



2022 Special Ukraine Visa Guidance

This document was last updated on 13 May 2022

Purpose

1. The purpose of this document is to set out information for 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.
 - (d) Our answers to frequently asked questions.
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. 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:
 - (a) First, the New Zealand sponsor seeks approval to nominate their family members through an Expression of Interest application to Immigration New Zealand.
 - (b) 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.
4. There are no application fees payable for the Expression of Interest or visas issued.

Key Legal Requirements and Definitions

5. 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**



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- (ii) A New Zealand citizen, New Zealand resident visa holder (including a permanent resident visa holder), Australian citizen or Australian resident visa holder (who 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.

6. If you meet 5(a)(i), (ii), and (iii) you can sponsor family members to come to New Zealand.

7. The **family members** that a New Zealand sponsor can support, **if they meet 5(a)(i), (ii), and (iii) are:**

- (a) Their parents (including biological and adoptive, and in some cases step-parents*); **and**
- (b) Their grandparents; **and**
- (c) Their siblings; **and**
- (d) Their adult child(ren)*; **and**
- (e) The partner* who is included in the Expression of Interest of any person listed in 7(a)-(d); **and**
- (f) The dependent child(ren)* who is included in the Expression of Interest of any person listed in 7(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



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- 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).

8. All sponsored family members must also:

- (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.



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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**
- (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

9. 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](#), and specifically the [2022 Special Ukraine Visa Information webpage](#), which has a PDF document that sets out contact details of individuals and organisations in New Zealand who are willing to assist you with your questions on a pro bono basis (i.e. free of charge).
 - (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](#).



Our Comments

10. 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.
11. 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.
12. 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.
13. For our answers to frequently asked questions in relation to the 2022 Special Ukraine Visa, please see the schedule to this guide below.



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ATTACHMENT

FREQUENTLY ASKED QUESTIONS

Q: How can I find out more information on the eligibility criteria?

A: Please see the **Key Legal Requirements and Definitions** section set out above.

Q: Can anyone help me understand the eligibility criteria, or help me apply?

A: Yes, visit the [Mahi for Ukraine webpage on 2022 Special Ukraine Visa](#) where you will find a document with a list of individuals and organisations, including their contact details, that are available to help you on a pro bono basis (i.e. free of charge).

Q: I am not a NZ resident or citizen. Am I able to sponsor my family?

A: Only NZ residents and citizens can sponsor families. However, Immigration NZ is now prioritising all Ukrainian citizens who are eligible for residency under [the 2021 resident visa](#) and who have already submitted their application with Immigration NZ. If you are eligible for this visa and your application is currently pending with Immigration NZ, please apply for your application to be urgently processed by completing [this form](#), and send it to the following email address: 21RVsubmission@mbie.govt.nz If you are not yet eligible for this visa, please wait until you meet the eligibility criteria, or alternatively speak to any immigration solicitor or adviser to assist you with your queries in relation to your residency. You can find an immigration adviser by [clicking here](#) or an immigration lawyer by [clicking here](#).

Q: Will the visa to be issued electronically, with physical visa to be provided on arrival?

A: Physical passports are not required to be provided as the visa will be issued electronically. However, a valid travel document will be required. If the visa applicant does not hold a valid passport, Immigration NZ will determine if an emergency travel document is acceptable.

Q: I have received my visa. Do I need anything else to travel to NZ?

A: Yes, you are required to hold a New Zealand Traveller Declaration (NZTD) before entering New Zealand. For instructions on how to complete a NZTD and further information about it use [this NZTD link](#).



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Q: What are the COVID-19 rules to travel into NZ and do I need to be vaccinated?

A: People travelling to NZ on the Special Ukraine Visa do not need to be vaccinated or complete pre-departure testing on the first time that they travel¹. However, as per above an NZTD is required.

Q: Does the visa permit an individual to study and/or work, or access health care in New Zealand?

A: Yes, the visa is a 2 year work or study visa, with the 2 year period commencing on arrival. In order to access publicly funded health care, the individual in NZ must hold a 2-year work visa or for those with student visas, as long as they are aged under 18 years of age and the student visa is valid for a period of 2 years, they can also access publicly funded healthcare. For tertiary education, international pricing applies at this point in time, whereas domestic fees apply to primary and secondary education.

Q: My Ukrainian family member has issues with their identity documentation. What can we do?

A: Typical document requirements in relation to police checks, medical history, and evidence of sponsorship are waived. A copy of a passport or birth certificate of Ukrainian citizen is required. If these are not available, inform Immigration NZ of your personal circumstances by way of a covering note sent along with your Expression of Interest or Visa Application Form to discuss alternative options.

Q: Does Immigration NZ have discretion to manage certain situations where Ukrainians are unable to leave immediately due to matters outside of their control. Specifically, but not limited to:

- **Men aged 18-60 are unable to leave presently; and**
- **Many parts of Ukraine are presently under siege, so it is unsafe to travel?**

A: Once the visa is granted, a Ukrainian citizen will have 9 months to arrive into New Zealand from date of visa grant. If this is not possible, Immigration NZ will consider extending the time for arrival if you get in touch with them reasonably prior to the expiry of the 9 months' period, by a Variation of Travel Conditions (VOTC) application.

¹ <https://www.health.govt.nz/covid-19-novel-coronavirus/covid-19-information-specific-audiences/covid-19-travellers> has full details



Q: Can family members travel to New Zealand separately, and is there a waiver for living-together requirements for partnership visas?

A: Yes, visa applicants can travel separately but must be determined as partners to secure a visa (see partner definition above).

Q: Does the visa permit multiple entry into New Zealand?

A: Yes, the visa is multiple entry.

Q: Does this visa provide a pathway to residency in New Zealand?

A: No, it does not provide a direct pathway to residency in New Zealand. However, when onshore, visa holders can potentially transition on to different types of temporary visas, or pursue residency options under the existing criteria.

Q: Can Ukrainians who applied for existing visas (e.g. critical purpose visa) transfer to the 2022 Special Ukraine Visa?

A: Immigration NZ is contacting each of the relevant applicants on a case by case basis.

Q: Is there a fee payable in relation to the 2022 Special Ukraine Visa?

A: No fees applicable.

Q: Can a New Zealand sponsor support more than 1 family unit because the form has the ability to list 6 family members (including their respective partners and children)?

A: Yes, there is no limit.

Q: Clarification as to health/sponsorship/good character – what alternative means are available if one does not meet one of these criteria?

A: The list of issues that could prevent visa grant are very limited and narrowly defined. These terms are explained above in the **Key Legal Requirements and Definitions** section. If in doubt, submit your application to Immigration NZ and explain your specific circumstances in a covering note.

Q: How long will visas take to process?

A: Based on existing volume of applications, we suggest you allow up to 3 weeks to receive a response from Immigration NZ. Despite that, application processing may occur in one to two weeks.



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Q: What documents are required to be provided to Immigration NZ?

A: Only a passport OR birth certificate OR any other form of identification. Further evidence will be required and requested by Immigration NZ depending on your personal circumstances.

Q: I have heard that a translated marriage certificate is required as evidence?

A: This is not strictly required as INZ has discretion to not require a translation but in most instances a translation will be requested. If a translation is requested it must be provided so it is best practice to obtain a translation of the document to assist with processing and to avoid processing delays.

Q: I have been asked to complete a 1209 National Security Form – is this routinely required?

A: If you are requested to complete a 1209 Form, this must be completed to allow the issue of a visa.



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