

Assess Health

When to use

When assessing a Straight to Residence application against A4 Health Requirements.

Role

Immigration Officer

Guidelines

- Follow the [Assess Eligibility](#) – Straight to Residence SOP and related activities to complete a full assessment.

Steps

1. Identify any health warnings or new health information

On the client's alerts tab on AMS, check if the applicant has any health warnings or alerts that need to be addressed for this application.

Check if there is any new health information on the application.

Were there any warnings or health information that has not been addressed yet?

If	Then...
Yes	Go to Step 3
No	Go to Step 2

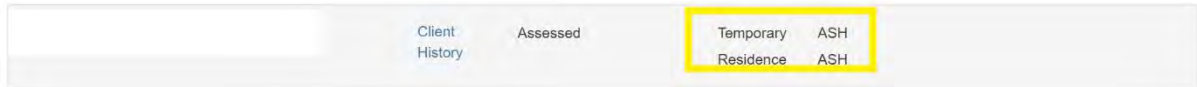
2. Identify if a valid Medical Certificate has been provided and determine if health requirements A4.10 have been met

In the Immigration Health System (IHS), check if a medical is still valid or has been submitted and if it has been assessed. Using the health case(s) provided by the applicant, click on the 'Client History' tab to search and use the most recent health case. Refer to Searching for a Health Case in IHS for alternative ways to search IHS and Check the Health Case Status in IHS.



If the Health Details has not been entered in AMS, then in the Applicants tab, enter the IHS Health Details (NZER or NZHR and Health Outcome if available). Refer to SOP Recording Health Details in AMS.

Check the latest assessment notes or the outcome banner of the health case for details of the assessment conditions. The outcome banner on the top of the health case will indicate if it is ASH for a particular visa category. If it is unclear, refer to the latest assessment notes in the Case Summary tab. If there are no notes, then the medical certificate may have auto-cleared. Refer to FAQs - 'Auto-Assessed' health cases.



Check the Medical Completion date to determine if it is expired or still valid.



Check if the medical certificate in the health case meets the medical requirements for the visa application. Refer to SOP Checking Medical Certificates in IHS.

If	Then ...
<p>The applicant submitted a General Medical Certificate and Chest X-ray and was ASH under Residence guidelines (and is within the 3 months medical completion date)</p>	<p>Complete the assessment by updating the case summary.</p>
<p>The applicant submitted a General Medical Certificate and Chest X-ray with a previous application and was ASH under Residence guidelines (and is within the 36 months medical completion date)</p>	<p>The medical certificate can be re-used for this application.</p> <p>If the applicant has not indicated they have spent more than 6 consecutive months country not listed as having low incidence of TB (A4.25.10) since their last x-ray completion, their x-ray certificate can also be re-used for this application.</p>

	Complete the assessment by updating the case summary.
The applicant submitted a General Medical Certificate and Chest X-ray with a previous application and was ASH under Temporary after referral (and is within the 36 months medical completion date)	<p>The medical certificate can be re-used for this application but needs to be assessed under residence guidelines.</p> <p>If the applicant has not indicated they have spent more than 6 consecutive months country not listed as having low incidence of TB (A4.25.10) since their last x-ray completion, their x-ray certificate can also be re-used for this application but needs to be assessed under residence guidelines.</p> <p>Go to Step 3</p>
The health case has outstanding information	<p>Request the outstanding information. See SOP - Request Additional Information</p> <p>Go to Step 3</p>
The applicant submitted a General Medical Certificate and was Not ASH (and is within the 3 months medical completion date)	Go to Step 4

Note: The time taken to assess and finalise an application may mean that an applicant has spent more than six consecutive months in a country not on the INZ list of low incidence TB countries (A4.25.10) since their last chest x-ray. This is not in itself a reason to request a new chest x-ray certificate. Refer to Visapak 511 for guidelines on when a new chest x-ray certificate may need to be requested.

3. Refer health case to HAT

- Re-open the health case to be assessed under Residence Guidelines by the Health Assessment Team (HAT). See SOP ▶ [Re-open a health case in IHS](#).
- Update the 'Visa Details and Application Details' tab in IHS with the AMS information (AMS Client ID, Referral Note and Referral Type) and Visa Details (Visa Category, Visa Type, and Intended Length of Stay). Add in a 'Referral Note' with what you need for the new assessment. Refer to SOP [Update the visa details in a health case in IHS](#).
- If the client has provided further medical tests, then attach any relevant medical tests to the health case. Refer to FAQs - Add attachments to a health case.

- You will need to wait for a response from the HAT team indicating an opinion on the applicant's health assessment outcome. Regularly check in IHS for any updates to the health case(s) you have queried. Once an outcome has been reached, refer to Step 2 of this SOP to determine if the health requirements have been met.

