

The image features a background of large, vibrant green leaves, possibly peace lilies, with prominent veins. A large, semi-transparent purple shape, resembling a stylized leaf or a modern logo element, is positioned in the upper left quadrant. The Dentons logo is placed within a white arrow-like shape pointing right, which is set against the purple background.

DENTONS

Immigrating to New Zealand

Grow | Protect | Operate | Finance

December 2023

Immigrating in New Zealand



3 partners

5 professionals

Specialists in:

Employing Migrants

Obtaining Residency

Investment

Compliance



*Nothing was too much trouble.
They communicated proactively
and responsively at every point.*

*Moreover, because of the
pandemic, there was a range
of accommodations that had to
be made for hearings, but they
managed well.*

— Employment, Chambers and Partners
Asia Pacific, 2023

Ranked with:



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.

Some student visas will allow you to work part-time during your study.

Working in New Zealand temporarily

Accredited Employer Work Visa (AEWV)

This visa allows employees of an accredited employer to live and work in New Zealand for up to three years. Accredited employers are organisations that are assessed by Immigration New Zealand and must meet strict criteria. This includes proof the business' sound financial history and compliance with employment and immigration laws.

Jobs filled through an AEWV must first go through a 'job check'. INZ checks that the roles pay market rate or at least median wage (with some exceptions)¹, that the employment agreement complies with New Zealand law and that the role has been adequately advertised domestically first (again with some exceptions). Domestic advertising is not required where the role; (a) pays at least twice the NZ median wage (the median wage is NZD\$29.66 an hour as of 27 February 2023); or (b) is an occupation on INZ's list of in-demand jobs: the Green List.

Partners of AEWV holders can also obtain work rights through a 'Partner of a Worker Work Visa'. Their visa will have some conditions on the type of work they can do, including that it pays at least the median wage and that they are employed by

an accredited employer. Partners of migrants with Green List roles or who earn more than twice the median wage, will not have any restrictions on their work rights.

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 30 years, they may be eligible to experience life in New Zealand on a working holiday.²

Seasonal work in the horticulture and viticulture industries / Recognised Seasonal Employer Limited Visa

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. Applicants must have a job offer before they apply.

¹ Roles in the tourism and hospitality sectors have been granted a temporary exception to the median wage threshold, with a lower wage of NZD\$28.18 per hour. This temporary exception will end in April 2024.

² In a select few countries (Argentina, Canada, Chile, Czech Republic, Finland, Hungary, Slovakia, United Kingdom and Uruguay), working holiday visas are available to those aged 18-35. Canadian citizens are eligible to travel and work for up to 23 months, and 36 months for citizens of the United Kingdom.

Seasonal work in the horticulture and viticulture industries / Recognised Seasonal Employer Limited Visa

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. Applicants must have a job offer before they apply.

Nationals of China, Vietnam and the Philippines

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

Working and living permanently in New Zealand

There are a number of options available to people who wish to live and work in New Zealand permanently. This generally requires first obtaining a 'residence visa' through one of the pathways below. A residence visa allows you to live in New Zealand indefinitely (but subject to travel restrictions).

Migrants can then apply for permanent residence in New Zealand after two years. Permanent residence can be obtained through several pathways including by living in New Zealand for certain periods, obtaining tax residence, investing, starting a business, or by establishing a 'base' in New Zealand.

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. This visa can include a partner and any dependent children under the age of 24, provided they also meet the English language requirement.

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. The newly amended process for accumulating points allows employees to claim up to 3 (of the required 6) points from a New Zealand occupational registration, their qualification or their job offer.³

Residence through AEWV

Migrants on an AEWV who are working in a Green List role, can apply for residence for themselves, their partner and dependent children. Those working in a 'tier one' role will be able to apply for residence immediately through the 'Straight to Residence Visa'. Those working in a 'tier two' role can apply through the 'Work to Residence Visa' and must have worked in New Zealand in that role for two years. Further requirements must also be met in relation to age, health, marital status and employment circumstances.

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.

Pacific Access Category

Citizens of Kiribati, Tuvalu, Tonga and Fiji are afforded the opportunity to be granted residence in New Zealand every year through the Pacific access ballot. Applicants must be aged 18-45 years old, with a permanent, full-time job offer from a New Zealand employer.

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.

³ The new points system comes into effect 9 October 2023.

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 (www.immigration.govt.nz).

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