

International Comparative Legal Guides

Corporate Immigration 2026

A practical cross-border resource to inform legal minds

13th Edition

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1 Introduction

1.1 Are there any major policy changes or proposals in the last year which have affected or will affect corporate immigration in your jurisdiction?

Immigration New Zealand (INZ) is transitioning to the use of the National Occupation List (NOL)¹ instead of the Australia New Zealand Standard Classification of Occupations (ANZSCO)² to classify the Skill Level of jobs for visa purposes. The deemed Skill Level of a number of technical jobs was adjusted in late 2025 to allow more occupations to qualify for a longer-term Accredited Employer Work Visa (AEWV). From March 2026, 47 new roles,³ including a number in the IT sector, were recognised in the NOL.

In mid-2026, the Government will open two new pathways by which trades and technicians staff, and those with substantial work experience (but no tertiary qualifications), can qualify for Skilled Migrant Residence. This has been done so that employers can attract or retain skilled workers in the long term, who would otherwise have to leave New Zealand at the end of their Maximum Continuous Stay period of either three or five years on a Work Visa, depending on the Skill Level of the occupation.

1.2 What are the main sources of immigration law in your jurisdiction?

The Immigration Act 2009⁴ governs the grant of visas, entry to New Zealand, compliance and border control, detention and deportation processes, rights of appeal, refugee and protection determination and immigration offences. Detailed rules are found in the Operational Manual,⁵ which is the first port of call for both immigration staff and professional practitioners. Valuable guidance on some topics is available in the searchable database⁶ of Internal Administrative Circulars and Advice to Staff (VisaPak) documents.

1.3 What authorities administer the corporate immigration system in your jurisdiction?

INZ, a division of the Ministry of Business, Innovation and Employment (MBIE), is the Department empowered by the Immigration Act 2009 to manage all visa, border and enforcement matters.

1.4 Is your jurisdiction part of a multilateral agreement between countries (EU/NAFTA/MERCOSUR) which facilitates the movement of people between countries for employment purposes?

No, it is not.

2 Business Visitors

2.1 Can business visitors enter your jurisdiction under a relevant visa waiver programme?

Australians are granted a Resident Visa on each arrival, which expires when they leave. Nationals on the list of visa waiver countries⁷ need not apply for a visa in advance but must apply online for a New Zealand Electronic Travel Authority (NZETA)⁸ before they arrive. On entry, they are granted a three-month Visitor Visa by default (six months for UK nationals).

Those not on the visa waiver list must apply for a Business Visitor Visa for a maximum of three months in any one year. They may also apply for a Specific Purpose Work Visa (SPWV) for up to 12 months if they can demonstrate the need to conduct particular business activities in that time.

2.2 What is the maximum period for which business visitors can enter your jurisdiction?

Visitor Visas may be extended to a maximum stay of nine months in any 18-month period.

2.3 What activities are business visitors able to undertake?

Those on Visitor Visas may conduct business meetings and negotiations and attend conferences. They may not work for a New Zealand employer but are permitted to work remotely for an overseas employer as a digital nomad.

2.4 Are there any special visitor categories which will enable business visitors to undertake work or provide services for a temporary period?

Visitors are not permitted to work for a New Zealand employer, although they may carry on work for an offshore employer on their Visitor Visa.

2.5 Can business visitors receive short-term training?

Yes, for a maximum of up to three months.

3 Immigration Compliance and Illegal Working

3.1 Do the national authorities in your jurisdiction operate a system of compliance inspections of employers who regularly employ foreign nationals?

All employers hiring migrants must apply to be an Accredited Employer. On application to renew accreditation, or via random audit, or in the course of an investigation, Accredited Employers may be subject to site visits and requests for information by INZ and/or the Labour Inspectorate of MBIE. This can lead to prosecution and/or a ban on employing people on visas for a certain period.