Address Health Concerns

4. Create Medical Concern PPI letter

- Select the relevant template via AMS TLS (AMS V156 PPI Medical Assessor/MoE Assessor).
- Write the PPI letter following the template prompts.
- Include a due date in line with timeframe guidelines.
- Save as final in TLS.

5. Send Medical Concern PPI letter

- Email the PPI letter to the applicant.

6. Create AMS note

- Create a note in AMS stating the PPI letter has been sent.
- Include the due date for a client response.

7. Make application non-actionable

- Add an AMS Bring Up with the correct due date
- Add the "NA – PPI Response" reason in AMS Workflow
- Update the AMS Location to "Non-actionable"

8. Original concerns disputed?

Has the applicant's response disputed the original concerns?

If	Then...
Yes	Go to Step 9
No	Go to Step 12

9. Re-open health case or send request to Health Assessment Team (HAT)

- Refer to the SOP Request a reconfirmation for a disputed 'NOT ASH' medical opinion.
- Check that all disputing information is relevant to what was addressed in the PPI letter, health related and is complete.
- Check if the 'Not ASH' health outcome is final or not, and which medical certificate type it was assessed under.
- Check if the 'Not ASH' health outcome is final or not, and which visa category is was assessed under. This will determine if you need to re-open the health case. Refer to the table in Step 2 of SOP Request a reconfirmation for a disputed 'NOT ASH'

medical opinion. If required, re-open the health case and update the 'visa details and application details' in the health case. (Refer to SOP ▶ Re-open a health case in IHS and update the visa details in a health case in IHS).

- Upload any supporting information provided by the applicant into the health case.
- Add a 'Referral Note' to advise HAT what you need done next e.g. "Disputing information attached. Please refer for reconfirmation of 'Not ASH' health decision for General Medical Certificate."
- If you have determined that you should not re-open the health case, send an email request to HAT asking them to refer the applicant's health case to a Medical Assessor (MA) for reconfirmation of the decision. Refer to SOP Sending communications to HAT (Send communications to HAT, <http://inzkit/publish/globalprocessmanual/#69973.htm>).
- Include any supporting information provided by the applicant in the email.
- Send a request to HAT asking them to refer the applicant's health case to the original Medical Assessor (MA).
- Include any supporting information provided by the applicant.

10. Await response from HAT.

- You will need to wait for a response from the HAT team indicating an opinion on the applicant's Acceptable Standard of Health (ASH), i.e. whether the applicant's 'Not ASH' opinion has been maintained.
- Regularly check in IHS for any updates to the health case(s) you have queried.
- Track the status of the health case to check when it has been reassessed. Check the Health Status Report for updates. Refer to SOP Managing the Health Status report for the Office. Follow up with HAT as required if you cannot understand what's happening to the health case in IHS.

11. Has the 'Not ASH' opinion been maintained?

If...	Then...
Yes	Go to Step 12
No	Go to Step 14

12. Create Medical Waiver PPI letter

- Select the relevant template via AMS TLS (AMS V325 Medical Waiver PPI).
- Write the PPI letter following the template prompts.
- Include a due date in line with timeframe guidelines.
- Save as final in TLS.

13. Send Medical Waiver PPI

- Email the PPI letter to the applicant.
- Create a note in AMS stating PPI letter has been sent.
- Include the due date for applicant's response.

- Add an AMS Bring Up with the correct due date
- Add the "NA - PPI Response" reason in AMS Workflow
- Update the AMS Location to "Non-actionable"
- Set a reminder for the due date in Outlook Calendar, AMS Bring Ups or other method.
- Await applicant's response and assess.

14. Draft Waiver

- Select the relevant template via AMS TLS [V60 Medical waiver assessment]
- Complete the template content up to the 'Weighing and balancing of factors' section.
- Save as a draft in TLS.

15. 2PC waiver

- Update the AMS Location to "Waivers"
- Forward the waiver recommendation to a Technical Advisor (TA) or Immigration Manager (IM) for Waiver review.
- The TA/IM will complete the remaining sections, make a final decision on the medical waiver, and return.

16. Complete the health assessment

- Complete assessment by updating the case summary.

END

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Assess Dependent Children

When to use

When secondary applicants (dependent children) are included in a Straight to Residence visa application.

Role

Immigration Officer

Guidelines

- Refer to [VisaPak 508](#) for guidance on whether a family member is required to be included in an application.
- Follow the [Assess Eligibility – Straight to Residence](#) SOP and related activities to complete a full assessment.

Steps

1. Assess relationship with dependent children

- a. Consider evidence (e.g. a birth certificate or adoption papers) showing the relationship between the principal applicant and/or partner included in the application and any dependent child included in the application.
- b. Is the secondary applicant the biological or adopted (R3) child of the principal applicant and/or partner included in the application?

If...	Then...
Yes	Go to Step 2
No	Send a PPI letter to the applicant See SOP Send PPI letter

2. Assess right to remove children under 16

- a. If the dependant child's parents are the principal applicant and partner included in the application, go to Step 3.
- b. Where only one parent is included in the application, identify whether the dependent child's parents are separated or divorced.

