

# SOP – Assess overall eligibility (Skilled Residence General)

**Date Published: 25 September 2023**

**Classification: Unclassified**

## When to use

When assessing a skilled residence application under [Skilled Migrant Residence Instructions](#).

## Role

- Immigration Officer (IO)
- Technical Advisor (TA)

## Context and guidelines

This SOP sets out the overall assessment criteria for an application under the Skilled Residence Instructions.

To complete a full assessment of an applicant's overall eligibility for Skilled Residence:

- Follow this SOP and any associated/linked SOPs,
- Follow closely with the specific Skilled Residence eligibility SOP for eligibility under the specific skilled residence category: SMC and WTR

Use the relevant Skilled Residence Visa Assessment Template located in the [INZKit](#) to document the assessment and decision-making process. Ensure Initial Assessments, any Subsequent Assessments and Final Assessments are captured in AMS.

- Complete the relevant section of the determination tab in AMS as the assessment progresses.

## Assessment Templates

- [SMC Visa Assessment Template individual](#)
- [SMC Visa Assessment template family](#)
- [WTR Visa Assessment Template individual](#)
- [WTR Visa Assessment Template family](#)

## Steps

### 1. Ensure all data entry in AMS is accurate

Review the application and ensure that the following have been checked and are accurate for each applicant:

- **Client Details** tab is complete and correct
- **Travel document** tab is complete and correct
- **Address** tab is complete and correct
- **Application Contact(s)** tab is complete and correct
- **Family** tab is complete and correct

### 2. Check for any partners or children who must be included in the application

Check the client contacts report to determine if there are any partners or dependent children holding or applying for a visa based on their relationship to the principal applicant (PA)

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See [VisaPak 508 Residence Applications Involving Family Members](#)

If...	Then...
<p>The PA has a partner and/or children who hold, or are applying for a visa, based on their relationship to the PA, but those family members are not included in the residence application. <a href="#">R2.40(d)</a></p>	<ul style="list-style-type: none"> <li>• Contact the PA and raise the issue</li> <li>• Confirm whether it was intentional to not include any dependants on the application</li> <li>• If it was intentional, note the concern and go to next step.</li> <li>• If the applicant requests to add their dependants send INZ1278 form for completion and request this to be uploaded to their online application.</li> <li>• Once received, add the applicant(s) using the <a href="#">standard process</a>.</li> </ul> <div style="border: 1px solid black; background-color: #f0f0f0; padding: 5px; margin-top: 10px;"> <p><b>Note:</b> A partner or dependent child who has applied in the past for a visa based on their relationship to the principal applicant for a residence class visa, but who does not currently hold a visa based on that relationship and does not have an application based on that relationship being processed, does not have to be included in the residence application under Regulation 20 (as reproduced at R2.40 d). (VisaPak 308.</p> </div> <p>See <a href="#">VisaPak 508</a></p>

**3. Assess identity**

Refer to **SOP - Assess identity** to establish the identity of all applicants included on the application.

**4. Assess character**

Refer to **SOP – Assess character (residence)** to complete a character assessment for all applicants.

**5. Assess health**

Refer to **SOP – Assess health (residence)** to complete a health assessment for all applicants.

**6. Ensure any required third-party checks are underway**

See [SOP - Make and monitor third party checks](#).

- Ensure any required third-party checks have been requested at the lodgement stage and are underway. Action this step, if not requested.

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SOP – Assess overall eligibility (Work to residence)

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Third-party checks should be monitored throughout the application process and actioned as appropriate (for example if further information is needed).

**7. Assess English language ability**

Refer to **SOP – Assess English (PA)** and/or **Assess English (SAs)** to complete an assessment of the English language ability of the principal applicant and any secondary applicants aged 16 or older.

**Note:** If assessing a WTR (Skilled Residence) application between Sept 29, 2023, and October 9 2023, the English language tab in AMS must be completed before the determination questions.

**8. Assess Partnership or Dependent Children**

If...	Then...
The PA has no partner or children included on their residence application and has no dependants holding (or applying for) a visa based on their relationship to the PA	Go to next step
The PA has a partner and/or children who hold (or are applying for) a visa based on their relationship to the PA, and those same family members are included in the residence application	See <b>SOP – Assess partnership (residence)</b> and/or <b>SOP – Assess dependent children (residence)</b> . Then, continue to next step.

**Note:** If any additional applicants are added after the application has been lodged, the applicant should send the INZ1001 form directly to their IO.

The applicant(s) should then be added following the standard process.

**9. Manually triage application and consider risk**

- Identify whether there are any relevant risk rules, active applicant or employer alerts/warnings or other information indicating the potential presence of any specific risk
- Refer to [SOP - Assess risk and conduct verification](#) and consider the results throughout the assessment of the application, taking appropriate action as required.

**Note:** Ensure AMS and ADEPT are both checked for alerts and warnings as the two systems may not mirror each other. This includes warnings that may be placed on the employer in AMS and/or ADEPT.

In rationalising or further actioning an alert or warning, consider any discrepancies between the two systems, using the most up to date alert and/or warning.

See [ADEPT User Guide](#), 2.10.1 Viewing Alerts and Warnings (applicants) & See ADEPT employer accreditation and job check user guide, 2.7.10 Alerts and warning (Employers)

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**10. Continue to determine overall eligibility**

Refer to the relevant Overall Eligibility SOP to assess the application under the correct instructions:

SOP – Assess overall eligibility (SR3)

SOP – Assess overall eligibility (Work to Residence)

**END.**

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SOP – Assess overall eligibility (Work to residence)

# SOP – Assess overall eligibility SMC (SR3)

**Date Published: 25 September 2023**

**Classification: Unclassified**

## When to use

When assessing a residence application under the Skilled Migrant Category (SMC).

## Role

- Immigration Officer (IO)
- Technical Advisor (TA)

## Context and guidelines

This SOP sets out the overall assessment criteria for an application under the SMC.

To complete a full assessment of an applicant's overall eligibility for residence under **SR3** Skilled Migrant Category:

- Follow this SOP and any associated/linked SOPs, and
- Use the SMC Visa Assessment Templates to document the assessment and decision-making process. Ensure Initial Assessments, any Subsequent Assessments and Final Assessments are captured in AMS.
- Complete the relevant section of the determination tab in AMS as the assessment progresses.

