



**NEW ZEALAND
IMMIGRATION**

Kia ora!———

Welcome to the Student visa category

RELEASED UNDER THE
OFFICIAL INFORMATION ACT



**MINISTRY OF BUSINESS,
INNOVATION & EMPLOYMENT**
HĪKINA WHAKATUTUKI

New Zealand Government

Nau mai, haere mai

Welcome to the Student visa workshop

By the end of this workshop, you will be able to:

- describe the Student visa options and explain why Student Visas are important to Aotearoa New Zealand
- explain the application process and explain how a
- describe the requirements when assessing a Stud
- use INZ tools and systems such as instructions, Standard Operating Procedures (SOPs), and the Visa Assessment Tool (VAT)
- apply the end-to-end process when assessing a Student visa application using case studies.



Agenda

DAY ONE:

Welcome

Introduction to Student Visa

Requirements

Case Study One

Close

DAY TWO:

Welcome back

Pathway (only required for learners processing Pathway Student visas)

Guardianship

Attendance

Case Study Two

Close

Student Visa purpose and objectives

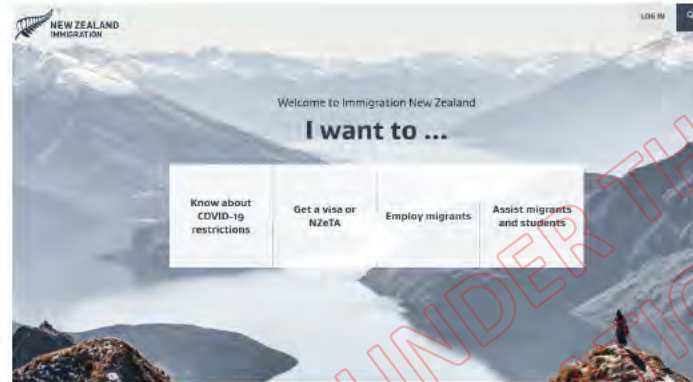


- What are the benefits (for both New Zealand and foreign nationals) from having overseas students come to Aotearoa New Zealand to study?
- Any ideas why they might choose New Zealand?

Information for students



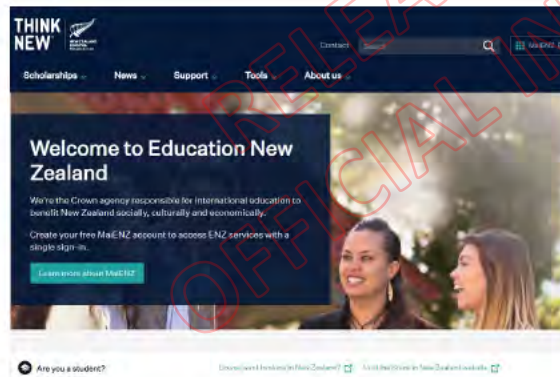
**Immigration Adviser or
Education Agent**



INZ website



INZ Service Centre



ENZ website



Approach the provider

Go to: <https://www.immigration.govt.nz/new-zealand-visas>

Categories of students

Domestic

Some overseas students have domestic student status but **still require a student visa** (University students enrolled in a PhD, and some primary and secondary school students e.g. dependent children of a work visa holder in NZ or exchange students)

