



## IMMIGRATION TO NEW ZEALAND TALENT (ACCREDITED EMPLOYER) WORK VISA

A Talent (Accredited Employer) Work Visa is for people who are looking for a pathway to New Zealand residency. It enables the applicant to seek a Residence Visa after 2 years of working with a New Zealand Accredited Employer. This visa is for those who have a skillset that's needed by a New Zealand Accredited Employer.

### VISA OVERVIEW

To apply for a Talent (Accredited Employer) Work Visa, the visa applicant must be 55 years of age or under and have an offer of employment in New Zealand from an Accredited Employer with a gross salary of at least \$79,560 per annum.

This visa can be applied for online, and an electronic visa is granted which allows the applicant to work for that Accredited Employer for a duration of 30 months.

A partner and dependent children cannot be included in this application, but they can apply for visas based on their relationship to the visa applicant. Partners can seek a Partnership Work Visa based on their marital or de facto relationship, and children can seek Visitor or Student Visas depending on their age.

### THE TALENT WORK VISA HAS THE FOLLOWING REQUIREMENTS

To be granted a Talent Work Visa, Immigration New Zealand (“INZ”) must be satisfied that:

1. the applicant is 55 years of age or under;
2. the applicant has an acceptable offer of employment in New Zealand from an Accredited Employer with a minimum base salary of \$79,560 per annum;\*\* and
3. the applicant meets health and character requirements for Residence, and meets the requirements for *bona fide* applicants – this usually means that they will not breach their visa conditions.

\*\* **Note:** Further requirements in regard to minimum base salary:

- i. The minimum base salary excludes employment-related allowances (for example overtime, tool or uniform allowances, medical insurance, accommodation).
- ii. Where an employee is to work more than 40 hours per week, the minimum base salary must be calculated on that proportion of the salary that equates to 40 hours' work per week.

After working for an Accredited Employer for 2 years, the applicant can apply for Residence under Residence from Work Category. The Work Visa is granted for 30 months rather than 24 months for this purpose – to allow the applicants to seek Residence at the 2-year mark, and still have 6 months on their Work Visa whilst their Residence application is processing.

If the New Zealand Accredited Employer loses accreditation status during the course of the applicant's visa, the applicant must find another New Zealand Accredited Employer and seek a variation of condition of their work visa or apply for a different type of work visa that will allow them to continue working for the same employer who has lost accreditation status.

#### **ADDITIONAL REQUIREMENTS FOR OFFER OF EMPLOYMENT**

To be granted a Talent Work Visa, the offer of employment from an Accredited Employer must also be:

1. for employment in New Zealand in the Accredited Employer's core area of business activity, and where the Accredited Employer will have direct responsibility for their work output;
2. for full-time employment (on average, at least 30 hours per week);
3. current at the time of assessing the application and at the time of grant of the visa;
4. genuine;
5. accompanied by evidence of full or provisional registration or eligibility for such registration, if full or provisional registration is required by law to take up the offer;
6. compliant with all relevant employment law in force in New Zealand; and
7. with an employer who has a history of compliance with employment law and not listed on a list of non-compliant employers maintained by the Labour Inspectorate

#### **PARTNERS AND DEPENDENTS**

Partners and dependents cannot be included in the Talent (Accredited Employers) Work Visa application, but they can seek a visa based on the applicant's Talent (Accredited Employers) Work Visa.

If partners and dependent children wish to apply for visas, they must submit their own applications. All applications can now be filed online as a Group Application.

Their applications will only be approved if the applicant obtains a Talent (Accredited Employers) Work Visa. The duration of their visas will be the same as the applicant's Talent (Accredited Employers) Work Visa - i.e., 30 months.

#### **OUR SERVICE**

As your professional immigration advisers, our role is to ensure that all criteria are met and that all documentation provided in support of your application is in the form required by INZ, and that it assists your application and does not create confusion or difficulties.

We keep in contact with INZ to ensure that each application is processed promptly and in a manner that is "fair and in accord with natural justice".