- c. Determine whether the principal applicant and/or partner included in the application have the right to remove the dependent child from their country of residence.

If...	Then...
Parents separated or divorced.	<p>Except where R2.1.45(d) applies, evidence the principal applicant and/or partner included in the application has the right to remove the dependent child must include:</p> <ul style="list-style-type: none"> • Legal documents showing that the applicant has custody of the child and the sole right to determine the place of residence of the child, without rights of visitation by the other parent; or • A court order permitting the applicant to remove the child from its country of residence; or • Legal documents showing that the applicant has custody of the child and a signed statement from the other parent, witnessed in accordance with local practice or law, agreeing to allow the child to live in New Zealand if the application is approved.
Not separated or divorced.	<p>Except where R2.1.50 (e) applies, evidence the principal applicant or partner included in the application has the right to remove the dependent child must include:</p> <ul style="list-style-type: none"> • A written statement confirmed by both parents at interview; or • A court order permitting the applicant to remove the child from its country of residence; or • The death certificate of the other parent if only one parent is included in the application, because of the death.

3. Assessing dependence

- a. Identify the dependent child's age at the time the Straight to Residence application was made.
- b. Identify the relevant definition of dependent child under R2.1.30 instructions based on the age at submission.
- c. Determine whether the secondary applicant meets the definition of a dependent child based on the relevant definition.

If...	Then...
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17 or younger	Determine whether they were single
18 to 20	Determine whether they were single, and whether they had children of their own
21 to 24	<p>Determine whether they were single, and whether they had children of their own, and whether they were totally or substantially reliant on the principal applicant/and or the principal applicant's partner for financial support, whether living with them or not. Evidence of actual dependence may be required.</p> <p>Take into account all relevant factors including:</p> <ul style="list-style-type: none">• whether the child was in paid employment, whether this was full time or part time, and its duration;• whether the child had any other independent means of financial support;• whether the child was living with its parents or another family member, and the extent to which other support was provided;• whether the child was studying, and whether this is full time or part time.

END

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Assess Eligibility

When to use

When an application has been successfully lodged and an Immigration Officer is assessing the requirements for a Straight to Residence application.

Role

Immigration Officer

Additional Resources

For Maritime roles, see the Maritime NZ webpage [Guidelines and Forms for Certification](#)

[Green List Health Occupations registration and membership requirements](#)

Guidelines

- Use SOP – [Making and monitoring third party checks](#) to ensure all required third-party checks have been made prior to assessing the applicant’s eligibility, and that any requirements relating to these third party checks have been met.
- Use this SOP and the Straight to Residence Case Summary to complete an assessment of the applicant’s eligibility for this visa category:

Steps

1. Assess Identity and age

- a. Refer to SOP – [Assess Identity](#) to complete an identity assessment for all applicants.
- b. Based on the principal applicant’s identity information, were they aged 55 or younger at the time the residence application was lodged?

If	Then...
Yes	Go to Step 2
No	Send a Potentially Prejudicial Information letter, see ' Send PPI letter SOP'.

2. Assess health

Refer to SOP – [Assess Health](#) to complete a health assessment for all applicants. Do all applicants meet health requirements?

If	Then...
Yes	Go to Step 3
No	Follow the guidelines in SOP – Assess Health for what to do when a health concern is identified.

3. Assess character

Refer to SOP – Assess Character to complete a character assessment for all applicants. Do all applicants meet character requirements?

If	Then...
Yes	Go to Step 4
No	Follow the guidelines in SOP – Assess Character for what to do when a character concern is identified.

4. Assess partnership

- a. Does the application include a secondary applicant whose eligibility is based on them being a partner of the principal applicant?

If	Then...
Yes	Go to Step 4b
No	Go to Step 5

- b. Refer to SOP – Assess Partnership to complete an assessment of whether the partner can be included in the application. Do the applicants meet partnership requirements, or the requirements to have the assessment of their partnership deferred?

If	Then...
Yes	Go to Step 5

No	Send a Potentially Prejudicial Information letter, see ' Send PPI letter SOP'.
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5. Assess dependent children

- a. Does the application include a secondary applicant whose eligibility is based on them being a dependent child of the principal applicant and/or partner?

If	Then...
Yes	Go to Step 5b
No	Go to Step 6

- b. Refer to SOP – Assess Dependent Children to complete an assessment of the whether the dependent can be included in the application. Do the applicants meet dependency requirements?

If	Then...
Yes	Go to Step 6
No	Send a Potentially Prejudicial Information letter, see ' Send PPI letter SOP'.

6. Assess English

- a. Refer to SOP – Assess English to complete an assessment of the Principal Applicant and any Secondary applicant aged 16 or over's English language ability. Do all these applicants meet English language requirements?