## Prerequisites

- Assess overall eligibility (Skilled residence general)

## Assessment Templates

- [SMC Visa Assessment Template individual](#)
- [SMC Visa Assessment template family](#)

## Steps

### 1. Check whether any false or misleading information was provided in the EOI

If, on initial assessment, the information provided in the EOI...	Then...
Is not considered false and misleading	Requirement met Go to next step
Is considered false or misleading	The application cannot be approved. Do not complete full assessment, go to <b>Step 6</b> .  <b>Note:</b> If a full assessment of the remaining application is not undertaken, this should be communicated to the applicant when the decision is made. The case summary should also

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	clearly outline which aspects of the application have been fully assessed. <b>END.</b>
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**2. Confirm the principal applicant (PA) meets the SMC age requirements (SR3.10(b)(i))**

If the PA was...	Then...
Under 56 when the application was lodged	Requirement met. Note and continue to next step.
56 or older when the application was lodged	The application cannot be approved. Do not complete full assessment, go to <b>Step 6</b> .  <b>Note:</b> If a full assessment of the remaining application is not undertaken, this should be communicated to the applicant when the decision is made. The case summary should also clearly outline which aspects of the application have been fully assessed.  <b>END.</b>

**3. Assess the principal applicant's skilled employment (SR3.20)**

See **SOP - Assess skilled employment** to determine whether:

- the PA has current employment or an offer of employment in New Zealand, and
- holds professional registration, if it is required by law, and
- the employment:
  - is full-time and
  - is with an accredited employer and
  - meets the relevant wage threshold(s) and
  - is permanent or for a fixed term of at least 12 months (or meets the requirements for a contract for services), and
  - is genuine and not offered as the result of payment, and
  - is substantially consistent with the ANZSCO occupation. If there are concerns, this may also include a substantial match assessment and/or a suitably qualified assessment.

**4. Assess the principal applicant's eligibility for points claimed (SR3.25)**

If the PA has claimed points for...	Then...
Income	See SOP – Assess income

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Qualification	See SOP – Assess qualification
NZ registration, licencing or certification	See SOP – assess NZ registration, licencing or certification
Work experience	See SOP – assess work experience

If the PA is not eligible for at least 6 points from the category or categories they have claimed, assess whether they meet the requirements to be eligible for points under any other skill category. See [Immigration Instructions R5.20](#).

5. **Confirm the PA meets the skilled employment requirements and qualifies for 6 points from either one skill category (income, qualification, NZ registration) or a combination of one skill category and their New Zealand skilled work experience.**

If...	Then...
No concerns are identified	Requirements are met. Go to next step.
Concerns are identified	These should be noted and communicated to the PA after a full initial assessment of the application has been undertaken. Go to next step.

6. **Determine overall eligibility and next steps**

If...	Then...
The application has completed assessment pending only return of NSC Check, NZPC, foreign PC or completion of deferred medical requirements	Transfer the application into <b>Queue, Pending SMC</b>
The application requires consideration of a Waiver by a TA	Transfer the application into <b>Not Allocated, Waivers</b>
Any concerns have been noted during the assessment of the application	See SOP – <a href="#">communicate potentially prejudicial information (PPI)</a> <ul style="list-style-type: none"> <li>•</li> <li>• If any concerns require escalation, consider a No Surprises process. See <a href="#">VisaPak 497 No Surprises Fact Sheets</a>.</li> </ul> <p><b>Note:</b> All applications are to be quality checked, transfer to <b>Not Allocated, Res Review</b></p>
No concerns have been noted and all requirements are met	<ul style="list-style-type: none"> <li>• Make sure all questions under the <b>Determination</b> and <b>English</b> tabs in AMS have been completed, then</li> </ul>

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	<ul style="list-style-type: none"><li>• Manually triage the application again to ensure all potential risks have been appropriately identified.</li><li>• Undertake appropriate action to mitigate any additional risks identified, if applicable, before finalising the application.</li><li>• Transfer the application to <b>Not Allocated, Res SMC QC</b></li><li>• See <b>SOP – Approve in principle</b>.</li></ul>
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# SOP – Assess skilled employment SMC (SR3)

Date Published: 25 September 2023

Classification: Unclassified

## When to use

When assessing an applicant's skilled employment under the Skilled Migrant Category (SMC).

## Role

- Immigration Officer

## Context and guidelines

This SOP outlines how to assess the offer of skilled employment or ongoing employment for SMC.

To complete a full assessment of an applicant's offer of employment or ongoing current employment,

- follow this SOP and any associated/linked SOPs, and
- Use the below visa assessment templates to document the assessment and decision-making process.
  - [SMC Visa Assessment Template individual](#)
  - [SMC Visa Assessment template family](#)

## Prerequisites

- SOP – Assess overall eligibility
- SOP - Assess risk and conduct verification

## Steps

### 1. Check the evidence provided

#### a. Check whether evidence of employment has been submitted with the current application

- Employment may be either an offer of employment or current ongoing employment in New Zealand.
- Evidence must include an employment agreement and a job description that specifies, the occupation, hours, and remuneration of the employment. (See SR3.20(d)).

If evidence of employment...	Then...
Has been provided	Go to <b>Step 2</b>
Has not been provided	Go to <b>Step 1b</b>

#### b. Check whether evidence has been submitted with a previous application

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- In the **Application tab** in AMS go to the applicant's most recently approved application
- Depending on where the application was processed, open IGMS or ADEPT
- For application in ADEPT
  - Select the Visa application
  - Select **documents** tab
- Open the supporting documents and check for evidence of employment

If evidence of employment...	Then...
Has been provided and is sufficient to establish a current offer of employment	<ul style="list-style-type: none"> <li>• Proceed to process the application using this evidence</li> <li>• Go to next step</li> </ul>
Some evidence has been provided but is not complete	Continue assessing skilled employment with the information available by following this SOP but ensure that the required information is requested and assessed before making the final decision.
Has not been provided or is not sufficient to establish a current offer of employment	<ul style="list-style-type: none"> <li>• Note the concern</li> <li>• Go to <b>Step 9</b></li> </ul> <b>END.</b>

## 2. Determine whether the employment is full-time

See SR3.20(b)(i).

If...	Then...
Is full-time, i.e., amounts to at least 30 guaranteed hours per week for every week worked	<ul style="list-style-type: none"> <li>• Requirement met.</li> <li>• Go to next step.</li> </ul>
The PA is an independent midwife practitioner who meets the requirements at SR3.20(e).	
The employment is not full-time (and the PA is not an independent midwife practitioner who meets the requirements at SR3.20(e))	<ul style="list-style-type: none"> <li>• Note the concern</li> <li>• Go to next step.</li> </ul>

## 3. Determine length of employment contract

If...	Then...
The applicant's employment is permanent (SR3.20(b)(iii))	<ul style="list-style-type: none"> <li>• Requirement met.</li> <li>• Go to next step.</li> </ul>
The applicant's employment is fixed term for at least 12 months (SR3.20(b)(iii)) and there is a	

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genuine reason based on reasonable grounds for the fixed term (see relevant information on the <a href="#">Employment New Zealand website</a> ).	
The applicant has an acceptable contract for services (see SR3.20(c), including determining whether the applicant meets the requirements for at least 12 months of skilled work experience in New Zealand (SR3.35 and SOP - <b>SOP – Assess skilled work experience</b> ))	
The PA is an independent midwife practitioner who meets the requirements at SR3.20(e)).	
The applicant’s employment does not meet any of the requirements above (i.e., for permanent, fixed term or contract for services)	<ul style="list-style-type: none"> <li>• Note the concern</li> <li>• Go to next step</li> </ul>

4. **Identify the applicant’s occupation (employment or offer of employment) as set out on the Australian and New Zealand Standard Classification of Occupations (ANZSCO)**  
Refer to the Immigration NZ view of [ANZSCO version 1.3](#) as provided by Statistics New Zealand. Locate the occupation listing on the ANZSCO.

