IMMIGRATION NEW ZEALAND INSTRUCTIONS: Amendment Circular No. 2011/19

To: All Manual Holders

AMENDMENTS TO THE IMMIGRATION NEW ZEALAND (INZ) OPERATIONAL MANUAL: CHANGES TO HEALTH INSTRUCTIONS

Introduction
This circular outlines changes to immigration instructions. A copy of the amended instructions is attached to this circular.

All immigration officers dealing with immigration applications should read the amendments and operate in accordance with the amended instructions.

Note
The amendments described in this circular will be published in the INZ Operational Manual in due course.

Any enquiries about these amendments should be directed to the Immigration Contact Centre on 0508 558 855 or 09 914 4100 (Auckland only).
Changes to immigration instructions effective on and after 21 November 2011

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To streamline and improve health screening a number of changes have been made to the relevant provisions of the INZ Operational Manual. The changes are:

- medical waivers will be granted to the partners and dependent children of New Zealanders who do not meet immigration health requirements unless they have a disqualifying condition as currently stated in instructions;
- temporary entry class visa applicants intending to give birth in New Zealand will be considered to have an acceptable standard of health provided they are considered to be bona fide and are able to cover their maternity costs; and
- pregnant temporary entry visa applicants with risk factors for pulmonary tuberculosis are required to undergo TB screening following the birth of their child.
APPENDIX 1: AMENDED IMMIGRATION INSTRUCTIONS EFFECTIVE 21 NOVEMBER 2011

A4.10 Acceptable standard of health (applicants for residence)

a. Applicants for residence class visas must have an acceptable standard of health unless they have been granted a medical waiver. An application for a residence class visa must be declined if any person included in that application is assessed as not having an acceptable standard of health and a medical waiver is not granted (see A4.60).

b. Applicants for residence class visas are considered to have an acceptable standard of health if they are:
   i. unlikely to be a danger to public health; and
   ii. unlikely to impose significant costs or demands on New Zealand's health services or special education services; and
   iii. able to undertake the work on the basis of which they are applying for a visa, or which is a requirement for the grant of the visa.

c. The conditions listed in A4.10.1 are considered to impose significant costs and/or demands on New Zealand's health and/or special education services. Where an immigration officer is satisfied (as a result of advice from an Immigration New Zealand medical assessor) that an applicant has one of the listed conditions, that applicant will be assessed as not having an acceptable standard of health.

d. If an immigration officer is not initially satisfied that an applicant for a residence class visa has an acceptable standard of health, they must refer the matter for assessment to an Immigration New Zealand medical assessor (or the Ministry of Education as appropriate).

e. Despite (d) above, referral to an Immigration New Zealand medical assessor (or the Ministry of Education) is not required where the applicant is the partner or dependent child of a New Zealand citizen or residence class visa holder, unless the provisions of A4.60(a) or A4.60(c) apply.

Note: These instructions do not apply to residents and former residents applying for a permanent resident visa or a second or a subsequent resident visa.

A4.10.1 Medical conditions deemed to impose significant costs and/or demands on New Zealand's health and/or education services

- HIV infection
- Hepatitis B surface antigen positive, with abnormal liver function
- Hepatitis C, RNA positive, with abnormal liver function
- Malignancies of solid organs and haematopoietic tissue, including past history of, or currently under treatment

   Exceptions are:
   i. treated minor skin malignancies (not melanoma)
   ii. malignancies where the interval since treatment is such that the probability of cure is > 90%, e.g.: early stage (I & IIA) breast cancer at 5 years; low risk prostate cancer at 5 years; early stage (Dukes A & B1) colorectal cancer at 5 years; childhood leukaemia at 5 years
- Solid organ transplants, excluding corneal grafts more than 6 months old
- Chronic renal failure or progressive renal disorders
Diseases or disorders such as osteoarthritis with a high probability of arthroplasty in the next four years

Central Nervous System disease, including motor neurone disease, complex partial seizures, poorly controlled epilepsy, prion disease, Alzheimer's and other dementia, and including paraplegia and quadriplegia

Cardiac disease including ischaemic heart disease, cardiomyopathy or valve disease requiring surgical and/or other procedural intervention

Chronic obstructive respiratory disease with limited exercise tolerance and requiring oxygen