International

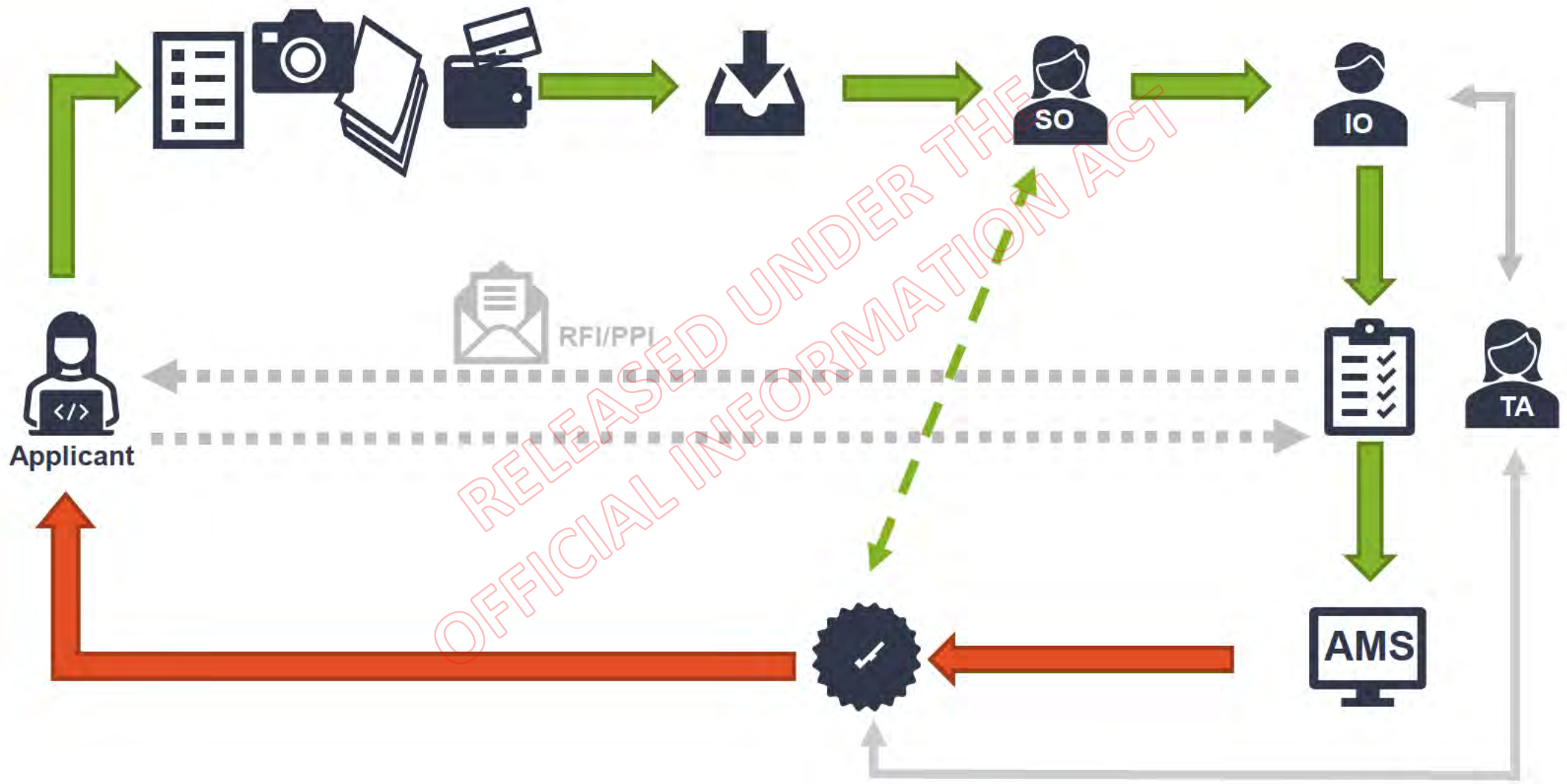
International students are charged international fees and require either a Student visa or another visa that allows study...

- **Working Holiday visa**
- **Work visa holders**
- **Visitor visa**

Comparing visa types

Visa types	Criteria	Length of stay / activities	Other info
Fee-paying student Visa (U4.10)			
Exchange Student Visa (U4.15)			
Pathway Student Visa (U14.5)			
Fully supported students (U4.1)			

Application Overview



Employer and education provider tools

- **VisaView**
- **Visa Verification Service**
- **Correspondence between INZ and education providers**
- **INZ reporting**



Education Providers in Aotearoa

Go

Zealand



Education System

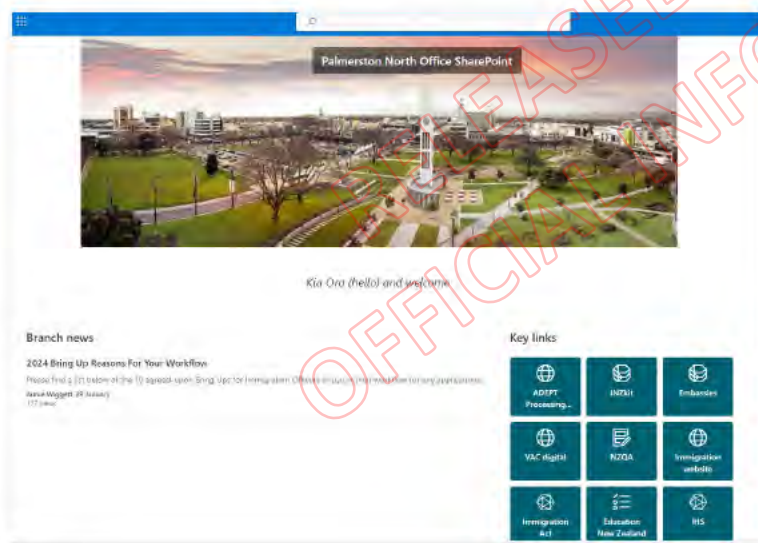
NZQA www.nzqa.govt.nz New Zealand Qualification Authority	ENZ www.enz.govt.nz Education New Zealand	MoE www.education.govt.nz Ministry of Education
NZQA's purpose is to support learners in New Zealand by: • making sure they have access to quality training and can learn their whole lives • keeping complete records of their educational achievements • letting them take their achievements with them anywhere in the world • setting them up for success through our resources and services.	A crown entity, ENZ takes the lead in marketing New Zealand's education industry around the world.	MoE is the Government's lead advisor on New Zealand's education system. They shape direction for education agencies and providers, and contribute to the Government's goals for education.