If the occupation is...	Then...
Listed	Go to next step.
Not listed	<ul style="list-style-type: none"> <li>• Note that the applicant needs to meet the requirement for ANZSCO skill level 4 or 5 occupation</li> <li>• Go to next step</li> </ul>

5. **Identify whether there are any relevant risk rules, active applicant or employer alerts/warnings or other information indicating the potential presence of any specific risk indicating that the applicant’s role may not be genuine.**

If...	Then...
No concerns are identified	Go to next step
Concerns are identified	A detailed assessment may be needed

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	See relevant steps in <a href="#">SOP – Undertake a detailed assessment of employment</a> .
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**6. Determine the ANZSCO skill level of the applicant’s role**

- Check the applicant’s role title matches the ANZSCO code provided *and aligns with the ANZSCO (6-digit) description for that occupation*

See [ANZSCO website](#) for more details

If, after an initial assessment...	Then...
There is enough evidence to be satisfied that the applicant’s role matches the description	requirement met, detailed ANZSCO assessment is not required <ul style="list-style-type: none"> <li>• Note the skill level as set out in ANZSCO</li> <li>• Go to next step</li> </ul>
There is not enough evidence to be satisfied that the applicant’s role matches the description	A detailed ANZSCO assessment is needed. See steps 5 and 6 of <a href="#">SOP – Undertake a detailed assessment of employment</a>

**7. Determine whether any registration requirements are met**

**a. Check Appendix 16 to determine whether the role requires registration**

If the role ...	Then...
Does not require registration.	Go to <b>Step 8</b>
Requires registration	Go to next step

**b. Check whether evidence of registration has been provided**

If evidence of registration...	Then...
Has been provided  and  is satisfactory	Go to <b>Step 8</b>
Has not been provided	Go to <b>Step 7c</b>

**c. Check whether evidence of registration has been provided in a previous application**

- In the **Application tab** in AMS go to the applicant’s most recently approved application
- Depending on where the application was processed, open IGMS or ADEPT
- For application in ADEPT
  - Select the Visa application

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- Select **documents** tab
- Open the supporting documents and check for evidence of registration

If evidence of registration...	Then...
Has been provided and is valid	<ul style="list-style-type: none"> <li>• Proceed to process the application using this evidence</li> <li>• If required, verify the PA's registration. Links to relevant public registers is located <a href="#">here</a>.</li> <li>• Go to next step</li> </ul>
Has not been provided or is unsatisfactory	<ul style="list-style-type: none"> <li>• Note the concern</li> <li>• Go to next step</li> </ul>

**8. Determine whether the skilled employment meets the remuneration requirements**

**a. Note or calculate (as required) the applicant's remuneration (see SR2.5).**

If...	Then...
The applicant is paid an hourly rate	The remuneration for the purposes of their application under the SMC will be the guaranteed payment per hour as stated in their employment agreement.
The applicant is paid by salary including provisions as set out in SR2.5(f)	Divide the salary by 52 weeks (for annual salaries, or by the number of weeks for other salaries), then by the number of hours worked per week as stated in the employment agreement. If the agreement specifies a range of hours, divide by the maximum hours stated in the agreement.
The applicant's hours of work are variable	See SR2.5.1.
The applicant is required to work overnight but is able to sleep during this time	See SR2.5.5.

**b. Note the remuneration requirement for the applicant's role (SR3.20(a)).**

If the occupation is listed at...	The remuneration must be at least...
ANZSCO skill level 1, 2, or 3	Check if the job offer meets the median wage requirement at the time of application (or ITA). (Whichever is more favourable) (see SR3.10(c)).
ANZSCO skill level 4 or 5 or not included in the ANZSCO	Check if the job offer is 1.5 times the median wage requirement at the time of application (or ITA). (Whichever is more favourable) (see SR3.10(c)).

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- c. Determine whether the applicant earns at least the minimum remuneration required for their ANZSCO skill level:

If the applicant...	Then...
Meets the remuneration requirement	Go to next step.
Does not meet the remuneration requirement	Note the concern and go to the next step.

9. Check whether the employer is accredited

The applicant's employer must have current accreditation at the time the residence application was made or when it is decided (SR3.20(b)(ii)). See [SOP – Check employer accreditation in ADEPT](#).

If...	Then...
The employer has current accreditation	Requirement met. Go to next step
The employer's accreditation has expired but was current at the time the application was made	<b>Note:</b> If there are concerns regarding employer compliance post accreditation or if there are alerts/warnings placed on the employer since the accreditation, note the concern and go to <b>next step</b>
The employer does not have current accreditation, nor did they have current accreditation when the application was made	<ul style="list-style-type: none"> <li>Note the concern</li> <li>Go to next step</li> </ul>
The employer's accreditation is suspended	

10. Update visa assessment template with the outcome of the skilled employment assessment

Then proceed with other relevant SOP(s) to continue assessing the application.

If...	Then...
No concerns were identified	Skilled employment requirements are considered met.
Concerns were identified	These should be addressed through <a href="#">requesting further information (RFI)</a> or requesting comment on <a href="#">potentially prejudicial information (PPI)</a> after assessing the other aspects of the application.

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END.

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# SOP – Assess English SMC (principal applicant)

**Date Published: 25 September 2023**

**Classification: Unclassified**

## When to use

When assessing the English language ability of a principal applicant (PA) for residence under the Skilled Migrant Category (SMC).

Use the below visa assessment templates to document the assessment and decision-making process.

- [SMC Visa Assessment Template individual](#)
- [SMC Visa Assessment template family](#)

## Role

- Immigration Officer

## Guidelines

- Skilled residence applications must be declined if the PA does not meet the minimum standard of English required.
- In any case, an immigration officer may require a principal applicant to provide an English language test result to determine whether the PA meets the minimum standard of English. However, full consideration must be given to all evidence of English language ability provided before a decision to request an English language test is made. If such a test result is requested, the reason(s) behind the decision must be clearly documented and conveyed to the applicant.

## See also

SOP – Assess English (secondary applicants)

## Steps

- 1. Check the application declaration and type of evidence provided to determine how the applicant is claiming to meet the minimum standard of English**

<b>If the applicant ...</b>	<b>Then...</b>
Has provided an English language test result from a provider set out in SR2.10.5	Go to <b>step 2</b> .
Is claiming to meet the requirements through citizenship of Canada, Ireland, the United Kingdom (UK) or United States of America (USA)	Go to <b>step 4</b> .
Is claiming to meet the requirements by holding an applicable qualification	Go to <b>step 5</b> .

## 2. Check whether the test result is valid

If, at the time the application was lodged, the English language test result was...	Then...
More than two years old	Go to <b>step 4</b> to determine whether they can meet the English language requirement through other means.
No more than two years old	Go to next step.

## 3. Check whether the test type and result is acceptable

Refer to the requirements for acceptable English language test results for principal applicants as set out at SR2.10.5.