3.2 What are the rules on the prevention of illegal working?

AEWVs specify the employer, the region of employment, the job to be done and the minimum wage. The employer commits an offence if they permit their staff to work in breach of those conditions. This includes hiring someone whose AEWV only allows them to work for another employer without first varying the conditions of their AEWV.

It is an offence to employ those who have no Work Visa, or who have no visa at all, commonly referred to as overstayers. Employers will be prosecuted for exploitative practices, including requiring an employee to pay back some or all of their wages (a premium on employment under the Wages Protection Act 1983).⁹ They are also liable for breaches of employment law such as failing to pay holiday pay or paying below the national minimum wage.

3.3 What are the penalties for organisations found to be employing foreign nationals without permission to work?

An employer can be fined up to NZ\$50,000 for knowingly employing someone who does not have a visa with conditions allowing them to work for that employer. Penalties of up to NZ\$100,000 and seven years' imprisonment can apply to migrant exploitation offences. Prosecutions can be brought both against the corporate entity and individuals with key positions in the business, such as directors.

In 2024, a regime of infringement offences was introduced that imposed instant fines for less serious employer offences on a strict liability basis. For each employee in respect of whom an employment infringement offence has been committed, the fine is NZ\$1,000 for an individual and NZ\$3,000 for a corporate.

4 Corporate Immigration – General

4.1 Is there a system for registration of employers who wish to hire foreign nationals?

All employers wishing to hire overseas workers must apply to be an Accredited Employer. They must show that: they are a genuine and viable business; they can pay their staff and provide

minimum settlement support (usually by way of informing and educating); and neither the company nor its “key persons” have breached employment, immigration and company law.

Initial accreditation is for 12 months. It can be renewed for 24 months unless the employer supplies labour to third parties under a triangular employer arrangement, such as through being a labour-hire company.

4.2 Do employers who hire foreign nationals have ongoing duties to ensure immigration compliance?

Yes. Applications for renewal of employer accreditation include a requirement to demonstrate a record of having treated migrant employees lawfully under the accreditation.

4.3 Are employers who hire foreign nationals required to show a commitment to train or up-skill local workers?

Not explicitly. Accredited employers operating a triangular employment arrangement (e.g., labour-hire businesses) must ensure that a minimum of 15% of their staff are New Zealand Residents or Citizens, unless the company is employing no more than one migrant worker.

4.4 Are employers who hire foreign nationals required to pay government charges and fees which contribute towards the training or up-skilling of local workers?

No, they are not.

4.5 Do the immigration authorities undertake routine inspections of employers who sponsor foreign nationals, to verify immigration compliance?

Yes, and this has increased since 2024 owing to better resourcing of its compliance division and a wave of publicity about migrant exploitation.

4.6 Do the immigration authorities maintain a list of skilled occupations which may be filled by foreign nationals?

INZ is transitioning to the use of the NOL instead of the ANZSCO to classify the Skill Level of jobs for visa purposes. This may be complete by 2027.

In addition, occupations on the Green List¹⁰ (Tier 1 or 2) of recognised chronic shortages allow employers to support Work Visa applicants without advertising the positions. They also offer the Straight to Residence fast track for visa applicants who are suitably qualified and who have been offered a job on Tier 1 of the Green List, or the Work to Residence track for a role on Tier 2 of the Green List.

4.7 Is there a recognition that some occupations may be in short supply and do special exemptions apply to certain sectors and occupations?

See question 4.6.

4.8 Are there annual quotas for different types of employment-related work permits or visas?

Not in general. The Recognised Seasonal Worker scheme for seasonal jobs in agriculture and horticulture sets caps for recruitment from pre-selected countries, largely made up of certain Pacific Islands.

4.9 Are there restrictions on the number of foreign workers an employer may sponsor, in relation to a maximum percentage of foreign workers in the employer's workforce?

No, except for companies operating triangular employment relationships (such as labour-hire companies), who must make up at least 15% of their workforce with New Zealand Residents or Citizens.

