



30 SEPTEMBER 2021: A NEW RESIDENCE VISA PATHWAY

Introduction of the 2021 Residence Visa

The Minister of Immigration has today announced the introduction of a new Residence visa pathway. The new visa, referred to as the '2021 Residence Visa' is primarily aimed at providing Residence to migrants who are currently in New Zealand and providing certainty to New Zealand businesses who are reliant on them.

Applications will be processed in two cohorts with the first cohort of applications being accepted from 1 December 2021 and the second from 1 March 2022. Whether a migrant has already applied for Residence under the Skilled Migrant or Residence from Work category or has submitted an Expression of Interest with a dependent child included in that application aged 17 or older, will determine whether they are eligible to apply in the first or second cohort.

Immigration New Zealand intends to release the policy instructions for the new 2021 Residence visa by the end of October 2021. However, high level guidance on the eligibility criteria and cohorts that have been released by the government to date can be found below. Note that as the finer details have yet to be released, these are subject to change but correct at the time of writing.

Eligibility Criteria

The key requirements an individual must meet in order to be eligible to apply for Residence under the 2021 Residence Visa category (either in the first or second cohort) are as follows:

- Have been in New Zealand on an eligible work visa (or have applied for one and are subsequently granted that visa) on 29 September 2021; or
- Arrive in New Zealand on a Critical Purpose Visitor Visa (CPVV) as a critical health worker or other critical worker for more than 6 months before 31 July 2022

And:

- Have lived in New Zealand for three or more years as of 29 September 2021; or
- Earn \$27/hour or more as of 29 September 2021; or
- Work in a scarce occupation (i.e., in a role on the Long-Term Skill Shortage List, in specified primary sector jobs, as a critical health care worker or in a job in the education or health sector that requires occupational registration)

The Immigration New Zealand application processing fee for a 2021 Residence visa is yet to be finalised.

Processing Timeframes

Immigration New Zealand expect to process applications for Residence under this new category within 12 months of receiving an application.

This means that some migrants who have already submitted a Residence application are likely to obtain Residence earlier if they submit a new application under the 2021 Residence Visa pathway than awaiting an outcome on their Skilled Migrant or Residence from Work category application. It also means that individuals holding Work to Residence visas under the Talent (Accredited Employer) and Long-Term Skill Shortage List instructions do not necessarily have to wait the 24 months normally required to be eligible to apply for New Zealand Residence.

Skilled Migrant Residence Category

Finally, with the introduction of the new 2021 Residence Visa, the Minister has confirmed that selections of Expressions of Interest under the Skilled Migrant category will remain suspended until at least 31 July 2022.

Migrants who have submitted an Expression of Interest are likely to benefit from applying for Residence under the new category instead of waiting for selections to resume. However, details on whether refunds will be issued to those that choose to withdraw their Expressions of Interest are not yet confirmed.

If you have any questions on the updates provided, please do not hesitate to contact us.

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