If the test and result is...	Then...
Acceptable	English language requirements are considered met. Go to <b>step 6</b> .
Not acceptable	Continue to next step to determine whether they can meet the English language requirement through other means.

**Note:** If a risk is identified, engage with Risk and Verification to verify the result by making a Risk Treatment Referral. See [SOP - Assess Risk and Conduct Verification](#).

## 4. Determine whether the applicant meets the criteria to have their language ability recognised through citizenship

A PA may demonstrate meeting the minimum standard of English through citizenship of one of the following countries, provided they have spent (and provided evidence of) at least five years in work or education in one or more of those countries or Australia or New Zealand:

- Canada
- Ireland
- UK
- USA

If the PA...	Then...
Meets the requirements above	English language requirements are considered met. Go to <b>step 6</b> .
Does not meet the requirements	Continue to next step to determine whether they can meet the English language requirement through study towards a qualification.

**5. Determine whether the applicant meets the criteria to have their language ability recognised through a qualification**

A PA may demonstrate meeting the minimum standard of English through holding certain qualifications.

a. Check where the qualification was obtained:

If the qualification was gained...	Then...
In: <ul style="list-style-type: none"> <li>• Australia</li> <li>• Canada</li> <li>• New Zealand</li> <li>• Ireland</li> <li>• UK</li> <li>• USA</li> </ul>	Continue to <b>step 5(b)</b> to determine how the qualification is recognised.
In another country	The PA does not appear to meet any English language criteria. Note the concern and go to <b>step 6</b> .

b. Determine how the qualification is recognised:

If the qualification...	Then...
Is on the List of Qualifications Exempt from Assessment in Appendix 17  OR  Has been assessed by NZQA (i.e. the PA has supplied an International Qualification Assessment (IQA))  OR  The applicant has full or provisional registration by a NZ organisation authorised by law to give occupational registration and that registration involves an assessment that their overseas qualification(s) is comparable with a NZ qualification that is included on the LQEA	Continue to <b>step 5(c)</b> to determine the qualification is at the required level.
Does not meet any of the requirements above	The PA does not appear to meet any English language criteria. Note the concern and go to <b>step 6</b> .

## c. Check the level of the qualification

If the qualification is comparable to...	Then...
<p>A New Zealand <i>level 7 Bachelor's degree</i> and the PA studied towards that qualification for at least two academic years in one or more of these countries:</p> <ul style="list-style-type: none"> <li>• Australia</li> <li>• Canada</li> <li>• New Zealand</li> <li>• Ireland</li> <li>• UK</li> <li>• USA</li> </ul>	<p>English language requirements are considered met. Go to <b>step 6</b>.</p>
<p>A New Zealand <i>qualification at level 8 or above</i> and the PA studied towards that qualification for at least one academic year in one or more of:</p> <ul style="list-style-type: none"> <li>• Australia</li> <li>• Canada</li> <li>• New Zealand</li> <li>• Ireland</li> <li>• UK</li> <li>• USA</li> </ul>	<p>English language requirements are considered met. Go to <b>step 6</b>.</p>
<p>Neither of the above criteria appear to be met</p>	<p>The PA does not appear to meet any English language criteria. Note the concern and go to <b>step 6</b>.</p>

## 6. Update visa assessment template with the outcome of the assessment of the PA's English language ability

Ensure that all possible avenues have been considered (i.e. English language test result, citizenship, qualification) before making a determination on English language ability.

If...	Then...
<p>No concerns were identified</p>	<p>English requirements are considered met. Proceed with other relevant SOP(s) to continue assessing the application.</p>
<p>Concerns were identified</p>	<p>These should be addressed through <a href="#">requesting further information (RFI)</a> or requesting comment on <a href="#">potentially prejudicial information (PPI)</a> after assessing the other aspects of the application.</p>

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SOP – Assess English SMC (principal applicant)

# SOP – Assess English SMC (secondary applicants)

**Date Published: 25 September 2023**

**Classification: Unclassified**

## When to use

When assessing the English language ability of any non-principal applicants (referred to as secondary applicants or SAs) who are aged 16 or over for residence under the Skilled Migrant Category (SMC). Dependent children under the age of 16 when the application is lodged are not required to meet a minimum standard of English language ability.

Use the below visa assessment templates to document the assessment and decision-making process.

- [SMC Visa Assessment Template individual](#)
- [SMC Visa Assessment template family](#)

## Role

- Immigration Officer

## Guidelines

- All SAs including partners and dependent children aged 16 and older who are included in an SMC application must show that they meet a minimum standard of English to enable successful settlement in New Zealand or pre-purchase ESOL tuition.
- In any case, an immigration officer may require an applicant to provide an English language test result to determine whether they meet the minimum standard of English claimed. However, full consideration must be given to all evidence of English language ability provided before a decision to request an English language test is made. If such a test result is requested, the reason(s) behind the decision must be clearly documented and conveyed to the applicant. Secondary applicants also have the option to pre-purchase ESOL tuition.

## See also

SOP – Assess English (principal applicant)

## Steps

- 1. Check the application declaration and type of evidence provided to determine how the SA is claiming to meet the minimum standard of English**

If the applicant ...	Then...
Has provided an English language test result from a provider set out in SR2.10.20	Go to <b>step 2</b> .
Is claiming to meet the requirements through citizenship of Canada, Ireland, the United	Go to <b>step 4</b> .

Kingdom (UK) or United States of America (USA)	
Is claiming to meet the requirements by holding an applicable qualification	Go to <b>step 5</b> .
Has indicated that they wish to pre-purchase ESOL tuition	Go to <b>step 6</b> .

**2. Check whether the test result is valid**

If, at the time the application was lodged, the English language test result was...	Then...
More than two years old	Go to <b>step 4</b> to determine whether they can meet the English language requirement through other means.
Less than two years old	Go to next step.

**3. Check whether the test type and result is acceptable**

Refer to the requirements for acceptable English language test results for non-principal applicants as set out at SR2.10.20.

If the test and result is...	Then...
Acceptable	English language requirements are considered met. Go to <b>step 6</b> .
Not acceptable	Continue to next step to determine whether they can meet the English language requirement through other means.

**Note:** If a risk is identified, engage with Risk and Verification to verify the result by making a Risk Treatment Referral. See [SOP - Assess Risk and Conduct Verification](#)

**4. Determine whether the applicant meets the criteria to have their language ability recognised through citizenship**

An SA may demonstrate meeting the minimum standard of English through citizenship of one of the following countries, provided they have spent (and provided evidence of) at least five years in work or education in one or more of these countries or Australia or New Zealand:

- Canada
- Ireland
- UK
- USA

If the SA...	Then...
Meets the requirements above	English language requirements are considered met. Go to <b>step 6</b> .
Does not meet the requirements	Continue to next step to determine whether they can meet the English language requirement through study towards a qualification.

**5. Determine whether the applicant meets the criteria to have their language ability recognised through a qualification**

An SA may demonstrate meeting the minimum standard of English through holding certain qualifications.