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Assessing an application

Once you have received an application:

1. Global Process Manual
2. Use the visa assessment tool, and the
3. Operations Manual
4. Team (Sharepoint) site



STUDENT VISA ASSESSMENT	
Category type	Choose an item.
Application number	Click or tap here to enter text.
Assessment status	Choose an item.
Risk level	Choose an item.
IDENTITY INFORMATION (A2.1/A13.1)	
Satisfied ID of all applicants confirmed	Choose an item.
Comments (if required):	
STUDY DETAILS (U3.5 / U3.7 / U3.10 / E3.20 c & d)	
Acceptable Offer of Place or Confirmation of Enrolment	Yes.
Fees Paid	Yes. Fees paid in full.
Acceptable Attendance/Progress	Yes
Comments (if required):	
ACCOMMODATION REQUIREMENT (U3.15)	
Accommodation assessment outcome:	Statement received from education provider confirming that the applicant's accommodation is compliant with the Education (Pastoral Care of International Student) Code of Practice 2021. U3.15 met.
Comments (if required):	
GUARDIANSHIP REQUIREMENT (U3.30)	
Guardianship assessment outcome:	U3.30 applies. Guardian is required unless enrolled in approved school hostel.
Comments (if required):	
FUNDS FOR MAINTENANCE (U3.20 & U3.25)	
The applicant has access to sufficient funds that are from a genuine source and genuinely available (U3.20 and U3.25)	Financial Undertaking.
Choose an item.	

U3.1 (a) Student Visa requirements



Offer of a place or confirmation of enrolment



Paid tuition fees or have sufficient funds to pay them



Accommodation requirements (if under 18)



Met conditions for previous/current visas



Means to maintain (funds, sponsorship) & OWT



Hold insurance unless PhD or MFAT



Not be on a Guardian visa



Have a guardian (if under 10) or be in approved hostel

Offer of a place U3.5



What do you think an offer of place needs to include?

How might an applicant show evidence of the offer?

Education provider obligations

The provider must declare:

That they have assessed and are satisfied that the programme is appropriate for the student's expectations, and that the prospective student has the English language proficiency and academic capability to succeed in the programme offered.

- **Schools**
- **English language students**
- **Universities**
- **Te Pūkenga and PTEs**



Programme entry requirements

NZQA

Offshore applications – what's different?

- Evidence of tuition fee payment is not required until after the application has been approved in principle (AIP) ([U3.10](#))



- PPI not required, unless: ([E7.15.1](#))



U3.1 (b) Student Visa requirements



**Lodging an
application for
Temporary entry
E4**



**Bona fide
applicant
E5**



**Health
requirements
A4**



**Character
requirements
A5**

Bona fides

Genuine, real, or true



Bona fides – Reasons to study in Aotearoa

- **High quality education** - all of New Zealand's eight universities are ranked in the top 3% in the world and New Zealand ranks 7th for highest performing graduates – ahead of the US, Canada and England.
- **Learn English** by living in an English-speaking country - in a safe, welcoming country with high living standards.
- **Experience living in a new country** - New Zealand is world-famous for its friendly people, spectacular landscapes, and relaxed lifestyle.
- **Globally recognised qualifications** - employers around the world welcome graduates of New Zealand's education system because of their strong academic qualifications, practical skills, and ability to think critically and creatively.
- **Longer term opportunities** for example a student wanting to study a specific course because it's on the Green List and can lead to a Post Study Work visa.

