

**BONA FIDE (Instruction E5)**

The following evidence provided has been reviewed.

Applicant has provided evidence of undertaking employment/study outside of New Zealand.

No previous warnings issued on the student relating to their progress or attendance.

Applicant has met the conditions of their prior limited visa and is re-applying.

Satisfied applicant(s) is bona fide?  Yes  No

I am satisfied that the applicant(s) genuinely intend to temporarily stay in New Zealand for a lawful purpose, and do not believe the applicant(s) intend to remain in New Zealand unlawfully, breach the conditions of any visa granted, or will be unable to leave or be deported from New Zealand.

**Bona Fide (E5)**

- Satisfied applicant(s) is bona fide: Yes
- The following evidence has been provided and reviewed:
- Applicant has provided evidence of undertaking employment/study outside of New Zealand.

I am satisfied that the applicant(s) genuinely intend to temporarily stay in New Zealand for a lawful purpose, and do not believe the applicant(s) intend to remain in New Zealand unlawfully, breach the conditions of any visa granted, or will be unable to leave or be deported from New Zealand.

Excerpt from AEWV Stage 3 Work visa training Guide

<p>5 mins</p>	<p><b>E5 – Bona fide</b></p> <p>E5 is about the instructions relating to assessing a person against the ‘bona fide’ requirements. Ask: <i>What are the characteristics of a bona fide applicant? (Induction week one online module)</i> A bona fide applicant for temporary entry is a person who:</p> <ul style="list-style-type: none"> <li>• genuinely intends a temporary stay in New Zealand for a lawful purpose; and</li> <li>• in the opinion of an immigration officer is not likely:             <ul style="list-style-type: none"> <li>• to remain in New Zealand unlawfully; or</li> <li>• to breach the conditions of any visa granted; or</li> <li>• to be unable to leave or be deported from New Zealand (see <a href="#">E5.10</a>).</li> </ul> </li> </ul> <p>Ask: <i>In AEWV, stage 1 the employer is accredited, stage 2 the job check is approved and now here in stage 3 work visa, what does a bona fide applicant look like in this context?</i></p> <p>Answer:</p> <ul style="list-style-type: none"> <li>• The applicant has a lawful purpose, i.e. a work opportunity in New Zealand.</li> <li>• Now think of it another way, if the applicant had previously been to New Zealand and breached their visa conditions, they may not be a bona fide applicant. It would certainly be a concern for INZ, worth looking into further.</li> </ul> <p><b>What does this mean for my role?</b></p> <p>You many need to assess if an applicant is bona fide. It is likely you will be able to accept an applicant is bona fide at face value, unless there is a warning against the applicant or a risk rule has triggered.</p>
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**Excerpt from Visitor visa training guide**

30 mins	<p><b>Bona Fide</b></p> <p><b>Ask:</b> Can anyone remember what bona fides is from earlier in your learning pathway?</p> <p><b>Question:</b> What is a bona fide applicant?</p> <p><b>Answer:</b> E5 Requirements to be a bona fide applicant.</p> <p><b>Question:</b> How would you explain to XXXX why assessing bona fides is a critical step in the INZ process?</p> <p><b>Answer:</b></p>	<b>Slide 7</b>	<p><b>Use if learners are finding this part difficult or as part of the debrief before moving to next slide.</b></p> <p>We'll expand on this further as we go through the workshop. Bona fide – genuine, real or true.</p> <ul style="list-style-type: none"> <li>• What motivates a person to come to New Zealand?</li> <li>• What motivates a person to return home once their visitor visa expires?</li> </ul>
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Time	Topic	Resource	Your notes
	<p>It is great that people from around the world want to visit New Zealand. This can have many advantages for our country.</p> <p>We also want people to go home in a timely manner. Not everyone can stay. Think back to some of our discussions at the beginning of the workshop.</p> <p><b>Question:</b> How can XXXX demonstrate she is a bona fide applicant?</p> <p><b>Answer:</b> XXXX needs to show that the reason for her trip is genuine and that she will not breach her visa conditions e.g. by not:</p> <ul style="list-style-type: none"> <li>• working while on a visitor visa, or</li> <li>• staying in New Zealand after her visa has expired.</li> </ul> <p>She can do this by proving that she has commitments at home which she wants to go back to e.g.:</p> <ul style="list-style-type: none"> <li>• lives in a desirable city</li> <li>• has a well-paid job</li> <li>• owns a house / car</li> <li>• if applicable – married, children.</li> <li>• can show she has previously travelled internationally and complied with the immigration requirements of other countries.</li> </ul>		<ul style="list-style-type: none"> <li>• Are their motives for visiting New Zealand genuine?</li> </ul> <p>Applicants need to provide supporting documents to show they are bona fide.</p> <p>Consider the following while assessing bona fides:</p> <ul style="list-style-type: none"> <li>• <b>Age</b> – How does this link with their ability to sustain their stay during their visit?</li> <li>• <b>Travel purpose</b> – is it for genuine purpose?</li> <li>• <b>Travel history</b> – does their travel history show they have adhered to visa conditions in other countries or previous trips to New Zealand?</li> <li>• <b>Family immigration history</b> – is there anything in this area to support their application?</li> </ul>