- a. Check where the qualification was obtained:

If the qualification was gained...	Then...
In: <ul style="list-style-type: none"> <li>• Australia</li> <li>• Canada</li> <li>• New Zealand</li> <li>• Ireland</li> <li>• UK</li> <li>• USA</li> </ul>	Continue to <b>step 5(b)</b> to determine how the qualification is recognised.
In another country	The PA does not appear to meet any English language criteria. Note the concern and go to <b>step 6</b> .

- b. Determine how the qualification is recognised:

If the qualification...	Then...
Is on the List of Qualifications Exempt from Assessment in Appendix 17.  OR  Has been assessed by NZQA (i.e. the PA has supplied an International Qualification Assessment (IQA))  OR  The applicant has full or provisional registration by a NZ organisation authorised by law to give occupational registration and	Continue to <b>step 5(c)</b> to determine the qualification is at the required level.



that registration involves an assessment that their overseas qualification(s) is comparable with a NZ qualification that is included on the LQEA	
Does not meet any of the requirements above	The PA does not appear to meet any English language criteria. Note the concern and go to <b>step 6</b> .

**c. Check the level of the qualification**

<b>If the qualification is comparable to...</b>	<b>Then...</b>
<p>A New Zealand <i>level 7 Bachelor's degree</i> and the PA studied towards that qualification for at least two academic years in one or more of:</p> <ul style="list-style-type: none"> <li>• Australia</li> <li>• Canada</li> <li>• New Zealand</li> <li>• Ireland</li> <li>• UK</li> <li>• USA</li> </ul>	English language requirements are considered met. Go to <b>step 6</b> .
<p>A New Zealand <i>qualification at level 8 or above</i> and the PA studied towards that qualification for at least one academic year in one or more of:</p> <ul style="list-style-type: none"> <li>• Australia</li> <li>• Canada</li> <li>• New Zealand</li> <li>• Ireland</li> <li>• UK</li> <li>• USA</li> </ul>	English language requirements are considered met. Go to <b>step 6</b> .
Neither of the above criteria appear to be met	The PA does not appear to meet any English language criteria. Note the concern and go to <b>step 6</b> .

**6. Update visa assessment template with the outcome of the assessment of any secondary applicant or applicants' English language ability**

<b>If an applicant ....</b>	<b>Then...</b>

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Claims to meet the minimum standard of English (as opposed to pre-purchasing ESOL tuition)	ensure that all possible avenues have been considered (i.e. English language test result, citizenship, and/or qualification) before making a determination on their English language ability and/or requesting test results or ESOL tuition.
Has indicated that instead of meeting the minimum standard of English, they wish to pre-purchase ESOL tuition	note this
If the application is approved in principle	further steps will be required to manage ESOL tuition payment and agreements (see <a href="#">SOP – Approve in Principle</a> and immigration instructions at SR2.10.25 to SR2.10.60).
Has provided English test results that don't meet the minimum standard set out at SR2.10.20	refer to SR2.10.30 to determine whether they are eligible to pre-purchase a reduced amount of ESOL tuition.

Proceed with other relevant SOP(s) to continue assessing the application.

**END.**

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# SOP – Assess income (SR3)

Date Published: 25 September 2023

Classification: Unclassified

## When to use

When assessing an SMC application where the principal applicant (PA) has claimed points under the income skill category.

Use the below visa assessment templates to document the assessment and decision-making process.

- [SMC Visa Assessment Template individual](#)
- [SMC Visa Assessment template family](#)

## Role

- Immigration Officer

## Steps

### 1. Refer to assessment of skilled employment and determine whether employment is full-time

- Assessment of skilled employment must already have been made based on evidence of an employment agreement and job description specifying the occupation, hours and remuneration of the employment.

If the employment...	Then...
Is full-time, i.e. amounts to at least 30 guaranteed hours per week for every week worked	Go to next step.
Is not full-time as described above	Note the concern and go to <b>step 3</b> .

### 2. Determine the PA's eligibility for income points

Points for income may be awarded as follows. Median wage thresholds that apply are as set out at SR3.25.1(a) at the time of application, or at the time the applicant was invited to apply for residence (if there is a difference and one threshold is more favourable).

If the PA's full-time employment pays at least the equivalent of...	The PA is eligible for...
3x the median wage	6 points
2x the median wage	4 points
1.5x the median wage	3 points
Less than 1.5x the median wage	The PA is not eligible for points under the income skill category. Go to <b>step 3</b> .

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**3. Update visa assessment template with the outcome of this income assessment**

Then proceed with other relevant SOP(s) to continue assessing the application.

If...	Then...
No concerns were identified	Points for income can be awarded.
Concerns were identified	These could be addressed through <a href="#">requesting further information (RFI)</a> or requesting comment on <a href="#">potentially prejudicial information (PPI)</a> after assessing the other aspects of the application if necessary, i.e. if eligibility for these income points is likely to affect overall eligibility under the SMC.

END.

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# SOP – Assess New Zealand registration, licencing or certification SMC (SR3)

**Date Published: 25 September 2023**

**Classification: Unclassified**

## When to use

When assessing an SMC application where the principal applicant (PA) has claimed points for their occupational registration, licencing or certification.

Use the below visa assessment templates to document the assessment and decision-making process.

- [SMC Visa Assessment Template individual](#)
- [SMC Visa Assessment template family](#)

## Role

- Immigration Officer

## Steps

### 1. a. Determine whether evidence of registration, licencing or certification has been provided

- In order to qualify for points, the registration, licencing or certification must be recognised and (unless specified in immigration instructions) must not be any form of provisional, trainee, intern or limited registration.
- Evidence provided must include documentation confirming:
  - The registration, licencing or certification body, and
  - The name of the registration, license or certification and/or scope of practice; and
  - Any other requirements listed in the table at SR3.30.

If satisfactory evidence of registration, licencing or certification...	Then...
Has been provided	Go to Step 2
Has not been provided	Go to step 1b

### b. Check whether evidence has been submitted with a previous application

- In the **Application tab** in AMS go to the applicant's most recently approved application
- Depending on where the application was processed, open IGMS or ADEPT
- For application in ADEPT
  - Select the Visa application
  - Select **documents** tab
- Open the supporting documents and check for evidence of employment

If evidence of employment...	Then...

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Has been provided and is sufficient to establish a current offer of employment	<ul style="list-style-type: none"> <li>• Proceed to process the application using this evidence</li> <li>• Go to step 2</li> </ul>
Some evidence has been provided but is not complete	Continue assessing offer of employment with the information available by following this SOP but ensure that the required information is requested and assessed before making the final decision.
Has not been provided or is not sufficient to establish a current offer of employment	<ul style="list-style-type: none"> <li>• Note the concern</li> <li>• Go to <b>Step 4</b></li> </ul> <b>END.</b>

**2. If required, verify the PA’s registration, licencing or certification**

Links to relevant public registers is located here.

