

Appendix 1

Y3.5.1 Considering an application for entry permission

a. Immigration officers must consider the application for entry permission in accordance with:

- i. the requirements of the Immigration Act 2009 and immigration regulations; and
- ii. the Border Entry instructions in force at the time the application is made or any general instructions given by the chief executive; and
- iii. any relevant special direction.

b. When considering an application for entry permission, an immigration officer is not obliged to seek any further information, evidence, or submissions. The officer may determine the application on the basis of information, evidence, and submissions:

- i. provided by the applicant; or
- ii. held by Immigration New Zealand.

c. If the person applying for entry permission fails to meet the instructions, immigration officers may then consider all the circumstances to see if an exception to instructions to grant entry permission is justified (see [Y4.45](#)).

d. Y3.5.1(c) does not apply to Y3.10(a) or Y4.1.

Effective 02/02/2015

Y4.25 People who must be refused entry permission unless granted as an exception to instructions: unable to meet relevant immigration instructions

See also Immigration Act 2009 ss 22 and 107.

See also Immigration (Visa, Entry Permission, and Related Matters) Regulations 2010, reg 2

Entry permission must be refused to any person, except a person listed in Y3.10(a), who is not otherwise dealt with under [Y4.1](#) and;

a. is unable to meet the requirements for entry permission or a visa under relevant instructions including (but not limited to):

- i. having expired travel documents or no travel documents; or
- ii. having no visa, an inappropriate visa or an expired visa; or
- iii. having insufficient funds and no sponsorship; or
- iv. having no outward ticket; or
- v. being previously refused entry permission to New Zealand; or
- vi. failing to meet the bona fide applicant requirement; or
- vii. being normally ineligible for a visa
(see [A5.25](#), [A5.30](#), [A5.35](#), [A5.40](#) and [A5.45](#)); or

b. no longer meets the requirements or purpose of the visa held (e.g. job no longer available).

Effective 02/02/2015