Topic	Resource	Your notes
<p><b>Note:</b> This can sometimes be a deal maker/breaker for applicants. If they have overall poor circumstances but hold a visa to Australia and have recently travelled and left, we are likely to grant the visa.</p> <p><b>Explain:</b> Bona fides is an essential part of assessing applicants wishing to visit New Zealand. We'll go into this further later in the workshop.</p> <p><b>Debrief:</b> Refer to the contents in the Your notes column to summarise this section.</p>		<ul style="list-style-type: none"> <li>• <b>Employment commitment</b> – a well-paid job is something you want to keep so it's one reason for returning home</li> <li>• <b>Financial commitment</b> – to pay a mortgage, to pay for medical insurance and other commitments.</li> <li>• <b>Sponsorship</b> – History of the person acting as sponsor</li> <li>• <b>Education background</b></li> <li>• <b>Special circumstances</b> – such as a wedding or a funeral</li> </ul>

3. Give four examples of information that would help to show an applicant is bona fide?  
(Different learners for each answer)

- lives in a desirable city
- Has a well paid job
- owns a house / car
- if applicable – married, children
- refer to additional options from **Your notes** column on previous page.

30 mins	<p><b>Bona Fide</b> <b>Ask:</b> Can anyone remember what bona fides is from earlier in your learning pathway?</p> <p><b>Question:</b> What is a bona fide applicant?</p> <p><b>Answer:</b> E5 Requirements to be a bona fide applicant.</p> <p><b>Question:</b> How would you explain to YYYY why assessing bona fides is a critical step in the INZ process?</p> <p><b>Answer:</b></p>	Slide 7	<p><b>Use if learners are finding this part difficult or as part of the debrief before moving to next slide.</b></p> <p>We'll expand on this further as we go through the workshop. Bona fide – genuine, real or true.</p> <ul style="list-style-type: none"> <li>• What motivates a person to come to New Zealand?</li> <li>• What motivates a person to return home once their visitor visa expires?</li> </ul>
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Time	Topic	Resource	Your notes
	<p>It is great that people from around the world want to visit New Zealand. This can have many advantages for our country.</p> <p>We also want people to go home in a timely manner. Not everyone can stay. Think back to some of our discussions at the beginning of the workshop.</p> <p><b>Question:</b> How can YYYY demonstrate she is a bona fide applicant?</p> <p><b>Answer:</b> YYYY needs to show that the reason for her trip is genuine and that she will not breach her visa conditions e.g. by not:</p> <ul style="list-style-type: none"> <li>• working while on a visitor visa, or</li> <li>• staying in New Zealand after their visa has expired.</li> </ul> <p>She can do this by proving that she has responsibilities at home which she wants to go back to e.g.:</p> <ul style="list-style-type: none"> <li>• lives in a desirable city</li> <li>• has a well-paid job</li> <li>• owns a house / car</li> <li>• if applicable – married, children</li> </ul> <p><b>Explain</b> Bona fides is an essential part of assessing applicants wishing to visit New Zealand. We'll go into this further later in the workshop.</p> <p><b>Debrief</b></p>		<ul style="list-style-type: none"> <li>• Are their motives for visiting New Zealand genuine?</li> <li>• Applicants need to provide supporting documents to show they are bona fide.</li> </ul>

3. How does having a valid visa to live and work in one country relate to bona fides?

- If the person has been accepted into another country, this may support their claim of being a bona fide applicant eg The UK have granted this person a study visa, this may help reduce some of our concerns about their bona fide status.
- They would still need to meet our other requirements with supporting documents.

3. Give four examples of information that would help to show an applicant is bona fide? (Different learners for each answer)

- lives in a desirable city
- Has a well paid job
- owns a house / car
- if applicable – married, children
- refer to additional options from **Your notes** column on previous page

15 mins	<p><b>Bona Fide</b>  <b>E5 Requirements to be a 'bona fide' applicant</b>  <b>Question:</b>  Does the bona fide requirement apply to AAAAA or his employer?  <b>Answer:</b>  AAAAA. However, showing that his employer is genuine too will support him being bona fide.</p> <p><b>Question:</b>  How can AAAAA demonstrate the bona fide requirement is met?  <b>Answer:</b>  AAAAA needs to show that the reason for his trip is genuine and that his will not breach his visa conditions. He can do this by proving that he has responsibilities at home which he wants to go back to or reasons for being a frequent traveller e.g.:</p>	<b>Slide 7</b>	<p><b>Use if learners are finding this part difficult or as part of the debrief before moving to next slide.</b>  We'll expand on this further as we go through the workshop. Bona fide – genuine, real or true.</p> <ul style="list-style-type: none"> <li>• What motivates a person to come to New Zealand?</li> <li>• What motivates a person to return home once their visitor visa expires?</li> <li>• Are their motives for visiting New Zealand genuine?</li> </ul>
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Time	Topic	Resource	Your notes
	<ul style="list-style-type: none"> <li>• IT conferences that he attends around the world</li> <li>• Other clients he visits in different parts of the world</li> <li>• lives in a desirable city</li> <li>• Has a well paid job</li> <li>• Owns a house / car</li> <li>• If applicable – married, children</li> <li>• Letter of invitation from New Zealand company</li> <li>• Letter from his employer</li> <li>• Other visas he my hold</li> </ul> <p><b>Explain</b>  Bona fides is an essential part of assessing applicants wishing to visit New Zealand.</p> <p><b>Debrief</b>  Refer to the contents in the Your notes column to summarise this section.</p>		<ul style="list-style-type: none"> <li>• Applicants need to provide supporting documents to show they are bona fide.</li> </ul>
5 mins	<p><b>Key Messages</b>  Talk to the points on the slide and answer any questions from the group.</p>	<b>Slide 8</b>	

