# SOP – Assess English SMC (principal applicant)

# Date Published: 25 September 2023

Classification: Unclassified

# When to use

When assessing the English language ability of a principal applicant (PA) for residence under the Skilled Migrant Category (SMC).

Use the below visa assessment templates to document the assessment and decision-making process.

- <u>SMC Visa Assessment Template individual</u>
- <u>SMC Visa Assessment template family</u>

# Role

• Immigration Officer

# Guidelines

- Skilled residence applications must be declined if the PA does not meet the minimum standard of English required.
- In any case, an immigration officer may require a principal applicant to provide an English language test result to determine whether the PA meets the minimum standard of English. However, full consideration must be given to all evidence of English language ability provided before a decision to request an English language test is made. If such a test result is requested, the reason(s) behind the decision must be clearly documented and conveyed to the applicant.

# See also

SOP – Assess English (secondary applicants)

### Steps

1. Check the application declaration and type of evidence provided to determine how the applicant is claiming to meet the minimum standard of English

If the applicant	Then
Has provided an English language test result from a provider set out in SR2.10.5	Go to <b>step 2</b> .
Is claiming to meet the requirements through citizenship of Canada, Ireland, the United Kingdom (UK) or United States of America (USA)	Go to <b>step 4</b> .
Is claiming to meet the requirements by holding an applicable qualification	Go to <b>step 5</b> .

#### 2. Check whether the test result is valid

If, at the time the application was lodged, the English language test result was	Then
More than two years old	Go to <b>step 4</b> to determine whether they can meet the English language requirement through other means.
No more than two years old	Go to next step.

#### 3. Check whether the test type and result is acceptable

Refer to the requirements for acceptable English language test results for principal applicants as set out at SR2.10.5.

If the test and result is	Then
Acceptable	English language requirements are considered met. Go to <b>step 6</b> .
Not acceptable	Continue to next step to determine whether they can meet the English language requirement through other means.

**Note:** If a risk is identified, engage with Risk and Verification to verify the result by making a Risk Treatment Referral. See <u>SOP</u> - <u>Assess Risk and Conduct Verification</u>.

# 4. Determine whether the applicant meets the criteria to have their language ability recognised through citizenship

A PA may demonstrate meeting the minimum standard of English through citizenship of one of the following countries, provided they have spent (and provided evidence of) at least five years in work or education in one or more of those countries or Australia or New Zealand:

- Canada
- Ireland
- UK
- USA

If the PA	Then
Meets the requirements above	English language requirements are considered met. Go to <b>step 6</b> .
Does not meet the requirements	Continue to next step to determine whether they can meet the English language requirement through study towards a qualification.

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# 5. Determine whether the applicant meets the criteria to have their language ability recognised through a qualification

A PA may demonstrate meeting the minimum standard of English through holding certain qualifications.

a. Check where the qualification was obtained:

If the qualification was gained	Then
In: • Australia • Canada • New Zealand • Ireland • UK • USA	Continue to <b>step 5(b)</b> to determine how the qualification is recognised.
In another country	The PA does not appear to meet any English language criteria. Note the concern and go to <b>step 6</b> .

### b. Determine how the qualification is recognised:

If the qualification	Then
Is on the List of Qualifications Exempt from Assessment in Appendix 17 OR Has been assessed by NZQA (i.e. the PA has supplied an International Qualification Assessment (IQA))	Continue to <b>step 5(c)</b> to determine the qualification is at the required level.
OR The applicant has full or provisional registration by a NZ	
organisation authorised by law to give occupational registration and that registration involves an assessment that their overseas qualification(s) is comparable with a NZ qualification that is included on the LQEA	
Does not meet any of the requirements above	The PA does not appear to meet any English language criteria. Note the concern and go to <b>step 6</b> .

#### c. Check the level of the qualification

If the qualification is comparable	Then
to	
A New Zealand <i>level 7 Bachelor's</i>	English language requirements are considered
degree and the PA studied towards	met. Go to <b>step 6</b> .
that qualification for at least two	
academic years in one or more of	
these countries:	
Australia	
Canada	
New Zealand	
Ireland	
• UK	
• USA	
A New Zealand qualification at	English language requirements are considered
<i>level 8</i> or above and the PA studied	met. Go to <b>step 6</b> .
towards that qualification for at	TI'V ROU
least one academic year in one or	ER - A
more of:	
Australia	A A A A A A A A A A A A A A A A A A A
Canada	
New Zealand	EV RUN
Ireland	$\mathcal{D}_{\mathbb{R}^{n}} \subset (\mathcal{O})_{\mathbb{N}^{n}}$
• UK	A CALLY
• USA	
Neither of the above criteria	The PA does not appear to meet any English
appear to be met	language criteria. Note the concern and go to
	step 6.

# 6. Update visa assessment template with the outcome of the assessment of the PA's English language ability

Ensure that all possible avenues have been considered (i.e. English language test result, citizenship, qualification) before making a determination on English language ability.

If	Then
No concerns were identified	English requirements are considered met. Proceed with other relevant SOP(s) to continue assessing the application.
Concerns were identified	These should be addressed through <u>requesting</u> <u>further information (RFI)</u> or requesting comment on <u>potentially prejudicial information (PPI)</u> after assessing the other aspects of the application.

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END.

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# SOP – Assess English SMC (secondary applicants)

#### Date Published: 25 September 2023 Classification: Unclassified

# When to use

When assessing the English language ability of any non-principal applicants (referred to as secondary applicants or SAs) who are aged 16 or over for residence under the Skilled Migrant Category (SMC). Dependent children under the age of 16 when the application is lodged are not required to meet a minimum standard of English language ability.

Use the below visa assessment templates to document the assessment and decision-making process.

- <u>SMC Visa Assessment Template individual</u>
- <u>SMC Visa Assessment template family</u>

# Role

Immigration Officer

# Guidelines

- All SAs including partners and dependent children aged 16 and older who are included in an SMC application must show that they meet a minimum standard of English to enable successful settlement in New Zealand or pre-purchase ESOL tuition.
- In any case, an immigration officer may require an applicant to provide an English language test
  result to determine whether they meet the minimum standard of English claimed. However, full
  consideration must be given to all evidence of English language ability provided before a
  decision to request an English language test is made. If such a test result is requested, the
  reason(s) behind the decision must be clearly documented and conveyed to the applicant.
  Secondary applicants also have the option to pre-purchase ESOL tuition.

### See also

SOP – Assess English (principal applicant)

### Steps

1. Check the application declaration and type of evidence provided to determine how the SA is claiming to meet the minimum standard of English

If the applicant	Then
Has provided an English language test result from a provider set out in SR2.10.20	Go to <b>step 2</b> .
Is claiming to meet the requirements through citizenship of Canada, Ireland, the United	Go to <b>step 4</b> .

Kingdom (UK) or United States of America (USA)	
Is claiming to meet the requirements by holding an applicable qualification	Go to <b>step 5</b> .
Has indicated that they wish to pre-purchase ESOL tuition	Go to step 6.

#### 2. Check whether the test result is valid

If, at the time the application was lodged, the English language test result was	Then
More than two years old	Go to <b>step 4</b> to determine whether they can meet the English language requirement through other means.
Less than two years old	Go to next step.

#### 3. Check whether the test type and result is acceptable

Refer to the requirements for acceptable English language test results for non-principal applicants as set out at SR2.10.20.

If the test and result is	Then
Acceptable	English language requirements are considered met. Go to <b>step 6</b> .
Not acceptable	Continue to next step to determine whether they can meet the English language requirement through other means.

**Note:** If a risk is identified, engage with Risk and Verification to verify the result by making a Risk Treatment Referral. See <u>SOP</u> - <u>Assess Risk and Conduct Verification</u>

# 4. Determine whether the applicant meets the criteria to have their language ability recognised through citizenship

An SA may demonstrate meeting the minimum standard of English through citizenship of one of the following countries, provided they have spent (and provided evidence of) at least five years in work or education in one or more of these countries or Australia or New Zealand:

- Canada
- Ireland
- UK
- USA

If the SA	Then
Meets the requirements above	English language requirements are considered met. Go to <b>step 6</b> .
Does not meet the requirements	Continue to next step to determine whether they can meet the English language requirement through study towards a qualification.

# 5. Determine whether the applicant meets the criteria to have their language ability recognised through a qualification

An SA may demonstrate meeting the minimum standard of English through holding certain qualifications.

a. Check where the qualification was obtained:

If the qualification was gained	Then
In: • Australia • Canada • New Zealand • Ireland • UK • USA	Continue to <b>step 5(b)</b> to determine how the qualification is recognised.
In another country	The PA does not appear to meet any English language criteria. Note the concern and go to <b>step 6</b> .

#### b. Determine how the qualification is recognised:

If the qualification	Then
Is on the List of Qualifications Exempt from Assessment in Appendix 17.	Continue to <b>step 5(c)</b> to determine the qualification is at the required level.
OR	
Has been assessed by NZQA (i.e. the PA has supplied an International Qualification Assessment (IQA))	
OR	
The applicant has full or provisional registration by a NZ organisation authorised by law to give occupational registration and	

that registration involves an assessment that their overseas qualification(s) is comparable with a NZ qualification that is included on the LQEA	
Does not meet any of the requirements above	The PA does not appear to meet any English language criteria. Note the concern and go to <b>step 6</b> .

#### c. Check the level of the qualification

If the qualification is comparable	Then
to	
A New Zealand level 7 Bachelor's	English language requirements are considered
degree and the PA studied towards	met. Go to <b>step 6</b> .
that qualification for at least two	
academic years in one or more of:	ELALE OF
Australia	
• Canada	Elis P
New Zealand	
Ireland	
• UK	
• USA	ELE RUE
A Now Zooland qualification at	English anguage requirements are considered
A New Zealand <i>qualification at</i>	English language requirements are considered
towards that qualification for at	met. Go to <b>step 6</b> .
least one academic year in one or	
more of:	
Australia	
Canada	
New Zealand	
Ireland	
UK	
USA	
Neither of the above criteria	The PA does not appear to meet any English
appear to be met	language criteria. Note the concern and go to
	step 6.

# 6. Update visa assessment template with the outcome of the assessment of any secondary applicant or applicants' English language ability

If an applicant	Then
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Claims to meet the minimum standard of English (as opposed to pre-purchasing ESOL tuition	ensure that all possible avenues have been considered (i.e. English language test result, citizenship, and/or qualification) before making a determination on their English language ability and/or requesting test results or ESOL tuition.
Has indicated that instead of meeting the minimum standard of English, they wish to pre-purchase ESOL tuition	note this
If the application is approved in principle	further steps will be required to manage ESOL tuition payment and agreements (see <u>SOP</u> – <u>Approve in Principle</u> and immigration instructions at SR2.10.25 to SR2.10.60).
Has provided English test results that don't meet the minimum standard set out at SR2.10.20	refer to SR2.10.30 to determine whether they are eligible to pre-purchase a reduced amount of ESOL tuition.

SED UNDER SED UNDER AT Proceed with other relevant SOP(s) to continue assessing the application.

END.

# SOP – Assess income (SR3)

# Date Published: 25 September 2023

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# When to use

When assessing an SMC application where the principal applicant (PA) has claimed points under the income skill category.

Use the below visa assessment templates to document the assessment and decision-making process.

- SMC Visa Assessment Template individual
- <u>SMC Visa Assessment template family</u>

### Role

• Immigration Officer

### Steps

- 1. Refer to assessment of skilled employment and determine whether employment is full-time
  - Assessment of skilled employment must already have been made based on evidence of an employment agreement and job description specifying the occupation, hours and remuneration of the employment.