If	Then...
Yes	Go to Step 7
No	Send a Potentially Prejudicial Information letter, see ' Send PPI letter SOP'.

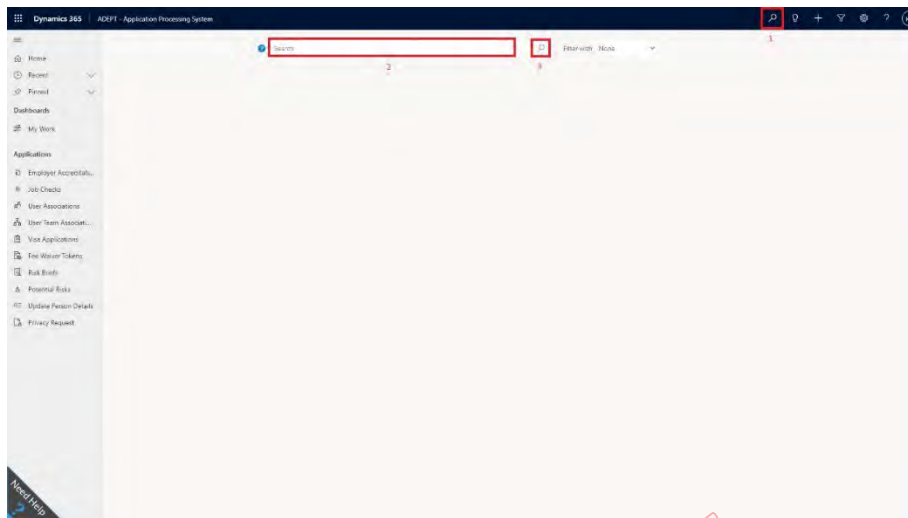
7. Assess employer accreditation

Check that that the applicant's employer was accredited under Accredited Employer Work Visa instructions (and that their accreditation was not suspended) on the date the residence application was made. You only need to confirm the accreditation status of the employer as at the date the residence application was lodged.

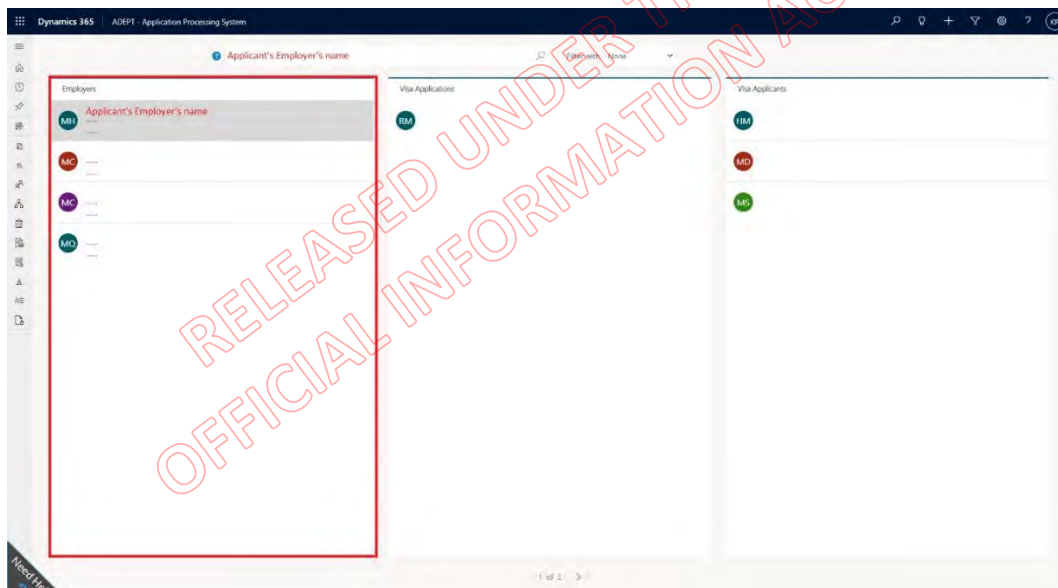
To check the accreditation status of an employer:

- a. Open ADEPT

- b. In ADEPT, search for the employer by clicking the search button in the top right of the screen, typing in the name of the employer, then searching for the employer.