Genetic or congenital disorders: muscular dystrophies, cystic fibrosis, thalassaemia major, sickle cell anaemia if more than one sickle crisis in 4 years, severe haemophilia, and severe primary immunodeficiencies

Severe autoimmune disease, currently being treated with immuno-suppressants other than prednisone

In a person up to the age of 21 years, a severe (71-90 decibels) hearing loss or profound bilateral sensori-neural hearing loss

In a person up to the age of 21 years, a severe vision impairment with visual acuity of 6/36 or beyond after best possible correction, or a loss restricting the field of vision to 15-20 degrees

In a person up to the age of 21 years, a severe physical disability, where they are unable to stand and walk without support, and cannot independently dress, eat, hold a cup, or maintain their stability when sitting.

A4.10.2 Assessment of whether an applicant for a residence class visa is unlikely to impose significant costs on New Zealand's health services

a. The requirement that an applicant for a residence class visa must be unlikely to impose significant costs on New Zealand's health services is not met if, in the opinion of an Immigration New Zealand medical assessor, there is a relatively high probability that the applicant's medical condition or group of conditions will require health services costing in excess of $25,000.

Note: Assessment will be in terms of current costs with no inflation adjustment.

b. In the case of acute medical conditions, the medical assessor will provide an opinion on whether there is a relatively high probability that the condition or group of conditions will require health services costing in excess of NZ$25,000 within a period of four years from the date the assessment against health requirements is made.

c. In the case of chronic recurring medical conditions, the medical assessor will provide an opinion on whether, over the predicted course of the condition or group of conditions, there is a relatively high probability that the condition or group of conditions will require health services costing in excess of NZ$25,000.

A4.10.5 Assessment of whether an applicant for a residence class visa is unlikely to impose significant costs on New Zealand's special education services

The requirement that an applicant for a residence class visa must be unlikely to impose significant costs on New Zealand's special education services is not met if the Ministry of Education (MoE) has determined that there is a relatively high probability that the applicant's physical, intellectual, or sensory condition or their use of language and social communication would entitle them to Ongoing Resourcing Scheme (ORS) funding.
A4.10.10 Assessment of whether an applicant for a residence class visa is unlikely to impose significant demands on New Zealand’s health services

The requirement that an applicant must be unlikely to impose significant demands on New Zealand's health services is not met if, in the opinion of an Immigration New Zealand medical assessor, there is a relatively high probability that the applicant's medical condition or group of conditions will require health services for which the current demand in New Zealand is not being met.

**Note:** These instructions do not apply to people applying for a permanent resident visa who currently hold resident visas.

*Effective 21/11/2011*
A4.15 Acceptable standard of health (applicants for temporary entry class visas)

a. Applicants for temporary entry class visas must have an acceptable standard of health, unless they have been granted a visitor visa for the purpose of obtaining medical treatment (see V3.40) or have been granted a medical waiver (see A4.65).

b. Applicants for temporary entry class visas to New Zealand are considered to have an acceptable standard of health if they are:
   i. unlikely to be a danger to public health; and
   ii. unlikely to impose significant costs or demands on New Zealand's health services during their period of intended stay in New Zealand; and
   iii. (if they are under 21 years of age and are applying for a student visa) unlikely to qualify for Ongoing Resourcing Schemes (ORS) funding during their period of intended stay in New Zealand; and
   iv. 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.

A4.15.1 Assessment of whether an applicant for a temporary entry class visa is unlikely to impose significant costs or demands on New Zealand’s health services

Assessment of whether an applicant for a temporary entry class visa is likely to impose significant costs or demands on New Zealand's health services will take into account whether there is a relatively high probability that the applicant will need publicly funded health services during their period of stay in New Zealand including, but not limited to:

- hospitalisation;
- residential care;
- high cost pharmaceuticals;
- high cost disability services.

Note: Residential care is long term care provided in a live-in facility such as an aged-person's facility or a facility for people with a physical, sensory, intellectual or psychiatric disability.

A4.15.5 Requirement to refer Medical and Chest X-Ray Certificates

If an immigration officer is not initially satisfied that an applicant for a temporary entry class visa has an acceptable standard of health, they must refer the matter to an Immigration New Zealand medical assessor for assessment (or Ministry of Education where appropriate).