If the employment	Thèn
Is full-time, i.e. amounts to at least 30 guaranteed hours per week for every week worked	Go to next step.
Is not full-time as described above	Note the concern and go to <b>step 3.</b>

#### 2. Determine the PA's eligibility for income points

Points for income may be awarded as follows. Median wage thresholds that apply are as set out at SR3.25.1(a) at the time of application, or at the time the applicant was invited to apply for residence (if there is a difference and one threshold is more favourable).

If the PA's full-time employment pays at least the equivalent of	The PA is eligible for
3x the median wage	6 points
2x the median wage	4 points
1.5x the median wage	3 points
Less than 1.5x the median wage	The PA is not eligible for points under the income skill category. Go to <b>step 3.</b>

#### 3. Update visa assessment template with the outcome of this income assessment

Then proceed with other relevant SOP(s) to continue assessing the application.

If	Then
No concerns were identified	Points for income can be awarded.
Concerns were identified	These could be addressed through <u>requesting</u> <u>further information (RFI)</u> or requesting comment on <u>potentially prejudicial information (PPI)</u> after assessing the other aspects of the application if necessary, i.e. if eligibility for these income points is likely to affect overall eligibility under the SMC.

#### END.

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# SOP – Assess New Zealand registration, licencing or certification SMC (SR3)

Date Published: 25 September 2023 Classification: Unclassified

# When to use

When assessing an SMC application where the principal applicant (PA) has claimed points for their occupational registration, licencing or certification.

Use the below visa assessment templates to document the assessment and decision-making process.

- <u>SMC Visa Assessment Template individual</u>
- <u>SMC Visa Assessment template family</u>

# Role

Immigration Officer

# Steps

- 1. a. Determine whether evidence of registration, licencing or certification has been provided
  - In order to qualify for points, the registration, licencing or certification must be recognised and (unless specified in immigration instructions) must not be any form of provisional, trainee, intern or limited registration.
  - Evidence provided must include documentation confirming:
    - The registration, licencing or certification body, and
    - The name of the registration, license or certification and/or scope of practice; and
    - Any other requirements listed in the table at SR3.30.

If satisfactory evidence of registration, licencing or certification	Then
Has been provided	Go to Step 2
Has not been provided	Go to step 1b

- b. Check whether evidence has been submitted with a previous application
  - In the **Application tab** in AMS go to the applicant's most recently approved application
  - Depending on where the application was processed, open IGMS or ADEPT
  - For application in ADEPT
    - Select the Visa application
    - Select documents tab
  - Open the supporting documents and check for evidence of employment

If evidence of employment	Then

Has been provided and is sufficient to establish a current offer of employment	<ul> <li>Proceed to process the application using this evidence</li> <li>Go to step 2</li> </ul>
Some evidence has been provided but is not complete	Continue assessing offer of employment with the information available by following this SOP but ensure that the required information is requested and assessed before making the final decision.
Has not been provided or is not sufficient to establish a current offer of employment	<ul> <li>Note the concern</li> <li>Go to Step 4</li> <li>END.</li> </ul>

- 2. If required, verify the PA's registration, licencing or certification Links to relevant public registers is located here.
- 3. Check the Operational Manual at SR3.30 to determine whether the PA meets the registration/licencing/certification criteria for their occupation and to determine their eligibility for points

The required criteria set out in SR3.30 must be met to qualify for the number of points set out in the table. Unless specified at SR3.30, any form of provisional, trainee, intern, or limited registration, license, certification or scope of practice does not qualify for points.

If	Then
The evidence provided demonstrates the PA meets the requirements set out in SR3.30	The number of points set out at SR3.30 may be awarded. Go to next step.
The PA does not appear to meet the SR3.30 criteria.	Note the concern and go to <b>step 4.</b>

# 4. Update visa assessment template with the outcome of this registration/licencing/certification assessment

Then proceed with other relevant SOP(s) to continue assessing the application.

If	Then
No concerns were identified	Points for registration, licencing or certification can be awarded.
Concerns were identified	These could be addressed through <u>requesting</u> <u>further information (RFI)</u> or requesting comment on <u>potentially prejudicial information (PPI)</u> after assessing the other aspects of the application, if necessary, i.e. if eligibility for these registration/licencing/certification points is likely to affect overall eligibility under the SMC.

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END.

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# SOP – Assess overall eligibility (Skilled Residence General)

Date Published: 25 September 2023 Classification: Unclassified

# When to use

When assessing a skilled residence application under Skilled Migrant Residence Instructions.

# Role

- Immigration Officer (IO)
- Technical Advisor (TA)

# Context and guidelines

This SOP sets out the overall assessment criteria for an application under the Skilled Residence Instructions.

To complete a full assessment of an applicant's overall eligibility for Skilled Residence:

- Follow this SOP and any associated/linked SOPs,
- Follow closely with the specific Skilled Residence eligibility SOP for eligibility under the specific skilled residence category: SMC and WTR

Use the relevant Skilled Residence Visa Assessment Template located in the <u>INZKit</u> to document the assessment and decision-making process. Ensure Initial Assessments, any Subsequent Assessments and Final Assessments are captured in AMS.

• Complete the relevant section of the determination tab in AMS as the assessment progresses.

# Assessment Templates

- <u>SMC Visa Assessment Template individual</u>
- <u>SMC Visa Assessment template family</u>
- <u>WTR Visa Assessment Template individual</u>
- WTR Visa Assessment Template family

#### Steps

#### 1. Ensure all data entry in AMS is accurate

Review the application and ensure that the following have been checked and are accurate for each applicant:

- Client Details tab is complete and correct
- Travel document tab is complete and correct
- Address tab is complete and correct
- Application Contact(s) tab is complete and correct
- Family tab is complete and correct

#### 2. Check for any partners or children who must be included in the application

Check the client contacts report to determine if there are any partners or dependent children holding or applying for a visa based on their relationship to the principal applicant (PA)

|--|

If	Then
The PA has a partner and/or children who hold, or are applying for a visa, based on their relationship to the PA, but those family members are not included in the residence application. <u>R2.40(d)</u>	<ul> <li>Contact the PA and raise the issue</li> <li>Confirm whether it was intentional to not include any dependants on the application</li> <li>If it was intentional, note the concern and go to next step.</li> <li>If the applicant requests to add their dependants send INZ1278 form for completion and request this to be uploaded to their online application.</li> <li>Once received, add the applicant(s) using the standard process.</li> <li>Note: A partner or dependent child who has applied in the past for a visa based on their relationship to the principal applicant for a residence class visa, but who does not currently hold a visa based on that relationship and does not have an application based on that relationship and so that relationship being processed, does not have to be included in the residence application under Regulation 20 (as reproduced at R2.40 d). (VisaPak 308.</li> </ul>
	See <u>VisaPak 508</u>

#### 3. Assess identity

Refer to **SOP** - **Assess identity** to establish the identity of all applicants included on the application.

#### 4. Assess character

Refer to **SOP – Assess character (residence)** to complete a character assessment for all applicants.

#### 5. Assess health

Refer to **SOP – Assess health (residence)**to complete a health assessment for all applicants.

# 6. Ensure any required third-party checks are underway See <u>SOP - Make and monitor third party checks.</u>

• Ensure any required third-party checks have been requested at the lodgement stage and are underway. Action this step, if not requested.

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Third-party checks should be monitored throughout the application process and actioned as appropriate (for example if further information is needed).

#### 7. Assess English language ability

Refer to **SOP** – **Assess English (PA)** and/or **Assess English (SAs)** to complete an assessment of the English language ability of the principal applicant and any secondary applicants aged 16 or older.

**Note:** If assessing a WTR (Skilled Residence) application between Sept 29, 2023, and October 9 2023, the English language tab in AMS must be completed before the determination questions.

#### 8. Assess Partnership or Dependent Children

If	Then
The PA has no partner or children included on their residence application and has no dependants holding (or applying for) a visa based on their relationship to the PA	Go to next step
The PA has a partner and/or children who hold (or are applying for) a visa based on their relationship to the PA, and those same family members are included in the residence application	See SOP – Assess partnership (residence) and/or SOP – Assess dependent children (residence). Then, continue to next step.

**Note:** If any additional applicants are added after the application has been lodged, the applicant should send the INZ1001 form directly to their IO.

The applicant(s) should then be added following the standard process.

#### 9. Manually triage application and consider risk

- Identify whether there are any relevant risk rules, active applicant or employer alerts/warnings or other information indicating the potential presence of any specific risk
- Refer to <u>SOP Assess risk and conduct verification</u> and consider the results throughout the assessment of the application, taking appropriate action as required.

**Note:** Ensure AMS and ADEPT are both checked for alerts and warnings as the two systems may not mirror each other. This includes warnings that may be placed on the employer in AMS and/or ADEPT.

In rationalising or further actioning an alert or warning, consider any discrepancies between the two systems, using the most up to date alert and/or warning.

See <u>ADEPT User Guide</u>, 2.10.1 Viewing Alerts and Warnings (applicants) & See ADEPT employer accreditation and job check user guide, 2.7.10 Alerts and warning (Employers)

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#### 10. Continue to determine overall eligibility

Refer to the relevant Overall Eligibility SOP to assess the application under the correct instructions:

SOP – Assess overall eligibility (SR3)

SOP – Assess overall eligibility (Work to Residence)

END.

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# SOP – Assess overall eligibility SMC (SR3)

### Date Published: 25 September 2023

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# When to use

When assessing a residence application under the Skilled Migrant Category (SMC).

# Role

- Immigration Officer (IO)
- Technical Advisor (TA)

# Context and guidelines

This SOP sets out the overall assessment criteria for an application under the SMC.

To complete a full assessment of an applicant's overall eligibility for residence under **SR3** Skilled Migrant Category:

- Follow this SOP and any associated/linked SOPs, and
- Use the SMC Visa Assessment Templates to document the assessment and decision-making process. Ensure Initial Assessments, any Subsequent Assessments and Final Assessments are captured in AMS.
- Complete the relevant section of the determination tab in AMS as the assessment progresses.

# Prerequisites

• Assess overall eligibility (Skilled residence general)

# Assessment Templates

- <u>SMC Visa Assessment Template individual</u>
- <u>SMC Visa Assessment template family</u>

### Steps

#### 1. Check whether any false or misleading information was provided in the EOI

If, on initial assessment, the information provided in the EOI	Then
Is not considered false and misleading	Requirement met Go to next step
Is considered false or misleading	The application cannot be approved. Do not complete full assessment, go to <b>Step 6.</b>
	<b>Note:</b> If a full assessment of the remaining application is not undertaken, this should be communicated to the applicant when the decision is made. The case summary should also

clearly outline which aspects of the application
have been fully assessed.
END.

2. Confirm the principal applicant (PA) meets the SMC age requirements (SR3.10(b)(i))

If the PA was	Then
Under 56 when the application was lodged	Requirement met. Note and continue to next step.
56 or older when the application was lodged	The application cannot be approved. Do not complete full assessment, go to <b>Step 6.</b>
	Note: If a full assessment of the remaining application is not undertaken, this should be communicated to the applicant when the decision is made. The case summary should also clearly outline which aspects of the application have been fully assessed.

#### 3. Assess the principal applicant's skilled employment (SR3.20) See SOP - Assess skilled employment to determine whether:

- the PA has current employment or an offer of employment in New Zealand, and
- holds professional registration, if it is required by law, and
- the employment:
  - is full-time and
  - o is with an accredited employer and
  - meets the relevant wage threshold(s) and
  - is permanent or for a fixed term of at least 12 months (or meets the requirements for a contract for services), and
  - is genuine and not offered as the result of payment, and
  - is substantially consistent with the ANZSCO occupation. If there are concerns, this may also include a substantial match assessment and/or a suitably qualified assessment.

#### 4. Assess the principal applicant's eligibility for points claimed (SR3.25)

If the PA has claimed points for	Then
Income	See SOP – Assess income

Qualification	See SOP – Assess qualification
NZ registration, licencing or certification	See SOP – assess NZ registration, licencing or certification
Work experience	See SOP – assess work experience

If the PA is not eligible for at least 6 points from the category or categories they have claimed, assess whether they meet the requirements to be eligible for points under any other skill category. See <u>Immigration Instructions R5.20</u>.

