

Special direction – Waiver of requirement to provide a Chest X-Ray certificate for certain RSE Limited Visa applications in order to deal with consequences of measures taken to contain or mitigate the outbreak or effects of COVID-19

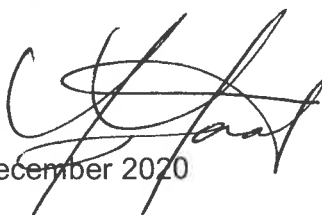
- A. Pursuant to section 57(3) of the Immigration Act 2009, I waive by special direction, the prescribed requirement under regulation 10(2)(e)(iii) of the Immigration (Visa, Entry Permission, and Related Matters) Regulations 2010 for certain applicants for a Recognised Seasonal Employer (RSE) Limited Visa (as outlined in paragraph B) to provide a Chest X-Ray certificate.
- B. Pursuant to section 57(5) of the Immigration Act 2009, the waiver of the application requirement to provide a Chest X-Ray certificate applies to persons who are:
- currently outside New Zealand; and
 - applying for a Recognised Seasonal Employer Limited Visa on the basis that they have a critical purpose for travelling to New Zealand as an approved class of worker; and
 - travelling from Samoa, Tonga or Vanuatu; and
 - arriving in New Zealand before 30 March 2021.

I am satisfied that the making of this special direction is reasonably necessary to manage the effects, or deal with the consequences of, the measures taken under the Immigration Act 2009, under other enactments, and other measures including overseas, to contain or mitigate the outbreak of COVID-19 or its effects.

This is because a key part of New Zealand's defence against COVID-19 is border restrictions coupled with the requirement for most persons entering New Zealand to enter managed isolation and quarantine (MIQ). There is limited MIQ capacity at any one time. Approval has been given for a capped number of workers to come to New Zealand and undertake the critical purpose of seasonal horticulture and viticulture employment, but arrivals must be managed with MIQ places allocated for their arrival. Failure to meet the MIQ places allocated would have significant impacts on the arrival of subsequent cohorts of RSE workers if there is no MIQ availability, on the industries awaiting their arrival, and the workers. Advice has been taken as to the public health risks and in these particular circumstances, this measure is considered reasonably necessary to streamline the process for applicants travelling from Samoa, Tonga or Vanuatu who are arriving before 30 March 2021.

This special direction expires 30 March 2021 unless cancelled earlier.

Dated this 17th day of December 2020



Hon Kris Faafoi
Minister of Immigration

Explanatory note: *The effect of this special direction is to facilitate the application for a Recognised Seasonal Employer Limited visa for the first cohort of visa holders scheduled to arrive in mid-January who are travelling from Samoa, Tonga or Vanuatu by waiving the prescribed application requirement of applying with a valid Chest X-Ray Certificate.*