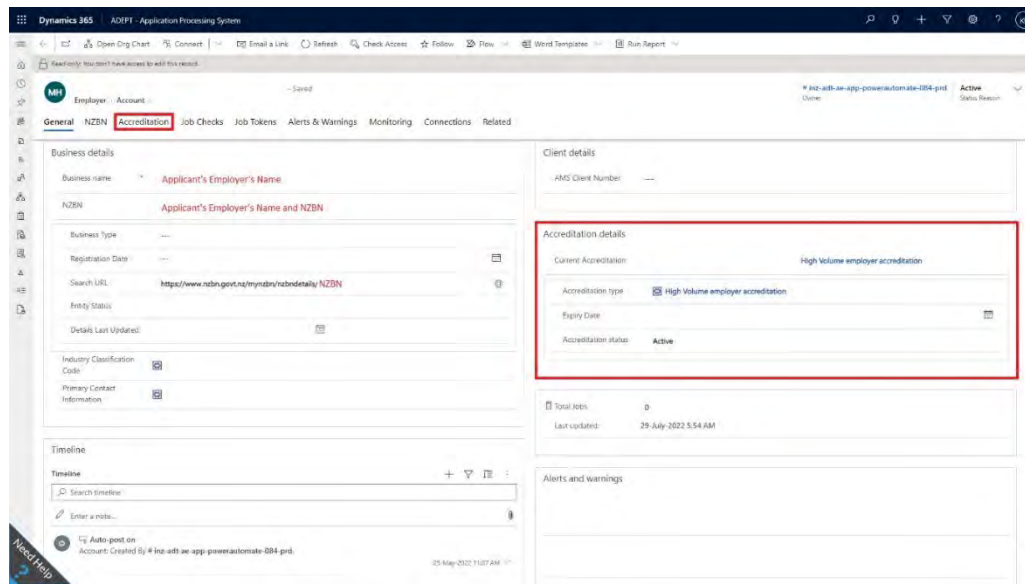


- c. In the 'Employers' section of the results, click the applicant's employer.



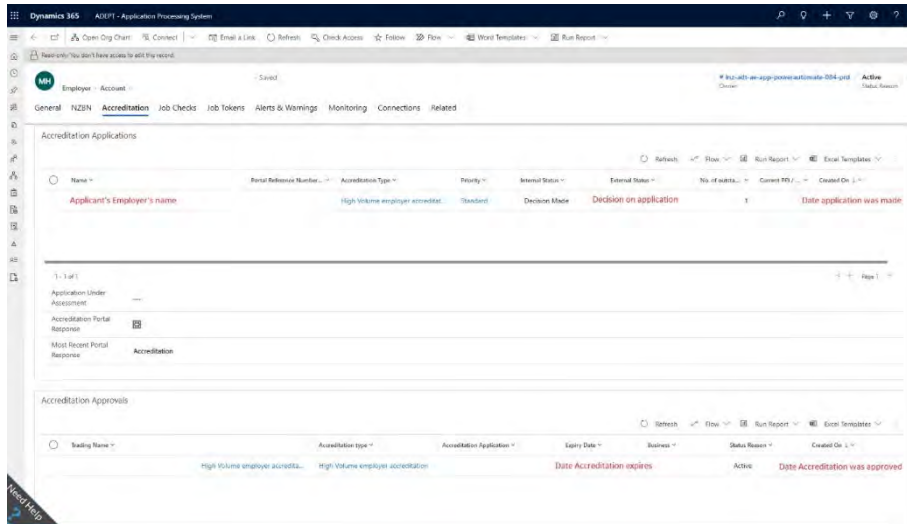
Note: If there are multiple results, select the one that most closely matches the employer name provided by the applicant, or shown in the employment agreement or letter from the employer provided by the applicant.

- d. On the employer's page, check the current accreditation status of the employer in the 'Accreditation details' section. If the accreditation status is not currently 'active,' it may indicate that the employer was not accredited at the time the resident visa application was made. Then click the 'Accreditation' tab.



Note: If there is doubt about whether you have selected the right employer (for example, if there were multiple employer results, and/or there were multiple or no results closely matching the employer name provided by the applicant), check whether the New Zealand Business number (NZBN) matches the NZBN provided by the applicant. If the applicant did not provide a NZBN for their employer, you can also check employer details by following the 'Search URL' link in ADEPT to go to the employer's NZBN page, then checking whether the employer's address on this page matches the address provided by the applicant. If you cannot confirm an employer in ADEPT is applicant's employer, request further information from the applicant to confirm their employer. See SOP Request Additional Information

- e. On the 'accreditation' page, check that the employer had an active employer accreditation on the date the current resident visa application was made. The decision on their most recent employer accreditation application should be 'approved' (shown in the 'Accreditation Applications' section) and the resident visa application date should be within the date the accreditation application was approved and the accreditation expires (shown in the 'Accreditation Approvals' section).



If	Then...
The employer's accreditation status was 'active' on the date the application was made	Go to Step 8
The employer's accreditation status was not 'active' on the date the application was made	Send a Potentially Prejudicial Information letter, see ' Send PPI letter SOP '.

8. Assess generic acceptable employment requirements

If you are assessing an employment agreement, only check the details relevant to the requirements listed in this section.

a. Is the applicant's employment full time?

If	Then...
Yes	Go to Step 9
No	Go to Step 8b

Note: An applicant's employment is full time if it amounts to at least 30 guaranteed hours per week for every week worked. These details should be in the applicant's employment agreement or letter from their employer.

b. Is the applicant a permanent employee or employed for a fixed term of at least 12 months?