# 5. Confirm the PA meets the skilled employment requirements and qualifies for 6 points from either one skill category (income, qualification, NZ registration) or a combination of one skill category and their New Zealand skilled work experience.

If	Then
No concerns are identified	Requirements are met. Go to next step.
Concerns are identified	These should be noted and communicated to the PA after a full initial assessment of the application has been undertaken. Go to next step.

#### 6. Determine overall eligibility and next steps

If	Then
The application has completed assessment pending only return of NSC Check, NZPC, foreign PC or completion of deferred medical requirements	Transfer the application into <b>Queue, Pending</b> SMC
The application requires	Transfer the application into Not Allocated,
consideration of a Waiver by a TA	Waivers
Any concerns have been noted during the assessment of the application	<ul> <li>See SOP – <u>communicate potentially prejudicial</u> information (PPI)</li> <li>If any concerns require escalation, consider a No Surprises process. See <u>VisaPak 497 No</u> <u>Surprises Fact Sheets</u>.</li> <li>Note: All applications are to be quality checked, transfer to Not Allocated, Res Review</li> </ul>
No concerns have been noted and all	Make sure all questions under the
requirements are met	<b>Determination</b> and <b>English</b> tabs in AMS have
	been completed, then

<ul> <li>Manually triage the application again to ensure all potential risks have been</li> </ul>
appropriately identified.
<ul> <li>Undertake appropriate action to mitigate any additional risks identified, if applicable, before finalising the application.</li> </ul>
• Transfer the application to Not Allocated,
Res SMC QC
• See SOP – Approve in principle.

END.

# SOP – Assess qualification SMC (SR3)

# Date Published: 25 September 2023

Classification: Unclassified

### When to use

When assessing an SMC application where the principal applicant (PA) has claimed points for a recognised qualification.

Use the below visa assessment templates to document the assessment and decision-making process.

- <u>SMC Visa Assessment Template individual</u>
- <u>SMC Visa Assessment template family</u>

### Role

• Immigration Officer

# Glossary of terms

New Zealand Qualifications Framework	NZQF
New Zealand Qualifications Authority	NZQA
International Qualifications Assessment	IQA
List of Qualifications Exempt from Assessment (Appendix 17)	LQEA

# Steps

#### 1. Check the type of qualification provided

If the applicant has provided evidence of	Then
A New Zealand qualification	Go to S <b>tep 3</b>
Or	
An overseas qualification with an IQA	
An overseas qualification	Go to Step 2
and	
no IQA	
No qualification	Note the concern and go to <b>step 4</b>

#### 2. Determine whether the overseas qualification is recognised on the LQEA

Refer to Appendix 17 to determine whether the qualification is recognised.

If the qualification is	Then
On the LQEA	Go to <b>step 3.</b>
Not on the LQEA and no IQA has been provided	Note the concern and go to <b>step 4</b>

#### 3. Determine the PA's eligibility for qualification points

The following New Zealand qualifications or an overseas qualification recognised on the NZQF as equivalent to one of these specific New Zealand qualifications via an IQA or as listed on the LQEA may be awarded points as follows:

Qualification	Points
Doctoral degree	<mark>~</mark> 6
Master's degree	5
Bachelor honours degree or Postgraduate Diploma	4
Postgraduate Certificate or Bachelor's degree	3

Where an IQA only specifies a qualification level and not an equivalent New Zealand qualification type (e.g. Bachelor's or Master's degree), points may be awarded as follows:

Qualification	Points
Level 10 (no NZ qual type)	5
Level 9 (no NZ qual type)	4
Level 8 (no NZ qual type)	3

#### 4. Update visa assessment template with the outcome of this qualification assessment

Then proceed with other relevant SOP(s) to continue assessing the application.

END.

# SOP – Assess skilled employment SMC (SR3)

#### Date Published: 25 September 2023

Classification: Unclassified

### When to use

When assessing an applicant's skilled employment under the Skilled Migrant Category (SMC).

# Role

• Immigration Officer

# Context and guidelines

This SOP outlines how to assess the offer of skilled employment or ongoing employment for SMC.

To complete a full assessment of an applicant's offer of employment or ongoing current employment,

- follow this SOP and any associated/linked SOPs, and
- Use the below visa assessment templates to document the assessment and decision-making process.
  - <u>SMC Visa Assessment Template individual</u>
  - <u>SMC Visa Assessment template family</u>

# Prerequisites

- SOP Assess overall eligibility
- SOP Assess risk and conduct verification

# Steps

- 1. Check the evidence provided
  - a. Check whether evidence of employment has been submitted with the current application
    - Employment may be either an offer of employment or current ongoing employment in New Zealand.
    - Evidence must include an employment agreement and a job description that specifies, the occupation, hours, and remuneration of the employment. (See SR3.20(d)).

If evidence of employment	Then
Has been provided	Go to Step 2
Has not been provided	Go to <b>Step 1b</b>

b. Check whether evidence has been submitted with a previous application

- In the **Application tab** in AMS go to the applicant's most recently approved application
- Depending on where the application was processed, open IGMS or ADEPT
- For application in ADEPT
  - Select the Visa application
  - Select documents tab
- Open the supporting documents and check for evidence of employment

If evidence of employment	Then
Has been provided and is sufficient to establish a current offer of employment	<ul> <li>Proceed to process the application using this evidence</li> <li>Go to next step</li> </ul>
Some evidence has been provided but is not complete	Continue assessing skilled employment with the information available by following this SOP but ensure that the required information is requested and assessed before making the final decision.
Has not been provided or is not sufficient to establish a current offer of employment	<ul> <li>Note the concern</li> <li>Go to Step 9</li> <li>END.</li> </ul>

# 2. Determine whether the employment is full-time

See SR3.20(b)(i).

If	Then
Is full-time, i.e., amounts to at least 30 guaranteed hours per week for every week worked	<ul><li> Requirement met.</li><li> Go to next step.</li></ul>
The PA is an independent midwife practitioner who meets the requirements at SR3.20(e)).	
The employment is not full-time (and the PA is not an independent midwife practitioner who meets the requirements at SR3.20(e))	<ul><li>Note the concern</li><li>Go to next step.</li></ul>

#### 3. Determine length of employment contract

If	Then
The applicant's employment is permanent (SR3.20(b)(iii)	<ul><li>Requirement met.</li><li>Go to next step.</li></ul>
The applicant's employment is fixed term for at least 12 months (SR3.20(b)(iii)) and there is a	

genuine reason based on reasonable grounds for the fixed term (see relevant information on the <u>Employment New Zealand</u> <u>website</u> ).	
The applicant has an acceptable contract for services (see SR3.20(c), including determining whether the applicant meets the requirements for at least 12 months of skilled work experience in New Zealand (SR3.35 and SOP - SOP – Assess skilled work experience))	
The PA is an independent midwife practitioner who meets the requirements at SR3.20(e)).	THE ACT
The applicant's employment does not meet any of the requirements above (i.e., for permanent, fixed term or contract for services)	<ul><li>Note the concern</li><li>Go to next step</li></ul>

4. Identify the applicant's occupation (employment or offer of employment) as set out on the Australian and New Zealand Standard Classification of Occupations (ANZSCO) Refer to the Immigration NZ view of ANZSCO version 1.2 as provided by Statistics New Zealand

Refer to the Immigration NZ view of <u>ANZSCO version 1.3</u> as provided by Statistics New Zealand. Locate the occupation listing on the ANZSCO.

If the occupation is	Then
Listed	Go to next step.
Not listed	<ul> <li>Note that the applicant needs to meet the requirement for ANZSCO skill level 4 or 5 occupation</li> <li>Go to next step</li> </ul>

5. Identify whether there are any relevant risk rules, active applicant or employer alerts/warnings or other information indicating the potential presence of any specific risk indicating that the applicant's role may not be genuine.

If	Then
No concerns are Identified	Go to next step
Concerns are identified	A detailed assessment may be needed

See relevant steps in <u>SOP – Undertake a</u>
detailed assessment of employment.

#### 6. Determine the ANZSCO skill level of the applicant's role

• Check the applicant's role title matches the ANZSCO code provided and aligns with the ANZSCO (6-digit) description for that occupation

See <u>ANZSCO website</u> for more details

If, after an initial assessment	Then
There is enough evidence to be satisfied that	requirement met, detailed ANZSCO
the applicant's role matches the description	assessment is not required
	Note the skill level as set out in
	ANZSCO
	Go to next step
There is not enough evidence to be satisfied	A detailed ANZSCO assessment is
that the applicant's role matches the	needed.
description	See steps 5 and 6 of <u>SOP – Undertake</u>
	a detailed assessment of
	employment

#### 7. Determine whether any registration requirements are met

#### a. Check Appendix 16 to determine whether the role requires registration

If the role	Then
Does not require registration.	Go to Step 8
Requires registration	Go to next step

#### b. Check whether evidence of registration has been provided

If evidence of registration	Then
Has been provided	Go to Step 8
and	
is satisfactory	
Has not been provided	Go to Step 7c

#### c. Check whether evidence of registration has been provided in a previous application

- In the **Application tab** in AMS go to the applicant's most recently approved application
- Depending on where the application was processed, open IGMS or ADEPT
- For application in ADEPT
  - Select the Visa application

#### • Select documents tab

• Open the supporting documents and check for evidence of registration

If evidence of registration	Then
Has been provided	<ul> <li>Proceed to process the application using this evidence</li> </ul>
and	<ul> <li>If required, verify the PA's registration. Links</li> </ul>
is valid	to relevant public registers is located here.
	Go to next step
Has not been provided	Note the concern
or	Go to next step
is unsatisfactory	

8. Determine whether the skilled employment meets the remuneration requirements a. Note or calculate (as required) the applicant's remuneration (see SR2.5).

If	Then
The applicant is paid an hourly rate	The remuneration for the purposes of their application under the SMC will be the guaranteed payment per hour as stated in their employment agreement.
The applicant is paid by salary including provisions as set out in SR2.5(f) The applicant's hours of work are variable	Divide the salary by 52 weeks (for annual salaries, or by the number of weeks for other salaries), then by the number of hours worked per week as stated in the employment agreement. If the agreement specifies a range of hours, divide by the maximum hours stated in the agreement. See SR2.5.1.
The applicant is required to work overnight but is able to sleep during this time	See SR2.5.5.

#### b. Note the remuneration requirement for the applicant's role (SR3.20(a)).

If the occupation is listed at	The remuneration must be at least
ANZSCO skill level 1, 2, or 3	Check if the job offer meets the median wage requirement at the time of application (or ITA). (Whichever is more favourable) (see SR3.10(c)).
ANZSCO skill level 4 or 5 or not included in the ANZSCO	Check if the job offer is 1.5 times the median wage requirement at the time of application (or ITA). (Whichever is more favourable) (see SR3.10(c)).

c. Determine whether the applicant earns at least the minimum remuneration required for their ANZSCO skill level:

If the applicant	Then
Meets the remuneration requirement	Go to next step.
Does not meet the remuneration requirement	Note the concern and go to the next step.

#### 9. Check whether the employer is accredited

The applicant's employer must have current accreditation at the time the residence application was made <u>or</u> when it is decided (SR3.20(b)(ii)). See <u>SOP – Check employer accreditation in</u> <u>ADEPT.</u>

If	Then
The employer has current accreditation	Requirement met. Go to next step
The employer's accreditation has expired but was current at the time the application was made	Note: If there are concerns regarding employer compliance post accreditation or if there are alerts/warnings placed on the employer since the accreditation, note the concern and go to <b>next</b> <b>step</b>
The employer does not have current accreditation, nor did they have current accreditation when the application was made The employer's accreditation is suspended	<ul><li>Note the concern</li><li>Go to next step</li></ul>

#### 10. Update visa assessment template with the outcome of the skilled employment assessment

Then proceed with other relevant SOP(s) to continue assessing the application.