Effective 21/11/2011
A4.25 Medical certificates: temporary entry class visa applications

a. Applications for temporary entry class visas from applicants intending a stay in New Zealand of more than 12 months must include a fully completed Medical and Chest X-Ray Certificate (INZ 1007) that is less than 3 months old, for every person included in the application unless the applicant has provided a Medical and Chest X-Ray Certificate with an earlier application for temporary entry; and

i that Medical and Chest X-Ray Certificate was issued less than 24 months prior to the current application; or

ii that Medical and Chest X-Ray Certificate was issued less than 36 months prior to the current application, and the current application is for a student visa as a
   • fee-paying foreign student (U4.10); or
   • student enrolled in a Doctor of Philosophy (PhD) programme in any New Zealand University (see U3.35.20); or

iii that Medical and Chest X-Ray Certificate was issued less than 36 months prior to the current application, and the current application is for any temporary entry class visa as a partner or dependant of a student enrolled in a Doctor of Philosophy (PhD) programme.

Note:
~ Pregnant women and children under 11 years of age are not required to have an X-ray examination,
~ The issue date of a Medical and Chest X-Ray Certificate is the date of the declaration by the examining physician concerning the overall findings of the medical examination.

b. Despite (a) above, an immigration officer may require Medical and Chest X-Ray Certificates if they consider this is necessary to establish whether the applicant has an acceptable standard of health.

c. Applicants who intend to stay in New Zealand for a total of more than 12 months include:
   i those already in New Zealand for up to 12 months seeking a further visa to be in New Zealand for longer than 12 months; and
   ii those applying for visas who indicate their intention is to remain in New Zealand for longer than 12 months; and
   iii those applying for student visas for a course or courses of study that are longer in total than 12 months.

d. Despite (a) above, applicants applying for a visa under the Working Holidaymaker Extension instructions (see WH2) do not need to provide a Medical and Chest X-Ray Certificate.

e. Applicants who intend to stay in New Zealand for more than 12 months are also subject to the provisions of A4.25.1(g) and (h).

A4.25.1 Requirement to undergo screening for pulmonary tuberculosis for people with risk factors

a. Applicants for temporary entry class visas who intend to be in New Zealand for more than six months, and not more than 12 months, and are considered to have risk factors for pulmonary tuberculosis must undergo a TB screening X-ray unless:

i they are pregnant; or

ii they are under 11 years of age.
b. All Recognised Seasonal Employer limited visa applicants (regardless of the length of
time they intend to stay in New Zealand) who are considered to have risk factors for
pulmonary tuberculosis must undergo a TB screening X-ray unless they are pregnant.

c. Applicants required to undergo a TB screening X-ray must provide:
   i a fully completed Immigration New Zealand X-ray Certificate for Temporary Entry
      (NZIS 1096); and
   ii any associated medical or laboratory reports required for the X-ray certificate.

d. Temporary Entry Chest X-ray Certificates and associated reports must be less than three
   months old at the time the application is made unless the applicant has provided a
   Temporary Entry Chest X-Ray Certificate with an earlier application for temporary entry; and
   i that Certificate was issued less than 24 months prior to the current application; or
   ii that Certificate was issued less than 36 months prior to the current application, and
      the current application is for a student visa as a fee-paying foreign student (U4.10).

Note: The issue date of a Temporary Entry Chest X-ray Certificate is the date
of the declaration by the examining radiologist concerning the findings of the TB
screening X-ray.

e. Despite (a) and (d) above, an immigration officer may require Temporary Entry Chest
X-ray Certificates if they consider this is necessary to establish whether the applicant
has an acceptable standard of health.

f. Applicants who intend to stay in New Zealand for a total of more than six months
   include:
   i those already in New Zealand for up to six months seeking a further visa to be in
      New Zealand for longer than six months; and
   ii those applying for visas who indicate their intention is to remain in New Zealand for
      longer than six months; and
   iii those applying for student visas for a course or courses of study that are longer in
      total than six months.

g. Where an applicant in New Zealand has applied for a further temporary entry class visa,
   and is assessed as having active pulmonary tuberculosis, their application must be
declared on the basis that they do not have an acceptable standard of health. A limited
visa should be granted for an initial period of one month for the express purpose of
undergoing immediate medical treatment to render the disease non-infectious and to
travel out of New Zealand. The limited visa should be granted using the delegated power
to grant a visa of a different type from that for which an application is made (see
A15.5).

h. Pregnant applicants who intend to be in New Zealand for more than six months, and are
   considered to have risk factors for pulmonary tuberculosis (see A4.25.5) but otherwise
   meet immigration instructions for the grant of a temporary entry visa, may only be
   granted a visa within the limitations of E3.10.1.