## 1.1 Title

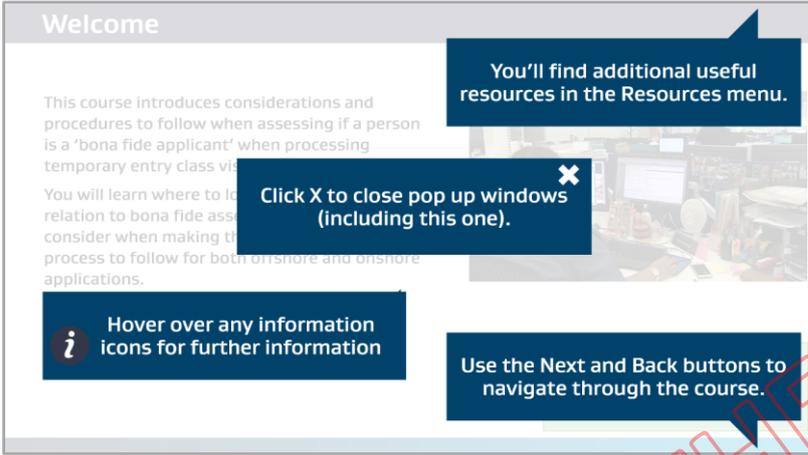
<b>Slide ID</b>	4bd27561-f0b8-48a0-94b4-f6e873d97a5f
<b>Preview Image</b>	The slide features a dark blue background with a subtle pattern of concentric circles. At the top left is the New Zealand Immigration logo, which includes a silver fern. The main title 'Bona fides assessment' is centered in a large, white, sans-serif font. Below the title is a button with the text 'Click here to get started >'. At the bottom left, there is a logo for the Ministry of Business, Innovation & Employment, and at the bottom right, the text 'New Zealand Government'.

## 1.2 Welcome

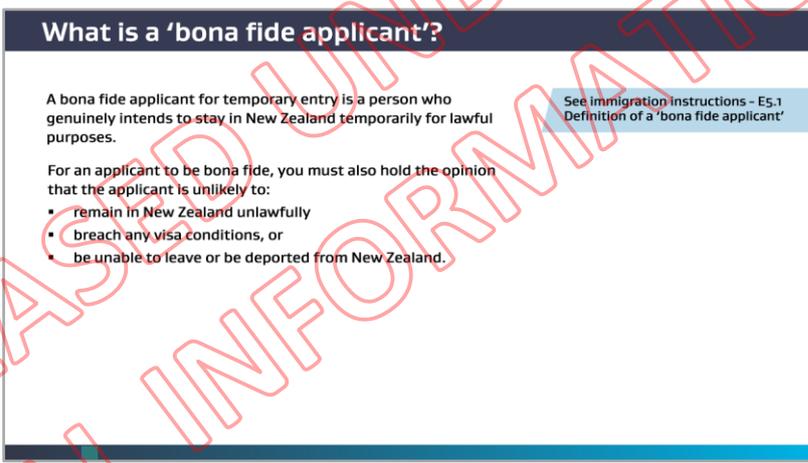
<b>Slide ID</b>	f618b5ff-ba6d-4155-b5b2-f3a05307e256
<b>Preview Image</b>	The slide has a white background with a dark blue header bar containing the word 'Welcome'. The main content area contains two paragraphs of text. The first paragraph states: 'This course introduces considerations and procedures to follow when assessing if a person is a 'bona fide applicant' when processing temporary entry class visas.' The second paragraph states: 'You will learn where to locate instructions in relation to bona fide assessment, factors to consider when making the assessment, and the process to follow for both offshore and onshore applications.' To the right of the text is a photograph of a person sitting at a desk in an office, working on a computer. At the bottom right, there is a green button with the text 'Click here to find out how to use this course.' and a question mark icon.

### Slide Layer: Help

<b>Layer ID</b>	579c529b-5e2b-4d8d-ab7e-dc7753320cfd
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<p><b>Preview Image</b></p>	 <p>The screenshot shows a 'Welcome' slide with the following text: 'This course introduces considerations and procedures to follow when assessing if a person is a 'bona fide applicant' when processing temporary entry class visas. You will learn where to look for information in relation to bona fide assessment and what to consider when making the decision. This is the process to follow for both onshore and offshore applications.'</p> <p>Four callout boxes are overlaid on the slide:</p> <ul style="list-style-type: none"> <li>Top right: 'You'll find additional useful resources in the Resources menu.'</li> <li>Center: 'Click X to close pop up windows (including this one).' with an 'X' icon.</li> <li>Bottom left: 'Hover over any information icons for further information' with an information icon.</li> <li>Bottom right: 'Use the Next and Back buttons to navigate through the course.'</li> </ul>
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### 1.3 What is a 'bona fide applicant'?