4.10 Are employees who are sponsored to work in your jurisdiction required to demonstrate language proficiency?

Applicants for an AEWV with job offers for "lower-skilled" Skill Level 4 and 5 occupations on the NOL or the ANZSCO must demonstrate an English language ability of an overall IELTS score of 4.0 or equivalent. Exceptions exist for nationals of Canada, the Republic of Ireland, the UK and the US.

Those obtaining an SPWV for an intra-corporate transfer of similar are not subject to any English language requirement.

4.11 Are employees who are sponsored to work in your jurisdiction required to undergo medical examinations before being admitted?

All applicants for temporary visas (including Work Visas) who intend to stay in New Zealand for more than 12 months must complete full Immigration Medical and X-Ray Certificates, called eMedicals. These can only be completed by panel physicians whose locations are published in a searchable database¹¹ on the INZ website. The panel physicians supply the results via an online portal to INZ's Health Assessment Team.

4.12 Are employees who are sponsored to work in your jurisdiction required to have medical insurance or are they entitled to any free public medical services?

Job-based Work Visa holders are not required to hold medical insurance. Those who will be in New Zealand for two years or more are eligible for publicly funded health services.

4.13 Does the work permit system allow employees who hold work permits to be seconded to a client site?

The only permissible form of secondment to a client site that is permitted under the AEWV scheme is via employers who hold accreditation allowing them to maintain triangular employment arrangements. The Accredited Employer retains significant responsibilities to monitor the conditions under which the assigned migrant does their work for the client.

4.14 Are Employers of Record (EORs) or Professional Employer Organisations (PEOs) permitted to act as the sponsoring employer in your jurisdiction?

Yes, they are.

4.15 Does the work permit system require the sponsoring employer to have a physical office space at which employees are required to be physically present?

Yes, or to at least demonstrate a physical location from which the business operates, even if staff may carry out their work outside the office. INZ or the MBIE Labour Inspectorate will carry out site visits to verify whether the employer has a genuine physical presence.

4.16 Does the work permit system allow employees who hold work permits to work remotely including work from home?

Remote working has become standard and accepted practice in many industries, particularly since the COVID-19 restrictions of 2020 onwards. However, AEWVs include a condition specifying the location of work (usually the town or district in which the employer is based). An employee whose visa specified one town as their work location, while they worked much of the week remotely in another, could run the risk of becoming liable for deportation for breach of their visa conditions.

5 Non-Sponsored Highly Skilled, Exceptional or Extraordinary Talent Visas

5.1 Is there an immigration category which covers highly skilled individuals (including those who are not sponsored by a company)?

As of 2026, there is no visa category that targets highly skilled people. In the past, the Silver Fern Job Search Work Visa pilot programme, the Talent (Arts Culture and Sport) policy, and the Global Impact Visa sought to attract people with exceptional academic, career and business backgrounds respectively.

Part of the Skilled Residence policy includes the Straight to Residence pathway, which enables those in certain occupations on the Green List Tier 1¹² to apply directly for Residence with a suitable job offer from a New Zealand employer.

5.2 Is there an immigration category which allows those with exceptional or extraordinary talent in their specialist field to obtain a work visa?

No, unless they have an offer of full-time employment from a New Zealand employer for full-time paid work in that specialty. Full-time employment is defined as being at least 30 hours per week, paid by wage or salary or by a contract for services.

6 Remote Working/Nomad Visas

6.1 Is there a visa category which allows employees of overseas companies who remain employed outside your jurisdiction to work remotely in your jurisdiction without the need to obtain a standard work permit?

Visitor Visas allow a stay of up to nine months in any 18-month

period. Since early 2025, working remotely for an overseas employer is now deemed a lawful activity while in New Zealand on a Visitor Visa. This was presented at the time as a “digital nomad” policy, although with time limitations on the duration of such a lifestyle.

The SPWV allows an intra-corporate transferee, or a specialist who has been assigned by their overseas employer to do work in New Zealand on a time-bound assignment, to carry out that work on the basis that they are employed and paid by the overseas entity.

