



FURTHER UPDATES TO RECENT CHANGES TO NEW ZEALAND IMMIGRATION SETTINGS

As previously published, New Zealand Immigration Minister, the Hon Erica Stanford, announced wide sweeping immigration changes to New Zealand Immigration settings on Sunday, **7 April 2024**. The changes impact migrants in traditionally 'low skilled' roles and employers working in related industries. Higher skilled roles are not expected to be significantly impacted by these changes.

Migrants currently holding valid Accredited Employer Work Visas or who submitted an application prior to 7 April 2024 which remains in process, are not immediately impacted but will need to meet the stricter requirements in subsequent applications or be required to depart New Zealand.

The changes are explained in further detail in our previous alert. If you did not receive this or would like a copy, it can be found on our website or by contacting us directly.

The recent updates and clarifications made by Immigration New Zealand to the previous announcements are detailed below.

VARYING THE CONDITIONS OF A CURRENT VISA

A migrant employee can apply for a Job Change to change their employer, occupation, location, or a combination of these. The time left on the visa does not change.

The employer must be accredited to hire migrants for the AEWV and have a valid job check for the new job. The application will require the job check approval number for the application.

Other requirements

If a migrant employee wants to change to a job paid at least **NZD\$29.66** an hour:

- they can change to any other job, if their current job is entitled to a maximum visa length of 3 years or less - from **7 April 2024** due to changes made to the AEWV.
- they cannot change to a job that has a maximum visa length of 3 years or less if their current job is entitled to a maximum visa length of 5 years. If the migrant employee applied for their first AEWV between **20 June 2023 and 7 April 2024**, and they have an AEWV for an ANZSCO level 4 or 5 job with a 5-year visa length, they can still change jobs to another job at the same ANZSCO level or higher, without losing their 5-year visa.

Reusing a job token

An employer may be able to reuse a job token to support a further visa application by an existing migrant employee if the job token was applied for on or before **6 April 2024**. This applies where the employee did not receive their maximum visa duration entitlement during their initial visa application.

Reusing an original job token means an employer can resend the link to an AEWV holder immediately without needing to get a Job Check to hire a migrant employee.

If an employer allows a migrant employee to reuse a job token:

- the migrant employee must be working in the same role, for the same employer and in the same location as the original AEWV application
- the migrant employee must currently be paid the same amount or more than in their original AEWV application
- depending on the date the migrant employee applied they may need to meet other requirements, and
- the employer must continue to be accredited

RENEWING EMPLOYER ACCREDITATION

Most Accredited Employers will have their status expire within the next 2 months. We encourage you to check your Accreditation expiry and consider renewing your status as soon as possible. Immigration New Zealand recommends applying for the renewal of Accredited Employers status 8 weeks before expiry.

For faster application processing, uploading supporting documents to show evidence of being a viable and genuinely operating business or organisation, compliance with business standards and settlement support given to AEWV employees is recommended. If this information is not provided and Immigration New Zealand need to request it, an application will take longer to process.

Supporting documents can include, but are not limited to:

- latest available financial reports or evidence showing the business is viable and genuinely operating
- GST or PAYE records showing the business' Inland Revenue (IR) number
- latest available evidence showing the time provided to employees to complete the Employment New Zealand employee modules
- evidence showing that the Employment New Zealand employer modules have been completed by the required persons in your business
- evidence showing that the business provided settlement support information within 1 month of any AEWV holder starting to work for the business
- the latest organisation chart showing the business structure and positions in the business to help Immigration New Zealand to understand the structure and nature of the business operation

INTERIM EMPLOYER ACCREDITATION



Interim accreditation may be granted to an employer who: has submitted an application for accreditation before their current accreditation has expired; and continues to meet the requirements for the accreditation they hold.

The interim accreditation will be valid for three months or until the subsequent application has been decided, whichever occurs first.

With interim accreditation, Accredited Employers can continue to apply for and use Job Tokens and support employees with AEWV or Residence applications.

NOT RENEWING ACCREDITATION - IMPLICATIONS

If you choose not to renew your accreditation at this time, you should note that this will not impact negatively on the company's ability to continue to employ existing AEWV holders. However, it will prevent:

- the company from hiring any new migrant workers on AEWVs (or their partners with work restrictions attached to their Partner work visa)
- your employee from applying for residence under the Straight to Residence, Work to Residence and Skilled Migrant categories
- your employee from gaining the maximum continuous stay permitted on their visa (for example they hold a three year visa but are eligible for a two year extension using the same job token)

The changes, and subsequent clarifications, have made this category quite complex. Please do not hesitate to reach out if you have any questions. Please either email your current New Era adviser or contact the team through enquiries@neweraconsulting.co.nz