<p><b>Slide ID</b> </p>	<p>defed725-1910-4e6e-a8f1-735a137cf6e0</p>
<p><b>Preview Image</b></p>	 <p>The screenshot shows a slide titled 'What is a 'bona fide applicant'?' with the following text:</p> <p>A bona fide applicant for temporary entry is a person who genuinely intends to stay in New Zealand temporarily for lawful purposes.</p> <p>For an applicant to be bona fide, you must also hold the opinion that the applicant is unlikely to:</p> <ul style="list-style-type: none"> <li>remain in New Zealand unlawfully</li> <li>breach any visa conditions, or</li> <li>be unable to leave or be deported from New Zealand.</li> </ul> <p>A callout box on the right says: 'See Immigration Instructions - E5.1 Definition of a 'bona fide applicant''</p>

### 1.4 Meet the applicants

<p><b>Slide ID</b> </p>	<p>2304ae4d-cdee-4711-ac2a-edd7cf33f9d8</p>
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**Preview Image**

### Meet the applicants

Meet some people who either hold or are applying for temporary entry class visas and whose stories we will use to learn about bona fide assessment.

As you work through the scenarios refer to immigration instructions E5 to E10.

Click person to learn about their situation.



### 1.5 Impacts of not getting your bona fides decision right

Slide ID 

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**Preview Image**

### Impacts of not getting your bona fides decision right

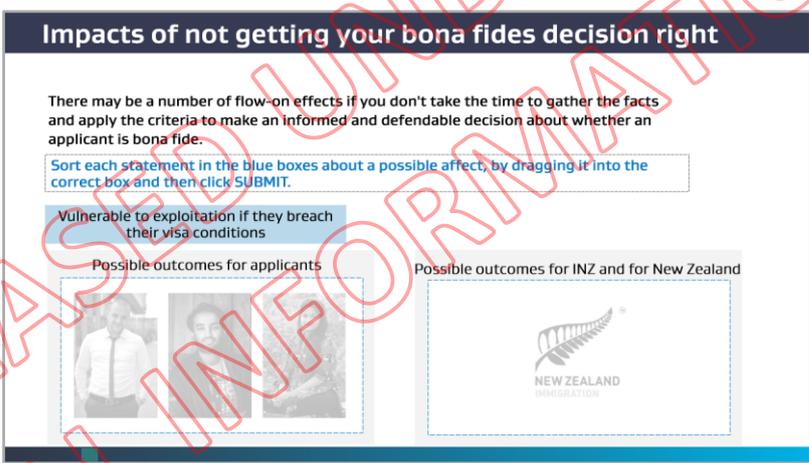
There may be a number of flow-on effects if you don't take the time to gather the facts and apply the criteria to make an informed and defensible decision about whether an applicant is bona fide.

Sort each statement in the blue boxes about a possible affect, by dragging it into the correct box and then click SUBMIT.

Vulnerable to exploitation if they breach their visa conditions

Possible outcomes for applicants

Possible outcomes for INZ and for New Zealand



Slide Layer: Correct

Layer ID 

ff105315-4a79-4c3e-9dae-b244e580dd18

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**Preview Image**

**Impacts of not getting your bona fides decision right**

There may be a number of... Well done. You sorted the possible effects correctly. ... whether an applicant is bona fide.

Sort each statement in the correct box and then click...

Vulnerable to exploitation if they breach their visa conditions

Possible outcomes for applicants

Possible outcomes for INZ and for New Zealand

**Slide Layer: Incorrect**

**Layer ID**

26632dd2-94d6-443b-9469-81b6119528f5

**Preview Image**

**Impacts of not getting your bona fides decision right**

There may be a number of... That's not right. You can see the correct answer below. ... whether an applicant is bona fide.

Sort each statement in the correct box and then click...

Possible outcomes for applicants

Possible outcomes for INZ and for New Zealand

- Implications for any future travel they want to undertake if they become unlawful
- Vulnerable to exploitation if they breach their Visa conditions
- A good application is declined unfairly
- May have to lodge a complaint which can be a lengthy and time consuming process

- Legitimate complaints are received
- Gains reputation for approving or declining applications without good cause
- Increase in low value/high risk applications being approved
- Upsurge in unlawfully, and breaches of visa conditions

**Slide Layer: Try Again**

**Layer ID**

ce651ab6-6836-4931-bbf0-bc7711fcdd90

<p><b>Preview Image</b></p>	<p><b>Impacts of not getting your bona fides decision right</b></p> <p>There may be a number of flow-on effects if you don't take the time to gather the facts and apply the criteria to make an informed and defensible decision about whether an applicant is bona fide.</p> <p>Sort each statement into the correct box and then click 'Check'.</p> <p>Vulnerable to exploitation of their vulnerability</p> <p>Possible outcomes</p> <p>New Zealand</p> <p>NEW ZEALAND</p> <p>Incorrect, please try again.</p> <p>Click to try again</p>
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### 1.6 Assessing the application

