

**Reprint
as at 9 January 2015**



**Immigration (Visa, Entry
Permission, and Related Matters)
Amendment Regulations (No 3)
2014
(LI 2014/283)**

Jerry Mateparae, Governor-General

Order in Council

At Wellington this 18th day of August 2014

Present:

The Right Hon John Key presiding in Council

Pursuant to sections 400(b) and (f) and section 401(c) of the Immigration Act 2009, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.

Note 4 at the end of this reprint provides a list of the amendments incorporated.

These regulations are administered by the Ministry of Business, Innovation, and Employment.

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Regulations

- 1 Title**
These regulations are the Immigration (Visa, Entry Permission, and Related Matters) Amendment Regulations (No 3) 2014.
- 2 Commencement**
- (1) Regulations 4, 5, 8, and 11 come into force on 19 September 2014.
- (2) Regulations 6, 7, and 10 come into force on 26 January 2015.

- (3) Part 2 comes into force on 6 April 2015.
- (4) The rest of these regulations come into force on 22 August 2014.

Part 1

Amendments to principal regulations

3 Principal regulations

These regulations amend the Immigration (Visa, Entry Permission, and Related Matters) Regulations 2010 (the **principal regulations**).

4 Regulation 4 amended (Interpretation)

In regulation 4(1), replace the definition of **prescribed fee** with:

“**prescribed fee**, in relation to any matter, means the appropriate fee for the matter ascertained under regulation 4A”.

5 Regulation 4A replaced (Meaning of prescribed fee)

Replace regulation 4A with:

“4A Fees

“(1) For a citizen of Guam, French Polynesia, or New Caledonia who is outside New Zealand at the time the fee becomes payable,—

“(a) the appropriate fee for any of the following matters is the corresponding amount stated in the fourth column of Schedule 4:

“(i) an application for a residence class visa:

“(ii) an application to vary the travel conditions on a visa by a person holding a resident visa:

“(iii) a notification of an expression of interest in applying for a residence class visa:

“(iv) a request for a special direction; and

“(b) the appropriate fee for any other matter is the corresponding amount stated in the fifth column of that schedule.

“(2) For a citizen of Norfolk Island who is outside New Zealand at the time the fee becomes payable,—

- “(a) the appropriate fee for any of the following matters is the corresponding amount stated in the third column of Schedule 4:
 - “(i) a notification of an expression of interest in applying for a residence class visa:
 - “(ii) a request for a special direction:
 - “(iii) an application for a residence class visa (other than an application for a permanent resident visa made by a person who holds or has previously held a resident visa); and
 - “(b) the appropriate fee for any other matter (including an application for a permanent resident visa made by a person who holds or has previously held a resident visa) is the corresponding amount stated in the fourth column of that schedule.
- “(3) Except as provided in subclauses (1) and (2), the appropriate fee for any matter is—
- “(a) the corresponding amount specified in the third column of Schedule 4, if the person to whom the fee applies—
 - “(i) is in New Zealand at the time the fee is payable; or
 - “(ii) is a New Zealand citizen; or
 - “(iii) is a citizen of Cook Islands or Niue who is travelling on a New Zealand passport:
 - “(b) the corresponding amount stated in the fourth column of Schedule 4, if the person to whom the fee applies is not in New Zealand at the time the fee is payable, and is—
 - “(i) a citizen of American Samoa, Australia, Fiji, Kiribati, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, Papua New Guinea, Pitcairn Islands, Samoa, Solomon Islands, Tonga, Tuvalu, or Vanuatu; or
 - “(ii) a citizen of Cook Islands or Niue who is not travelling on a New Zealand passport:
 - “(c) the corresponding amount stated in the third, fourth, or fifth column of Schedule 4 that reflects the country of citizenship stated for the matter to which the fee applies, if the person to whom the fee applies—

- “(i) is not in New Zealand at the time the fee is payable; and
 - “(ii) holds citizenship of more than 1 country; and
 - “(iii) does not hold a Palestinian passport:
 - “(d) the corresponding amount stated in the fifth column of Schedule 4, if the person to whom the fee applies—
 - “(i) is not in New Zealand at the time the fee is payable; and
 - “(ii) is a citizen of a country not referred to in paragraph (a) or (b); and
 - “(iii) is not a person to whom paragraph (c) applies; and
 - “(iv) does not hold a Palestinian passport:
 - “(e) the corresponding amount stated in the third, fourth, or fifth column of Schedule 4 that reflects the country in which the person resides, if the person to whom the fee applies—
 - “(i) is not in New Zealand at the time the fee is payable; and
 - “(ii) holds a Palestinian passport.
- “(4) In this regulation, **corresponding amount**, in relation to a matter whose description is set out in the second column of Schedule 4, means the amount stated opposite the description.”