Note: A limited visa may be granted to a refugee or protection status claimant or a
refugee or protected person only if that person is at the time a holder of a current limited
visa.

A4.25.5 Definition of person with risk factors for pulmonary tuberculosis

a. A person is considered to have risk factors for pulmonary tuberculosis if:
   i they hold a passport issued by a country not listed in A4.25.10; or
ii in the five years prior to application they have spent a combined total of three or more months in any one or more countries not listed in A4.25.10.

b. Despite (a)(i) above, if an applicant provides evidence that satisfies an Immigration officer they have never lived or spent time in the country that issued their passport, and (a)(ii) does not apply, they will not be considered to have risk factors for pulmonary tuberculosis and the requirement to undergo a TB screening X-ray and provide the associated Temporary Entry X-ray Certificate form will not apply.

A4.25.10 Low TB Incidence Countries, Areas and Territories

The following countries are deemed for the purpose of immigration instructions to be countries with a low incidence of tuberculosis.

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Effective 21/11/2011
A4.60 Medical waivers (applicants for residence class visas)

a. Applicants for residence class visas in New Zealand who are assessed as not having an acceptable standard of health and whose applications meet all other requirements for approval under the relevant Government residence instructions may be considered for the grant of a medical waiver unless:

i. they require dialysis treatment, or an Immigration New Zealand medical assessor has indicated that they will require such treatment within a period of four years from the date of the medical assessment; or

ii. they have active pulmonary tuberculosis; or

iii. they have severe haemophilia; or

iv. they have a physical incapacity that requires full time care.

b. Medical waivers will also not be granted to people:

i. who are applying for residence under one of the Family Categories; and

ii. who were eligible to be included in an earlier application for a residence class visa (or a residence visa or residence permit issued or granted under the Immigration Act 1987) as the partner of a principal applicant or the dependent child of a principal applicant or their partner; and

iii. were not declared on that earlier application.

c. People who:

i. were eligible to be included in an earlier successful application for a residence class visa (or a residence visa or residence permit issued or granted under the Immigration Act 1987) as the partner of a principal applicant or the dependent child of a principal applicant or their partner; and

ii. who were declared in that application but were not included in that application as non-principal applicants; and

iii. whose application for a residence class visa (or a residence visa or residence permit issued or granted under the Immigration Act 1987) under one of the Family Categories is sponsored by a person, or supported by a partner who was, included in the application for a residence class visa referred to in (i) above will be assessed for the grant of a medical waiver as if they had been included in the earlier application and as if the sponsor or supporting partner was not resident in New Zealand.

d. Applicants (and dependants included in their application) who have been recognised as refugees may be granted medical waivers.

Note: These instructions do not apply to people applying for a permanent resident visa who currently hold resident visas.

Effective 21/11/2011
**A4.65 Medical waivers (applicants for temporary entry class visas)**

Applicants for temporary entry class visas will not be considered for the grant of a medical waiver unless:

a. they are applying for work visas as seconded business personnel (see A4.65.1 below); or

b. they have submitted a claim for refugee or protection status in New Zealand; or

c. they are the partner or dependent child of a New Zealand citizen or residence class visa holder; and
   i. the purpose of their stay in New Zealand is to be with that New Zealand citizen or residence class visa holder; and
   ii. if they applied for a residence class visa in New Zealand they would meet the criteria for residence under Partnership (see F2.5 (a)) or Dependent Child (see F5.1(a)) instructions.

**Note:** The grant of a medical waiver for the purpose of temporary entry to New Zealand does not confirm that the applicant has an acceptable standard of health for the purposes of residence in New Zealand or that a medical waiver would be granted if a residence class visa application were made. This does not prevent an immigration officer considering whether or not an applicant is likely to be granted a medical waiver for the purpose of residence in New Zealand.

**A4.65.1 Seconded business people**

a. Seconded business people applying for work visas may be granted a medical waiver if an immigration officer is satisfied that:
   i. the intended secondment will be of real benefit to New Zealand; and
   ii. the applicant is unlikely to be a danger to public health during the period of secondment; and
   iii. the employer has guaranteed to pay all medical expenses of the applicant during the secondment, including any significant costs to health services identified by an immigration officer or Immigration New Zealand medical assessor.

b. At the time the work visa is granted, the principal applicant must be advised in writing that the visa has been granted even though the applicant does not have an acceptable standard of health.