If	Then...
Yes	Go to Step 9

No	Go to Step 8c
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Note: These details should be in the applicant's employment agreement or letter from their employer.

- c. Is the applicant's job based on a current contract for services or multiple current contracts for services totalling in at least 6 months of duration?

If	Then...
Yes	Go to Step 9
No	Send a Potentially Prejudicial Information letter, see ' Send PPI letter SOP'

9. Assess Green List job or job offer requirement

If you are assessing an employment agreement, only check the details relevant to whether the applicant's occupation is listed on tier 1 of the Green List.

- a. Does the applicant have a job or job offer for an occupation listed on tier 1 of the Green List?

If	Then...
Yes	Go to Step 10
No	Send a Potentially Prejudicial Information letter, see ' Send PPI letter SOP'.

Note: These details should be in the applicant's employment agreement or letter from their employer. If you are unsure whether the applicant's job or job offer is for an occupation listed on tier 1 of the Green List, or there has been a specific risk identified that the job or job offer may not be for a role listed on tier 1 of the Green List, you can consider performing a substantial match assessment (see SR3.10(c) and SR5.10) to determine this. See a Technical Adviser if you think a substantial match assessment might be required for your application.

10. Determine whether the applicant meets the requirements listed for their occupation on tier 1 of the Green List

When considering whether the applicant meets the requirements specified on the Green List, you may consider evidence and information provided during a previous work visa application.

If you are assessing an employment agreement and the applicant's occupation has a minimum remuneration threshold, only check the details relevant to whether the applicant meets that remuneration requirement.

Keep in mind that for ICT occupations there is a higher remuneration requirement and a requirement to have worked for at least 10 years in a role relevant to their occupation if employment is based on a contract for services. There is no requirement for previous work in a relevant role for any employment not based on a contract for services.

If	Evidence of the applicant meeting these requirements can include:
There are specific qualification requirements	Their qualification which meets this requirement or Their offshore qualification(s) and an International Qualifications Assessment (IQA) from the NZQA showing these meet the requirements specified on the green list
There is a requirement for a particular registration or professional membership	Documentation confirming this registration or professional membership or Confirmation of the applicant's registration or professional membership from the website of the registration or membership organisation's governing body. A list of these can be found on the Immigration New Zealand website.
There is a requirement for a minimum amount of work undertaken in a role relevant to their occupation	An employment agreement or letter from their employer(s) (previous and current) stating the duration of employment and position, or other evidence showing they have worked in a role relevant to their occupation for at least the minimum required amount of time.
There is a requirement to earn at least a certain minimum amount per hour or the equivalent annual salary	An employment agreement or letter from their employer stating their occupation, hours and remuneration showing they earn at least this amount. Note: If you cannot identify that the applicant is meeting a minimum remuneration requirement from their employment agreement or letter from

	employer, you may request further information such as an IRD summary of earnings, pay slips or bank statements showing the receipt of income.
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Does the applicant meet the requirements listed for their occupation on tier 1 of the Green List, including (if applicable) any specific requirements for employment based on contracts for services?

If	Then...
Yes	The applicant meets application eligibility requirements. Go to SOP Send AIP Letter or SOP Finalise application – e-Visa and comms
No	Send a Potentially Prejudicial Information letter, see Send PPI letter SOP.

END

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Assess English

When to use

When an application has been successfully lodged and an Immigration Officer is completing an assessment of a principal or secondary applicant aged 16 or over's English Language ability

Role

Immigration Officer

Guidelines

- Dependent children under the age of 16 are not required to meet a minimum standard of English language ability
- Follow the [Assess Eligibility – Straight to Residence](#) SOP and related activities to complete a full assessment.

Steps

1. Has the applicant provided an English Language test result?

If	Then...
Yes	Go to Step 1a
No	Go to Step 2

- a) Is the test result dated no more than two years prior to the date the application was lodged, or was the applicant's SMC expression of interest (EOI) in the EOI pool as at 8 November 2022?

If	Then...
Yes	Go to Step 1b
No	Send a Potentially Prejudicial Information letter, see Send PPI letter SOP .

- b) Does the English language test result show that they meet the acceptable standard of English?

The following English language test results are acceptable for a **principal applicant**:

Test	Minimum score required
International English Language Testing System (IELTS) - General or Academic Module	Overall score of 6.5 or more
Test of English as a Foreign Language Internet-based Test (TOEFL iBT)	Overall score of 79 or more
Pearson Test of English Academic (PTE Academic)	Overall score of 58 or more
B2 First (First Certificate in English) (formerly Cambridge English: First (FCE)) or B2 First for Schools (First Certificate in English) (formerly Cambridge English: First (FCE) for Schools)	Overall score of 176 or more
Occupational English Test (OET)	Grade B or higher in all four skills (Listening, Reading, Writing and Speaking)*

* A score of Grade B or higher in all four skills is required for the OET as there is no overall grade for this test.

