

## Immigration Act 2009

### **Special direction – Extension of visas held by a class of onshore employer-assisted workers, and their partners and dependent children, to manage effects and deal with consequences of measures taken to contain or mitigate the outbreak of COVID-19 or its effects.**

Under section 78A of the Immigration Act 2009 (the Act), by special direction, I extend the visas held by the following classes of people:

1. Every person who is in New Zealand on 1 January 2021 (with the exception of any foreign fishing crew, who may be offshore) and who holds a temporary work visa with a recorded expiry of 1 January 2021 to 30 June 2021 (inclusive), where that visa:

1. was granted under a category of immigration instructions specified in the Schedule to this special direction; or
2. was granted under section 61 of the Act, and that visa has the condition that the holder may only work for a specified employer.

Visas held by this class ("Principal Visa Holders") are extended for a period of six months from the date on which they would otherwise expire (for example, if a visa has the recorded expiry date of 31 March 2021, it will be extended to a new expiry date of 30 September 2021 and expire on the beginning of 1 October 2021).

2. Every person who is in New Zealand on 1 January 2021, who holds a temporary visa as a partner or dependent child of a Principal Visa Holder, and whose current visa has a recorded expiry between 1 January 2021 and 30 June 2021 (inclusive).

Visas held by a partner or dependent child of a Principal Visa Holder are extended until the earlier of:

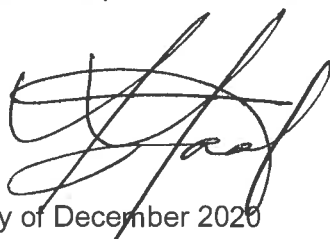
1. the expiry of the Principal Visa Holder's visa as extended by this special direction; or
2. the expiry of a period of six months from the date on which their visa would otherwise expire.

For the avoidance of doubt, visas that expire in accordance with section 63(2) of the Act are not included in either class of persons covered by this special direction.

In this special direction the "recorded expiry" of the visa is the expiry date on which, or the event on the occurrence of which, or period after which, the visa will expire, as recorded in accordance with section 62(2) of the Act, or as otherwise provided if the visa is deemed to be granted by or under the Act.

I am satisfied that the making of this special direction is reasonably necessary to manage the effects, or deal with the consequences, of measures taken under the Act or any other enactment in New Zealand, and other measures taken elsewhere, to contain or mitigate the outbreak of COVID-19 or its effects. This special direction manages the ongoing effects on the labour market as a result of COVID-19, by allowing flexibility in immigration settings so that existing migrant workers can continue to fill labour shortages while border restrictions remain. This special direction includes partners and dependent children of those workers to support the retention of the migrant workforce.

This special direction expires on 30 June 2021 unless cancelled earlier.



Dated this 17<sup>th</sup> day of December 2020

Hon Kris Faafoi, Minister of Immigration

**Explanatory note:** The effect of this special direction is to extend the visas of some employer-assisted work visa holders (principal visa holders) that expire between 1 January 2021 and 30 June 2021 (inclusive). Their visas are extended for a period of six months from the date they would otherwise have expired.

This special direction also has the effect of extending the visas of people who are in New Zealand, who hold a temporary visa as the partner or dependent child of a principal visa holder, and whose visas expire between 1 January 2021 and 30 June 2021 (inclusive). Their visas are extended to bring them into line with the extension granted to the principal visa holder, or by six months, whichever period is shorter.

**Schedule**

WR1 Talent (Accredited Employers) Work Instructions  
WR2 Talent (Arts, Culture and Sports) work instructions  
WR3 Long Term Skill Shortage List work instructions  
WK Essential Skills work instructions  
WI10 Interpreters from Japan  
WI11 Thai chefs  
WI12 China Special Work Instructions  
WI13 China Skilled Workers Instructions  
WI14 Philippines Special Work Instructions  
WI15 Vietnam Special Work Instructions  
WI17 Indonesia Special Work Instructions  
WI19 Republic of Korea Special Work Instructions  
WL2 Silver Fern Practical Experience  
WR7 South Island Contribution work instructions  
WM Religious Workers  
WJ Foreign Fishing Crew