**Note:** This instruction (A4.65.1) facilitates New Zealand’s international trade commitments (see E9).
A4.70 Determination of whether a medical waiver should be granted (residence and temporary entry)

a. Any decision to grant a medical waiver must be made by an immigration officer with Schedule 1-3 delegations (see A15.5).

b. When determining whether a medical waiver should be granted, an immigration officer must consider the circumstances of the applicant to decide whether they are compelling enough to justify allowing entry to, and/or a stay in New Zealand.

c. Factors that officers may take into account in making their decision include, but are not limited to, the following:
   i. the objectives of Health instructions (see A4.1) and the objectives of the category or instructions under which the application has been made;
   ii. the degree to which the applicant would impose significant costs and/or demands on New Zealand’s health or education services;
   iii. whether the applicant has immediate family lawfully and permanently resident in New Zealand and the circumstances and duration of that residence (unless the limitations on the grant of medical waivers set out at A4.60(c) apply);
   iv. whether the applicant's potential contribution to New Zealand will be significant;
   v. the length of intended stay (including whether a person proposes to enter New Zealand permanently or temporarily).

d. An applicant who is the partner or dependent child of a New Zealand citizen or residence class visa holder, who would otherwise meet the criteria for residence under Partnership (see F2.5 (a)) or Dependent Child (see F5.1(a)) instructions, will be granted a medical waiver unless the limitations on the grant of medical waivers to such persons set out at A4.60(a), A4.60(b) or A4.60(c) apply.

e. An immigration officer should consider any advice provided by an Immigration New Zealand medical assessor on medical matters pertaining to the grant of a waiver, such as the prognosis of the applicant.

f. An immigration officer must record decisions to approve or decline a medical waiver, and the full reasons for such a decision.

Effective 21/11/2011
E3.10 Currency of visas

See also Immigration Act 2009 ss 6, 62, 63, 77

a. Temporary entry class visas with travel conditions must not be granted unless the applicant’s passport or travel document is current for:
   i. at least three months beyond the expiry date of the proposed visa; or
   ii. one month, if the issuing Government has consular representation in New Zealand that is able to issue and renew passports.

b. The entry for the visa must specify, as appropriate:
   i. the start date (which may be the date of its grant or a future or past date);
   ii. any conditions of the visa that relate to travel, including:
      ▪ whether the visa allows travel to New Zealand on a later occasion;
      ▪ if the visa allows travel to New Zealand, the period during which the holder may travel to New Zealand;
      ▪ if the visa allows travel to New Zealand, whether the visa gives permission to travel to New Zealand on a single journey, multiple journeys, or a set number of journeys;
   iii. in relation to the holder’s stay in New Zealand, the date or event on which the visa will expire, or the period after which it will expire;
   iv. any other conditions of the visa;
   v. for those persons granted entry permission, the date or dates the entry permission was granted.
   vi. such other matters as may be required or approved by the Chief Executive.

c. If the holder of a visa is in New Zealand the visa expires on the earliest of:
   i. the beginning of the day after the date specified in the visa as the expiry date; or
   ii. the beginning of the day after the day on which an event specified in the visa as the event on the occurrence of which the visa will expire occurs; or
   iii. the beginning of the day after the last day of the period for which the visa grants stay in New Zealand to the holder;
   iv. the beginning of the day that is three months after the day on which an epidemic management notice expires, if the visa:
      ▪ is a temporary entry class visa deemed to be extended as a result of an epidemic management notice; and
      ▪ has not been cancelled earlier.

d. If the holder of a visa is outside New Zealand, the visa expires on the earlier of:
   i. the day and time the holder left New Zealand, if the conditions of the visa do not allow further travel to New Zealand;
   ii. the beginning of the day after the date that is specified by the conditions of the visa as the last day of the period of time within which travel is allowed to New Zealand.

e. Unless an appropriately delegated officer makes an exception to instructions (see E7.25) or immigration instructions state otherwise, an individual visa must not be granted for a period longer than:
   i. (in the case of a visitor visa) 12 months; or
   ii. (in the case of a work visa) 5 years; or
   iii. (in the case of a student visa) 4 years; or
   iv. (in the case of an interim visa) 6 months.
f. There is no maximum length of stay for:
   i a Diplomatic, Consular or Official Visa (see section H);
   ii a Military visa (see section M).

g. Since the periods listed in paragraph E3.10 (e) above relate to individual visas and not
   the maximum length of stay, further individual visas may be granted, provided that
   relevant temporary entry class visa instructions are met.