If	Then
No concerns were identified	Skilled employment requirements are considered met.
Concerns were identified	These should be addressed through <u>requesting</u> <u>further information (RFI)</u> or requesting comment on <u>potentially prejudicial information (PPI)</u> after assessing the other aspects of the application.

END.

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# SOP – Assess skilled work experience in New Zealand SMC (SR3)

#### Date Published: 25 September 2023 Classification: Unclassified

# When to use

When assessing an SMC application where the principal applicant (PA) has claimed points for skilled work experience in New Zealand.

SMC applicants must qualify for 6 points either under an individual skill category or through a combination of one skill category and their skilled work experience in New Zealand. If the applicant already qualifies for 6 points under a skill category, there is no need to complete an assessment of their work experience. However, in such cases the case summary should still note that points for work experience were claimed but not assessed because the additional points were not required.

Use the below visa assessment templates to document the assessment and decision-making process.

- <u>SMC Visa Assessment Template individual</u>
- <u>SMC Visa Assessment template family</u>

### Role

Immigration Officer

### Guidelines

- Any periods of leave consistent with section 16 of the Holidays Act 2003 (including parental or ACC leave) taken during a period of skilled work experience in New Zealand can be counted if the applicant was earning at or above the relevant wage threshold immediately before the period of leave.
- Refer to SR2.5 to determine how the applicant's remuneration should be calculated depending on whether the applicant is paid by salary or hourly rate.

# Prerequisites

• The PA's claim for points under a skill category (income, qualification or New Zealand registration) has been assessed.

### Steps

- 1. Check the evidence provided
  - a. Check whether evidence has been submitted with the current application
    - Evidence provided must include
      - o an employment agreement,
      - job description that specifies, the occupation, hours, and remuneration of the employment, and
      - a summary of earnings or tax statement (for work on a contract for services) from the Inland Revenue, confirming the period of work and income over any period of work.

If evidence of work experience	Then
Has been provided	Go to Step 2
Has not been provided	Go to <b>Step 1b</b>

- b. Check whether evidence has been submitted with a previous application
  - In the **Application tab** in AMS go to the applicant's previous applications
  - Depending on where the application was processed, open IGMS or ADEPT
  - For application in ADEPT
    - Select the Visa application
    - Select **documents** tab
  - Open the supporting documents and check for evidence of work experience

If evidence of employment	Then
Has been provided and is sufficient to establish skilled work experience	<ul> <li>Proceed to process the application using this evidence</li> <li>Go to next step</li> </ul>
Some evidence has been provided but is not complete	Continue assessing skilled work experience with the information available by following this SOP but ensure that the required information is requested and assessed before making the final decision.
Has not been provided or is not sufficient to establish skilled work experience.	<ul> <li>Note the concern</li> <li>Go to Step 10</li> <li>END.</li> </ul>

#### 2. Determine whether the work experience was full-time

If	Then
All work experience was full-time, i.e., at least 30 hours per week for every week worked	Go to next step.
Some but not all of the work experience was full-time as described above	Only full-time work experience can be considered. Note this and go to next step.
None of the work experience was full-time as described above	<ul><li>Note the concern</li><li>Go to next step.</li></ul>

**3.** Determine whether the work experience meets the remuneration criteria In order for the PA's NZ work experience to meet the criteria under SR3.35(b), they must have earned at or above the relevant threshold set out for the duration of their work experience - the relevant threshold being the threshold in place at the start of the period of skilled work experience. If the median wage changes while the applicant is employed but they remain in the same job and their pay doesn't decrease, they will continue to meet this requirement.

However, skilled work experience in New Zealand will stop being counted if the applicant changes employment or their income decreases, and their new income is below the wage required by SR3.35(b) at that time. See SR3.35.1(c).

#### a. Identify which remuneration criteria applies:

If the PA has	Then
Claimed points for income	Go to <b>Step 3(b)</b> .
Not claimed points for income	Go to <b>Step 4</b> to determine the ANZSCO skill level.

b. Applicants who have claimed points for income must have earned at least the wage required by SR3.25.1 ('*Income'*).

If	Then
During the applicant's claimed work experience they were earning the wage required by SR3.25.1 ('Income')	The PA appears to meet the remuneration requirement. Go to <b>step 4</b> .
Note: Where an applicant is	
required to earn 1.5x, 2x or 3x the	
median wage under SR3.25.1, the	
relevant median wage threshold is	
the median wage that was in place	
at the start of the period of claimed	
work experience, which may differ	
from the current median wage set	
out in instructions	
During the applicant's claimed work experience they were not earning the wage required by SR3.25.1 ('Income')	Go to <b>step 3(c)</b>

- c. Work experience for certain applicants claiming points for income of at least 2x the median wage is also acceptable if it was completed:
  - on or after 29 September 2021 and before 9 October 2023 and

• in an occupation listed in Tier 2 of Appendix 13 while meeting the requirements listed in Tier 2 of Appendix 13 for that occupation.

If	Then
<ul> <li>Their work experience was completed:</li> <li>on or after 29 September 2021 and before 9 October 2023 and</li> <li>in an occupation listed in Tier 2 of Appendix 13 while meeting the requirements listed in Tier 2 of Appendix 13 for that occupation</li> </ul>	It is considered acceptable for the purposes of SR3.35(b). Go to <b>step 4.</b>
Does not meet the requirements above	<ul><li>Note the concern</li><li>Go to next step</li></ul>

#### 4. Determine the ANZSCO skill level of the PA's work experience.

• Check the applicant's role title matches the ANZSCO code provided and aligns with the ANZSCO (6-digit) description for that occupation

See ANZSCO website for more details

If the occupation is	Then they must have earned at least
Listed at ANZSCO skill level 1, 2, or 3	The median wage (see SR3.35(c)).
Listed at ANZSCO skill level 4 or 5 or not in the ANZSCO	1.5x the median wage (see SR3.35(c)).

If, after an initial assessment	Then
There is enough evidence to be satisfied that the applicant's role matches the description	<ul> <li>requirement met, detailed ANZSCO assessment is not required</li> <li>Note the skill level as set out in ANZSCO</li> <li>Go to Step 5</li> </ul>
There is not enough evidence to be satisfied that the applicant's role matches the description	A detailed ANZSCO assessment is needed. Go to next step

#### 4b. Undertake a detailed substantial match assessment (SR2.1.1)

Determine whether the applicant's employment is:

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- substantially consistent with the ANZSCO Occupation (6-digit) level description for that occupation <u>and</u>
- substantially consistent with the tasks listed at the ANZSCO Unit Group (4-digit) level description for that occupational group, excluding any tasks which are not relevant to the occupation description.

The following factors may also be considered:

- the scope and scale of the employer's organisation and operation.
- the size of the operation.
- the number of staff and managers.
- whether management functions are centralised at head office or undertaken by other managers.

Then
The applicant's role can be considered a substantial match to the occupation as listed on ANZSCO. Go to next step
Go to next step
<ul><li>Note the concern</li><li>Go to next step.</li></ul>

#### 5. Determine whether the remuneration criteria is met:

If the PA	Then
Appears to meet the relevant remuneration criteria	Go to next step.
Does not appear to meet the relevant remuneration criteria	<ul><li>Note the concern(s)</li><li>Go to next step.</li></ul>

## 6. Determine whether any skilled work experience meets the registration requirements, if applicable

If	Then

The PA's occupation does not require registration	Go to next step.
The PA is claiming points for New Zealand registration, licencing or certification and their work experience was completed after gaining that registration, licence or certification	The work experience can be recognised. Go to next step.
The PA is claiming points for New Zealand registration, licencing or certification but some of their work experience was completed before they obtained that registration, licence or certification	Any work experience undertaken prior to gaining registration will not qualify as skilled work experience in New Zealand. Go to next step but consider this when determining the PA's eligibility for points at <b>step</b> <b>8</b> .
The PA is claiming points for New Zealand registration, licencing or certification but all of their work experience was completed before they obtained that registration, licence or certification	<ul> <li>Any work experience undertaken prior to gaining registration will not qualify as skilled work experience in New Zealand.</li> <li>Note the concern</li> <li>Go to next step.</li> </ul>

#### 7. Determine whether the work experience was lawfully obtained

Check the **Visa** and/or **Applications** tabs in AMS to confirm that the PA was lawfully in New Zealand and held an appropriate visa when undertaking the work experience (for example, an open work visa or a work visa specifying the holder's ability to work in that occupation/location/for that employer).

If	Then
After relevant checks it is established that all work experience was lawfully obtained in New Zealand	Go to next step.
After relevant checks it is established that some but not all work experience was lawfully obtained	Any work experience not lawfully obtained will not qualify as skilled work experience in New Zealand. Continue to next step but consider this when determining the PA's eligibility for points at <b>step 9</b>
There are concerns that none of the work experience was lawfully obtained	<ul><li>Note the concern</li><li>Go to next step.</li></ul>

8. Determine whether any specific risk has been identified while assessing the applicant's work experience and take appropriate action

#### a. Determine whether any specific risk has been identified. See <u>SOP Assess Risk and</u> <u>Conduct Verification</u>

If	Then
No risk identified	Go to <b>step 9</b>
Concerns are identified	Go to step 8b.

- b. Assess whether the work experience was undertaken as the result of genuine employment and not offered as the result of payment.
  - Review any relevant information on file (for example bank statements) and in AMS (for example any alerts or warnings, if present) and
  - consider any surrounding circumstances (for example the market rate for the position and the skills/experience of the applicant).

If	Then
Satisfied the work experience was genuine and not offered as the result of payment	If any risk has been identified that is not related to the genuineness of the work experience, verification appropriate to the risk should be undertaken as part of the overall assessment of the application. Go to next step
There are concerns surrounding the work experience with regards to the possibility it was offered as the result of a payment	<ul> <li>Verification appropriate to the risk(s) identified should be undertaken as part of the overall assessment of the application.</li> <li>Note the concern</li> <li>Go to next step</li> </ul>

**9.** Determine the PA's eligibility for the claimed New Zealand skilled work experience points For the periods of work experience assessed as meeting the requirements, points may be awarded as follows, depending on the number of years worked in New Zealand and whether it was undertaken in the relevant timeframe.

**Note:** skilled work experience does not have to have been completed consecutively and can be a total of different periods of work.

Amount of work experience claimed that meets requirements	The work experience must have been completed within	And if so, the PA is eligible for
3 years	5 years of application submission	3 points
2 years	4 years of application submission	2 points

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1 year	2 years of application submission	1 point

#### 10. Update visa assessment template with the outcome of the work experience assessment

Then proceed with other relevant SOP(s) to continue assessing the application.

If	Then
No concerns were identified	New Zealand skilled work experience
	requirements are considered met and the
	relevant points can be awarded.
Concerns were identified	These should be addressed through verification
	and/or <u>requesting further information (RFI)</u> or requesting comment on <u>potentially prejudicial</u>
	information (PPI) after assessing the other
	aspects of the application, particularly if this is
	likely to impact the applicant's eligblity for a total
	of 6 points and therefore their overall eligblity for
	a resident visa under the SMC.
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END.

