have spent a total of 184 days or more in New Zealand. We do note that Ivana has been in New Zealand as a visitor during the years preceding your application but as **SPONSOR NAME** was not granted residency until 2021, **he/she** has not been in New Zealand as a resident for three years preceding your application and it therefore appears that your secondary sponsor does not meet immigration instruction and your application may be declined.

DELETE WHAT IS NOT REQUIRED

Sponsorship income requirements not met when second sponsor removed – R4.35

Immigration instruction R4.35 states that the sponsor or joint sponsors must have a total income that meets the minimum income threshold and must meet that income threshold for two 12-month periods within the 3 years prior to being invited to apply. As your secondary sponsor is not eligible (and therefore would need to be removed as a sponsor), this would mean only your primary sponsor is eligible and would need to have enough funds to perform as a sole sponsor. According to the evidence that

	<p>has been provided by you, it appears that your primary sponsor would not meet the requirements set out at R4.35.5.1 and therefore your application may be declined.</p>	
<p>Sponsor does not meet general requirements (relationship to applicant, no guarantee to sponsor the applicant, sponsoring six parents already, any other reason) F4.35.1</p>	<p><u>Sponsor does not meet general requirements – F4.35.1</u></p> <p>Immigration instruction F4.35.1 states that a sponsor or sponsors for a Parent Category application must be the adult child of the principal applicant, the adult child of the principal applicant and that adult child’s partner (joint sponsorship) or the adult child of the principal applicant and one other adult child of either applicant included in the application (joint sponsorship).</p> <p>Each sponsor must:</p> <ul style="list-style-type: none"> • Meet the requirements of an acceptable sponsor as set out at R4.5 and, • Meet the relevant minimum income requirement for sponsors outlined at F4.35.5 and, • Agree to meet the undertakings set out at R4.10 for the required sponsorship period (see F4.35.1(c)) and, • Must not be a dependent child (see F4.20.10) <p>To be eligible, sponsors must declare that they guarantee to sponsor the applicant or applicants for sponsorship period of 10 years. A maximum of two people can act as sponsors in a Parent Category Application. A sponsor can only sponsor a maximum of 6 parents.</p> <p><u>(DELETE ANY THAT DO NOT APPLY)</u></p>	<p>F4.35 Sponsorship Requirements</p> <p>F4.35.1 General Requirements</p> <p>a. A sponsor or sponsors on a Parent Category application must be:</p> <ul style="list-style-type: none"> i. the adult child of the principal applicant; or ii. the adult child of the principal applicant and that adult child’s partner (joint sponsorship); or iii. the adult child of the principal applicant and one other adult child of either applicant included in the application (joint sponsorship). <p>b. Each sponsor must:</p> <ul style="list-style-type: none"> i. meet the requirements to be an acceptable sponsor as set out at R4.5; and ii. meet the relevant minimum income requirement for sponsors outlined at F4.35.5; and

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As your sponsor is not the adult child of the principal applicant for this parent category application, your sponsor does not appear to meet the instructions set out at F4.35.1 and therefore your application may be declined.

OR

As your joint sponsors are not the adult child of the principal applicant and the adult child's partner, your sponsors do not appear to meet the instructions set out at F4.35.1 and therefore your application may be declined.

OR

As your joint sponsors are not the adult child of the principal applicant and one other adult child of either applicant included in the application, your sponsors do not appear to meet the instructions set out at F4.35.1 and therefore your application may be declined.

OR

As your sponsor does not meet the requirements set out at immigration instruction F4.35.1(b) *(insert specific point that applicant does not meet eg (i) or (ii) and explanation as to why)*, your application may be declined

OR

It is a requirement of sponsors as set out at immigration instruction F4.35(c) to declare that they guarantee to sponsor the applicant or applicants for a 10-year period. As your sponsor has not declared that they will do this

iii. agree to meet the undertakings set out at [R4.10](#) for the required sponsorship period (see (c) below); and

iv. must not be a dependent child (see F4.20.10).

c. The sponsor(s) must sponsor the applicant or applicants for a sponsorship period of 10 years.

d. A maximum of two people can act as sponsors in a Parent Category application.

e. A sponsor can sponsor a maximum of six parents.

	<p>within the application by signing the form, your application may be declined.</p> <p>OR</p> <p>You are currently sponsoring the following six parents:</p> <ul style="list-style-type: none"> • [insert parents' names] • XX • XX • XX • XX • XX <p>As per immigration instruction F4.35.1(e), sponsoring six parents is the maximum, therefore you are not eligible to sponsor any more parents and your application may be declined.</p>	
<p>Sponsor does not meet evidential requirements for income F4.35.5.10</p>	<p><u>Sponsor does not meet Evidential Requirements for Sponsor's Income – F4.35.5.10</u></p> <p>Immigration Instruction F4.35.5.10 states that only taxable income that is recorded on New Zealand's Inland Revenue tax statements (Summary of Income) of the sponsor(s) will be recognized when calculating a sponsor's income.</p> <p>For self-employed sponsors, only taxable income recorded on the New Zealand's Inland Revenue Final Tax Summary at the end of the three most recent financial years will be considered when calculating a sponsor's income.</p> <p>Income earned by another legal entity, such as a company or trust, cannot be included unless it has been paid directly to the</p>	<p>F4.35 Sponsorship Requirements</p> <p>F4.35.5.10 Evidential requirements for sponsor's income</p> <ol style="list-style-type: none"> a. Only taxable income that is recorded on New Zealand's Inland Revenue tax statements (Summary of Income) of the sponsor(s) will be recognised when calculating a sponsor's income. b. For self-employed sponsors, only taxable income recorded on the New Zealand's Inland Revenue

	<p>sponsor in the form of shareholder-employee salary or dividends, or is income derived from the trust. This income must appear on the Inland Revenue tax statements of the sponsor.</p> <p>All sponsor whose income is considered when meeting the minimum income threshold must meet the evidential requirements set out above.</p> <p><u>DELETE THOSE THAT DO NOT APPLY</u></p> <p>As your sponsor has not supplied the relevant documentation set out at F4.35.5.10(a) it appears your sponsor may not meet the evidential requirements for sponsors income and therefore your application may be declined.</p> <p><u>OR</u></p> <p>As you sponsor is self-employed and has not provided the relevant documentation as set out at F4.35.5.1(b) it appears your sponsor may not meet the evidential requirements for sponsors income and therefore your application may be declined.</p> <p><u>OR</u></p> <p>As your sponsor has income earned by another legal entity and has not supplied the relevant documentation as set out at F4.35.5.1(c), it appears your sponsor may not meet the eligibility requirements for sponsors income and therefore your application may be declined.</p>	<p>Final Tax Summary at the end of the three most recent financial years will be considered when calculating a sponsor's income.</p> <p>c. Income earned by another legal entity, such as a company or a trust, cannot be included unless it has been paid directly to the sponsor in the form of shareholder-employee salary or dividends, or is income derived from the trust. This income must appear on the Inland Revenue tax statements of the sponsor(s).</p> <p>d. All sponsors whose income is considered when meeting the minimum income threshold must meet the evidential requirements set out above.</p>
<p>Generic PPIs - health, character, etc.</p>	<p>Check various residence PPI suites in the T:drive, e.g. RV21, for generic residence PPIs. TLS has medical-specific PPIs.</p>	<p><<A4.10 and A4.60 MED instructions formatted.docx>> <u>Medical PPI instructions formatted - courtesy of Phil S</u></p>