**E3.10.1 Pregnant Applicants**

a. This section applies to pregnant applicants for temporary entry class visas who:
   i intend to be in New Zealand for more than six months; and
   ii are considered to have risk factors for pulmonary tuberculosis (TB) (see A4.25.5); and
   iii who otherwise meet immigration instructions for the grant of a temporary entry visa.

b. These applicants may only be granted a visa for up to three months from the date that
   they are due to give birth, unless (c) below applies.

c. An applicant may be granted a visa for the length of their intended stay if:
   i they have provided a TB screening X-ray certificate with an earlier application and
      A4.25(a) or A4.25.1(d) applies; or
   ii where an X-ray certificate has been provided in accordance with A4.25.1(e).

d. Applicants who are granted a visa in line with (b) above may apply for a further visa for
   the remainder of their intended stay if they provide:
   i a completed application form; and
   ii a completed Immigration New Zealand TB screening X-ray certificate (INZ 1007 or
      INZ 1096); and
   iii any associated medical or laboratory reports required for the X-ray certificate; and
   iv their current passport or certificate of identity; and
   v the appropriate fee (if any).

e. If the applicant is assessed as not having an acceptable standard of health based on the
   TB screening X-ray certificate they provide, a further visa may not be granted unless
   A4.25.1(g) or A4.65 applies.

*Effective 21/11/2011*
V2.20 Funds or sponsorship requirements

*See also Immigration Act 2009 s 48*

Applicants for a visitor visa must have either:

a. funds of at least NZ$1000 per month for maintenance and accommodation, or NZ$400 per month if the accommodation has been prepaid; or

b. sponsorship by a person, an organisation or a Government agency which meets generic sponsorship requirements set out at E6.5.

V2.20.1 Evidence of funds or sponsorship

a. Immigration officers must be satisfied that visitors have provided evidence of either sufficient funds or sponsorship.

b. Evidence of sufficient funds includes, but is not limited to the following:
   - cash
   - travellers' cheques
   - bank drafts
   - recognised credit cards with sufficient credit available
   - (for group visas) certification from a reputable travel agency.

c. Sponsored applicants should provide a Sponsorship Form for Temporary Entry (INZ 1025) completed by their sponsor.

V2.20.5 Sufficient funds for maternity health services

In addition to V2.20 pregnant applicants for a visitor visa who are due to give birth while in New Zealand must provide evidence that they:

a. have funds of at least NZ$9,000 available to pay for maternity health services; or

b. have sponsorship by a person, an organisation or a Government agency which meets generic sponsorship requirements set out at E6.5, to cover maternity health services; or

c. are eligible for publicly-funded maternity health services.

*Effective 21/11/2011*
V3.40 Entry to New Zealand for the purpose of medical treatment or consultation

See also Immigration (Visa, Entry Permission, and Related Matters) Regulations 2010, Schedule 2

a. Visitors who can show they have been accepted for and are able to pay for medical treatment or consultation in New Zealand may be granted a visitor visa authorising a maximum stay of six months.

b. Visitors coming to New Zealand for medical treatment or consultation must apply for a visitor visa before travelling to New Zealand, whether or not they are from a visa-waiver country.

c. Citizens of South Pacific countries may be funded for specialised medical treatment in New Zealand if such treatment is not available in their home country and is funded by either:
   i. their home Government; or
   ii. New Zealand's Official Development Assistance (ODA) Programme under the Medical Treatment Scheme, administered by the Ministry of Foreign Affairs and Trade.

d. An applicant from any country seeking renal dialysis in New Zealand will not be granted a visa unless sponsored as under paragraph (c).

V3.40.1 Evidence for visitors coming to New Zealand for medical treatment or consultation

Immigration officers must be satisfied that an applicant coming to New Zealand for medical treatment or consultation has provided:

a. a completed Details of Intended Medical Treatment (INZ 1009) form; and

b. written evidence of acceptance for treatment (such as a letter from the appropriate medical authorities to the health authority in the applicant's home country); and

c. details of the expected costs of medical treatment; and

d. evidence that the applicant will be able to and actually will pay for all medical costs, unless the treatment is to be funded under special arrangements described at V3.40(c) above.

e. evidence, where necessary, that the applicant requires an escort because of the nature of the condition (see V3.40.15 (b) (iii)).