6.2 To what extent do your visitor rules explicitly permit temporary remote working, for example where the employee of a foreign company cannot leave your territory due to health or other emergencies?

The digital nomad allowance mentioned above is the only explicit provision for remote working. Other situations, including unforeseen circumstances, would need to be presented to INZ on a case-by-case basis with a request for an Exception to Instructions (ETI).

7 Investment or Establishment Work Permits

7.1 Is there an immigration category which permits employees to be authorised to work based on investment into, or setting up a subsidiary or corporate presence in, your jurisdiction?

No. Investment into an existing business can be done via the Business Investor Visa scheme (BIV) introduced in November 2025, but the initial Work Visa is granted as a business visa allowing the person to actively manage the business, and on the basis of being an employee of that business.

8 Temporary Work Permits

8.1 Is there an immigration category permitting the hiring of temporary workers for exchanges, career development, internships or other non-economic purposes?

No, there is not.

8.2 Are there sector-specific temporary work permit categories which enable foreign workers to perform short-term temporary work?

The Recognised Seasonal Worker scheme for seasonal jobs in agriculture and horticulture allows capped numbers of workers to come in from pre-selected countries, largely made up of certain Pacific Islands. The duration of any visa granted is set by the Agreement to Recruit (ATR) between the employer and INZ, but in any case will be for a maximum of seven months in any 11-month period.

Workers are granted a Limited Visa, which requires them to return home at the end of the stipulated period and does not allow them to apply to extend their current stay.

9 Group or Intra-Company Transfer Work Permits

9.1 Does a specific immigration category exist for inter-company transfers within international groups of companies?

Yes, this is one recognised class of SPWV that allows for secondment of an executive, senior manager or specialist person. The usual expectation is that the assignment is time- or project-based, and that the duration of the visa is required by the project or duty that is to be fulfilled in that time.

9.2 What conditions must an employing company or organisation fulfil in order to qualify as part of a group of companies?

The employing company must demonstrate its linkage to the group of companies within which it seeks to conduct the staff transfer. This is normally done by providing letters of reference from both the overseas company and the New Zealand company or branch, as well as New Zealand Companies Office records, which go toward establishing the legal relationship between the entities.

9.3 What conditions must the employer fulfil in order to obtain a work permit for an intra-company group employee?

They must demonstrate the qualifications and/or seniority of the assignee, the purpose of the assignment, and the expected duration of the assignment or secondment. If the employee is paid by the overseas employer on assignment, they must establish the legal basis of the employment arrangement. If they are to be paid by the New Zealand entity where they will carry out the work, that employer must provide an employment agreement that is compliant with New Zealand law, plus evidence that the employer can pay them (usually not needed for a multinational).

9.4 What is the process for obtaining a work permit for an intra-company group employee?

An online application for an SPWV is made through the Immigration Online portal, access to which requires the user to first have a Government-issued RealMe¹³ account for using various Government services. SPWV applications will eventually be moved to the Enhanced Immigration Online system (also known as “ADEPT”) along with all other visa types in a phased rollout up to 2031.

All information is provided electronically, usually as PDFs (except for a passport-style photo of the person, which is in JPEG). If a visa is approved, it is issued as a PDF, which the visa holder must print and carry with them in order to ensure smooth passage through the border.

9.5 What is the process for the employee to obtain a visa under the intra-company group transfer category?

The same process for obtaining an SPWV also applies, as described in question 9.4.

9.6 How long does the process of obtaining the work permit and initial visa take?

INZ publishes estimated timeframes¹⁴ on its website. Applicants should allow three to six weeks for a decision. Where it can be justified, a request for escalation can be made, which may result in a decision within a few days.

9.7 Is there a maximum period of validity for initial intra-company transfer visas, can they be extended and is there a maximum period of stay in this category?

The initial visa can be issued for up to three years. It is possible to obtain further visas up to a total stay of six years where the need can be justified.

9.8 Can employees coming under the intra-company route transfer to a permanent stay visa route and apply for permanent residence?

