



2022 Special Ukraine Visa Guidance

This document was last updated on 22 March 2022

Purpose

1. The purpose of this document is to set out information to Ukrainian New Zealanders regarding:
 - (a) Key legal requirements in relation to the 2022 Special Ukraine Visa, which was announced by the New Zealand Government on 15 March 2022.
 - (b) The resources that are available to assist you to complete the 2022 Special Ukraine Visa.
 - (c) Our comments in relation to the 2022 Special Ukraine Visa.
2. We were asked to set out this guidance at the request of the “Mahi for Ukraine” team for the benefit of Ukrainian New Zealanders.

Process

3. In order for Ukrainian family members of the New Zealand Ukrainian community to secure a visa to travel to New Zealand, a two-stage process is required.
4. First, the New Zealand sponsor seeks approval to nominate their family members through an Expression of Interest application to Immigration New Zealand.
5. Second, following review of the Expression of Interest Immigration New Zealand will then invite the family members who appear to meet the policy criteria to apply for visas, and grant visas to people who meet the requirements.
6. There are no application fees payable for the Expression of Interest or visas issued.

Key Legal Requirements and Definitions

7. In order for members of New Zealand’s Ukrainian community to qualify to sponsor their family members to come to New Zealand under the 2022 Special Ukraine Visa, they must meet all of the following criteria:
 - (a) The **New Zealand sponsor** must be:
 - (i) Born in Ukraine, or is a citizen, or was a citizen, or is a permanent resident of Ukraine; **and**
 - (ii) A New Zealand citizen, New Zealand resident visa holder (including a permanent resident visa holder), Australian citizen or Australian resident visa holder (who



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arrived in New Zealand with that status and was issued a New Zealand resident visa); **and**

(iii) Must primarily be based in and live in New Zealand.

8. If you meet 3(i), (ii), and (iii) you can sponsor family members to come to New Zealand.

9. The **family members** that a New Zealand can sponsor, **if they meet 3(a)(i), (ii), and (iii) are:**

- (a) Their parents (including biological and adoptive, and in some cases step-parents*);
- (b) Their grandparents;
- (c) Their siblings;
- (d) Their adult child(ren)*;
- (e) The partner* who is included in the Expression of Interest of any person listed in 5(a)-(d); and
- (f) The dependent child(ren)* who is included in the Expression of Interest of any person listed in 5(a)-(e).

***Definitions:**

Step-parents means only if the New Zealand sponsor lived with them for a predominant period of their childhood between the time their relationship began and until the time the New Zealand sponsor turned 18 years of age.

Adult child means a child of the New Zealand sponsor who is 25 years of age or older.

Partner means a husband/wife or any other person living with the sponsored family member in a genuine and stable relationship that is likely to endure.

Dependent child means a child of the sponsored family member and/or their partner that is single and aged:

- 15 or younger and both parents are included in the application, if not, appropriate custody documents or a court order is held to allow entry of the child, but if not, entry permission to New Zealand is provided by the parent of the child not included in the application;
- 16 to 17 (inclusive); or
- 18 to 20 (inclusive) with no children of their own; or
- 21 to 24 (inclusive) with no children of their own, and totally or substantially reliant on the nominated family member and/or their partner for financial support (whether living with them or not).

10. All sponsored family members must also:



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- (a) Have been ordinarily resident (living in the Ukraine) as at January 2022; **and**
- (b) Not have any health or character issues (unless granted a character waiver) that would prevent them from being granted a 2022 Special Ukraine Visa, being the following:

Character:

- (i) has, at any time, been removed, excluded, or deported from New Zealand or any another country; **or**
- (ii) has been convicted at any time of an offence against the immigration, citizenship or passport laws of any country; **or**
- (iii) in the course of applying for a New Zealand visa, has made any statement or provided any information, evidence or submission that was false, misleading or forged, or withheld material information; **or**
- (iv) at the time of application:
 - (1) has been charged with an offence, which on conviction, would make section 15 of the Immigration Act 2009 apply to that applicant (typically imprisonment of 12 months or more); **or**
 - (2) is under investigation for such an offence; **or**
 - (3) is wanted for questioning about such an offence; **or**
- (v) has been convicted at any time of:
 - (1) any offence for which they have been imprisoned; **or**
 - (2) an offence in New Zealand for which the court has the power to impose imprisonment for a term of three months or more; **or**
- (vi) in support of any application by another person for a New Zealand visa (or a permit under the Immigration Act 1987), has made any statement or provided any information, evidence or submission that was false, misleading or forged.

Note: Immigration New Zealand do have the ability to waive some of the character requirements listed above, and would look to do so, where possible, on a case by case basis.

Health:

- (i) require dialysis treatment, or an Immigration New Zealand medical assessor has indicated that they will require such treatment within a period of five years from the date of the medical assessment; **or**
- (ii) have severe haemophilia; **or**



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- (iii) have a physical, intellectual, cognitive and/or sensory incapacity that requires full time care, including care in the community; **or**
- (iv) currently have tuberculosis (TB) (any form including pulmonary and non-pulmonary TB, Multidrug-Resistant (MDR)-TB and Extensively Drug-Resistant (XDR)-TB) and have not completed full treatment for TB as outlined in the New Zealand Guidelines for TB Treatment; **or**
- (v) have had a history, diagnostic findings or treatment for MDR-TB or XDR-TB, unless they have been cleared by a New Zealand Respiratory or Infectious Diseases specialist upon review of their file or review of the applicant as outlined in the New Zealand Guidelines for TB.

Resources

11. In order to assist you with a 2022 Special Ukraine Visa, we suggest you refer to the following resources:
- (a) [2022 Special Ukraine Visa Expression of Interest.](#)
 - (b) [Immigration NZ webpage regarding the 2022 Special Ukraine Visa.](#)
 - (c) [Immigration NZ webpage in Ukrainian regarding the 2022 Special Ukraine Visa.](#)
 - (d) [Immigration NZ webpage in Russian regarding the 2022 Special Ukraine Visa.](#)
 - (e) [Mahi For Ukraine website.](#)
 - (f) [Mahi For Ukraine Facebook page.](#)
 - (g) Contact any immigration solicitor or adviser to assist you with your queries in relation to the 2022 Special Ukraine Visa. You can find:
 - (i) An immigration adviser by [clicking here](#).
 - (ii) An immigration lawyer by [clicking here](#).
 - (h) Call 0800 537 726, or 04 830 3599 (Wellington), or 09 952 1695 (Auckland) if you wish to discuss your 2022 Special Ukraine Visa application.

Our Comments

12. Mahi for Ukraine are currently considering the best approach to assist Ukrainian New Zealanders with their 2022 Special Ukraine Visa applications on a pro bono (no fee) basis. We expect to provide you with an update next week.
13. If there will be any changes (or further clarification) to the legal requirements relating to the 2022 Special Ukraine Visa, we will update this guide accordingly.



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14. We appreciate that the 2022 Special Ukraine Visa Expression of Interest form might not cater for your specific circumstances, notably because the policy and the form were created under urgency as a response to the deteriorating events that are unfolding in Ukraine. If so, we recommend you prepare a covering note, which is sent to Immigration NZ along with your completed 2022 Special Ukraine Visa Expression of Interest form to SpecialUkraineEOI@MBIE.govt.nz.
15. On a final point, it should be noted that a dependent child or partner of a NZ citizen or resident visa holder in NZ can already enter the closed border through the “standard” border entry settings. If in doubt, seek advice from Immigration NZ, an immigration lawyer or licensed immigration adviser.



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