<p><b>Slide ID</b> </p>	<p>6f74b8a1-c6d7-4507-88ad-d27e28e7503d</p>
<p><b>Preview Image</b></p>	<p><b>Assessing the application</b></p> <p>The application assessment will include assessing whether the person:</p> <ul style="list-style-type: none"> <li>meets the requirements of a particular visa category</li> <li>is bona fide</li> <li>meets the health and character requirements.</li> </ul> <p>If required, the immigration officer will send one PPI with all concerns related to the application.</p> <p>Unlike onshore applications, offshore applications can be declined outright with no right of appeal.</p> <p>What if an immigration officer decides to decline an application?</p> <p>In your communications, use the same terms that are in immigration instructions.</p>

### 1.7 Check all of the factors that the immigration officer needed to consider in determining that Fidel was a bona fide applicant.

<p><b>Slide ID</b> </p>	<p>7271de37-8119-48b5-b46b-330caf8e91a7</p>
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<p><b>Preview Image</b></p>	<div data-bbox="427 203 1235 654"> <h3>Determining whether a person as a 'bona fide' applicant</h3> <p>█████ application includes a letter from his employer which states he has been granted three months leave without pay, and that the job will be there on his return. It also includes details of the places he intends to visit during his stay.</p> <p>Based on the information provided, the immigration officer determines █████ to be a 'bona fide applicant' and grants him a visitors visa.</p> <p>Check all of the factors that the immigration officer needed to consider in determining that █████ was a bona fide applicant.</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Whether the applicant is intending a temporary stay in NZ for a lawful purpose</li> <li><input checked="" type="checkbox"/> The applicant's ability to leave or be deported from New Zealand</li> <li><input checked="" type="checkbox"/> Information held by INZ</li> <li><input checked="" type="checkbox"/> Other personal circumstances relevant to the application</li> </ul>  <p>See immigration instructions - E5.10 Determining whether an applicant is a 'bona fide applicant'</p> </div>
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**Slide Layer: Incorrect**

<p><b>Layer ID</b> </p>	<p>0d6293e2-3584-48ca-8731-1fa7456a487e</p>
<p><b>Preview Image</b></p>	<div data-bbox="427 900 1235 1355"> <h3>Determining whether a person as a 'bona fide' applicant</h3> <div data-bbox="662 965 991 1077" style="background-color: red; color: white; padding: 5px;"> <p>That's not right. The immigration officer needed to consider all of these things in determining █████ as bona fide. Click NEXT to learn more about the factors that need to be considered.</p> </div> <p>Whether the applicant is intending a temporary stay in NZ for a lawful purpose</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> The applicant's ability to leave or be deported from New Zealand</li> <li><input checked="" type="checkbox"/> Information held by INZ</li> <li><input checked="" type="checkbox"/> Other personal circumstances relevant to the application</li> </ul>  <p>See immigration instructions - E5.10 Determining whether an applicant is a 'bona fide applicant'</p> </div>

**Slide Layer: Correct**

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<p><b>Preview Image</b></p>	<div data-bbox="427 203 1236 654"> <h3>Determining whether a person as a 'bona fide' applicant</h3> <div data-bbox="662 271 991 383"> <p>Well done! The immigration officer needed to consider all of these things. Click NEXT to learn more about the factors that need to be considered.</p> </div> <div data-bbox="1066 277 1193 371">  </div> <div data-bbox="1007 371 1236 421"> <p>See immigration instructions - E5.10 Determining whether an applicant is a 'bona fide applicant'</p> </div> <div data-bbox="475 472 1114 622"> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Whether the applicant is intending a temporary stay in NZ for a lawful purpose</li> <li><input checked="" type="checkbox"/> The applicant's ability to leave or be deported from New Zealand</li> <li><input checked="" type="checkbox"/> Information held by INZ</li> <li><input checked="" type="checkbox"/> Other personal circumstances relevant to the application</li> </ul> </div> </div>
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**Slide Layer: Try Again**

<p><b>Layer ID</b> </p>	<p>99c30b22-1f82-4300-a30f-7ad826133021</p>
<p><b>Preview Image</b></p>	<div data-bbox="427 898 1236 1357"> <h3>Determining whether a person as a 'bona fide' applicant</h3> <p>■■■■'s application includes a letter from his employer which states he has been granted three months leave without pay, and that the job will be there on his return. It also includes details of the places he intends to visit during his stay.</p> <p>Based on the info ■■■■ determines ■■■■ visitors visa.</p> <p>Check all of the factors that ■■■■ must consider:</p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Whether the applicant is intending a temporary stay in NZ for a lawful purpose</li> <li><input checked="" type="checkbox"/> The applicant's ability to leave or be deported from New Zealand</li> <li><input checked="" type="checkbox"/> Information held by INZ</li> <li><input checked="" type="checkbox"/> Other personal circumstances relevant to the application</li> </ul> </div> <div data-bbox="598 1055 1078 1211"> <p>That is incorrect. Please try again.</p> <p><a href="#">Click to try again</a></p> </div>