Push and Pull factors



Push: Things that would *push* me or make me want to leave where I live in my home country



Pull: Things that would *pull* me back or motivate me to go back to where I live

Bona fides (E5)

The assessment of a **temporary stay** can be confusing and sometimes feel contradictory as:

- settings allow students to apply for another visa (and type) after study
- there are policy pathways such as post study work visas, which allow some students to remain in Aotearoa and work after study; and
- there are residence options for many students.



IAC 13-09 - bona fides and temporary stay

The IAC notes that the fact someone might apply for a further visa, such as a student or work visa, does not in itself mean that they do not genuinely intend a temporary stay and therefore, are not bona fide.

However, in some cases, a change onshore may indicate significant concerns about a person's bona fides and intent - such as where an applicant changes the length or intent of their stay in New Zealand abruptly and this change does not align with information that INZ has about the person.

E5.10 – Determining if a student is bona fide

IOs must consider the **evidence of lawful purpose submitted** (i.e. study) along with:

- the ability of the student to leave or be deported and
- any relevant information held about previous applications and **including any visa condition breaches, overstaying or dependent overstayers**

Personal circumstances of the student including:

- strength of family ties at home and New Zealand
- personal, financial, employment commitments
- anything that may discourage someone from going home if they were declined a subsequent visa, or their visa expired.

Final Tips



An IO assesses the **intent of the applicant to study**, and whether we are satisfied that they will meet those student visa conditions (particularly around **funds, attendance and progress**).



- We do not make subjective judgement calls on the study choice, particularly if the study is in an area of skills shortage or is at a high level
- We do not damage New Zealand's brand by implying there is no reason to study here

You do not need to list every aspect that you weighed and balanced, concentrate on the factual, concrete reasons (such as funds or breaches of conditions).

Health - A4

All applicants for visas must have an acceptable standard of health.

A person has an acceptable standard of health if they are:

- unlikely to be a danger to public health; and
- unlikely to impose significant costs or demands on New Zealand's health services or special education services; and
- able to undertake the work or study on the basis of which they are applying for a visa, or which is a requirement for the grant of the visa.

Paraphrased - refer to Ops Manual for full instructions



Character - A5

Applicants for all visas must:

- be of good character; and
- not pose a potential security risk.



s 6(c)

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Identity, health and character

Questions:

- What information has been provided in relation to s 9(2)(a) identity?
- What information has been provided in relation to s 9(2)(a) character?
- What information has been provided in relation to s 9(2)(a) health?
- Is there any information missing?



U3.5 Study offer – evidence

Unless otherwise specified, to study a course that's longer than three months, applicants must have:

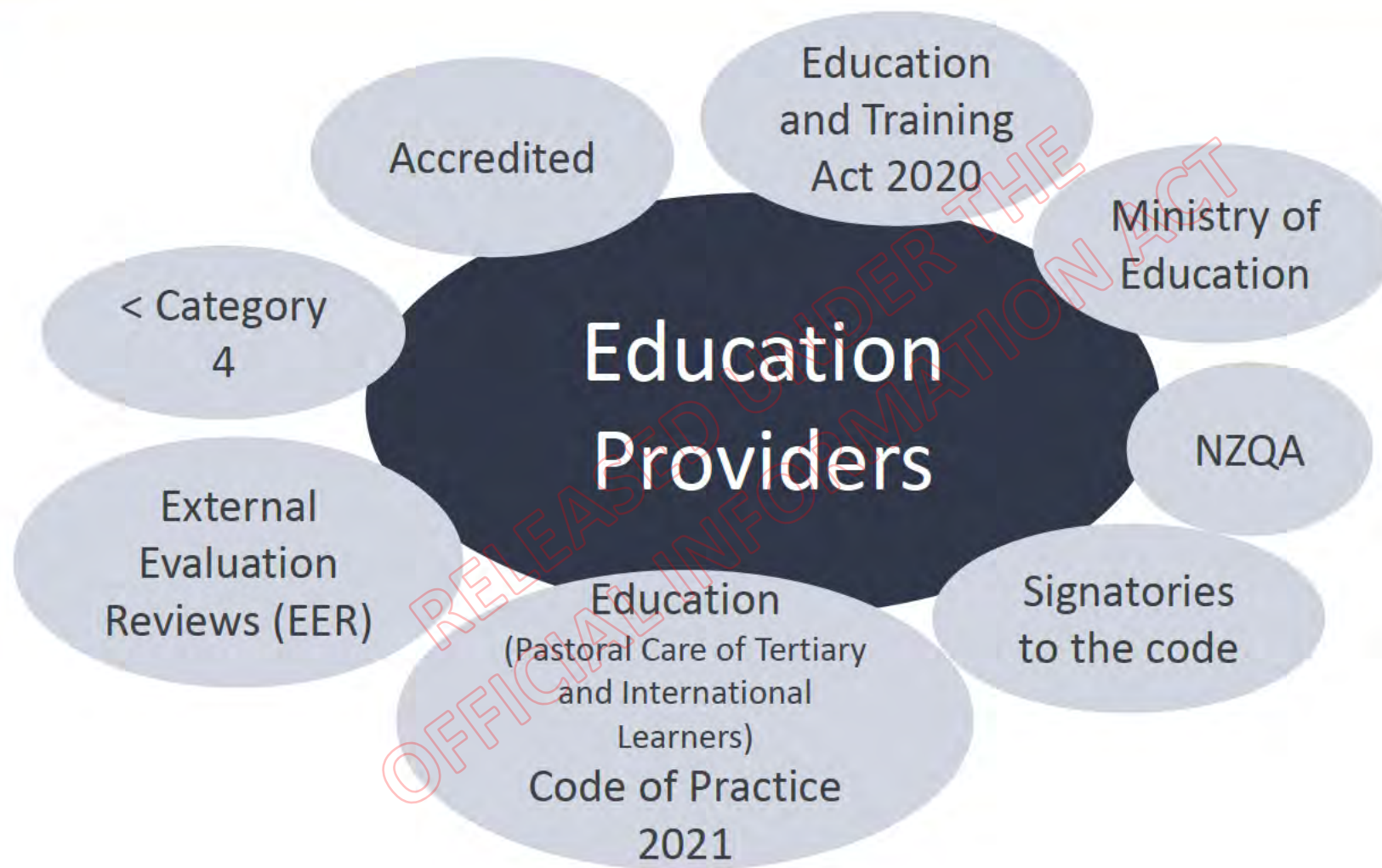
- an **Offer of Place** [\(U3.5\)](#) or,
- if returning to continue study, a **Confirmation of Enrolment** [\(U3.7\)](#)

Questions:

- What evidence must be included in an Offer of Place?
- What evidence must be included in a Confirmation of Enrolment?
- Does the application include all required evidence?



Study Offer - Education providers



Always check for warnings on Education Providers as their status can change quickly

Study Offer – Education Providers

Questions:

- What are the requirements for schools?
([U5.5](#))
- Is **s 9(2)(a)** study offer from an acceptable education provider?



Tuition fees

Questions:

- What do you do if there is no evidence of fee payment: Onshore? Offshore?
- What instruction outlines details about students who are exempt from providing evidence of fee payment?
- Have s 9(2)(a) fees been paid?
- What are s 9(2)(a) study start and finish dates for his school year?



Funds for maintenance

In what ways might students show that they have sufficient funds available to maintain themselves throughout their stay in New Zealand?

- Scholarship
- Sponsorship
- Financial Undertaking for a Student
- funds held by or on behalf of the student...
- and...
- Outward Travel



Genuine and Available Funds

U3.20.20 Funds held by or on behalf of the student

Immigration officers must be satisfied that the funds are from a genuine source and are genuinely available for the purposes of the applicant's maintenance requirements



Funds Transfer Scheme (FTS)

The FTS is a secure way for students from some countries to transfer funds to support themselves while studying in New Zealand.

The FTS is only available to students from:

- China
- India
- Philippines
- Sri Lanka.



Funds for maintenance

Questions:

- What are some acceptable types of evidence in relation to funds for maintenance?
- Does **s 9(2)(a)** have sufficient funds?
- What are the reasons for your answer?



Accommodation

Questions:

- What are the evidence requirements for accommodation? ([U3.15](#))
- How does s 9(2)(a) application meet these requirements?



Guardianship

Some students are required to have guardians.

Guardianship requirements for students aged under 10 years are set out in instructions ([U3.30\(a\)](#)).

Some older students who are not required to live with a guardian can and do still choose to be accompanied by their guardian. The instructions for Guardian Visas are at [V3.100](#).

Adult students (18 years or out of school) cannot have a guardian accompany them on a Guardian Visa.



Guardianship

Questions:

- If **s 9(2)(a)** wanted his mother to join him, could she apply to come to New Zealand as his guardian?
([V3.100](#))
- What are the reasons for your answer?