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# SOP – Assess Variation of Conditions of Skilled Migrant Category (SR3) Interim Visas

#### Date Published: 25 October 2023 **Classification: Unclassified**

#### When to use

When assessing an application for a Variation of Conditions (VoC), where the applicant holds a Skilled Migrant Category interim visa (as at I3.10)

#### Prerequisites

- The client holds a valid interim visa granted under I3 Skilled Migrant Category interim visa
- The client has a Skilled Migrant Category (SR3) Resident Visa application in progress ٠ NON AC

#### Role

- Immigration Officer (IO)
- Technical Advisor (TA)

#### **Related Resources**

#### VisaPak 264 (June 2016) Interim Visas

VisaPak 194 (January 2015) Limbo Day – Expiry of a visa

VisaPak 369 Interim visa expiry after a decline or withdrawal

VisaPak 229 Interim Visa Conditions following a Section 61 Visa

#### Steps

#### 1. Receive allocated application in AMS workflow

Open the application in AMS and corresponding application documents (either hardcopy or on Plone)

#### 2. Check data entry and lodgement requirements are complete

- Client details and family tab on AMS must be completed. See SOP Update a client profile in • AMS for an application.
- Ensure that all contacts, including the supporting partner, and Licensed Immigration Adviser or lawyer (if applicable), are added to the Contacts tab.

#### Manually triage the application 3.

Manually initiate a risk assessment by clicking 'Initiate Assessment'. See SOP Working with an applications' risk assessment

#### 4. Check identity resolution is complete

• Check the Resolution Status column on the Applicant(s) screen.

• If this is pending, assessment of the application may be continued but identity resolution must be completed before the application is finalised.

See SOP Waiting for Identity Resolution.

#### 5. Confirm identity has been established

- If the applicant has provided a new passport, check that it has been scanned.
- Ensure there are no concerns with identity identified or note any concerns to be addressed.

#### 6. Have any new health or character issues been identified since the grant of the interim?

If	Then
No concerns were identified	Go to next step next step
Concerns were identified	<ul><li>Note the concern</li><li>Go to next step</li></ul>

#### 7. Check the visa label to determine the interim visa conditions

If the initial interim visa condition	Then
is	ED BANN
Work (employer-specific)	Go to step 8
Student (open)	Go to <b>step 9</b>
Visitor	Go to <b>step 10</b>
None of the above	Does not meet the criteria for VoC.
	Note the concern
	• Go to <b>step 12</b>

## 8. Check that the applicant meets the employer specific work visa VOC requirements in <u>E3.26.15(a)</u>

a. Identify the conditions that is requested to be varied.

If the request is to	Then
<ul> <li>Change one or a combination of;</li> <li>employer,</li> <li>occupation, or</li> <li>location of employment</li> </ul>	Go to <b>step 8b</b>

Change any other employer	Does not meet the criteria for VoC.
specific visa condition	Note the concern
	• Go to <b>step 12</b>

b. Assess whether the applicant meets the criteria for a variation of conditions for Accredited Employer Work Visa (AEWV) holders as at <u>E3.26.1.20.</u>

Check:

- $\circ$  the employer is accredited,
- o the employer has a valid job check number,
- o the applicants are suitably qualified, and
- the remuneration threshold is met.

**Note:** All applicants, including those on non AEWV specific work visas, must meet AEWV VOC requirements to be eligible to change their employment.

If	Then
No concerns are identified	Visa conditions can be varied to allow new employment conditions. Go to <b>step 14</b>
Concerns are identified	<ul><li>Note the concern</li><li>Go to step 12</li></ul>

Check that the applicant meets the student visa specific VOC requirements in <u>E3.26.15(b)</u>
 a. Identify the conditions that are requested to be varied.

If the request is for	Then conditions can be varied to allow
The dependent child of the	
Principal Applicant wanting to work while studying	Work in line with student visa work instructions U13.10 and U13.15
And	
The applicant is aged over 18	
Or	
Aged 16 or 17 with written permission from their parents and education provider	
The Principal Applicant or the partner of the Principal Applicant wanting to work while studying	
And	

have held a student visa directly
before transferring onto the SMC
interim visa with study conditions.

#### b. Assess whether the applicant meets the criteria for a variation of conditions.

If	Then
No concerns are identified	Visa conditions can be varied to allow further study and/or work. Go to <b>step 14</b>
Concerns are identified	<ul><li>Note the concern</li><li>Go to step 12</li></ul>

#### 10. Check that the applicant meets the visitor visa specific VOC requirements in E3.26.15c

a. Identify the conditions that are requested to be varied.

If the request is for	Then conditions can be varied to allow
Dependent child of Principal Applicant, aged 18 or older	Open study conditions or work conditions for up to 20 hours per week

#### b. Assess whether the applicant meets the criteria for a variation of conditions.

If	Then
No concerns are identified	Visa conditions can be varied to allow study. Go to S <b>tep 14</b>
Concerns are identified	<ul> <li>Note the concern</li> <li>Go to step 12</li> </ul>

#### 11. Request further information (RFI) or send a Potentially Prejudicial Information (PPI) letter

If no concerns have been identified in the assessment of this application, go to Step 14

If	Then
Sufficient information or documentation has not been provided to allow for a decision to be made on the application, however at face value it appears likely that the applicant may be able to satisfy instructions	<ul> <li>Contact the applicant or their contact person to request further information. See SOP Request further information</li> <li>Go to next step</li> </ul>
The applicant:	<ul> <li>Undertake PPI process. See SOP <u>Send</u> <u>potentially prejudicial information (PPI) letter</u></li> <li>Go to next step</li> </ul>

•	Has not provided a response to
•	
	request for further information
	that satisfies instructions; or
٠	Has not responded to request
	for further information; or
•	Appears not to meet
	instructions

#### **12.** Consider response from applicant

If	Then
The applicant provides information or evidence and upon further assessment the relevant instructions are met	Go to next step
The requirements of instructions are still not met following a PPI process	<ul> <li>Consider whether an exception to instructions (ETI) is warranted, or whether the application should be declined. Discuss with TA if necessary</li> <li>If declining, ensure the full assessment is pasted into AMS application notes and complete Steps 15 and 16 to draft a decline letter and determine the application in AMS. Then complete the application and send a decline letter</li> </ul>

**Note:** Where due to a set of humanitarian circumstances (such as those in a situation of exploitative employment or family violence), applicants need to change their interim visa conditions in a way that falls outside of the immigration instructions proposed, a new visa may be considered under section 79(5) of the Act by an authorised decision maker at their absolute discretion (ordinarily an Immigration Manager or more senior manager).

#### 13. Record assessment in AMS

- Enter completed assessment template in AMS.
- Note applicable visa conditions

#### 14. Complete the determination screen in AMS

- Complete any remaining determination questions as appropriate and click 'OK'.
- If a visa is being granted as an ETI, ensure sufficient rationale is entered into ETI pop-up outlining reason for the exception.

#### 15. Decide the application in AMS

• Decide the application.

• If approving application, issue the visa duration in line with passport expiry as at immigration instruction E3.10. Inform the applicant in their eVisa letter if a visa is being issued for a shorter duration than they are eligible for.

#### 16. Issue the eVisa in AMS

See SOP Approve application (issue eVisa and notify applicant)

#### **17.** Draft and send eVisa letter

- Open the Template Letter System in AMS.
- Click on the Decide group and letter codes and titles appear.
- Choose the appropriate eVisa/letter.

#### TLS letter code and title

Template letter TBC

RELEASED UNDER THUS Note: Ensure that the correct visa conditions are included in the decision letter.

END.

SMC (SR3) - Family		
Application Number	Click or tap here to enter text.	
ITA date	Click or tap here to enter text.	
Was the application made within 4 months of ITA?	Choose an item.	
Date application was made	Click or tap here to enter text.	
False and misleading information identified in EOI:	Choose an item.	
(_) Application form signed or electronically signed		
(_) AMS updated (family tab, contacts tab, and address tab)		
(_) Country of birth/citizenship correct for all applicants		
PA was less than 56 years of age on the date the application was made (R5.6)	Choose an item.	
Are all required family members (dependent children and spouses or partners) included?	Choose an item.	

RISK ASSESSMENT			
Note: Visit the Country Profile page on the verification toolkit for resources on the level of risk, level of verification			
required, and the types of independently verifiable information which can be provided.			
Triage initiated	Choose an item.		
Triaged risk level	Choose an item.		
AMS Alerts/Warnings present Choose an item.			
Applicant: Click or tap here to enter text. Advisor: Click or tap here to enter text. Employer: Click or tap here to enter text.			
Declined/Withdrawn visas	Choose an item.		
Satisfied risk acceptable	Choose an item.		

IDENTITY R2.40			
Principal applicant: Electronic form submitted. Identity information has been cross-checked with that on INZ			
systems.			
Passport scanned	Choose an item.		
Satisfied identity confirmed	Choose an item.		
Secondary applicant: Electronic form submitted. Identity information has been cross-checked with that on INZ systems.			
SA Name:	Click or tap here to enter text.		
Passport scanned	Choose an item.		
Satisfied identity confirmed	Choose an item.		
Duplicate this section for each DA added			
Dependent applicant: Electronic form submitted. Identity information has been cross-checked with that on INZ			
systems.			

DA Name:	Click or tap here to enter text.
Passport scanned	Choose an item.
Satisfied identity confirmed	Choose an item.

HEALTH A4		
NZER/HR correctly linked	Choose an item.	
Health issues declared?	Choose an item.	
Satisfied all applicants meet health requirements	Choose an item.	
Medical waiver	Choose an item.	

CHARACTER A5		
Adverse character information declared	Choose an item.	
NZPC	Choose an item.	
Offshore police certificates	Choose an item	
PC waiver	Choose an item.	
NSC	Choose an item.	
SAT assessment required	Choose an item.	
RAT assessment required	Choose an item.	
Satisfied character requirements met	Choose an item.	
Character waiver	Choose an item.	

REP IN		
ENGLISH LANGUAGE <u>SR2.10</u>		
PA	Choose an item.	
SA	Choose an item.	
Copy for multiple DAs DA <name></name>	Choose an item.	
Verification	Choose an item.	

[Delete if a partner is not included in the application]		
PARTNERSHIP R2.1		
Brief history of partnership: The couple have been in a relationship since dd/mm/yyyy The couple are <married a="" akin="" de="" facto="" in="" marriage="" relationship="" to="">.</married>		
Has the relationship previously been assessed by INZ: Choose an item.		
Previous partnership application number Click or tap here to enter text.		
Evidence provided of living together:		

<ul> <li>(_) a marriage certificate of the parties</li> <li>(_) birth certificates for any children</li> <li>(_) joint tenancy agreement(s)</li> <li>(_) evidence of communication between the parties</li> <li>(_) sharing of companionship/spare time</li> <li>(_) joint decision making and plans together</li> </ul>	<ul> <li>(_) joint assets</li> <li>(_) mutually agreed financial arrangements</li> <li>(_) joint utilities accounts (electricity, gas, water, telephone)</li> <li>(_) joint bank accounts operated reasonably frequently over a reasonable time</li> </ul>		
	() photographs of the parties together		
Period(s) of separation: Choose an item.			
4-fold Partnership assessment Choose an item.			
Duration of living together that was satisfied (in months)	Click or tap here to enter text.		

Based on the evidence on file I am satisfied the couple have been living together in a genuine and stable relationship for at least 12 months or more at the time the application is assessed: Choose an item.

#### [Delete if a partner is not included or a partner is included and does not need to be deferred]

DEFERRAL R2.1.15.5		
Duration of the deferral period Choose an item.		
AN of deferral	Click or tap here to enter text.	
and the second se		

[Delete if a DA is not included. If multiple DAs are included, copy below and name each DA]

DEPENDENTS R2.1		
Copy and paste for multiple DAs		
Custody		
DA <name></name>	Choose an item.	
Verification:	Choose an item.	
The Ale		
Dependence		
DA <name></name>	Choose an item.	
Meets instructions as a dependant	Choose an item.	
Verification:	Choose an item.	

SKILLED EMPLOYMENT (SR3.20)	
Offer or current employment:	Choose an item.
Job title as per evidence:	Click or tap here to enter text.
Employer legal and trading name (if any):	Click or tap here to enter text.
Employer accreditation status:	Choose an item.
Employer compliance:	Choose an item.
Employment compliance:	Choose an item.
Full-time employment:	Choose an item.
Remuneration:	Choose an item.