**3. Check the Operational Manual at SR3.30 to determine whether the PA meets the registration/licencing/certification criteria for their occupation and to determine their eligibility for points**

The required criteria set out in SR3.30 must be met to qualify for the number of points set out in the table. Unless specified at SR3.30, any form of provisional, trainee, intern, or limited registration, license, certification or scope of practice does not qualify for points.

<b>If...</b>	<b>Then...</b>
The evidence provided demonstrates the PA meets the requirements set out in SR3.30	The number of points set out at SR3.30 may be awarded. Go to next step.
The PA does not appear to meet the SR3.30 criteria.	Note the concern and go to <b>step 4.</b>

**4. Update visa assessment template with the outcome of this registration/licencing/certification assessment**

Then proceed with other relevant SOP(s) to continue assessing the application.

<b>If...</b>	<b>Then...</b>
No concerns were identified	Points for registration, licencing or certification can be awarded.
Concerns were identified	These could be addressed through <a href="#">requesting further information (RFI)</a> or requesting comment on <a href="#">potentially prejudicial information (PPI)</a> after assessing the other aspects of the application, if necessary, i.e. if eligibility for these registration/licencing/certification points is likely to affect overall eligibility under the SMC.

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**END.**

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SOP – Assess registration, licencing or certification SMC

# SOP – Assess qualification SMC (SR3)

Date Published: 25 September 2023

Classification: Unclassified

## When to use

When assessing an SMC application where the principal applicant (PA) has claimed points for a recognised qualification.

Use the below visa assessment templates to document the assessment and decision-making process.

- [SMC Visa Assessment Template individual](#)
- [SMC Visa Assessment template family](#)

## Role

- Immigration Officer

## Glossary of terms

New Zealand Qualifications Framework	NZQF
New Zealand Qualifications Authority	NZQA
International Qualifications Assessment	IQA
List of Qualifications Exempt from Assessment (Appendix 17)	LQEA

## Steps

### 1. Check the type of qualification provided

If the applicant has provided evidence of...	Then...
A New Zealand qualification Or An overseas qualification with an IQA	Go to <b>Step 3</b>
An overseas qualification and no IQA	Go to <b>Step 2</b>
No qualification	Note the concern and go to <b>step 4</b>

### 2. Determine whether the overseas qualification is recognised on the LQEA

Refer to Appendix 17 to determine whether the qualification is recognised.

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If the qualification is...	Then...
On the LQEA	Go to <b>step 3</b> .
Not on the LQEA and no IQA has been provided	Note the concern and go to <b>step 4</b>

### 3. Determine the PA's eligibility for qualification points

The following New Zealand qualifications or an overseas qualification recognised on the NZQF as equivalent to one of these specific New Zealand qualifications via an IQA or as listed on the LQEA may be awarded points as follows:

Qualification	Points
Doctoral degree	6
Master's degree	5
Bachelor honours degree or Postgraduate Diploma	4
Postgraduate Certificate or Bachelor's degree	3

Where an IQA only specifies a qualification level and not an equivalent New Zealand qualification type (e.g. Bachelor's or Master's degree), points may be awarded as follows:

Qualification	Points
Level 10 (no NZ qual type)	5
Level 9 (no NZ qual type)	4
Level 8 (no NZ qual type)	3

### 4. Update visa assessment template with the outcome of this qualification assessment

Then proceed with other relevant SOP(s) to continue assessing the application.

**END.**

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# SOP – Assess skilled work experience in New Zealand SMC (SR3)

**Date Published: 25 September 2023**

**Classification: Unclassified**

## When to use

When assessing an SMC application where the principal applicant (PA) has claimed points for skilled work experience in New Zealand.

SMC applicants must qualify for 6 points either under an individual skill category or through a combination of one skill category and their skilled work experience in New Zealand. If the applicant already qualifies for 6 points under a skill category, there is no need to complete an assessment of their work experience. However, in such cases the case summary should still note that points for work experience were claimed but not assessed because the additional points were not required.

Use the below visa assessment templates to document the assessment and decision-making process.

- [SMC Visa Assessment Template individual](#)
- [SMC Visa Assessment template family](#)

## Role

- Immigration Officer

## Guidelines

- Any periods of leave consistent with section 16 of the Holidays Act 2003 (including parental or ACC leave) taken during a period of skilled work experience in New Zealand can be counted if the applicant was earning at or above the relevant wage threshold immediately before the period of leave.
- Refer to SR2.5 to determine how the applicant's remuneration should be calculated depending on whether the applicant is paid by salary or hourly rate.

## Prerequisites

- The PA's claim for points under a skill category (income, qualification or New Zealand registration) has been assessed.

## Steps

### 1. Check the evidence provided

#### a. Check whether evidence has been submitted with the current application

- Evidence provided must include
  - an employment agreement,
  - job description that specifies, the occupation, hours, and remuneration of the employment, and
  - a summary of earnings or tax statement (for work on a contract for services) from the Inland Revenue, confirming the period of work and income over any period of work.

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If evidence of work experience ...	Then...
Has been provided	Go to <b>Step 2</b>
Has not been provided	Go to <b>Step 1b</b>

**b. Check whether evidence has been submitted with a previous application**

- In the **Application tab** in AMS go to the applicant's previous applications
- Depending on where the application was processed, open IGMS or ADEPT
- For application in ADEPT
  - Select the Visa application
  - Select **documents** tab
- Open the supporting documents and check for evidence of work experience

If evidence of employment...	Then...
Has been provided and is sufficient to establish skilled work experience	<ul style="list-style-type: none"> <li>• Proceed to process the application using this evidence</li> <li>• Go to next step</li> </ul>
Some evidence has been provided but is not complete	Continue assessing skilled work experience with the information available by following this SOP but ensure that the required information is requested and assessed before making the final decision.
Has not been provided or is not sufficient to establish skilled work experience.	<ul style="list-style-type: none"> <li>• Note the concern</li> <li>• Go to <b>Step 10</b></li> </ul> <b>END.</b>

**2. Determine whether the work experience was full-time**

If...	Then...
All work experience was full-time, i.e., at least 30 hours per week for every week worked	Go to next step.
Some but not all of the work experience was full-time as described above	Only full-time work experience can be considered. Note this and go to next step.
None of the work experience was full-time as described above	<ul style="list-style-type: none"> <li>• Note the concern</li> <li>• Go to next step.</li> </ul>

**3. Determine whether the work experience meets the remuneration criteria**

In order for the PA's NZ work experience to meet the criteria under SR3.35(b), they must have earned at or above the relevant threshold set out for the duration of their work

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experience - the relevant threshold being the threshold in place at the start of the period of skilled work experience. If the median wage changes while the applicant is employed but they remain in the same job and their pay doesn't decrease, they will continue to meet this requirement.