They cannot do so directly through having an SPWV. Some can transition to an AEWV if the New Zealand employer is an accredited employer and agrees to offer them long-term or indefinite employment. They can then apply for Skilled Migrant Residence, or Straight to Residence if their job and qualifications enable them to be recognised as being on the Green List Tier 1 of occupations for which there is a chronic shortage of local labour. If their job is on Tier 2 of the Green List, they may also qualify for Residence after they hold an AEWV for a minimum of two years.

9.9 What are the main government fees associated with this type of visa?

As at early 2026, the SPWV application fee is NZ\$1,455. Fees and decision times are published and updated on the INZ website.¹⁵

10 New Hire Work Permits

10.1 What is the main immigration category used for employers who wish to obtain work permits for new hires?

The AEWV is the main avenue for hiring migrant workers. This requires the employer to obtain immigration accreditation. The company must then demonstrate that they cannot fill the role locally through labour market testing. The migrant then applies for the Work Visa by showing that they are suitably qualified for the role on offer.

10.2 Is there a requirement for labour market testing, to demonstrate that there are no suitable resident workers, before a work permit can be issued to new hires?

Yes, by default.

10.3 Are there any exemptions to carrying out a resident labour market test?

If the occupation is on the Green List Tier 1 of occupations facing a chronic shortage of local labour, this is deemed to pass

the labour market test. It is also met automatically if the salary on offer exceeds twice the New Zealand median wage, which is revised upward approximately every year.

10.4 What is the process for employers obtaining a work permit for a new hire?

The company must apply to be an Accredited Employer. They must show that: they are a genuine and viable business; they can pay their staff and provide minimum settlement support (usually by way of informing and educating); and neither the company nor its “key persons” have breached employment, immigration and company law.

They will then complete labour market testing, which normally involves advertising the position for two weeks. If the position is for a lower-skilled occupation, it must be advertised for three weeks. The classes of occupations deemed to be lower skilled is evolving and needs to be checked against current settings in many cases.

The employer makes a Job Check application with evidence that the labour market test is satisfied through advertising, the Green List Tier 1 nature of the job, or payment of a high salary that is at least twice the New Zealand median wage. They also supply a sample employment agreement to show that the conditions of employment satisfy New Zealand employment and immigration law.

If successful, the employer is issued with electronic Job Tokens for the number of places it is allowed to fill.

10.5 What is the process for the employee to obtain a visa as a new hire?

The employer supplies a Job Token to the employee so that they can make their online Work Visa application, as well as a letter of offer and employment agreement. The employee makes their own AEWV application, along with evidence that they meet the qualifications and/or experience required by the employer and specified in the Job Token. They also supply an Immigration Medical and X-Ray Certificate, as well as Police Certificates for their country of birth and any country they have lived in for more than five years since the age of 17.

10.6 How long does the process of obtaining the work permit and initial visa for a new hire take?

Fees and decision times are published and updated on the INZ website.¹⁶ Most applications are processed within six to eight weeks.

10.7 How long are initial visas for new hires granted for and can they be extended?

AEWVs are granted for five years for most occupations of Skill Level 1–3 on the ANZSCO. Visa duration is three years for other, lower-skilled occupations.

10.8 Is labour market testing required when the employee extends their residence?

The above durations are also the Maximum Continuous Stay permitted on an AEWV. Employees cannot apply to extend their visas beyond these limits and must remain outside New Zealand for 12 months before applying for a new AEWV. At this

stage, an application will be assessed afresh and without reference to any prior visa held or labour market testing performed.

10.9 Can employees coming as new hires apply for permanent residence?

They may apply for Skilled Migrant Residence if they score 6 points for qualification, occupational registration, or high salary (at least 1.5× the New Zealand median wage), plus New Zealand work experience. Alternatively, they can apply on the Straight to Residence Track if their job is on the Green List Tier 1. Those with jobs on Tier 2 of the Green List, or in specified occupations in the care workforce or the transport sector, can apply for Residence after working on their AEWV for a minimum of two years, on what is generally termed the Work to Residence scheme.