Overnight hours:	Choose an item.
Nature of employment:	Choose an item.
Genuine employment:	Choose an item.
Claimed ANZSCO occupation:	Click or tap here to enter text.
ANZSCO skill level:	Choose an item.
Substantially consistent to ANZSCO:	Choose an item.
Assessed ANZSCO code and occupation:	Click or tap here to enter text.
ANZSCO skill level of alternate occupation:	Choose an item.
Remuneration threshold:	Choose an item.
Registration (if required):	Choose an item.
Suitably Qualified (if required, or if a risk has been identified):	Choose an item.
Detailed substantial match assessment (if required):	Choose an item.
Satisfied PA has offer/current employment in New Zealand: Choose an item.	

SKILL CATEGORY	
INCOME CATEGORY (SR3.25.1) Delete if points not claimed or awarded.	
Points claimed Choose an item.	
Satisfied instructions met: Choose an item.	
A Star COllar	
Income points awarded: Choose an item.	

BE ALL	
QUALIFICATION CATEGORY (SR3.25.5) Delete if points not claimed or awarded.	
Points claimed	Choose an item.
Name of qualification:	Click or tap here to enter text.
Awarding institute:	Click or tap here to enter text.
Recognition:	Choose an item.
Evidence provided:	Choose an item.
Qualification points awarded:	Choose an item.

<b>REGISTRATION CATEGORY (SR3.25.10)</b> Delete if points not claimed or awarded.	
Points claimed	Choose an item.
Registration body:	Click or tap here to enter text.
Type of registration:	Click or tap here to enter text.
Evidence provided:	Choose an item.
Registration points awarded:	Choose an item.

Points awarded under skilled category: Choose an item.

#### **SKILLED WORK EXPERIENCE IN NZ (SR3.35)**

Skilled Work Experience calculator

#### Points claimed for New Zealand work experience: Choose an item.

#### [Please populate the below table for each work experience]

Role 1:	
Evidence provided – Employment agreements and job descriptions	Choose an item.
Evidence provided – IRD summary of earnings or tax statements	Choose an item.
ANZSCO code and occupation:	Click or tap here to enter text.
Skill level:	Choose an item.
Substantially consistent to ANZSCO:	Choose an item.
Assessed ANZSCO code and occupation:	Click or tap here to enter text.
ANZSCO skill level of alternate occupation:	Choose an item.
Detailed substantial match assessment (if required):	Choose an item.
Suitably qualified (if required):	Choose an item.
Full-time employment:	Choose an item.
Median wage threshold met on:	Click or tap here to enter text.
Median wage threshold on above date:	Click or tap here to enter text.
Remuneration on that above date:	Click or tap here to enter text.
Remuneration threshold:	Choose an item.
Registration (if required):	Choose an item.
Lawfully obtained:	Choose an item.
Genuine employment:	Choose an item.
Fre	

Total months of New Zealand work experience: Click or tap here to enter text.

Points awarded for work experience: Choose an item.

FALSE, MISLEADING, OR WITHHELD (FMW) INFORMATION (s58(6) or A24)	
Has FMW information been identified?   Choose an item.	
Description of the suspected FMW information	Click or tap here to enter text.
Comment (if any) from the applicant or their representative	Click or tap here to enter text.
Outcome	Choose an item.

#### **DECISION/PPI PROCESS**

RFI/PPI completed: Choose an item.

PPI: Choose an item.

Note: If all relevant sections have been completed, re-initiate triage prior to finalising decision in AMS

Total points awarded: Choose an item.

Decision: Choose an item.

RELEASED UNDER THUE ACT

SMC (SR3) - Individual	
Application Number	Click or tap here to enter text.
ITA date	Click or tap here to enter text.
Was the application made within 4 months of ITA?	Choose an item.
Date application was made	Click or tap here to enter text.
False and misleading information identified in EOI:	Choose an item.
(_) Application form signed or electronically signed	
(_) AMS updated (family tab, contacts tab, and address tab)	
(_) Country of birth/citizenship correct for all applicants	
PA was less than 56 years of age on the date the application was made (R5.6)	Choose an item.
Are all required family members ( <i>dependent children and spouses or partners</i> ) included?	Choose an item.

RISK ASSESSMENT		
Note: Visit the Country Profile page on the verification toolkit for resources on the level of risk, level of verification		
required, and the types of independently verifiable information which can be provided.		
Triage initiated	Choose an item.	
Triaged risk level	Choose an item.	
AMS Alerts/Warnings present Choose an item.		
Applicant: Click or tap here to enter text. Advisor: Click or tap here to enter text. Employer: Click or tap here to enter text.		
Declined/Withdrawn visas	Choose an item.	
Satisfied risk acceptable	Choose an item.	

IDENTITY R2.40		
<b>Principal applicant:</b> Electronic form submitted. Identity information has been cross-checked with that on INZ systems.		
Passport scanned	Choose an item.	
Satisfied identity confirmed	Choose an item.	

HEALTH A4	
NZER/HR correctly linked	Choose an item.
Health issues declared?	Choose an item.
Satisfied all applicants meet health requirements	Choose an item.
Medical waiver	Choose an item.

CHARACTER A5	
Adverse character information declared	Choose an item.
NZPC	Choose an item.
Offshore police certificates	Choose an item.
PC waiver	Choose an item.
NSC	Choose an item.
SAT assessment required	Choose an item.
RAT assessment required	Choose an item.
Satisfied character requirements met	Choose an item.
Character waiver	Choose an item.

ENGLISH LANGUAGE <u>SR2.10</u>	
PA Choose an item	
Verification Choose an item.	

SKILLED EMPLOYMENT (SR3.20)		
Offer or current employment:	Choose an item.	
Job title as per evidence:	Click or tap here to enter text.	
Employer legal and trading name (if any):	Click or tap here to enter text.	
Employer accreditation status:	Choose an item.	
Employer compliance:	Choose an item.	
Employment compliance:	Choose an item.	
Full-time employment:	Choose an item.	
Remuneration:	Choose an item.	
Overnight hours:	Choose an item.	
Nature of employment:	Choose an item.	
Genuine employment:	Choose an item.	
Claimed ANZSCO occupation:	Click or tap here to enter text.	
ANZSCO skill level:	Choose an item.	
Substantially consistent to ANZSCO:	Choose an item.	
Assessed ANZSCO code and occupation:	Click or tap here to enter text.	
ANZSCO skill level of alternate occupation:	Choose an item.	
Remuneration threshold:	Choose an item.	
Registration (if required):	Choose an item.	

Suitably Qualified (if required, or if a risk has been identified):	Choose an item.
Detailed substantial match assessment (if required):	Choose an item.
Satisfied PA has offer/current employment in New Zealand: Yes.	

SKILL CATEGORY	
INCOME CATEGORY (SR3.25.1) Delete if points not claimed or awarded.	
Points claimed	Choose an item.
Satisfied instructions met:	Choose an item.
Income points awarded:	Choose an item.

QUALIFICATION CATEGORY (SR3.25.5) Delete if points not claimed or awarded.		
Points claimed	Choose an item.	
Name of qualification:	Click or tap here to enter text.	
Awarding institute:	Click or tap here to enter text.	
Recognition:	Choose an item	
Evidence provided:	Choose an item.	
Qualification points awarded:	Choose an item.	

CEV C RIV		
REGISTRATION CATEGORY (SR3.25.10) Delete if points not claimed or awarded.		
Points claimed	Choose an item.	
Registration body:	Click or tap here to enter text.	
Type of registration:	Click or tap here to enter text.	
Evidence provided:	Choose an item.	
Registration points awarded:Choose an item.		

Points awarded under skilled category: Choose an item.

#### SKILLED WORK EXPERIENCE IN NZ (SR3.35)

Skilled Work Experience calculator

Points claimed for New Zealand work experience: Choose an item.

#### [Please populate the below table for each work experience]

Role 1:	
Evidence provided – Employment agreements and job descriptions	Choose an item.
Evidence provided – IRD summary of earnings or tax statements	Choose an item.
ANZSCO code and occupation:	Click or tap here to enter text.

Skill level:	Choose an item.
Substantially consistent to ANZSCO:	Choose an item.
Assessed ANZSCO code and occupation:	Click or tap here to enter text.
ANZSCO skill level of alternate occupation:	Choose an item.
Detailed substantial match assessment (if required):	Choose an item.
Suitably qualified (if required):	Choose an item.
Full-time employment:	Choose an item.
Median wage threshold met on:	Click or tap here to enter text.
Median wage threshold on above date:	Click or tap here to enter text.
Remuneration on that above date:	Click or tap here to enter text.
Remuneration threshold:	Choose an item.
Registration (if required):	Choose an item.
Lawfully obtained:	Choose an item.
Genuine employment:	Choose an item.

Total months of New Zealand work experience: Click or tap here to enter text. Points awarded for work experience: Choose an item.

FALSE, MISLEADING, OR WITHHELD (FMW) INFORMATION (s58(6) or A24)	
Has FMW information been identified?	
Description of the suspected FMW information	Click or tap here to enter text.
Comment (if any) from the applicant or their representative	Click or tap here to enter text.
Outcome Clifford Out	Choose an item.

#### **DECISION/PPI PROCESS**

RFI/PPI completed: Choose an item.

PPI: Choose an item.

Note: If all relevant sections have been completed, re-initiate triage prior to finalising decision in AMS

Total points awarded: Choose an item.

Conclusion: Choose an item.

Decision: Choose an item.

#### E3.26.15 SMC Interim Visa Variation of conditions (VOC)

RISK ASSESSMENT		
Risk identified	Choose an item.	
Employer(if required): Choose an item. Client: Choose an item. Adviser: Choose an item.		
Satisfied risk acceptable Choose an item.		
RVIF (if risk identified)		
Identity met as per E4.50	Choose an item.	

Bona fides <u>E5</u>	Choose an item.	
	TIT ACT	
Health A4	Choose an item.	
ED ERIC		
Character met as per <u>A5</u>	Choose an item.	
ELE MU		
Current visa Conditions		
Client is holder of: Choose an item	n.	
Client's interim visa bridges their previous Choo	se an item. to their open SMC (SR3) application.	

Holders of SMC interim visas with employer-specific work conditions Delete section if not applicable		
Current interim visa is to work as: copy and paste occupation, location and employer from visa label		
The following assessment is based on the client's proposed variation of employment: If the below remain unchanged, enter 'NA'		
Employer	Click or tap here to enter text.	
Occupation	Click or tap here to enter text.	
Location	Click or tap here to enter text.	
Remuneration	Click or tap here to enter text.	
Hours per week	Click or tap here to enter text.	

Term	Choose an item.
The following employer-based questions should be answered even if the client is remaining with the same employer	
Genuine and stable job offer	Choose an item.
Employer holds current accreditation (WA2)	Choose an item.
Based on the employment agreement and previous immigration history:	Choose an item.
Employer holds valid job tokens:	Choose an item.
Job token number	Click or tap to enter text e.g JC00123.
Expiry date of token	Click or tap here to enter date dd/mm/yyyy.
Median Wage requirement	Choose an item.
Does the applicant have more than 24 months remaining on AEWV	Choose an item.
Suitably qualified, as per the approved job check (WA4.10.5)	Choose an item.
Job matches approved job check	Choose an item.
	NO EV NOVE

Holders of SMC interim visas with student conditions		
Delete section if not applicable		
Age of client	Choose an item.	
Is the client list as a dependent child in an SMC residence application?	Choose an item.	
Applicable requirements in U13 met	Choose an item.	
The client is applying for	Choose an item.	
Click to enter comments		

Holders of SMC interim visa with visitor conditions Delete section if not applicable		
Age of the client	Choose an item.	
Is the client listed as a dependent child in an SMC residence application?	Choose an item.	
Client wishes to study towards a	Click or tap here to enter course, duration, institute, part- or full-time study	
Evidence supplied that the fees for the course have been paid until	Click or tap here to enter date dd/mm/yyyy.	
The client is applying for	Choose an item.	

