

Immigration Law Presentation

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Questions received after the presentation:

If the business is only 6 months old can it apply for accreditation?

Yes it can. The factors to indicate that the business is a viable and genuine business are as below, and only one of the points must be used. Where a business is fairly new points (c) and (d) could be used as evidence. I have amended this part on the presentation.

1. Criteria to prove you have a viable and genuine business, meet at least one of these financial requirements:
 - a. your business has not made a loss over the last 2 years;
 - b. positive cash flow each month for the last 6 months;
 - c. enough capital or external investment to remain viable (if your business is less than 1 year old);
 - d. credible 2-year plan ie. cash flow projection (if your business is less than 1 year old); and
 - e. compliant with NZ Immigration law, employment law and business standards.

In terms of the Straight to Residence Green List application, if a migrant employee applies offshore for Residence and have their Residence approved and enters New Zealand on their Residence Visa, do they have to work for the employer who offered them the job, or can they change job immediately?

There are no specific instructions with INZ about this, I also called INZ and they confirmed that the INZ case officer examining the Residence Application will likely impose a Section 49 condition on the Residence Visa stating that the migrant should work for a specified time for the employer who offered them a job. The period can be 3 months up to 12 months and it will be determined on a case-by-case basis.

The Employer/Employee modules that needs to be completed, how much time will that take?

The modules are very easy and will likely take at the most 2 hours for each Employer and Employee.