

August 18, 2021

COVID-19

Due to COVID-19, the New Zealand borders are currently closed to people who are not New Zealand citizens or residents unless an exemption applies. The exemption categories are limited to critical workers, critical purpose visitor visa's, essential health workers, partnership of temporary visa holders and for people in exceptional humanitarian circumstances.

Critical worker exemptions

Requests for critical workers must be made by employers, not individual workers. There are three categories of critical worker visas: workers needed for a short term role (less than six months); workers needed for a long term role (more than six months); and workers for an approved class. Each category have a different set of criteria which must be met for an exemption to be granted.

Entering New Zealand

If you successfully obtain a border exemption, you must legally complete at least 14 days of managed isolation or quarantine. This must be booked before your departure to New Zealand. You will be tested for COVID-19 during your stay and depending on where you travel from, you may be required to be tested for COVID-19 before departing to New Zealand.

The requirements for travel into New Zealand are changing often. Please check the Immigration New Zealand website for up to date information ([immigration.govt.nz](https://www.immigration.govt.nz)). Note that the information outlined below is subject to you obtaining a border exemption as most visas have been suspended temporarily.

Key information to know about moving to New Zealand

- New Zealand welcomes new migrants, with priority given to people who will contribute to the country by bringing valuable skills or qualifications, setting up a business, or making a financial investment.
- There are also opportunities for family reunification by allowing residents and citizens to sponsor family members for residence. Anyone who is not a New Zealand resident or Australian national needs a visa to come to New Zealand.
- If you are looking to set up a business in New Zealand, recruit from overseas, or move to, and work in New

Zealand, your decision will be governed by immigration laws and policies.

The detail

Studying in New Zealand

If you are planning on studying full-time in New Zealand for more than three months, you will need a student visa. You are entitled to study in New Zealand for up to four years, provided you have an offer from an approved education provider or student exchange scheme.

Working in New Zealand temporarily

Essential skills work visa¹

This category of temporary work visa gives a New Zealand employer the flexibility to fill a 'skilled' vacancy for a period of time where it has not been able to find local employees available to do the work. A work visa under this category does not include a pathway to residency.

The pay level or salary of the occupation will determine the duration of the visa with the minimum duration being six months and the maximum duration being three years.

In addition to meeting health and good character requirements, the individual will need to be suitably qualified for the position.

Specific purpose or event category

Employers are able to recruit business people who are coming to New Zealand for a specific purpose or event, including business people, such as senior or specialist business people, on short term intra-group secondments who have a job offer either in a substantial New Zealand business or a New Zealand subsidiary of an overseas business.

This category of work visa is particularly useful when there is an urgent need for an employee of a multinational group to carry out work in New Zealand on a particular project. However, there are specific criteria that the employee must satisfy in terms of their seniority and/or specialist knowledge of the employer's business.

Working holiday

If an individual is aged between 18 and 35 years, they may be eligible to experience life in New Zealand on a working holiday.

Seasonal work in the horticulture and viticulture industries

New Zealand has several different policies for people who want to do seasonal work including planting, maintaining, harvesting, or packing crops in the horticulture and viticulture industries.

Nationals of China, Vietnam and the Philippines

There are special visa categories for nationals from China, Vietnam, and the Philippines who are qualified and experienced in specific occupation and have a New Zealand job offer in that occupation.

Work to live permanently in New Zealand

There are a number of options available to people who wish to live and work in New Zealand permanently.

Skilled migrant visa

The Skilled Migrant category is for people who have the skills, qualifications, and experience New Zealand needs and who want to live and work permanently in New Zealand.

The system is points-based, allowing potential employees aged 55 years and under, and with reasonable English speaking ability, to claim points based on their skill level, work experience and qualifications.

Work to residence¹

An applicant, aged 55 and under, may be eligible to apply for a work visa for up to 30 months under the Long Term Skill Shortage List Work category. The Long Term Skill Shortage List can be found on Immigration New Zealand's website. Once the applicant has worked for two years in New Zealand in an occupation that is on the List, they may apply for residence.

If the occupation is not on the Long Term Skill Shortage List, the applicant may be able to apply for a work visa for up to 30 months under the Talent (Accredited Employers) Work category. When the employee has worked in New Zealand for two years for an Accredited Employer, the applicant can apply for residence.

