

EXPATLAND VISA

Mary Noonan
Heartland Immigration



For those people planning a move to New Zealand this chapter will outline 6 key points to be aware and plan for. In addition we will discuss the general process of obtaining a New Zealand work visa and essential skills required for a work visa.

Please be aware that you should aim to do the following:

- 1) Plan and consider your position as everyone has different circumstances and there are a multiple options so matching the right one for you and your family is critical.
- 2) Work with trusted professionals - mistakes cost money, destroy opportunities and create stress.
- 3) Grasp the opportunity - life is for living when you come to Expatland.

Expatland is a country, life is a journey and that is how you should view the process to obtain a visa to work, undertake business or reside in New Zealand.



The New Zealand Visa Journey

Firstly be clear on your objective and do your homework.

New Zealand is a mainly an unspoilt country, very family friendly with a small population base.

There are many opportunities for those who are prepared to work and are 'change ready'.

We have a great lifestyle, a wonderful education system, with up to date health care and fully trained medical professionals in all areas.

Kiwis are uniquely informal and friendly which is often mistaken for a don't care attitude but that couldn't be further from the case as we are passionate about certain things such as our sports, our environment, our acceptance of others and our ability to invent is legionary.

New Zealand is a migrant country.

The Maori, have always been our first nation of people.

Since 1840 we have welcomed many nationalities from all over the world.

Today NZ has a population made up of approximately 71% European background and 14% Indigenous Maori with the balance of the population being primarily of Asian background and Pacific peoples.

The Visa Process

Without a New Zealand spouse, visas are generally based on employment offers, business expertise or substantial investment capital.

The Government has established strict immigration rules to attract skills which are considered to be in demand in New Zealand along with investment capital.

Options which involve employability must be aligned to job descriptions contained in the Australia New Zealand Standard Classification of Occupations (ANZSCO).

Set out below are the top 5 Visa Categories for migrants entering NZ:

1. Visitor
2. Student
3. Work and Work holiday
4. Investor, Entrepreneur and Global impact
5. Residence

Here is an outline of each of the top 5 Visas and their general terms and conditions:

1. Visitor visa

A visitor visa allows a person to stay in New Zealand for a limited amount of time (not exceeding 9 months) as a tourist, to visit friends or relatives, play sport or perform cultural events without pay, enter New Zealand to get married or undertake short term study (such study not exceeding 3 months)

2. Study visa

A study visa allows a person to study the full time course stated on the visa. This includes courses conducted in schools, tertiary and approved English study courses. The visa allows a person to work part time up to 20 hours per week while studying or full time during the holiday recess periods depending on the visa terms.

The person's child or partner can accompany them based on their relationship to the visa holder. The duration of this visa can be up to 4 years.

3. Work and Work Holiday visas

A work holiday visa is available to young people, usually aged 18–30, or 18-35 in a select few countries. It allows a visa holder to travel and work in New Zealand for up to 12 months, or 23 months if arriving from the UK or Canada.

For a work holiday visa to be granted, a return ticket is required (or proof of the having enough money to pay for one). The visa holder must be arriving in New Zealand mainly for a holiday, with work being the secondary intention.

In relation to work visas, New Zealand provides an essential skills work visa. The duration of this visa depends on the terms of the job, the salary and labour market conditions.

Immigration New Zealand issues an "Essential Skills in Demand" List.

If a person has a job offer in New Zealand in an occupation in one of these lists and the person's qualifications and experience match, then a person can apply for an essential skills visa.

Further, employers who have advertised a job which is not specified on the list and who have made genuine yet unsuccessful attempts to find a New Zealand citizen for the job role can look to recruit from overseas for the job pursuant to this visa.

4. Investor, Entrepreneur and Global impact visa

There are two types of New Zealand investor visas - Investor 1 category and investor 2 category.

An investor 1 category visa (or an "Investor Plus" visa) requires an investment of a minimum of \$ NZ 10 million over 3 years in acceptable investments in New Zealand. The visa holder is required to be in New Zealand for a minimum of 44 days in each of the last 2 years of a 3 year investment period or a total of 88 days over the 3 year investment period.

An investor 2 category visa requires an investment of a minimum of \$ NZ 3 million over 4 years. Additional criteria for this visa are that the visa holder must have a minimum of 3 years business experience. English language requirements apply to the visa holder and to family members, who must have a certain level of English language ability or pre-purchase "English for speakers of other languages" tuition. The maximum age requirement to apply is 65.

An investor 2 category visa holder is required to be in New Zealand for a minimum of 146 days in each of the last 3 years of the 4 year investment period or 438 days over the 4 year investment period

Acceptable investments, generally, are equity in New Zealand firms, public or private, and New Zealand property development which is not for personal use and is designed to make a commercial return in the open market.

Health and character requirements also apply to investment visas.