10.10 What are the main government fees associated with this type of visa?

As at early 2026, the Skilled Migrant Residence application fee is NZ\$6,450. Fees and decision times are published and updated on the INZ website.¹⁷

11 Conditions of Stay for Work Permit Holders

11.1 What are the conditions of stay of those who obtain work permits and are resident on this basis?

They must remain working for the employer named on their visa, in the job specified on the visa, and in the location (city, town or region) specified on the visa. They may not carry out other employment, including self-employment.

11.2 Are work permit holders required to register with municipal authorities or the police after their arrival?

No, they are not.

12 Dependants

12.1 Who qualifies as a dependant of a person coming to work on a sponsored basis?

Dependants of Work Visa holders are the partner or spouse and any children who are financially dependent on their parent(s), are single, and have no children of their own, up to a maximum age of 19 years.

12.2 Do civil/unmarried or same-sex partners qualify as family members?

Yes, they do.

12.3 Do spouses and partners have access to the labour market when they are admitted as dependants?

They can be granted a Work Visa with open work rights if the supporting partner is in a “higher skilled” occupation, most of which are Skill Levels 1–3 of the ANZSCO.

12.4 Do children have access to the labour market?

No. They can hold a Student Visa up to the age of 18 or remain on a Visitor Visa.

13 Permanent Residence

13.1 What are the conditions for obtaining permanent residence?

New Zealand distinguishes between a Resident Visa with associated travel conditions (or other conditions imposed under s 49 Immigration Act 2009 such as via investment), and a Permanent Resident Visa (PRV), which has no associated conditions attached to it.

In most cases, a person qualifies for a PRV after having lived in New Zealand for at least two years while holding a Resident Visa, or having spent at least 50% of each of those two years in New Zealand on their Resident Visa.

13.2 Is it possible to switch from a temporary work visa to a work visa which leads to permanent residence?

The AEWV can offer a pathway to applying for Residence for those who meet the Skilled Residence criteria – either the six-point system or by means of having a Work to Residence job. Others on visas such as the SPWV may need to switch to an AEWV in order to be able to qualify.

14 Bars to Admission

14.1 What are the main bars to admission for work?

Those with medical conditions that an INZ Medical Assessor (MA) deems as posing an excessive cost to the New Zealand health system will be declined a Work Visa. They will be given a right of reply to such concerns, but in most cases the MA's ultimate decision is final.

The provision of false information or concealment of relevant information in the Work Visa application, or in any previous New Zealand visa application, will be a character issue requiring a Character Waiver before a visa can be granted. This is the case irrespective of whether or not the applicant: knew that the information was false or misleading, or even that it had been provided (e.g., through an agent); or intended to deceive INZ.

Foreign nationals are excluded from being granted a visa by s 15 Immigration Act 2009 if they have been deported, removed or excluded from another country at any time. This is the case even if the person incurred only a temporary ban on re-entry to the country from which they were deported. Their only recourse is to request a Special Direction from the Minister of Immigration (usually decided by a senior INZ official), and decisions on such requests are a matter of absolute discretion without the requirement to give reasons for the decision.

14.2 Are criminal convictions a bar to obtaining work permission or a visa?

A person is excluded from being granted a visa if they have been sentenced to prison for five years or more at any time, or

who have been sentenced to at least 12 months' imprisonment in the last 10 years. As above, their only recourse is the grant of a Special Direction.

Applicants with overseas convictions for offences against the immigration, citizenship or passport laws of any country, or offences for which they have been imprisoned, will require a Character Waiver. Those who have been convicted of an offence in New Zealand for which the Court could impose a sentence of three months' imprisonment or more (whether or not that sentence was imposed) also require a Character Waiver.

The applicant is given a right of reply to the need for a Waiver. A visa officer will then determine if their circumstances are "compelling enough" to justify the waiver, taking into account their purpose for coming to New Zealand and the public interest.