V3.40.5 Visitors requiring visas to stay for further medical treatment

Visitors who require medical treatment for a period beyond the currency of their initial visa may be granted a visitor visa for their intended further treatment if:

a. they were granted visas to come to New Zealand for medical treatment and need further time here to continue treatment; or

b. they have become ill or have had an accident during their visit and still require treatment (ie, cannot travel), and will be able to and will actually pay for all ongoing medical costs, unless the treatment is to be funded under special arrangements described at V3.40(c) above or is covered by a Reciprocal Health Agreement.

Note: Such applicants are not subject to the normal maximum stay requirement (see V2.5 (a) (ii)).
V3.40.10 Evidence for visitors requiring visas to stay for further medical treatment

a. Immigration officers must be satisfied that an applicant for a visa to stay in New Zealand for further medical treatment has:
   i. completed a Details of Intended Medical Treatment (INZ 1009) form, and
   ii. provided a medical certificate from a registered medical practitioner stating:
      ▪ the nature of the applicant’s illness or disability; and
      ▪ details of their treatment; and
      ▪ their expected recovery time; and
   iii. provided evidence of how the costs of the treatment will be met.

b. Applications may be forwarded to an INZ medical assessor for assessment unless the applicant is requesting a further visa for a period not exceeding one month and the immigration officer intends to approve the application.

c. If the assessment is unfavourable, the applicant must be given the opportunity to comment on prejudicial information before a final decision is made.

d. If the initial visa is due to expire while the applicant is awaiting the INZ medical assessor’s assessment, a further visitor visa may be granted.

V3.40.15 Escorts of patients coming to New Zealand for medical treatment or consultation

a. Escorts of patients visiting New Zealand for medical treatment or consultation may be granted a visitor visa authorising a stay for the same length as the patient’s stay.

b. Escorts must be:
   i. a medical professional; or
   ii. a family member or friend; and
   iii. required due to of the nature of the condition.

V3.40.20 Escorts of patients requiring visas to stay for further medical treatment

Escorts of patients who require further medical treatment may be granted a visitor visa to stay in New Zealand during the patient’s further treatment, if they:

a. meet the requirements for a visitor visa (see V2.1); and

b. have been granted a visa as escort of the patient; and

c. the patient they are escorting needs more time for treatment and has been granted a further visa.

V3.40.25 Emergency medical treatment

a. In emergency situations:
   i. patients may be granted a visa as an exception to normal instructions to obtain medical treatment in New Zealand; and
   ii. escorts of patients may be granted a visa as an exception to normal instructions to escort patients obtaining medical treatment in New Zealand.
b. In emergency situations, an officer with Schedule 1 delegation may waive the mandatory requirements and conditions for a visitor visa to be granted to a patient and escort.

c. An emergency includes, but is not limited to, a situation where:

i. local health authorities judge that it is vital to the patient's survival to transfer them immediately to New Zealand; or

ii. a passenger or crew member on a ship or aircraft has an accident or sudden illness.

Effective 21/11/2011
W2.15 Funds requirements

See also Immigration Act 2009 ss 48, 55
See also Immigration (Visa, Entry Permission, and Related Matters) Regulations 2010 reg 10, 11, 12, schedule 1

a. Unless specifically stated otherwise, applicants for work visas are required to provide:
   i. a proposed salary that an immigration officer considers sufficient to cover maintenance and accommodation; or
   ii. a guarantee of maintenance and accommodation by their employer for the currency of the visa; or
   iii. sufficient funds for maintenance and accommodation for the currency of the visa; or
   iv. sponsorship by a relative or friend in New Zealand (see E6).

b. Officers with schedule 2 delegations and above are authorised to waive the requirement for evidence of funds or sponsorship.

W2.15.1 Evidence of sufficient funds

Evidence of sufficient funds includes but is not limited to:

- cash;
- New Zealand bank accounts showing the current balance;
- travellers' cheques;
- bank drafts;
- recognised credit cards with sufficient credit available;
- for group visas, certification from a reputable travel agency.