An Entrepreneur Work visa allows a person to move to New Zealand to buy or establish a business. This is a three year work visa. There are two stages to this visa. The first stage is the “start up” stage which enables the visa holder to buy or establish the business in New Zealand. The second stage is the “balance” stage, where, once the visa holder proves that they have taken steps to establish the business, they are granted the remaining 24 months of the visa.

Health and character requirements also apply to entrepreneur work visas.

Global Impact visas are a category of visa designed to attract visionary entrepreneurs, investors and start-up teams with the drive and capabilities to create lasting positive impact for New Zealand and around the world. This visa is a result of a partnership between the Edmund Hillary Fellowship and Immigration New Zealand.

Before a Global Impact visa can be granted, the applicant must be accepted into the Edmund Hillary Fellowship. The fellowship is for people who are using innovation to create systemic positive change for economic, social, environmental and or cultural impact.

Other requirements for this visa are health and character requirements, and the applicant having NZ\$ 36,000.00 in order to support the applicant and their family for the first year after the visa is granted.

4. Resident visa

There are currently 23 categories of resident visas in New Zealand.

Certain categories flow from the above stated categories, such as the Skilled Migrant category resident visa, Long Term Skill shortage resident visa, Entrepreneur resident visa, whereby holders of such visas can apply for residence after a certain period having met certain visa requirements and tests.

Other categories depend on the nationality of the applicant, such as the Pacific Access Category Resident visa, Australian Resident visa and the Samoan Quota resident visa. Certain other categories depend on the relationships with New Zealand residents such as the Partner of New Zealander Resident visa, Parent Retirement resident visa and the Dependent child resident visa.

Applications for Residence

The criteria for residence, the need to build human capital, is different to that of the work categories as outlined above.

Work visas exist to fill shortages and certain occupations in certain regions have been recognised as being able to be filled from international markets.

Shortage lists are published regularly and contain the minimum background criteria successful applicants must hold.

An outline of some of these are below:

- Construction Project manager (Road and Infrastructure) with qualifications in Bachelor of Engineering with Honors.

- Engineering, including Chemical Engineer, Geotechnical engineer with a Bachelor of Engineering Degree.

- Electronic and Communication.

- Automotive Electrician.

- Diesel Motor Mechanic.

- Electric Line Mechanic.

Employers are also able to gain registration and become Talent Accredited Employers which allow their employees from overseas to transit from a work visa to a residence visas.

A job offer from one of these employers is highly rated and it is a competitive environment to obtain some of these roles.

For those roles not recognised as requiring international recruitment, individual employers must establish that they are unable to recruit suitable local staff.

While immigration is recognised politically and economically as necessary you will encounter a degree of protectionism.

Be prepared and remember the journey to Expatland requires perseverance.

Much focus in the visa process is on providing the correct documentation which confirms the principle applicant's qualification and work experience.

-Graduating certificate(s)/diploma(s) from secondary schooling institutions

-Diploma(s) and Degree(s) from tertiary institutions attended.

-Reference(s) from previous employers.

For those people seeking to obtain an investor or entrepreneur visa evidence needs to be provided that their capital was lawfully gained. This includes that proper income tax was paid on the capital and the provision of bank statements and/or other financial statements and records.

Provision is made for accompanying spouses and children to gain the necessary visas for them.

Health Requirement

Generally, a visa holder is required to provide a medical certificate from a doctor if they are staying in New Zealand for 12 months or more. Nevertheless, Immigration New Zealand can request a certificate from a visa holder at anytime if it so chooses.

An x-ray is also required if staying in New Zealand for 6 months or more if the visa holder is arriving from a country which does not have a low incidence of tuberculosis

English Requirements

Many New Zealand visas have English language requirements. These can be satisfied by the visa applicant establishing that they have an English speaking background, have successfully completed an approved English speaking test or have completed and approved tertiary course in an English speaking country for a duration of at least two years.

Other people on the application , namely dependants who are 16 years and older, must furnish proof that they have enrolled in an approved “English for speakers of other languages” course recognised by Immigration New Zealand

Your Expatland journey will involve you interacting with a number of professionals after you obtain your visa.

We have a team of professionals in the areas of accounting, taxation, insurance, pensions and real estate to assist you on your journey.

AT A GLANCE

- When planning a move to New Zealand, engage in proper planning as each person's circumstances are different and matching the right options available to you and your family is important.
- New Zealand has a number of visa categories which generally depend on the purpose of your seeking entry into New Zealand
- The five most popular visas applied for are the visitor, student, work and work holiday, Investor/Entrepreneur/Global Impact, and Resident.
- Each visa category has different requirements and rules. It is important that you are familiar with these requirements and rules.
- Generally, work visas and Investor/Entrepreneur/Global Impact visas have health, character and English language requirements.
- Resident visas can be applied for once a person has a work visa or Investor/Entrepreneur visa or depending on their nationality or relationship to a New Zealand resident.
- It is important that you work with trusted professionals who specialise in moving to and gaining entry into New Zealand and the various ways in which this can be achieved.