Bona Fides

Question:

Based on the information in the application, do you have any concerns about s 9(2)(a) being a “bona fide applicant”?

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Risk assessment

Questions:

- Have you identified any risk?
- If so, what actions would you take to mitigate it?

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Determining an application

Question:

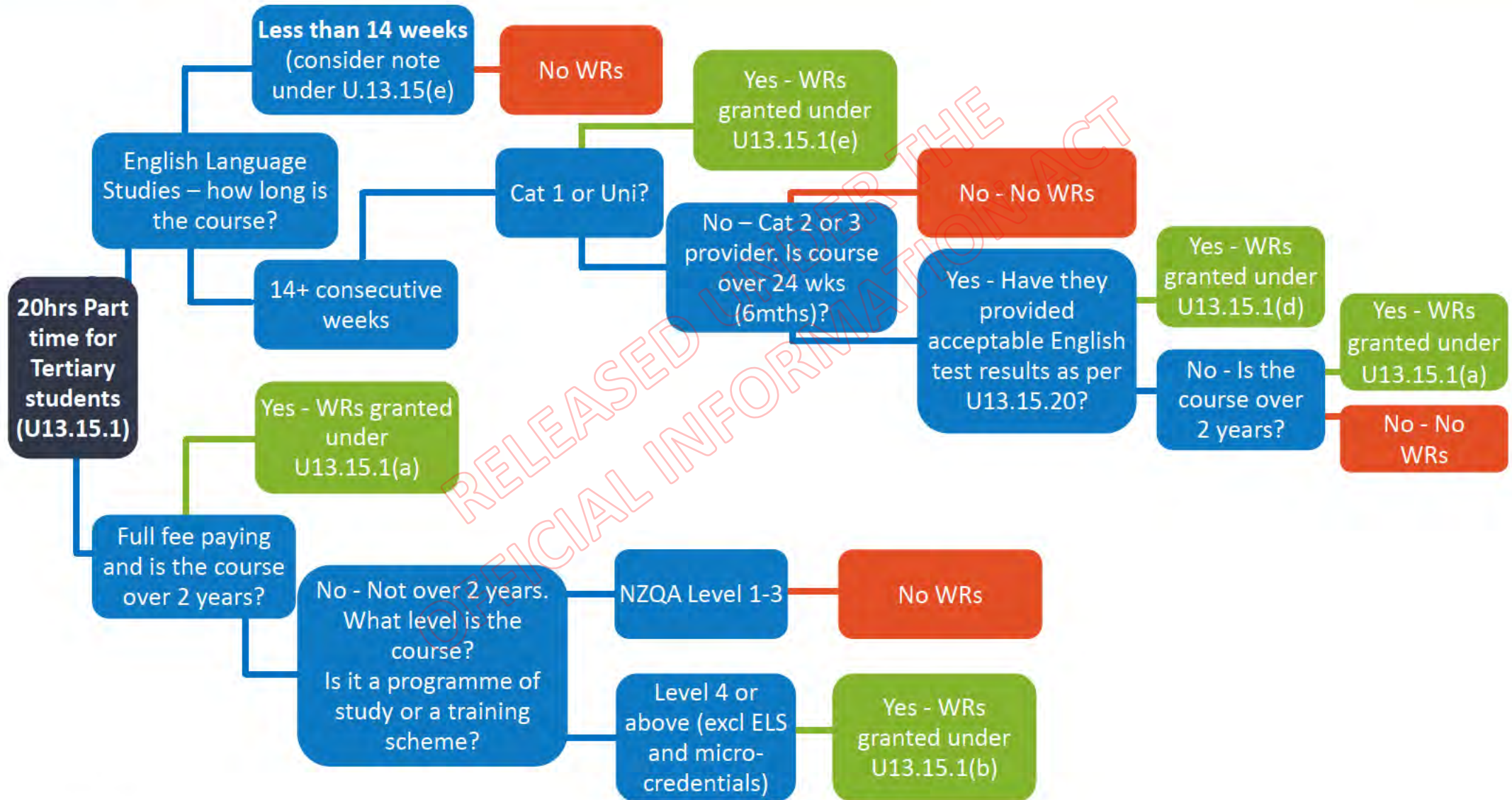
What is your decision in relation to the visa application?