6 Regulation 16 amended (People to whom waiver of requirement for transit visa applies)

After regulation 16(d), insert:

- “(e) for the period beginning on 26 January 2015 and ending on 6 April 2015, the people described in Schedule 2A.”

7 Regulation 18 amended (People to whom waiver of requirement for visa permitting travel to New Zealand applies)

After regulation 18(1), insert:

- “(1A) For the period beginning on 26 January 2015 and ending on 6 April 2015, the requirement to hold a visa permitting travel to New Zealand is waived for the people described in Schedule 2A.”

8 Regulation 26AA amended (Prescribed fees (not imposed elsewhere by these regulations))

Replace regulation 26AA(k) and (l) with:

“(k) an agreement to recruit under Recognised Seasonal Employer work immigration instructions.”

9 Regulation 26AAB amended (Exemptions from or reductions in prescribed fees)

(1) Replace regulation 26AAB(4) with:

“(4) The prescribed fee for the following applications for a residence class visa specified in Schedule 4 is reduced by NZ\$92:

“(a) an application by a citizen of Samoa (other than an application that—

“(i) relates to the Samoan Quota scheme immigration instructions; or

“(ii) is made for a permanent resident visa or a resident visa by a person who holds or has previously held a resident visa):

“(b) an application associated with the Victims of Domestic Violence immigration instructions (other than an application for a permanent resident visa or a resident visa made by a person who holds or has previously held a resident visa):

“(c) an application (other than an application for a permanent resident visa or a resident visa made by a person who holds or has previously held a resident visa) made by a person who, on a previous application made on or after 1 July 2003, paid—

“(i) the applicable fee for a temporary visa (Long-term Business); or

“(ii) the applicable fee for a temporary visa (work visa under Work Partnership/Work to Residence: Talent (Arts, Culture, and Sports) immigration instructions, Talent (Employer Accreditation) immigration instructions, or Talent (Long-term Skills Shortage List) immigration instructions); or

“(iii) the applicable fee for a temporary visa (Entrepreneur Work Visa); or

- “(iv) the applicable fee under the Immigration Regulations 1999 for—
 - “(A) a work permit, or a work visa, under the Talent (Accredited Employers) work policy, Talent (Arts, Culture, and Sports) work policy, and priority occupations list work policy; or
 - “(B) a long-term business visa or permit.”
- (2) Replace regulation 26AAB(5) with:
 - “(5) The prescribed fee for an application for a temporary visa (Entrepreneur Work Visa) or a temporary work visa under the Work Partnership/Work to Residence: Talent (Arts, Culture, and Sports) immigration instructions, the Talent (Employer Accreditation) immigration instructions, or the Talent (Long-term Skills Shortage List) immigration instructions is reduced by NZ\$92 where the applicant is—
 - “(a) a citizen of Samoa; or
 - “(b) a person who, on a previous application made on or after 1 July 2003, paid the applicable fee for a temporary visa (Long-term Business); or
 - “(c) a person who, on an earlier application made on or after 1 July 2003, paid the applicable fee under the Immigration Regulations 1999 for—
 - “(i) a work permit, or a work visa, under the Talent (Accredited Employers) work policy, Talent (Arts, Culture, and Sports) work policy, and priority occupations list work policy; or
 - “(ii) a long-term business visa or permit.”

10 New Schedule 2A inserted

After Schedule 2, insert the Schedule 2A set out in the Schedule of these regulations.

11 Schedule 4 amended

- (1) In Schedule 4, item relating to regulation 26AA(c), insert in the fourth and fifth columns “165”.
- (2) In Schedule 4, revoke the item relating to regulation 26AA(l).