ETI	
Has any exceptions to Instructions been considered?	Choose an item.
Exception to instruction granted?	Choose an item.

#### DECISION

#### Re-initiate risk triage prior to finalising decision in AMS

RFI: Choose an item.

PPI: Choose an item.

Click to enter comments

Conclusion: Choose an item.

Decision: Choose an item.

VOC / Job Change approved (with travel conditions), in line with the current visa, until

Click or tap here to enter date dd/mm/yyyy.

RELEASED UNER

# Undertake a Detailed Assessment of Employment

#### Date Published: 25 September 2023 Classification: Unclassified

#### When to use

When an initial assessment of the applicant's current or offer of skilled employment has been undertaken in accordance with SOP – Assess skilled employment (SR3.20) and

- a specific risk or concern has been identified indicating that there may be job inflation or the applicant's role may not be genuine and/or
- the applicant's role has been assessed as not matching the specific (6 digit) occupation description on the ANZSCO.

#### Role

Immigration Officer

### **Related Resources**

Immigration instructions:

- SR3.20.1 Determining skilled employment
- SR3.20.5 Suitably qualified
- SR2.1.1 Substantial match

#### Prerequisites

SOP – Assess skilled employment (SR3.20)

#### **Steps**

1. Consider whether the applicant's occupation requires New Zealand registration (see Appendix 16) and whether the applicant has provided evidence of full or provisional NZ registration for that occupation

If the applicant's	Then
occupation	

Requires registration and the applicant has provided evidence of holding that registration Or The applicant is claiming points for a registration that they hold	<ul> <li>Their employment can be considered a substantial match to the ANZSCO occupation, and they can be considered suitably qualified.</li> <li>If required, verify the PA's registration. Links to relevant public registers is located here.</li> <li>If there are any specific risks present, consider undertaking verification activity appropriate to the specific risk(s) identified and/or consulting a verification officer if there is an indication that advanced verification may be required. If any risk(s) cannot be mitigated through verification, any concern(s) should be communicated to the applicant in a PPI letter once a full initial assessment of the application has been undertaken.</li> <li>Continue with step 6 of SOP – Assess skilled employment.</li> </ul>
	END
Does not require registration	Further assessment is needed. Go to next step.
Requires registration but the applicant has not provided evidence of holding that registration	Note concern Go to next step.

2. Consider whether a specific risk or concern has been identified which indicates that there may be job inflation or the applicant's role may not be genuine

If	Then
Concerns are present	<ul> <li>Note concern</li> <li>Go to next step.</li> </ul>
No specific risks are identified	Go to <b>Step 6</b>

#### 3. Make an assessment of whether the employment is genuine (SR2.1.5)

Factors to consider include (but are not limited to):

• Whether the remuneration for the position is comparable to the market rate for New Zealand workers in that occupation.

 Whether there is any indication that the applicant (or their agent or a third party) may have made payment to the employer (or their agent or third party) to secure the offer of employment.

If	Then
Satisfied the role is genuine	Go to <b>next step</b> .
Concerns around genuineness of the employment are identified	<ul><li>Note concern</li><li>Go to next step.</li></ul>

# 4. Assess whether the applicant's employment is compliant with relevant New Zealand employment laws (SR2.1.10(b)).

See the Employment NZ website for a list of clauses the employment agreement must contain.

If	Then
Satisfied the employment is compliant	Go to next step.
There are concerns around whether the applicant's employer and/or employment are compliant with NZ employment law	<ul><li>Note concern</li><li>Go to next step.</li></ul>

#### 5. Undertake a detailed substantial match assessment (SR2.1.1)

Determine whether the applicant's employment is:

- substantially consistent with the ANZSCO Occupation (6-digit) level description for that occupation and
- substantially consistent with the tasks listed at the ANZSCO Unit Group (4-digit) level description for that occupational group, excluding any tasks which are not relevant to the occupation description.

The following factors may also be considered:

- $\circ$   $\,$  the scope and scale of the employer's organisation and operation.
- $\circ~$  the size of the operation.
- $\circ~$  the number of staff and managers.
- whether management functions are centralised at head office or undertaken by other managers.

The tasks relevant to the ANZSCO occupation description comprise most of the applicant's role and there are no concerns regarding the genuineness of the role	The applicant's role can be considered a substantial match to the occupation as listed on ANZSCO. Go to <b>step 7</b> .
The applicant's role is not substantially consistent with the claimed ANZSCO occupation but is substantially consistent with a different ANZSCO occupation	Go to <b>Step 7</b> .
The tasks relevant to the ANZSCO occupation description do not comprise most of the applicant's role and/or there are concerns regarding the genuineness of the role	<ul> <li>Note the concern</li> <li>Go to next step.</li> </ul>

#### 6. Undertake a suitably qualified assessment (SR3.20.5)

Consider:

- whether the applicant has the relevant qualification or work experience set out at SR3.20.5;
- whether any of the applicant's qualifications and/or work experience are relevant to their New Zealand employment (see SR3.20.5(b) and (c)).

If 0150	Then
Satisfied the applicant is suitably qualified for their role	Go to <b>next step</b> .
Concerns are identified	<ul> <li>Note the concern</li> <li>Go to next step.</li> </ul>

#### 7. Make a determination on ANZSCO skill level considering the factors assessed above

If following a detailed assessment	Then
Satisfied the applicant meets the ANZSCO requirements	Provided no other risks have been identified, note the ANZSCO skill level of the occupation and continue with <b>step</b> <b>6</b> of SOP – Assess skilled employment.

Concerns are identified	<ul> <li>Note the concern and continue with step 6 of SOP – Assess skilled employment. Also:</li> <li>Consider undertaking verification activity appropriate to the specific risk(s) identified.</li> <li>Consult a verification officer if there is an indication that advanced verification may be required.</li> </ul>
	<ul> <li>If any risk(s) cannot be mitigated through verification, any concern(s) should be communicated to the applicant in a PPI letter once a full initial assessment of the application has been undertaken.</li> </ul>

END.

BELEASED UNDER THUE ACT

WTR – Family (Pre- 9 October 2023)		
Application Number	Click or tap here to enter text.	
Date application was made	Click or tap here to enter text.	
(_) Application form signed or electronically signed		
(_) AMS updated (family tab, contacts tab, and address tab)		
(_) Country of birth/citizenship correct for all applicants		
PA was less than 56 years of age on the date the application was made (R5.6)	Choose an item.	
Are all required family members ( <i>dependent children and spouses or partners</i> ) included	Choose an item.	
Click to enter comments		

RISK ASSESSMENT		
<b>Note:</b> Visit the <u>Country Profile</u> page on the verification toolkit for resources on the level of risk, level of verification required, and the types of independently verifiable information which can be provided.		
Triage initiated	Choose an item.	
Triaged risk level	Choose an item.	
AMS Alerts/Warnings present	Choose an item.	
Applicant: Click or tap here to enter text. Advisor: Click or tap here to enter text. Employer: Click or tap here to enter text.		
Declined/Withdrawn visas	Choose an item.	
Click to enter comments		
Satisfied risk acceptable	Choose an item.	
Click to enter comments		

IDENT	TTY R2.40	
Principal applicant: Electronic form submitted. Identity information has been cross-checked with that on INZ systems.		
Passport scanned	Choose an item.	
Satisfied identity confirmed	Choose an item.	
<b>Secondary applicant:</b> Electronic form submitted. Identity information has been cross-checked with that on INZ systems.		
SA Name:	Click or tap here to enter text.	
Passport scanned	Choose an item.	
Satisfied identity confirmed	Choose an item.	
Duplicate this section for each DA added		
<b>Dependent applicant:</b> Electronic form submitted. Identity information has been cross-checked with that on INZ systems.		

DA Name:	Click or tap here to enter text.
Passport scanned	Choose an item.
Satisfied identity confirmed	Choose an item.
Click to enter comments	

HEALTH A4	
NZER/HR correctly linked	Choose an item.
Health issues declared?	Choose an item.
Satisfied all applicants meet health requirements	Choose an item.
Medical waiver	Choose an item.
Click to enter comments	

Choose an item.	
Click or tap here to enter text.	
Click or tap here to enter text.	
Choose an item.	
Click to enter comments	

CHARACTER A5	
Adverse character information declared	Choose an item.
NZPC	Choose an item.
Offshore police certificates	Choose an item.
PC waiver	Choose an item.
NSC	Choose an item.
SAT assessment required	Choose an item.
RAT assessment required	Choose an item.
Satisfied character requirements met	Choose an item.
Character waiver	Choose an item.
Click to enter comments	

ENGLISH LANGUAGE SR5.15	
РА	Choose an item.
SA	Choose an item.
Click to enter DA name (Duplicate row as required)	Choose an item.
Verification	Choose an item.

Click to enter comments

[Delete if a partner is not included in the application]		
PARTNE	RSHIP R2.1	
Brief history of partnership: The couple have been in a relationship since dd/mm/yyyy The couple are <married a="" akin="" de="" facto="" in="" marriage="" relationship="" to="">.</married>		
Has the relationship previously been assessed by	INZ: Choose an item.	
Previous partnership application number	Click or tap here to enter text.	
Evidence provided of living together:		
<ul> <li>(_) a marriage certificate of the parties</li> <li>(_) birth certificates for any children</li> <li>(_) joint tenancy agreement(s)</li> <li>(_) evidence of communication between the parties</li> <li>(_) sharing of companionship/spare time</li> <li>(_) joint decision making and plans together</li> <li>Period(s) of separation: Choose an item.</li> </ul>	<ul> <li>(_) joint assets</li> <li>(_) mutually agreed financial arrangements</li> <li>(_) joint utilities accounts (electricity, gas, water, telephone)</li> <li>(_) joint bank accounts operated reasonably frequently over a reasonable time</li> <li>(_) photographs of the parties together</li> </ul>	
Duration of living together that was satisfied (in months) Click or tap here to enter text.		
Based on the evidence on file I am satisfied the couple have been living together in a genuine and stable relationship for at least 12 months or more at the time the application is assessed: Choose an item.		
Click to enter comments	Close and a second seco	

[Delete if a partner is not included or a partner is included and does not need to be deferred]	
DEFERRAL R2.1.15.5	
Duration of the deferral period	Choose an item.
AN of deferral	Click or tap here to enter text.
Click to enter comments	

#### [Delete if a DA is not included. If multiple DAs are included, copy below and name each DA]

DEPENDENTS R2.1		
Custody		
DA <name></name>	Choose an item.	
Meets instructions as a dependant	Choose an item.	
Verification:	Choose an item.	
Click to enter comments		
Dependence		
DA <name></name>	Choose an item.	
Verification:	Choose an item.	
Click to enter comments		

SKILLED EMPLOYMENT		
Offer or current employment:	Choose an item.	
Job title as per evidence:	Click or tap here to enter text.	
Employer legal and trading name (if any):	Click or tap here to enter text.	
Employment compliance:	Choose an item.	
Is the Employer accredited: Choose an item.	Accreditation number: Click or tap here to enter text.	
Sector	Choose an item.	
Satisfied PA has offer/current employment in New Zealand: Choose an item.		
Click to enter comments		

#### [Delete section if not required]

SKILLED EMPLOYMENT OFFER GREEN LIST SR3.10	
Occupation:	Choose an item.
Full-time employment:	Choose an item.
Employment type:	Choose an item.
Registration requirement	Choose an item.
Substantial match assessment	Choose an item.
Remuneration:	Click or tap here to enter text.
Remuneration requirement	Choose an item.
Occupational requirement	Choose an item.
Genuine employment:	Choose an item.
Click to enter comments	