**1.8 Factors to be considered**

<p><b>Slide ID</b> </p>	<p>2f98abd2-2f0a-4e55-ac41-1bddd2a11864</p>
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<p><b>Preview Image</b></p>	<div style="border: 1px solid black; padding: 10px;"> <h3 style="text-align: center; background-color: #2c3e50; color: white; margin: 0;">Factors to be consider when assessing 'bona fides'</h3> <p style="font-size: small; margin: 5px 0;">Click on any of the factors to be considered when assessing bona fides that you would like to learn more about. <span style="float: right;">See immigration instructions - E5.10 Determining whether an applicant is a 'bona fide applicant'</span></p> <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <p style="background-color: #2c3e50; color: white; padding: 5px; margin-bottom: 5px;">Whether the applicant is intending a temporary stay in NZ for a lawful purpose</p> <p style="background-color: #2c3e50; color: white; padding: 5px; margin-bottom: 5px;">The applicants ability to leave or be deported from NZ</p> <p style="background-color: #2c3e50; color: white; padding: 5px; margin-bottom: 5px;">Information held by INZ</p> <p style="background-color: #2c3e50; color: white; padding: 5px;">Other personal circumstances relevant to the application</p> </div> <div style="width: 65%; border: 1px solid #ccc; min-height: 150px;"></div> </div> </div>
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**Slide Layer: Ability leave**

<p><b>Layer ID</b> </p>	<p>c5dbae09-8bb1-4adc-931d-5be77eeb8ab0</p>
<p><b>Preview Image</b></p>	<div style="border: 1px solid black; padding: 10px;"> <h3 style="text-align: center; background-color: #2c3e50; color: white; margin: 0;">Factors to be consider when assessing 'bona fides'</h3> <p style="font-size: small; margin: 5px 0;">Click on any of the factors to be considered when assessing bona fides that you would like to learn more about. <span style="float: right;">See immigration instructions - E5.10 Determining whether an applicant is a 'bona fide applicant'</span></p> <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <p style="background-color: #2c3e50; color: white; padding: 5px; margin-bottom: 5px;">Whether the applicant is intending a temporary stay in NZ for a lawful purpose</p> <p style="background-color: #2c3e50; color: white; padding: 5px; margin-bottom: 5px;">The applicants ability to leave or be deported from NZ</p> <p style="background-color: #2c3e50; color: white; padding: 5px; margin-bottom: 5px;">Information held by INZ</p> <p style="background-color: #2c3e50; color: white; padding: 5px;">Other personal circumstances relevant to the application</p> </div> <div style="width: 65%;"> <p style="margin: 5px 0;">Circumstances to consider include whether the applicant :</p> <ul style="list-style-type: none"> <li>▪ has the income or funds to be able to return to their country of citizenship</li> <li>▪ does not have or cannot get documentation required to return to their country of citizenship, or</li> <li>▪ are a citizen of a country to which they may not be able to return, including restrictions on deportation (such as those experiencing conflict).</li> </ul> <p style="text-align: right; font-size: small; margin-top: 10px;">See immigration instructions – E5.10 (b)(ii)</p> </div> </div> </div>

**Slide Layer: Temporary**

<p><b>Layer ID</b> </p>	<p>794408fd-dddf-4b2b-bbb4-1bdc13a6a43d</p>
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OFFICIAL INFO CONSIDER THE IMMIGRATION ACT

<p><b>Preview Image</b></p>	<div style="border: 1px solid black; padding: 5px;"> <h3 style="text-align: center; background-color: #1a3d4d; color: white; margin: 0;">Factors to be consider when assessing 'bona fides'</h3> <p style="font-size: small; margin: 5px 0;">Click on any of the factors to be considered when assessing bona fides that you would like to learn more about. <span style="float: right;">See immigration instructions - E5.10 Determining whether an applicant is a 'bona fide applicant'</span></p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <ul style="list-style-type: none"> <li style="background-color: #1a3d4d; color: white; padding: 2px 5px; margin-bottom: 5px;">Whether the applicant is intending a temporary stay in NZ for a lawful purpose</li> <li style="background-color: #1a3d4d; color: white; padding: 2px 5px; margin-bottom: 5px;">The applicants ability to leave or be deported from NZ</li> <li style="background-color: #1a3d4d; color: white; padding: 2px 5px; margin-bottom: 5px;">Information held by INZ</li> <li style="background-color: #1a3d4d; color: white; padding: 2px 5px;">Other personal circumstances relevant to the application</li> </ul> </div> <div style="width: 50%; padding: 5px;"> <p>In some situations, the circumstances in which a person applies for a further temporary visa once in New Zealand may lead to significant concerns that they do not have a genuine intent and a lawful purpose.</p> <p>For instance, where:</p> <ul style="list-style-type: none"> <li>▪ an applicant changes the declared intent of their stay in New Zealand abruptly and without a credible explanation</li> <li>▪ or the reason they want a visa does not align with the visa they are applying for.</li> </ul> <p style="text-align: right; font-size: small; margin-top: 10px;">See immigration instructions - E5.5</p> </div> </div> </div>
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**Slide Layer: Information held INZ**