The following English language test results are acceptable for a **secondary applicant** (partner or dependent child aged 16 and above):

Test	Minimum score required
International English Language Testing System (IELTS) - General or Academic Module	Overall score of 5.0 or more
Test of English as a Foreign Language Internet-based Test (TOEFL iBT)	Overall score of 35 or more

Pearson Test of English Academic (PTE Academic)	Overall score of 36 or more
B2 First (First Certificate in English) (formerly Cambridge English: First (FCE)) or B2 First for Schools (First Certificate in English) (formerly Cambridge English: First (FCE) for Schools)	Overall score of 154 or more
Occupational English Test (OET)	Grade C or higher in all four skills (Listening, Reading, Writing and Speaking)*

* A score of Grade B or higher in all four skills is required for the OET as there is no overall grade for this test.

If	Then...
Yes	Go to Step 1c
No	Send a Potentially Prejudicial Information letter, see Send PPI letter SOP.

- c) Has a risk rule triggered, or is there a risk indicator that suggests the test result may be fraudulent?

If	Then...
Yes	<p>Verify the test result is genuine following the guidance in the Verification Toolkit.</p> <p>If there are concerns with the English test result, send a Potentially Prejudicial Information letter, see Send PPI letter SOP.</p> <p>If there are no concerns with the test result, the applicant meets English language. Continue assessment using the case summary END</p>

No	The applicant meets English language requirements. Continue assessment using the case summary END
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Note: Consider any relevant alerts and warnings in AMS. If a risk rule has triggered, follow the risk advice provided to identify the appropriate risk treatment to apply. If verification is required, check the guidelines on [verifying and recording English language test results](#).

2. Determine whether there is other evidence of the applicant meeting the minimum standard of English

- a) Is the applicant a citizen of Canada, the Republic of Ireland, the United Kingdom or the United States of America who has spent at least five years in work or education in one or more of those countries or Australia or New Zealand?

If	Then...
Yes	The applicant meets English requirements. Continue assessment using the case summary. END
No	Go to Step 2b

Note: If the applicant was not born in their country of citizenship, evidence should be provided that the applicant's length of work and/or education meets this requirement, e.g. a letter from their employer confirming their period of work, or documents confirming periods of education completed.

- b) Does the applicant have a recognised qualification (see SM8) comparable to a New Zealand level 7 bachelor's degree and gained in Australia, Canada, New Zealand, the Republic of Ireland, the United Kingdom or the United States of America as a result of study undertaken for at least two academic years in one or more of those countries?

If	Then...
Yes	The applicant meets English requirements. Continue assessment using the case summary. END
No	Go to Step 2c

Note: Evidence should be provided that the applicant's holds a qualification meeting this requirement

- c) Does the applicant have a recognised qualification (see SM8) comparable to a New Zealand level 8 bachelor's degree and gained in Australia, Canada, New Zealand, the Republic of Ireland, the United Kingdom or the United States of America as a result of study undertaken for at least one academic year in one or more of those countries?

If	Then...
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Yes	The applicant meets English requirements. Continue assessment using the case summary. END
No	Go to Step 2d

Note: Evidence should be provided that the applicant's holds a qualification meeting this requirement

d) Is the applicant the principal applicant?

If	Then...
Yes	Send a Potentially Prejudicial Information letter, see Send PPI letter SOP.
No	Go to Step 3

Note: A principal applicant must demonstrate that they meet the minimum required standard of English for a principal applicant through one of the above steps, and do not have the option of pre-purchasing ESOL tuition.

3. Has the secondary applicant indicated they will pre-purchase ESOL tuition?

If	Then...
Yes	<p>Continue assessment using the case summary.</p> <p>Subject to all other application requirements being met, finalise application with the AIP condition that the applicant(s) must first pre-purchase ESOL tuition</p> <p>If the partner is deferred (see Assess – Partnership SOP, complete this step and the end of the partner's deferral period.</p> <p>See Send AIP letter SOP</p>
No	<p>Confirm whether the secondary applicant intends to pre-purchase ESOL tuition or provide evidence of their English language speaking ability.</p> <p>If they do not, send a Potentially Prejudicial Information letter, see Send PPI letter SOP.</p> <p>If evidence is submitted, assess the evidence (go to Step 1) but send a PPI letter if the applicant does not provide an acceptable English Language test result (Step 1) or acceptable other evidence of meeting the minimum standard of English (Step 2), Send PPI letter SOP.</p>

END

Assess Partnership

When to use

When a secondary applicant (partner) is included in a Straight to Residence visa application, including if the partner's application needs to be deferred.

Role

Immigration Officer

Guidelines

- Refer to [VisaPak 508](#) for guidance on whether a family member is required to be included in an application.
- Follow the [Assess Eligibility](#) – Straight to Residence SOP and related activities to complete a full assessment.

