



3 May 2024

A KS

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DOIA 2324-2142

Tēnā koe A KS

Thank you for your email of 30 March 2024 to the Ministry of Business, Innovation and Employment (MBIE) requesting, under the Official Information Act 1982 (the Act), the following:

1. *Please provide all updated Standard Operating Procedures SOPs (Family Category Parent), templates and other staff guidance which have the steps of how a parent resident visa application is processed, assessed/decided by INZ. These can be from Global Processing Manual or any other documents too. The following was shared in Jan 2024*

<https://aus01.safelinks.protection.outlook.com/?url=https%3A%2F%2Ffyi.org.nz%2Frequest%2F25022%2Fresponse%2F95430%2Fattach%2F5%2F2324%25201232%2520A%2520KS%2520Appendix.pdf&data=05%7C02%7CMinisterialServices%40mbie.govt.nz%7C553aad7dd09446d0971608dc509fd261%7C78b2bd11e42b47eab0112e04c3af5ec1%7C0%7C0%7C638473895778262094%7CUnknown%7CTWFpbGZsb3d8eyJWljoImCIDAwLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IjEhaWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=D4dfSH770tAjNV9DIYeigdSVOfn9JpkMy%2BH%2Fn%2FrdnR8%3D&reserved=0>

2. *Please provide SOP/assessment template that explains the process of assessment of English requirement for the Parent Category visa applicants. Page 9 of the following guidelines does not seem to be complete*

<https://aus01.safelinks.protection.outlook.com/?url=https%3A%2F%2Ffyi.org.nz%2Frequest%2F25022%2Fresponse%2F95430%2Fattach%2F5%2F2324%25201232%2520A%2520KS%2520Appendix.pdf&data=05%7C02%7CMinisterialServices%40mbie.govt.nz%7C553aad7dd09446d0971608dc509fd261%7C78b2bd11e42b47eab0112e04c3af5ec1%7C0%7C0%7C638473895778270227%7CUnknown%7CTWFpbGZsb3d8eyJWljoImCIDAwLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IjEhaWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=%2FAHGEvYeRat641P6ItxY6BYPUcAKRVPFzG%2BivRFXVmM%3D&reserved=0>

*The guidelines in the above document Page 9 are only considering the English test results or ESOL pre-purchase as the criteria for meeting English language ability for parent category. However as per instruction F4.25.1(b)(iii) there are other criteria that can be considered as the evidence of meeting English requirement like '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 or 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;*

Please advice why the criteria of F4.25.1(b)(iii) is missing from the assessment guidelines of <https://aus01.safelinks.protection.outlook.com/?url=https%3A%2F%2Ffyi.org.nz%2Frequest%2F25022%2Fresponse%2F95430%2Fattach%2F5%2F2324%25201232%2520A%2520KS%2520Appendix.pdf&data=05%7C02%7CMinisterialServices%40mbie.govt.nz%7C553aad7dd09446d0971608dc509fd261%7C78b2bd11e42b47eab0112e04c3af5ec1%7C0%7C0%7C638473895778276035%7CUnknown%7CTWFpGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Iik1haWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=jc1ZfBLCm3mKswxEXqTtF1j94xOpHFDFGpM4tLPOHPY%3D&reserved=0>  
Can or by When the assessment guidelines be updated to incorporate F4.25.1(b)(iii) instructions?

3. Could you advice if in absence of an English language test, can INZ consider the evidence as mentioned in the instruction F4.25.1(b)(iii) for the assessment of parent category application?

<https://aus01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.immigration.govt.nz%2Fopsmanual%2F%2373242.htm&data=05%7C02%7CMinisterialServices%40mbie.govt.nz%7C553aad7dd09446d0971608dc509fd261%7C78b2bd11e42b47eab0112e04c3af5ec1%7C0%7C0%7C638473895778280803%7CUnknown%7CTWFpGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Iik1haWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=GLusKYf83ucSGbPPmCc5m4xlefWiU7%2F27kv1enxuUkQ%3D&reserved=0>

4. Do you have the updated version of the following document that was shared in the following old OIA?

<https://aus01.safelinks.protection.outlook.com/?url=https%3A%2F%2Ffyi.org.nz%2Frequest%2F21085%2Fresponse%2F80471%2Fattach%2F4%2FAppendix%2520One%2520Bundle%2520final%2520Redacted%2520Part1.pdf&data=05%7C02%7CMinisterialServices%40mbie.govt.nz%7C553aad7dd09446d0971608dc509fd261%7C78b2bd11e42b47eab0112e04c3af5ec1%7C0%7C0%7C638473895778285202%7CUnknown%7CTWFpGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Iik1haWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=%2F4oPHPPsUXvLzh9rLsS4QMtPbdMrchSRZvNkbbQgjkW%3D&reserved=0>

It can be an updated version of the same document or any other training materials/guide of INZ for the officers to assess parent category application.

## Our Response

**Question 1:** Please provide all updated Standard Operating Procedures SOPs (Family Category Parent), templates and other staff guidance which have the steps of how a parent resident visa application is processed, assessed/decided by INZ. These can be from Global Processing Manual or any other documents too.

There have been no further updates since your previous OIA request (2324-1232) which we responded to on 23 January 2024.

**Question 2:** Please provide SOP/assessment template that explains the process of assessment of English requirement for the Parent Category visa applicants. Page 9 of the following guidelines does not seem to be complete. The guidelines in the above document Page 9 are only considering the English test results or ESOL pre-purchase as the criteria for meeting English language ability for parent category. However as per instruction F4.25.1(b)(iii) there are other criteria that can be considered as the evidence of meeting English requirement like '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 or 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; Please advice why the criteria of F4.25.1(b)(iii) is missing from the assessment guidelines of [link] Can or by When the assessment guidelines be updated to incorporate F4.25.1(b)(iii) instructions?

INZ has not included reference to instruction F4.25.1(b)(iii) in the SOP because the requirements of this instruction are addressed by Step 2, which helps determine whether there is other evidence that the applicant(s) meets the minimum standard of English. The evidence can include country of citizenship and/or residence and include type and place of education.

**Question 3:** *Could you advise if in absence of an English language test, can INZ consider the evidence as mentioned in the instruction F4.25.1(b)(iii) for the assessment of parent category application?*

Yes, the immigration instructions set out the rules and criteria for a person to be granted a resident class visa under the Parent Category, therefore INZ can consider the evidence outlined at F4.25.1(b)(iii). As noted in the response to **Point 2**, this instruction is covered by Step 2 of SOP *Assess English Language*.

**Question 4:** *Do you have the updated version of the following document that was shared in the following old OIA? It can be an updated version of the same document or any other training materials/guide of INZ for the officers to assess parent category application.*

Please refer to the attached Appendix for the information you have requested. Some information has been withheld under the following sections of the Act:

- 6(c) to avoid prejudice to the maintenance of the law, including prevention, investigation, and detection.
- 9(2)(a) to protect the privacy of natural persons.

I have considered whether the decision to withhold this information is outweighed by a public interest in its release and have concluded that this is not the case.

In addition to the standard operating procedures (SOPs), Immigration Instructions are publicly available on the Immigration New Zealand (INZ) website at the following link: -

<https://www.immigration.govt.nz/about-us/policy-and-law/how-the-immigration-system-operates/immigration-instructions>

Please note unredacted names of individuals in the training document represent mock case studies about hypothetical applicants.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

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

Nāku noa, nā



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