<p><b>Layer ID</b> </p>	<p>808fba70-57de-411c-8319-ca45bc2b2f37</p>
<p><b>Preview Image</b></p>	<div style="border: 1px solid black; padding: 5px;"> <h3 style="text-align: center; background-color: #1a3d4d; color: white; margin: 0;">Factors to be consider when assessing 'bona fides'</h3> <p style="font-size: small; margin: 5px 0;">Click on any of the factors to be considered when assessing bona fides that you would like to learn more about. <span style="float: right;">See immigration instructions - E5.10 Determining whether an applicant is a 'bona fide applicant'</span></p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <ul style="list-style-type: none"> <li style="background-color: #1a3d4d; color: white; padding: 2px 5px; margin-bottom: 5px;">Whether the applicant is intending a temporary stay in NZ for a lawful purpose</li> <li style="background-color: #1a3d4d; color: white; padding: 2px 5px; margin-bottom: 5px;">The applicants ability to leave or be deported from NZ</li> <li style="background-color: #1a3d4d; color: white; padding: 2px 5px; margin-bottom: 5px;">Information held by INZ</li> <li style="background-color: #1a3d4d; color: white; padding: 2px 5px;">Other personal circumstances relevant to the application</li> </ul> </div> <div style="width: 50%; padding: 5px;"> <p>All relevant information held by INZ should be considered in making a bona fide assessment.</p> <p>An applicant's history of compliance or non-compliance may indicate whether they are likely to abide by the conditions of a visa if it is granted.</p> <p>Adverse information should not lead to an automatic decline, but should be considered in context of the applicant's present situation, the particular category under which they are applying, and any other relevant factors.</p> </div> </div> </div>

**Slide Layer: Personal Info**

<p><b>Layer ID</b> </p>	<p>8df5040d-93a2-4c56-adb5-4ea5eeb0f970</p>
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OFFICIAL INFORMATION ACT  
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**Preview Image**

### Factors to be consider when assessing 'bona fides'

Click on any of the factors to be considered when assessing bona fides that you would like to learn more about. See immigration instructions - E5.10 Determining whether an applicant is a 'bona fide applicant'

- Whether the applicant is intending a temporary stay in NZ for a lawful purpose
- The applicants ability to leave or be deported from NZ
- Information held by INZ
- Other personal circumstances relevant to the application

Personal circumstances should be considered on a case-by-case basis, and in the broader context of all relevant information and immigration instruction objectives. The significance of some commitments may vary according to the culture of the applicant. You should seek guidance when you are unclear of the relevance and weight to attach to such factors.

**See examples**

See immigration instructions - E5.1

**1.9 Fidel**

**Slide ID**

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**Preview Image**

After [redacted] has been in New Zealand for nearly three months, he lodges an onshore application for a further two month visitors visa. The immigration officer checks AMS and sees that the records made offshore include a supportive letter from his employer and that this was a factor in the bona fides assessment. The immigration officer then rings [redacted] to ask him some questions.

Click on each of the questions asked by the immigration officer to see [redacted] s response.

Immigration officer questions	Response by [redacted]
Why do you want to stay longer?	
What does your boss think about you staying longer?	
Can you provide evidence that you have enough money to cover your stay.	
Are you able to change the departure dates on your ticket?	



**1.10 Factors to consider when assessing Bona**

**Slide ID**

7ca7a900-02f4-4b0e-ab24-4b6c71e2163c

<p><b>Preview Image</b></p>	<div data-bbox="427 203 1235 651"> <h3>Factors to consider when assessing Bona</h3> <p>Considering the information that the Immigration Officer has gathered about [REDACTED] which action would you take at this stage.</p> <p>Select the one correct answer</p> <ul style="list-style-type: none"> <li><input type="radio"/> Assess [REDACTED] as a 'bona fide applicant' as has met all of the criteria</li> <li><input type="radio"/> Decline [REDACTED]'s application as he has met some but not all of the bona fide criteria</li> <li><input checked="" type="radio"/> Ask [REDACTED] to supply further evidence</li> </ul>  </div>
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**Slide Layer: Correct**

<p><b>Layer ID</b> </p>	<p>d14e42c8-fd2a-4ef0-bb20-f57860453fa3</p>
<p><b>Preview Image</b></p>	<div data-bbox="427 896 1235 1357"> <h3>Factors to consider when assessing Bona</h3> <p>Considering the information that the Immigration Officer has gathered about [REDACTED] which action would you take at this stage?</p> <p>Select the one correct answer</p> <ul style="list-style-type: none"> <li><input type="radio"/> Assess [REDACTED] as a 'bona fide applicant' as has met all of the criteria</li> <li><input type="radio"/> Decline [REDACTED]'s application as he has met some but not all of the bona fide criteria</li> <li><input checked="" type="radio"/> Ask [REDACTED] to supply further evidence</li> </ul>  </div> <div data-bbox="603 1021 1078 1160" style="background-color: #90EE90; padding: 5px;"> <p>The immigration officer asked [REDACTED] to supply evidence that he was going to return to his job. The immigration officer also wanted to know more about possible circumstances which might discourage him from returning home so he invited [REDACTED] to an interview.</p> <p><b>What happened to [REDACTED]'s application?</b></p> </div>

**Slide Layer: Incorrect**

<p><b>Layer ID</b> </p>	<p>1b7c27e6-72eb-4149-8eb3-f6efa176248d</p>
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**Preview Image**

**Factors to consider when assessing Bona**

Considering the information that the Immigration Officer has gathered about [redacted], which action would you take at this stage?