Part 2 Revocation of amendments to principal regulations

12 Revocations

- (1) Revoke regulations 16(e) and 18(1A).
- (2) Revoke Schedule 2A.

Schedule New Schedule 2A inserted

r 10

Schedule 2A rr 16(e), 18(1A)

People to whom temporary waiver to travel to New Zealand during Cricket World Cup 2015 applies

People who hold an Australian temporary visa of a kind specified in the following table, but only if—

- (a) the visa permits the person concerned to travel to, or stay in, Australia; and
- (b) the visa is valid at the time of check-in for departure to New Zealand; and
- (c) the person is a transit passenger or is seeking a New Zealand temporary visa that is current for not more than 3 months; and
- (d) in the case of a person seeking a New Zealand temporary visa, the purpose of the visit to New Zealand does not include medical consultation or treatment.

Australian visa

class	Sub-class	Description
TP	159	Provisional resident return
UR	160	Business owner (provisional)
UR	161	Senior executive (provisional)
UR	162	Investor (provisional)
UR	163	State/Territory sponsored business owner (provisional)
UR	164	State/Territory sponsored senior executive (provisional)

Schedule 2A—*continued*

Australian visa class	Sub-class	Description
UR	165	State/Territory sponsored investor (provisional)
UT	173	Contributory parent (temporary)
EB	188	Business innovation and investment (provisional)
TO	300	Prospective marriage
UF	309	Spouse (provisional)
GA	400	Temporary work (short stay activity)
GB	401	Temporary work (long stay activity)
GC	402	Training and research
GD	403	Temporary work (international relations)
UY	405	Investment retirement
TH	406	Government agreement
TQ	410	Retirement
TE	411	Exchange
TH	415	Foreign government agency
TH	418	Educational
TH	419	Visiting academic
GE	420	Temporary Work (Entertainment)
TE	421	Sport
UE	422	Medical practitioner
TE	423	Media and film staff
TG	426	Domestic worker (temporary) diplomatic or consular
TG	427	Domestic worker (temporary) executive
TE	428	Religious worker
TH	442	Occupational trainee
TK	445	Dependent child
UC	456	Business (short stay)
UC	457	Business (long stay)
UL	459	Sponsored business visitor (short stay)

Schedule 2A—*continued*

Australian visa class	Sub-class	Description
UP	461	New Zealand citizen family relationship (temporary)
US	462	Work and holiday (temporary)
UV	470	Professional development
VF	475	Skilled – regional sponsored
VF	476	Skilled – recognised graduate
VC	485	Skilled – graduate
VC	485	Temporary graduate
VC	487	Skilled – regional sponsored
UW	488	Superyacht crew
SP	489	Skilled – regional (provisional)
UX	495	Skilled – independent regional (provisional)
UZ	496	Skilled – designated area-sponsored (provisional)
TU	560	Student
UA	561	Student
TU	570	Independent ELICOS sector
TU	571	Schools sector
TU	572	Vocational education and training sector
TU	573	Higher education sector
TU	574	Postgraduate research sector
TU	575	Non-award sector
TU	576	AusAID or Defence sector
TU	580	Student guardian
FA	600	Visitor
UD	601	Electronic travel authority
TV	651	eVisitor
TR	676	Tourist
UL	679	Sponsored family visitor
UK	820	Spouse (extended eligibility)
UU	884	Contributory aged parent
TF	995	Diplomatic

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9 January 2015

**Immigration (Visa, Entry Permission,
and Related Matters) Amendment
Regulations (No 3) 2014**

Schedule: amended, on 9 January 2015, by regulation 4 of the Immigration (Visa, Entry Permission, and Related Matters) Amendment Regulations (No 3) 2014 Amendment Regulations 2014 (LI 2014/390).

Michael Webster,
Clerk of the Executive Council.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 21 August 2014.

Reprints notes

1 *General*

This is a reprint of the Immigration (Visa, Entry Permission, and Related Matters) Amendment Regulations (No 3) 2014 that incorporates all the amendments to those regulations as at the date of the last amendment to them.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

Immigration (Visa, Entry Permission, and Related Matters) Amendment Regulations (No 3) 2014 Amendment Regulations 2014 (LI 2014/390)