However, skilled work experience in New Zealand will stop being counted if the applicant changes employment or their income decreases, and their new income is below the wage required by SR3.35(b) at that time. See SR3.35.1(c).

a. **Identify which remuneration criteria applies:**

If the PA has...	Then...
Claimed points for income	Go to <b>Step 3(b)</b> .
Not claimed points for income	Go to <b>Step 4</b> to determine the ANZSCO skill level.

b. **Applicants who have claimed points for income must have earned at least the wage required by SR3.25.1 ('Income').**

If...	Then...
<p>During the applicant's claimed work experience they were earning the wage required by SR3.25.1 ('Income')</p> <hr/> <p><b>Note:</b> Where an applicant is required to earn 1.5x, 2x or 3x the median wage under SR3.25.1, the relevant median wage threshold is the median wage that was in place at the start of the period of claimed work experience, which may differ from the current median wage set out in instructions</p>	<p>The PA appears to meet the remuneration requirement. Go to <b>step 4</b>.</p>
<p>During the applicant's claimed work experience they were not earning the wage required by SR3.25.1 ('Income')</p>	<p>Go to <b>step 3(c)</b></p>

c. **Work experience for certain applicants claiming points for income of at least 2x the median wage is also acceptable if it was completed:**

- on or after 29 September 2021 and before 9 October 2023 and

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- in an occupation listed in Tier 2 of Appendix 13 while meeting the requirements listed in Tier 2 of Appendix 13 for that occupation.

If...	Then...
Their work experience was completed: <ul style="list-style-type: none"> <li>• on or after 29 September 2021 and before 9 October 2023 and</li> <li>• in an occupation listed in Tier 2 of Appendix 13 while meeting the requirements listed in Tier 2 of Appendix 13 for that occupation</li> </ul>	It is considered acceptable for the purposes of SR3.35(b). Go to <b>step 4</b> .
Does not meet the requirements above	<ul style="list-style-type: none"> <li>• Note the concern</li> <li>• Go to next step</li> </ul>

**4. Determine the ANZSCO skill level of the PA's work experience.**

- Check the applicant's role title matches the ANZSCO code provided and *aligns with the ANZSCO (6-digit) description for that occupation*

See [ANZSCO website](#) for more details.

If the occupation is...	Then they must have earned at least...
Listed at ANZSCO skill level 1, 2, or 3	The median wage (see SR3.35(c)).
Listed at ANZSCO skill level 4 or 5 or not in the ANZSCO	1.5x the median wage (see SR3.35(c)).

If, after an initial assessment...	Then...
There is enough evidence to be satisfied that the applicant's role matches the description	requirement met, detailed ANZSCO assessment is not required <ul style="list-style-type: none"> <li>• Note the skill level as set out in ANZSCO</li> <li>• Go to <b>Step 5</b></li> </ul>
There is not enough evidence to be satisfied that the applicant's role matches the description	A detailed ANZSCO assessment is needed. Go to next step

**4b. Undertake a detailed substantial match assessment (SR2.1.1)**

Determine whether the applicant's employment is:

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- substantially consistent with the ANZSCO Occupation (6-digit) level description for that occupation and
- substantially consistent with the tasks listed at the ANZSCO Unit Group (4-digit) level description for that occupational group, excluding any tasks which are not relevant to the occupation description.

The following factors may also be considered:

- the scope and scale of the employer’s organisation and operation.
- the size of the operation.
- the number of staff and managers.
- whether management functions are centralised at head office or undertaken by other managers.

If...	Then...
The tasks relevant to the ANZSCO occupation description comprise most of the applicant’s role <u>and</u> there are no concerns regarding the genuineness of the role	The applicant’s role can be considered a substantial match to the occupation as listed on ANZSCO. Go to next step
The applicant’s role is not substantially consistent with the claimed ANZSCO occupation but is substantially consistent with a different ANZSCO occupation	Go to next step
The tasks relevant to the ANZSCO occupation description do not comprise most of the applicant’s role and/or there are concerns regarding the genuineness of the role	<ul style="list-style-type: none"> <li>• Note the concern</li> <li>• Go to next step.</li> </ul>

**5. Determine whether the remuneration criteria is met:**

If the PA...	Then...
Appears to meet the relevant remuneration criteria	Go to next step.
Does not appear to meet the relevant remuneration criteria	<ul style="list-style-type: none"> <li>• Note the concern(s)</li> <li>• Go to next step.</li> </ul>

**6. Determine whether any skilled work experience meets the registration requirements, if applicable**

If...	Then...

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The PA's occupation does not require registration	Go to next step.
The PA is claiming points for New Zealand registration, licencing or certification and their work experience was completed after gaining that registration, licence or certification	The work experience can be recognised. Go to next step.
The PA is claiming points for New Zealand registration, licencing or certification but some of their work experience was completed before they obtained that registration, licence or certification	Any work experience undertaken prior to gaining registration will not qualify as skilled work experience in New Zealand. Go to next step but consider this when determining the PA's eligibility for points at <b>step 8</b> .
The PA is claiming points for New Zealand registration, licencing or certification but all of their work experience was completed before they obtained that registration, licence or certification	Any work experience undertaken prior to gaining registration will not qualify as skilled work experience in New Zealand. <ul style="list-style-type: none"> <li>Note the concern</li> <li>Go to next step.</li> </ul>

## 7. Determine whether the work experience was lawfully obtained

Check the **Visa** and/or **Applications** tabs in AMS to confirm that the PA was lawfully in New Zealand and held an appropriate visa when undertaking the work experience (for example, an open work visa or a work visa specifying the holder's ability to work in that occupation/location/for that employer).

If...	Then...
After relevant checks it is established that all work experience was lawfully obtained in New Zealand	Go to next step.
After relevant checks it is established that some but not all work experience was lawfully obtained	Any work experience not lawfully obtained will not qualify as skilled work experience in New Zealand. Continue to next step but consider this when determining the PA's eligibility for points at <b>step 9</b>
There are concerns that none of the work experience was lawfully obtained	<ul style="list-style-type: none"> <li>Note the concern</li> <li>Go to next step.</li> </ul>

## 8. Determine whether any specific risk has been identified while assessing the applicant's work experience and take appropriate action

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**a. Determine whether any specific risk has been identified. See [SOP Assess Risk and Conduct Verification](#)**

If...	Then...
No risk identified	Go to <b>step 9</b>
Concerns are identified	Go to <b>step 8b.</b>

**b. Assess whether the work experience was undertaken as the result of genuine employment and not offered as the result of payment.**

- Review any relevant information on file (for example bank statements) and in AMS (for example any alerts or warnings, if present) and
- consider any surrounding circumstances (for example the market rate for the position and the skills/experience of the applicant).

If...	Then...
Satisfied the work experience was genuine and not offered as the result of payment	If any risk has been identified that is not related to the genuineness of the work experience, verification appropriate to the risk should be undertaken as part of the overall assessment of the application. Go to next step
There are concerns surrounding the work experience with regards to the possibility it was offered as the result of a payment	Verification appropriate to the risk(s) identified should be undertaken as part of the overall assessment of the application. <ul style="list-style-type: none"> <li>• Note the concern</li> <li>• Go to next step</li> </ul>

**9. Determine the PA's eligibility for the claimed New Zealand skilled work experience points**  
For the periods of work experience assessed as meeting the requirements, points may be awarded as follows, depending on the number of years worked in New Zealand and whether it was undertaken in the relevant timeframe.

