

Ph: 09 630 0411 Fax: 09 630 0412 408 Mt Eden Road, Mt Eden Auckland 1024, New Zealand www.laurentlaw.co.nz

PARENT RESIDENCE CATEGORY (TIER 1) SUMMARY

<u>NOTE</u>: From October 2016 Immigration New Zealand has frozen selections of Parent Residence Expressions of Interest. This means that no new Invitations to Apply for Residence will take place. We do not know when (or if) the category will reopen in the future.

You can still submit an EOI but there is no certainty that it will ever result in an Invitation to Apply for Residence.

The Tier 1 Parent Residence category is a two stage process:

- 1. An Expression of Interest (EOI) is submitted to Immigration New Zealand (INZ) for entry into a Pool.
 - Only the EOI Form is submitted, but it must contain correct information about the applicants and the criteria which they rely upon to qualify for Residence.
 - ♦ INZ draws a certain number of EOIs from the Pool every 3 months starting August 2012.
 - If an EOI is selected, an Invitation to Apply for residence (ITA) is issued by INZ.
- 2. Based on the ITA, the Residence application is submitted to INZ for processing with full documentation including evidence to back up the claims made in the EOI about how the applicant qualifies.

The principal applicant must

- be the parent of and sponsored by an adult child who is in New Zealand and has held NZ Citizenship or Residence for at least three years immediately preceding the date of the application.
- have no dependent children that is, none of their children relies on them for financial support.
- show that they have good health and are of good character

The sponsor must live in New Zealand and meet the undertakings of sponsorship for the first 10 years of the applicant's stay in New Zealand as a resident.

QUALIFYING CRITERIA

Tier 1 applicants must meet <u>one</u> of the following criteria:

- 1. **Sponsor Income:** this is met by either:
 - a. the sponsor alone earns NZ\$65,000 per year before tax

b. the sponsor and their partner earn a combined income of NZ\$90,000 per year before tax

If the partner's income is relied upon to meet the income threshold, then that partner must also have held Residence for 3 years and have been living with the sponsor for a period of at least 12 months in partnership that is genuine and stable.

- 2. **Applicant Income:** the applicant must have a guaranteed lifetime minimum income of:
 - a. NZ\$27,898 if single; or
 - b. NZ\$41,046 if a partner is included in the application.

Note that income from employment is not acceptable because the applicant must eventually retire.

- 3. <u>Settlement Funds</u>: the applicant must bring at least NZ\$500,000 settlement funds to New Zealand. Settlement funds must:
 - a. be owned solely by the applicant [or jointly with partner, if included] and earned or acquired legally and transferred to New Zealand through the banking system;
 - b. be unencumbered and not borrowed. An encumbrance may be a mortgage or any other charge by a creditor. For instance, if you use your home worth NZ\$600,000 but it has a mortgage against it of NZ\$400,000, then you must prove your ability to repay the mortgage in full from other funds that are not nominated as investment funds.

Settlement funds do not need to be transferred to NZ until after the application has been approved in principle by INZ.

Once the application is approved in principle, the applicant must transfer the nominated settlement funds within 12 months from the date of the letter advising of approval in principle.