Work rights

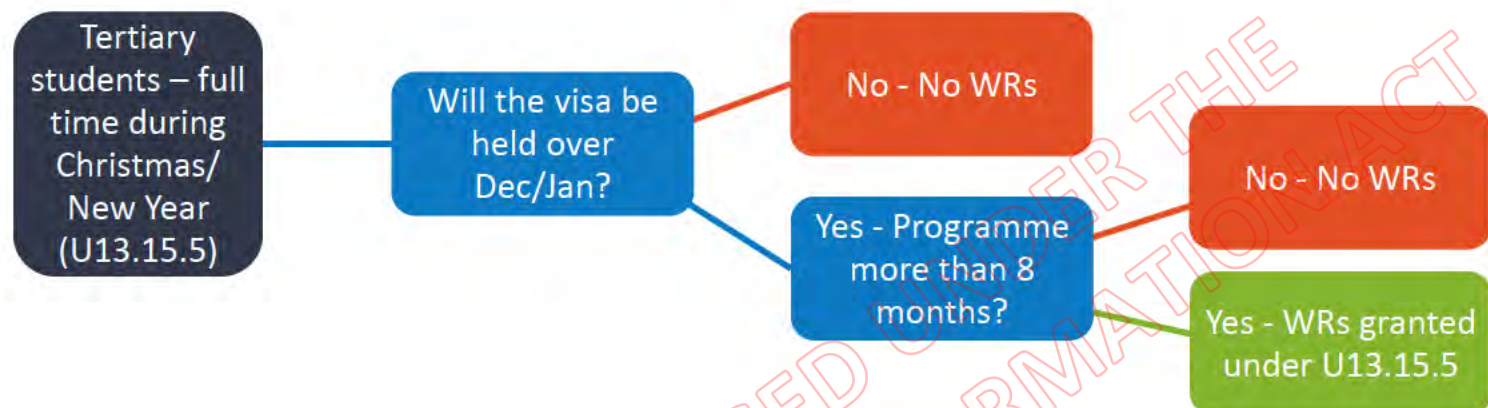
- You may grant visa conditions allowing a student to work if they are aged 16 or over ([U13.1](#)), and requirements at [U13.5](#) or [U13.10](#) or [U13.15](#) are met.
- Work rights are not granted to any training scheme, regardless of level, unless it is English language study as per U13.15.1(e).
- If under 18 they will also require written permission from their provider and written parental consent.
- Some offers of place will state that the student is required to undertake practical work experience.
- Pathway Student Visas: if first course doesn't qualify for in-study work rights, they should not be granted.

Work rights

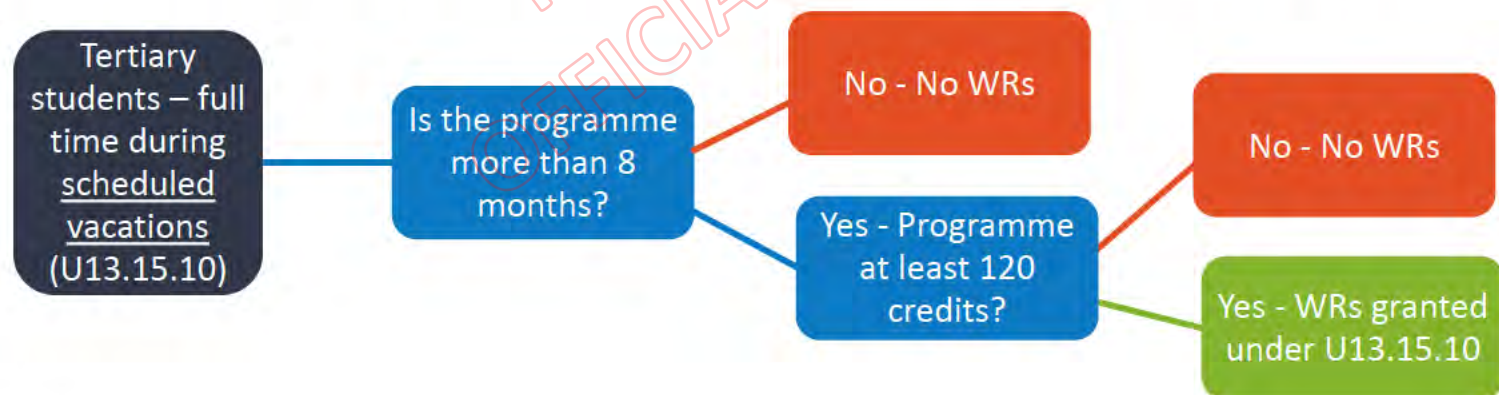


Work rights

U13.15.5 – Full Time work rights during Christmas-New Year



U13.15.10 Full time work rights during scheduled vacations



Work rights

Questions:

- What age do holders of student visas have to be to be able to work? (U13.1)
- Up until what age do students require parental consent to work? (U13.10)
- What are the work types that you are not allowed to do on a student visa? (U13.1)
- What are the requirements for granting work conditions to a secondary school student?
- Has s 9(2)(a) met these conditions?