Endnotes

- 1 <https://aria.stats.govt.nz/aria/#ClassificationView:uri=http://stats.govt.nz/cms/ClassificationVersion/kt8nctzMAQrEcd10>
- 2 <https://aria.stats.govt.nz/aria/#ClassificationView:uri=http://stats.govt.nz/cms/ClassificationVersion/hgbQw1g89dLcxOHS>
- 3 <https://www.immigration.govt.nz/work/requirements-for-work-visas/green-list-occupations-qualifications-and-skills/national-occupation-list-occupations-used-for-an-aewv>
- 4 <https://www.legislation.govt.nz/act/public/2009/0051/latest/DLM1440303.html>
- 5 <https://www.immigration.govt.nz/opsmanual/index.htm>
- 6 https://www.immigration.govt.nz/search/?page=1&topic_ids=21
- 7 <https://www.immigration.govt.nz/visit/what-you-need-to-visit-new-zealand/visa-waiver-countries-and-territories>
- 8 <https://nzeta.immigration.govt.nz>
- 9 <https://legislation.govt.nz/act/public/1983/143/en/latest>
- 10 <https://www.immigration.govt.nz/opsmanual/#77204.htm>
- 11 <https://www.immigration.govt.nz/new-zealand-visas/apply-for-a-visa/tools-and-information/tools/panel-physicians>
- 12 <https://www.immigration.govt.nz/work/requirements-for-work-visas/green-list-occupations-qualifications-and-skills/green-list-roles-jobs-we-need-people-for-in-new-zealand>
- 13 <https://www.govt.nz/organisations/realme>
- 14 <https://www.immigration.govt.nz/process-to-apply/applying-for-a-visa/fees-processing-times-and-refunds/fees-decision-times-and-where-to-apply>
- 15 See note 14.
- 16 See note 14.
- 17 See note 14.



Simon Laurent has developed a strong reputation as a leader in the New Zealand immigration field since starting practice representing refugees in the mid-1990s. Over the years, he has mentored a number of lawyers through his firm, in order to refine their legal skills and their ability to think inventively to solve real-world problems.

He has chaired and presented numerous seminars for both lawyers and immigration advisers, and has been called upon to provide industry comment for the media, including a number of high-profile radio and television interviews. He has supplied numerous expert opinions to the New Zealand Courts on immigration matters.

For several years, Simon sat on the Council of the Auckland District Law Society (now The Law Association). He was a founding member of its Immigration and Refugee Committee, and was Convenor in 2006, 2007 and 2014. He was a member of the New Zealand Law Society Immigration Committee. From 2010 to 2012, he was Chairman of the New Zealand Association of Migration and Investment, the longest-tenured representative organisation for immigration professionals in New Zealand. In 2013, he was recognised as an Honorary Life Member for his services to NZAMI. He is the current Chairman of NZAMI.

Involvement in these professional bodies gives Simon insight into developing trends and issues in the New Zealand immigration space. It also provides the opportunity to influence change for the benefit of both clients and colleagues, through active membership of various groups that consult with the Government.

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Laurent Law has operated in Auckland, New Zealand since 2003 as a specialist immigration firm. It has developed a reputation for solving the “hard cases”, both among the public and among the lawyer and professional adviser community.

The firm frequently acts for clients in Residence and deportation appeals before the Immigration & Protection Tribunal.

The lawyers at Laurent Law publish blogs (<https://laurentlaw.co.nz/news/blog>) and vlogs (<https://laurentlaw.co.nz/news/videos>) with substantive content about various aspects of immigration law and policy. These are read widely, directly resulting in requests for comment on their subject matter from journalists in the national media.

Simon Laurent was also one of the first advocates to represent licensed immigration advisers facing disciplinary proceedings before the Immigration Advisors Complaints & Disciplinary Tribunal. He has established a leading role in this niche field and accepts instructions from indemnity insurers on a regular basis.

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