**Note:** skilled work experience does not have to have been completed consecutively and can be a total of different periods of work.

Amount of work experience claimed that meets requirements	The work experience must have been completed within...	And if so, the PA is eligible for...
3 years	5 years of application submission	3 points
2 years	4 years of application submission	2 points

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1 year	2 years of application submission	1 point
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**10. Update visa assessment template with the outcome of the work experience assessment**

Then proceed with other relevant SOP(s) to continue assessing the application.

If...	Then...
No concerns were identified	New Zealand skilled work experience requirements are considered met and the relevant points can be awarded.
Concerns were identified	These should be addressed through verification and/or <a href="#">requesting further information (RFI)</a> or requesting comment on <a href="#">potentially prejudicial information (PPI)</a> after assessing the other aspects of the application, particularly if this is likely to impact the applicant's eligibility for a total of 6 points and therefore their overall eligibility for a resident visa under the SMC.

**END.**

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# Undertake a Detailed Assessment of Employment

Date Published: 25 September 2023

Classification: Unclassified

## When to use

When an initial assessment of the applicant's current or offer of skilled employment has been undertaken in accordance with SOP – Assess skilled employment (SR3.20) and

- a specific risk or concern has been identified indicating that there may be job inflation or the applicant's role may not be genuine and/or
- the applicant's role has been assessed as not matching the specific (6 digit) occupation description on the ANZSCO.

## Role

- Immigration Officer

## Related Resources

Immigration instructions:

- SR3.20.1 Determining skilled employment
- SR3.20.5 Suitably qualified
- SR2.1.1 Substantial match

## Prerequisites

SOP – Assess skilled employment (SR3.20)

## Steps

1. Consider whether the applicant's occupation requires New Zealand registration (see Appendix 16) and whether the applicant has provided evidence of full or provisional NZ registration for that occupation

If the applicant's occupation...	Then...
----------------------------------	---------

<p>Requires registration and the applicant has provided evidence of holding that registration</p> <p>Or</p> <p>The applicant is claiming points for a registration that they hold</p>	<p>Their employment can be considered a substantial match to the ANZSCO occupation, and they can be considered suitably qualified.</p> <ul style="list-style-type: none"> <li>○ If required, verify the PA's registration. Links to relevant public registers is located <a href="#">here</a>.</li> <li>○ If there are any specific risks present, consider undertaking verification activity appropriate to the specific risk(s) identified and/or consulting a verification officer if there is an indication that advanced verification may be required. If any risk(s) cannot be mitigated through verification, any concern(s) should be communicated to the applicant in a PPI letter once a full initial assessment of the application has been undertaken.</li> <li>○ Continue with step 6 of SOP – Assess skilled employment.</li> </ul> <p style="text-align: center;"><b>END</b></p>
<p>Does not require registration</p>	<p>Further assessment is needed. Go to next step.</p>
<p>Requires registration but the applicant has not provided evidence of holding that registration</p>	<ul style="list-style-type: none"> <li>○ Note concern</li> <li>○ Go to next step.</li> </ul>

**2. Consider whether a specific risk or concern has been identified which indicates that there may be job inflation or the applicant's role may not be genuine**

If...	Then...
Concerns are present	<ul style="list-style-type: none"> <li>○ Note concern</li> <li>○ Go to <b>next step</b>.</li> </ul>
No specific risks are identified	Go to <b>Step 6</b>

**3. Make an assessment of whether the employment is genuine (SR2.1.5)**

Factors to consider include (but are not limited to):

- Whether the remuneration for the position is comparable to the market rate for New Zealand workers in that occupation.

- o Whether there is any indication that the applicant (or their agent or a third party) may have made payment to the employer (or their agent or third party) to secure the offer of employment.

If...	Then...
Satisfied the role is genuine	Go to <b>next step</b> .
Concerns around genuineness of the employment are identified	<ul style="list-style-type: none"> <li>▪ Note concern</li> <li>▪ Go to <b>next step</b>.</li> </ul>

**4. Assess whether the applicant’s employment is compliant with relevant New Zealand employment laws (SR2.1.10(b)).**

See the Employment NZ website for a list of clauses the employment agreement must contain.

If...	Then...
Satisfied the employment is compliant	Go to next step.
There are concerns around whether the applicant’s employer and/or employment are compliant with NZ employment law	<ul style="list-style-type: none"> <li>• Note concern</li> <li>• Go to next step.</li> </ul>

**5. Undertake a detailed substantial match assessment (SR2.1.1)**

Determine whether the applicant’s employment is:

- o substantially consistent with the ANZSCO Occupation (6-digit) level description for that occupation **and**
- o substantially consistent with the tasks listed at the ANZSCO Unit Group (4-digit) level description for that occupational group, excluding any tasks which are not relevant to the occupation description.

The following factors may also be considered:

- o the scope and scale of the employer’s organisation and operation.
- o the size of the operation.
- o the number of staff and managers.
- o whether management functions are centralised at head office or undertaken by other managers.

If...	Then...

The tasks relevant to the ANZSCO occupation description comprise most of the applicant's role and there are no concerns regarding the genuineness of the role	The applicant's role can be considered a substantial match to the occupation as listed on ANZSCO. Go to <b>step 7</b> .
The applicant's role is not substantially consistent with the claimed ANZSCO occupation but is substantially consistent with a different ANZSCO occupation	Go to <b>Step 7</b> .
The tasks relevant to the ANZSCO occupation description do not comprise most of the applicant's role and/or there are concerns regarding the genuineness of the role	<ul style="list-style-type: none"> <li>▪ Note the concern</li> <li>▪ Go to <b>next step</b>.</li> </ul>

**6. Undertake a suitably qualified assessment (SR3.20.5)**

Consider:

- whether the applicant has the relevant qualification or work experience set out at **SR3.20.5**;
- whether any of the applicant's qualifications and/or work experience are relevant to their New Zealand employment (see SR3.20.5(b) and (c)).

If...	Then...
Satisfied the applicant is suitably qualified for their role	Go to <b>next step</b> .
Concerns are identified	<ul style="list-style-type: none"> <li>▪ Note the concern</li> <li>▪ Go to <b>next step</b>.</li> </ul>

**7. Make a determination on ANZSCO skill level considering the factors assessed above**

If following a detailed assessment...	Then...
Satisfied the applicant meets the ANZSCO requirements	Provided no other risks have been identified, note the ANZSCO skill level of the occupation and continue with <b>step 6</b> of SOP – Assess skilled employment.

Concerns are identified	<ul style="list-style-type: none"><li>○ Note the concern and continue with <b>step 6</b> of SOP – Assess skilled employment. Also:</li><li>○ Consider undertaking verification activity appropriate to the specific risk(s) identified.</li><li>○ Consult a verification officer if there is an indication that advanced verification may be required.</li><li>○ If any risk(s) cannot be mitigated through verification, any concern(s) should be communicated to the applicant in a PPI letter once a full initial assessment of the application has been undertaken.</li></ul>
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END.

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OFFICIAL INFORMATION ACT