Employer Accreditation allows certain employers who have been 'approved' by Immigration New Zealand to recruit migrant workers without first proving that no New Zealanders are able to fill the position. Overseas workers are then able to apply for work visas under the Talent (Accredited) Employers Work Policy. There are strict conditions governing how an employer gains accreditation, and the minimum terms and conditions of employment that may be offered to an employee under this category.

Employee of a Relocating Business

If you're a key employee of a business that is relocating its operations to New Zealand, you can apply for a work visa, and later a resident visa under the Employee of a Relocating Company category.

Entrepreneur Work Visa

This visa is available if you intend to buy or establish a business in New Zealand, and be actively involved in that business. You must meet certain requirements, including making a minimum capital investment of NZ\$100,000, and providing a detailed and credible business plan.

Investor Category Visas

People wishing to make large investments in a business in New Zealand can apply for residence under one of two Investor Categories. Applicants may include their partners and dependent children (aged 24 and under) in their applications.

Investor Plus (Investor 1 Category):

- For migrants investing at least NZ\$10 million in New Zealand in 'acceptable investments' for a period of three years. Applicants must reside in New Zealand for at least 44 days in each of the last two years of the three year period. Applicants who invest 25% of their investment in growth investments only need to spend a minimum of 88 days over three years.
- Applicants must also meet Immigration New Zealand's health and character requirements, but there is no

requirement for the applicant to be able to understand or speak English.

Investor (Investor 2 Category):

- For migrants investing at least NZ\$3 million in New Zealand in 'acceptable investments' for four years
- To qualify, the principal applicant must be under 65 years of age, have at least three years' business experience, and will be required to meet the English speaking requirements set out under Immigration New Zealand's instructions. Applicants are required to spend 146 days per year in New Zealand, or 438 days at any time over the four year investment period if they have invested a minimum of NZ\$750,000 in growth investments. Applicants must also meet Immigration New Zealand's health and character requirements.

Holders of either category of visa may live, work and study in New Zealand. They may also apply for permanent residency, if all the visa conditions are met.

Temporary retirement

If you are 66 years of age or over, you may wish to retire temporarily in New Zealand. The Temporary Retirement Visa is for two years (renewable for further periods provided you continue to meet relevant criteria). You will need to invest NZ\$750,000 in New Zealand for a period of two years (investment criteria apply), show that you have NZ\$500,000 of maintenance funds as well as an annual income of NZ\$60,000. You will also need to meet standard health and character requirements, and hold comprehensive travel and/or health insurance for the duration of your stay.

Family categories

Many people already settled in New Zealand wish to have their close family join them. Further, family members may wish to come to New Zealand to be close to their relatives. There is a range of family policies facilitating partners, dependent children, parents, siblings, or adult children of New Zealand citizens or residents to come to live in New Zealand.

How we can help you

It is important that you only seek immigration advice from those who are legally able to provide it pursuant to the Immigration Advisers Licensing Act 2007. Our experienced immigration team are able to provide further guidance to the above summary. Please get in contact if you want to hire migrant workers, apply for a visa yourself, or apply for residency. Additionally, further information is available on the Immigration New Zealand website (immigration.govt.nz).

Download the PDF version.

1. From 1 November 2021, the Essential Skills Work Visa, Talent (Accredited Employer) Work Visa, Long Term Skill Shortage Work Visa and the Silver Fern Job Search and Practical Experience Visa will be replaced by the new employer-led Accredited Employer Work Visa (AEWV). The AEWV application process will introduce three 'checks' which must be passed for a migrant worker to be employed. These checks are the employer check, the job check and the migrant worker check. To pass the employer check, all employers wishing to hire a migrant under the AEWV will need to be accredited. Employers will require either standard or high-volume accreditation, which will depend on the number of migrant workers the employer wishes to have on AEWV's at any one time. Further information regarding the latter checks is expected over the coming months.↩

Your Key Contacts



Henry Brandts-Giesen
Partner, Auckland
D +64 93 75 1109
M +64 21 532 770
henry.giesen@dentons.com



Greg Cain
Partner, Wellington
D +64 49 16 0963
M +64 21 770 936
greg.cain@dentons.com