MBIE Closing Karakia

Ka hiki te tapu

Restrictions are moved aside

Kia wātea ai te ara

So the pathway is clear

Kia tūruki ai te ao mārama

To return to everyday activities

Hui e, Taiki e

Enriched and unified

MBIE Karakia

Tāwhia tō mana kia mau, kia māia

Ka huri taku aro ki te pae kahurangi,

kei reira te oranga mōku

Mā mahi tahi, ka ora, ka puāwai

Ā mātau mahi katoa, ka pono, ka tika

TIHEI MAURI ORA

Retain and hold fast to your mana, be bold, be brave

We turn our attention to the future,
that's where the opportunities lie

By working together, we will flourish and achieve
greatness

Taking responsibility to commit to doing things right

TIHEI MAURI ORA

Nau mai, haere mai

Welcome to the Student visa workshop day two!

By the end of this 2-day workshop, you will be able to:

- describe the Student visa options and explain why Student visas are important to Aotearoa New Zealand
- explain the application process and explain how a
- describe the requirements when assessing a Stud
- use INZ tools and systems such as instructions, Standard Operating Procedures (SOPs), and the Visa Assessment Tool (VAT)
- apply the end-to-end process when assessing a Student visa application using case studies.



Agenda day two

DAY TWO:

Welcome back

Pathway (only required for learners processing Pathway Student visas)

Guardianship

Attendance

Case Study Two

Close

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Attendance and progress

- **Attendance** E3.20(c) - need to attend course at all times as required OR provide genuine reasons for not attending with evidence to support their claims.
- **Progress** E3.20(d) - expected to make satisfactory progress. Primarily determined by the education provider that assesses against its academic progress policies.



Note: Attendance and progress applies to returning students
- students that have studied or are studying in New Zealand

Identity, health and character

Questions:

- What information has been provided in relation to s 9(2)(a) identity?
- What information has been provided in relation to s 9(2)(a) health?
- What information has been provided in relation to s 9(2)(a) character?
- Is there any information missing?



U3.5 Study offer – evidence

Question:

- Does the application include all the required evidence for the offer of place?

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Study offer - Education providers

Questions:

- Is Victoria University an acceptable education provider?
- What are the reasons for your answer?



Tuition fees

Questions:

- Has s 9(2)(a) paid tuition fees?
- What are s 9(2)(a) study start and finish dates?



Funds for maintenance

Questions:

- Are you satisfied that there are sufficient funds to cover s 9(2)(a) stay in New Zealand?
- What are the reasons for your answer?



Accommodation

Questions:

- Does s 9(2)(a) education provider need to provide anything in relation to s 9(2)(a) accommodation?
- What are the reasons for your answer?

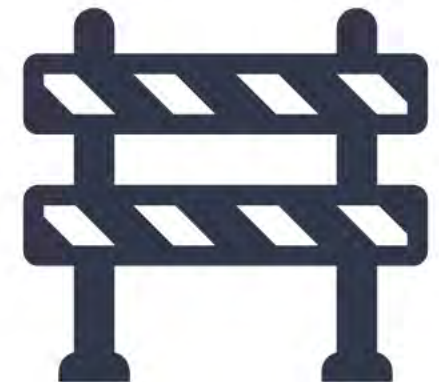
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Limited visas

- A Limited visa is to facilitate entry of visitors, students, and workers who seek to enter New Zealand temporarily for an express purpose only.
- Limited visas when used correctly are very useful for managing risk. Limited visas manage risk by limiting a client's ability to apply for further visas.

VisaPak



Risk assessment

Questions:

- Have you identified any risk?
- If so, what actions would you take to mitigate it?

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Bona Fides

Question:

- Based on the information in the application, do you have any concerns about s 9(2)(a) being a “bona fide applicant”?



Determining an application

Questions:

- Are you satisfied that all of the requirements have been met for this application?
- If not, what requirements have not been met and what would you do next?



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