#### [Delete section if not required]

SKILLED EMPLOYMENT OFFER CARE WORKFORCE SR6.10	
Occupation	Choose an item.
Full-time employment:	Choose an item.
Employment type:	Choose an item.
Registration requirement:	Choose an item.
Substantial match assessment	Choose an item.
Remuneration:	Click or tap here to enter text.
Remuneration requirement?	Choose an item.
Genuine employment:	Choose an item.
Click to enter comments	

#### [Delete section if not required]

#### **SKILLED EMPLOYMENT OFFER TRANSPORT SECTOR SR7.10**

Occupation	Choose an item.
Full-time employment:	Choose an item.
Employment type:	Choose an item.
Registration requirement:	Choose an item.
Substantial match assessment	Choose an item.
Remuneration:	Click or tap here to enter text.
Remuneration requirement?	Choose an item.
Occupation requirement	Choose an item.
Genuine employment:	Choose an item.
Click to enter comments	

SKILLED WORK EXPERIENCE IN NZ	
Skilled Work Experience calculator	
Total duration of work experience:	Click or tap here to enter text.
Total duration of leave (if applicable)	Click or tap here to enter text.
When was the work experience gained?	Choose an item.
Meets requirements?	Choose an item.
Click to enter comments	<i>J</i> <sup>*</sup>

#### [Copy and paste section if more than one WE in this sector. Delete section if not required] SKILLED WORK EXPERIENCE IN NZ TIER 2 GREEN LIST

SKILLED WORK EXPERIENCE IN NZ TIER Z GREEN LIST	
Job title and employer:	Click or tap here to enter text.
Evidence provided	Choose an item.
Full-time employment:	Choose an item.
Start date of employment:	Click or tap here to enter text.
End date of employment:	Click or tap here to enter text.
Months in employment after 29 September 2021:	Click or tap here to enter text.
Occupation	Choose an item.
Occupation requirement:	Choose an item.
Tier 2 Green list work experience	Choose an item.
Remuneration:	Click or tap here to enter text.
Remuneration requirement	Choose an item.
Verification:	Choose an item.
Click to enter comments	

[Copy and paste section if more than one WE in this sector. Delete section if not required]	
SKILLED WORK EXPERIENCE IN NZ CARE WORKFORCE	
Job title and employer:	Click or tap here to enter text.
Evidence provided	Choose an item.
Full-time employment:	Choose an item.
Start date of employment:	Click or tap here to enter text.
End date of employment:	Click or tap here to enter text.
Months in employment after 29 September 2021:	Click or tap here to enter text.
Occupation	Choose an item.
Occupation requirement:	Choose an item.
Care workforce experience:	Choose an item.
Remuneration:	Click or tap here to enter text.
Remuneration requirement?	Choose an item.
Verification:	Choose an item.
Click to enter comments	

#### [Copy and paste section if more than one WE in this sector. Delete section if not required]

SKILLED WORK EXPERIENCE IN NZ TRANSPORT SECTOR	
Job title and employer:	Click or tap here to enter text.
Evidence provided	Choose an item.
Full-time employment:	Choose an item.
Start date of employment:	Click or tap here to enter text.
End date of employment:	Click or tap here to enter text.
Months in employment after 29 September 2021:	Click or tap here to enter text.
Occupation	Choose an item.
Occupation requirement:	Choose an item.
Transport sector work experience	Choose an item.
Remuneration:	Click or tap here to enter text.
Remuneration requirement	Choose an item.
Verification:	Choose an item.
Click to enter comments	

SKILLED WORK EXPERIENCE IN NZ HIGHLY PAID RESIDENT SR3.20	
Job title and employer:	Click or tap here to enter text.
Evidence provided	Choose an item.
Full-time employment:	Choose an item.

Start date of employment:	Click or tap here to enter text.
End date of employment:	Click or tap here to enter text.
Months in employment after 29 September 2021:	Click or tap here to enter text.
Remuneration:	Click or tap here to enter text.
Remuneration requirement	Choose an item.
Verification:	Choose an item.
Click to enter comments	

#### **DECISION/PPI PROCESS**

RFI/PPI completed: Choose an item.

PPI: Choose an item.

Click to enter comments

Note: If all relevant sections have been completed, re-initiate triage prior to finalising decision in AMS

Conclusion: Choose an item.

Decision: Choose an item.

RELEASED UNDERMANT

vWTR – Individual (Pre- 9 October 2023)		
Application Number	Click or tap here to enter text.	
Date application was made	Click or tap here to enter text.	
(_) Application form signed or electronically signed		
(_) AMS updated (family tab, contacts tab, and address tab)		
(_) Country of birth/citizenship correct for all applicants		
PA was less than 56 years of age on the date the application was made (R5.6)	Choose an item.	
Are all required family members (dependent children and spouses or partners) included	Choose an item.	
Click to enter comments		

RISK ASSESSMENT		
<b>Note:</b> Visit the <u>Country Profile</u> page on the verification toolkit for resources on the level of risk, level of verification required, and the types of independently verifiable information which can be provided.		
Triage initiated	Choose an item.	
Triaged risk level	Choose an item.	
AMS Alerts/Warnings present	Choose an item.	
Applicant: Click or tap here to enter text. Advisor: Click or tap here to enter text. Employer: Click or tap here to enter text.		
Declined/Withdrawn visas	Choose an item.	
Click to enter comments		
Satisfied risk acceptable	Choose an item.	
Click to enter comments		
$\bigcirc$		

IDENTITY R2.40		
Principal applicant: Electronic form submitted. Identity information has been cross-checked with		
that on INZ systems.		
Passport scanned	Choose an item.	
Satisfied identity confirmed	Choose an item.	
Click to enter comments		

HEALTH A4	
NZER/HR correctly linked	Choose an item.
Health issues declared?	Choose an item.
Satisfied all applicants meet health requirements	Choose an item.
Medical waiver	Choose an item.

Click to enter comments

FALSE, MISLEADING, OR WITHHELD (FMW) INFORMATION (s58(6) or A24)	
Has FMW information been identified?	Choose an item.
Description of the suspected FMW information	Click or tap here to enter text.
Comment (if any) from the applicant or their representative	Click or tap here to enter text.
Outcome	Choose an item.
Click to enter comments	

CHARACTER A5	
Adverse character information declared	Choose an item.
NZPC	Choose an item.
Offshore police certificates	Choose an item.
PC waiver	Choose an item.
NSC	Choose an item.
SAT assessment required	Choose an item.
RAT assessment required	Choose an item.
Satisfied character requirements met	Choose an item.
Character waiver	Choose an item.
Click to enter comments	

ENGLISH LANGUAGE SR5.15		
PA	$\bigcirc$	Choose an item.
Click to enter comments		

SKILLED EMPLOYMENT	
Offer or current employment:	Choose an item.
Job title as per evidence:	Click or tap here to enter text.
Employer legal and trading name (if any):	Click or tap here to enter text.
Employment compliance:	Choose an item.
Is the Employer accredited: Choose an item.	Accreditation number: Click or tap here to enter text.
Sector	Choose an item.
Satisfied PA has offer/current employment in New Zealand: Choose an item.	
Click to enter comments	

#### [Delete section if not required]

SKILLED EMPLOYMENT OFFER GREEN LIST SR3.10	
Occupation:	Choose an item.
Full-time employment:	Choose an item.
Employment type:	Choose an item.
Registration requirement	Choose an item.
Substantial match assessment	Choose an item.
Remuneration:	Click or tap here to enter text.
Remuneration requirement	Choose an item.
Occupational requirement	Choose an item.
Genuine employment:	Choose an item.
Click to enter comments	

#### [Delete section if not required]

SKILLED EMPLOYMENT OFFER CARE WORKFORCE SR6.10	
Occupation	Choose an item.
Full-time employment:	Choose an item.
Employment type:	Choose an item.
Registration requirement:	Choose an item.
Substantial match assessment	Choose an item.
Remuneration:	Click or tap here to enter text.
Remuneration requirement?	Choose an item.
Genuine employment:	Choose an item.
Click to enter comments	

#### [Delete section if not required]

SKILLED EMPLOYMENT OFFER TRANSPORT SECTOR SR7.10	
Occupation	Choose an item.
Full-time employment:	Choose an item.
Employment type:	Choose an item.
Registration requirement:	Choose an item.
Substantial match assessment	Choose an item.
Remuneration:	Click or tap here to enter text.
Remuneration requirement?	Choose an item.
Occupation requirement	Choose an item.
Genuine employment:	Choose an item.
Click to enter comments	

#### SKILLED WORK EXPERIENCE IN NZ

Total duration of work experience:	Click or tap here to enter text.
Total duration of leave (if applicable)	Click or tap here to enter text.
When was the work experience gained?	Choose an item.
Meets requirements?	Choose an item.
Click to enter comments	

#### [Copy and paste section if more than one WE in this sector. Delete section if not required]

SKILLED WORK EXPERIENCE IN NZ TIER 2 GREEN LIST	
Job title and employer:	Click or tap here to enter text.
Evidence provided	Choose an item.
Full-time employment:	Choose an item.
Start date of employment:	Click or tap here to enter text.
End date of employment:	Click or tap here to enter text.
Months in employment after 29 September 2021:	Click or tap here to enter text.
Occupation	Choose an item.
Occupation requirement:	Choose an item.
Tier 2 Green list work experience	Choose an item.
Remuneration:	Click or tap here to enter text.
Remuneration requirement	Choose an item.
Verification:	Choose an item.
Click to enter comments	

#### [Copy and paste section if more than one WE in this sector. Delete section if not required]

le:

SKILLED WORK EXPERIENCE IN NZ CARE WORKFORCE	
Job title and employer:	Click or tap here to enter text.
Evidence provided	Choose an item.
Full-time employment:	Choose an item.
Start date of employment:	Click or tap here to enter text.
End date of employment:	Click or tap here to enter text.
Months in employment after 29 September 2021:	Click or tap here to enter text.
Occupation	Choose an item.
Occupation requirement:	Choose an item.
Care workforce experience:	Choose an item.
Remuneration:	Click or tap here to enter text.
Remuneration requirement?	Choose an item.

Verification:

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Choose an item.

Click to enter comments

#### [Copy and paste section if more than one WE in this sector. Delete section if not required]

SKILLED WORK EXPERIENCE IN NZ TRANSPORT SECTOR	
Job title and employer:	Click or tap here to enter text.
Evidence provided	Choose an item.
Full-time employment:	Click or tap here to enter text.
Start date of employment:	Click or tap here to enter text.
End date of employment:	Click or tap to enter a date.
Months in employment after 29 September 2021:	Click or tap here to enter text.
Occupation	Choose an item.
Occupation requirement:	Choose an item.
Transport sector work experience	Choose an item.
Remuneration:	Click or tap here to enter text.
Remuneration requirement	Choose an item.
Verification:	Choose an item.
Click to enter comments	

## [Copy and paste section if more than one WE in this sector. Delete section if not required]

SKILLED WORK EXPERIENCE IN NZ HIGHLY PAID RESIDENT SR3.20	
Job title and employer:	Click or tap here to enter text.
Evidence provided	Choose an item.
Full-time employment:	Choose an item.
Start date of employment:	Click or tap here to enter text.
End date of employment:	Click or tap here to enter text.
Months in employment after 29 September 2021:	Click or tap here to enter text.
Remuneration:	Click or tap here to enter text.
Remuneration requirement	Choose an item.
Verification:	Choose an item.
Click to enter comments	

# DECISION/PPI PROCESS RFI/PPI completed: Choose an item. PPI: Choose an item. Click to enter comments

Note: If all relevant sections have been completed, re-initiate triage prior to finalising decision in AMS

Conclusion: Choose an item.

Decision: Choose an item.

RELEASED UNDER THUE ACT