W2.15.5 Sufficient funds for maternity health services

In addition to W2.15(a) pregnant applicants for a work visa who are due to give birth while in New Zealand must provide evidence that they:

a. have funds of at least NZ$9,000 available to pay for maternity health services; or

b. have sponsorship by a person, which meets generic sponsorship requirements set out at E6.5, to cover maternity health services; or

c. are eligible for publicly-funded maternity health services.

Effective 21/11/2011
U3.20 Sufficient funds for maintenance while in New Zealand

See also Immigration Act 2009 ss 48, 55

a. Applicants must provide evidence to satisfy an immigration officer that they have sufficient funds available to maintain themselves throughout the period of their stay in New Zealand.

b. Evidence may include but is not limited to:
   i. a notice of the award of a full scholarship; or
   ii. a completed Sponsorship for Temporary Entry (INZ 1025) form (see U3.20.5); or
   iii. a completed Financial Undertaking for a Student (INZ 1014) form, which covers a stay in New Zealand for the length of the visa (see U3.20.10); or
   iv. funds held by or on behalf of the student (see U3.20.20).

U3.20.5 Sponsorship

a. A sponsor for a student visa application must be an acceptable sponsor (see E6.5) and be either:
   i. a natural person who is a relative or a friend of the applicant; or
   ii. an organisation or government agency (an individual must be nominated as the authorised contact).

b. Sponsors must satisfy an immigration officer that they:
   i. are bona fide (i.e. are genuinely intending to meet sponsorship obligations); and
   ii. genuinely hold sufficient funds for each student they are sponsoring.

U3.20.10 Financial Undertaking

a. Before the student’s arrival in New Zealand, a financial undertaking may be provided by a third party.

b. If the third party is a person, they must be a relative or a friend of the applicant.

c. If the third party is not a person, they must nominate an individual as an authorised contact.

d. The third party providing the financial undertaking must satisfy an immigration officer they:
   i. are bona fide (i.e. are genuinely intending to meet their financial obligations as set out on the Financial Undertaking for a Student (INZ 1014) form); and
   ii. genuinely hold sufficient funds for each student they are supporting.

e. Where a third party wishes to continue providing a financial undertaking for the student’s subsequent onshore student visa applications, they may do so if they continue to meet (d).

U3.20.15 Determining whether a sponsor or third party providing a financial undertaking is bona fide

To determine whether a sponsor or third party providing a financial undertaking is bona fide, immigration officers may consider:

a. the relationship between the applicant and the sponsor or third party;
b. any previous breaches of financial obligations set out in undertakings;
c. the number of student visa applications they are currently supporting;
d. the period of time for which funds have been held by the sponsor or third party; and
e. the student’s ability to access funds from the sponsor or third party while in New Zealand.

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

a. Where funds are 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.

b. When determining whether a student has sufficient funds to maintain themselves throughout their stay in New Zealand, immigration officers may consider the period of time for which funds have been held by the student and the student’s ability to access funds while in New Zealand.

U3.20.25 Funds required for students taking courses lasting less than 36 weeks

Students taking courses lasting less than 36 weeks must provide:

a. evidence that funds of the amount required for visitor visa holders are held by or on behalf of the student; or

b. a letter from an education provider confirming that accommodation and other living expenses are included as part of a prepaid package.

Note: This evidence may be sighted after the application has been approved in principle.

U3.20.30 Funds required for students taking courses lasting 36 weeks or longer

Students taking courses lasting 36 weeks or longer must provide evidence to satisfy an immigration officer that:

a. they have NZ$10,000.00 per year available to maintain themselves during their stay in New Zealand (travellers' cheques or bank documents in the student's name are acceptable); or

b. (if they are citizens of Samoa and Tonga) a written guarantee of maintenance from a relative in New Zealand who is either a New Zealand citizen or residence class visa holder.

U3.20.35 Sufficient funds for maternity health services

Pregnant applicants for a student visa who are due to give birth while in New Zealand must provide evidence that they:

a. have funds of at least NZ$9,000 available to pay for maternity health services; or

b. have sponsorship by a person, an organisation or a Government agency which meets generic sponsorship requirements set out at E6.5, to cover maternity health services; or

c. have a guarantee of financial undertaking by a third party which covers maternity health services (see U3.20.10); or
d. **are eligible for publicly-funded maternity health services.**

Effective 21/11/2011