Steps

1. Has the claimed partnership been assessed, and recognised, as part of a previous partnership based visa application?

If...	Then...
Yes	Go to Step 2
No	Go to Step 3

2. Is there any evidence, information, or warnings, to suggest that anything has changed since the previous assessment of the relationship?

If...	Then...
Yes	Go to Step 3
No	Go to Step 6

3. Assess definition of 'partner'

Does the evidence confirm the secondary applicant meets the definition of 'partner' at R2.1.10?

If...	Then...
Yes	Go to Step 4
No	Send a PPI letter to the applicant See Send PPI letter SOP

Note: Any relevant alerts, or warnings, linked to the principal applicant, or their partner, should be considered and addressed.

4. List relationship evidence

Note, in the case summary, all partnership evidence provided by the principal applicant and partner. Go to **Step 5**

5. Assess partnership information

Determine whether the principal applicant and partner are living together in a genuine and stable partnership, as set out at F2.10.1.

If...	Then...
Yes	Go to Step 6
No	Send a PPI letter to the applicant See SOP Send PPI letter SOP

Note: When considering the above, if the principal applicant and partner are not currently living together determine whether they are separated for genuine and compelling reasons. Consider the duration of the relationship and other factors set out at instructions F2.30.1 and F2.20.15 (b).

6. Instruction F2.15 minimum partnership requirements met?

Does the partnership meet the minimum requirements for recognition of partnerships set out at F2.15?

If...	Then...
Yes	Go to Step 7

No	Send a PPI letter to the applicant See SOP Send PPI letter
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7. 12-months living together requirement met?

‘Living together’ includes the total time the principal applicant and partner have physically lived together.

Have the principal applicant and partner been living together for 12 months or more at the time of assessment?

If...	Then...
Yes	Complete assessment of partnership, use the case summary to continue with assessment of other areas of the application. END
No	Consult with a TA before any decision to defer the application is communicated to the applicant. Defer final decision on the partner for remainder of the 12 months. Use case summary to continue with assessment of other areas of the application for the principal applicant. Go to Step 8

Note: the COVID-19 pandemic and related border restrictions has meant that some partners have been separated for genuine reasons. In these cases a pragmatic approach should be taken to consider the relationship history and how the relationship has been maintained during that time.

Assessment of periods of separation should include, but is not limited to assessment of;

- evidence showing how the relationship was maintained;
- the credibility of claimed reasons for separation; and
- whether circumstances actually prevent the couple from living together.

8. TA consultation

- a. Ensure you have consulted with a TA before any decision to defer the application is communicated to the applicant.
- b. If a decision to defer is made, the TA should make a note of their agreement in AMS.

9. Communicate deferral decision and deferral period.

- a. Email the applicant to advise that they meet all but the 12 months living together requirement and that the partner's residence application will be deferred until they provide evidence that they have lived together in a genuine and stable relationship for at least 12 months.
- b. Seek confirmation from the applicant that they agree with the deferral decision before moving to step 10.

10. Remove partner from Straight to Residence application

- a. Defer the partner's application until the principal applicant provides evidence of the 12 months living together requirement.
- b. Remove the partner from the Straight to Residence application in AMS.
- c. Add a note to AMS explaining why they have been removed from the application.

11. Defer the partner's application until evidence is provided that partnership criteria are met.

- a. Create a new Skills/Business deferral application for the deferred partner in AMS, completing lodgement requirements as appropriate. No fee is required.
- b. Ensure the lodgement date is the same as the original Straight to Residence application.
- c. Link this application with the original Straight to Residence application.
- d. Add the principal applicant as a supporting partner in the contacts tab. Add AMS notes regarding the deferral of the partner with reference to the original Straight to Residence application.
- e. Create an AMS Bring Up with the date that the 12 month living together requirement will be met, and add the "NA – Deferred" workflow reason.
- f. Make this application non-actionable by updating the AMS Location to "Non-actionable" for the Support Team to monitor.
- g. Make the AMS case manager "Queue, Deferred Partnership."

12. Send AIP letter

- a. Go to SOP Send AIP letter.
- b. Issue PA's visa upon provision of passport (if required).
- c. Await secondary applicant's response to the AIP letter requesting evidence of meeting the partnership criteria and the passing of the deferral due date deadline.

13. Assess Partnership Requirements

- a. Receive client response and assess information provided. Follow the prompts in the partnership deferral assessment template (attached below) to complete an assessment of the partnership after the deferral period.

- b. Request further information if required.
- c. If concerns identified, go to SOP Send PPI letter

14. File Final Recommendation

- a. Add your final assessment to AMS notes.
- b. Refer file for quality control check.

15. Request Passport

- a. Contact client and request the passport for issuance of visa, if passport not already scanned.
- b. Issue PA's visa upon provision of passport (if required).

END

RELEASED UNDER THE
OFFICIAL INFORMATION ACT