Select the one correct answer.

- Assess [redacted]
- Decline [redacted] criteria
- Ask [redacted] to supply further evidence

That's not right. The immigration officer asked [redacted] to supply evidence that he was going to return to his job. The immigration officer also wanted to know more about possible circumstances which might discourage him from returning home so he invited [redacted] to an interview.

What happened to [redacted]'s application?



**Slide Layer: Try Again**

**Layer ID** 

505354a9-827e-4b58-b7bb-78156ee14197

**Preview Image**

**Factors to consider when assessing Bona**

Considering the information that the Immigration Officer has gathered about [redacted], which action would you take at this stage?

Select the one correct answer.

- Assess [redacted]
- Decline [redacted] criteria
- Ask [redacted]

That is incorrect. Please try again.

Click to try again



**Slide Layer: What actually happened**

**Layer ID** 

6b9af5cf-5e5e-4a12-a316-d4778e06a31f

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**Preview Image**

### Factors to consider when assessing Bona

Considering the information that the Immigration Officer has gathered about [redacted] which action would you take at this stage.

Select the one correct answer

- Assess [redacted] as a 'bona fide applicant' as has met all of the criteria
- Decline [redacted]'s application as he has met some but not all of the bona fide criteria
- Ask [redacted] to supply further evidence

[redacted] never followed up on these requests and left New Zealand after his three month holiday.



**1.11 Select the one correct answer**

**Slide ID** 

350ce2e0-7f8e-4f68-bc3d-543da7e4381a

**Preview Image**

### [redacted] and [redacted]

An immigration officer is currently assessing partnership-based temporary entry visa application that has been put in by [redacted]. If, in investigating the partnership, the immigration officer isn't confident the relationship is genuine and stable, would the decision to decline be based on bona fides or the partnership?

Select the one correct answer

- Bona fides
- The partnership



**Slide Layer: Correct**

**Layer ID** 

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Preview Image

### What if you decide it is not a 'bona fide applicant'?

If you're not satisfied that an applicant is bona fide and consider that an exception to instructions is not appropriate, you must decline the application or manage risks by other means, such as offering to grant a limited visa or imposing a bond.

The applicant should be informed of the reasons for the decline clearly in the decline letter, including being given a clear explanation of how the information that led to the decision relates to the applicant not meeting the definition of a 'bona fide applicant'.

Click on the Resources menu above to download example letters.



### 1.13 Would the decline letter give [REDACTED] right of appeal?

Slide ID

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Preview Image

[REDACTED] and [REDACTED]

The immigration officers determines that [REDACTED] and [REDACTED] relationship is genuine and stable. However, the immigration officer uncovers evidence that [REDACTED] had arranged to work full-time in a cousin's restaurant while in New Zealand.

The officer therefore decides to decline her application due to not being a 'bona fide applicant'.

Would the decline letter give [REDACTED] right of appeal?

Yes because is has been determined that [REDACTED] is in a stable and genuine relationship with [REDACTED] who is currently in New Zealand on a valid visa.

No because offshore applications are declined outright.



Slide Layer: Correct

Layer ID

4443105b-ea44-4878-bc57-b192f542b361

<p><b>Preview Image</b></p>	
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**Slide Layer: Incorrect**

<p><b>Layer ID</b> </p>	<p>8effa333-8f9d-4e21-8377-e1031cd6e59c</p>
<p><b>Preview Image</b></p>	

**1.14 Recording a decision**

<p><b>Slide ID</b> </p>	<p>aff5446c-0220-4721-b0e2-04ba22a38e2c</p>
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**Preview  
Image**

### Recording a decision

Any information, either positive or negative, used to determine whether a person meets bona fide criteria should be recorded as part of the decision making process.

The record should clearly explain:

- the assessment undertaken
- the factors considered, and
- the link between the factors and definition of a bona fide applicant.

## 1.15 Recap

**Slide ID** 

81198a73-8378-4231-a489-e7b0c710ca8c

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### Recap

- A bona fide applicant for temporary entry is a person who genuinely intends to stay in New Zealand temporarily for lawful purposes.
- Assessment of bona fides is a vital part of assessing temporary entry applications.
- Assessment must be based on the criteria described in instructions.
- You should use the same terms in your communications as is in instructions.
- Records about decisions should include assessment undertaken, factors considered, and how they link to the definition of a bona fide applicant.

[You can now close this course to exit.](#)

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