

Information for Residence Visa Appeal (form attached)

Immigration and Protection Tribunal | Rōpū Take Manene, Take Whakamaru

Immigration Act 2009



When to use this form

Use this Notice of Appeal form if you would like to appeal to the Immigration and Protection Tribunal (the Tribunal) against a decision by Immigration New Zealand or the Minister of Immigration:

- Declining your residence visa application;
- Cancelling your resident visa (if cancelled when you are outside New Zealand and before you first arrive here); or
- Refusing to grant you (a resident visa holder) entry permission into New Zealand.

What you need with your application

To complete your application, you need to send:

- A fully completed form AND
- The fee for filing this Notice of Appeal (\$700)

You should also send, if you can:

- A copy of your decision from Immigration New Zealand or the Minister of Immigration
- Copies of any other documents or evidence you wish to submit in support of your appeal
- A copy of your identification page from your passport

All documents must be in English or with a certified translation in English. The original plus one copy of all documents need to be provided.

Completing this form

- Complete this form in English.
- You can fill in this form electronically. If you do this, you must also print, sign, and submit it to the Tribunal.
- You can also print and fill in this form by hand. If filling out by hand, please print carefully.
- If you are a minor appellant (under 18 years of age and not married or in a civil union), a responsible adult must sign on your behalf. If you do not have a parent present to act as responsible adult, tick the relevant box in step 7 of this form and the Tribunal will nominate a responsible adult to act for you.

Please read *Guide 1 – A guide to making a residence visa appeal* before you start completing this form. The guide will help you assess whether you are entitled to an appeal and will provide information on how to lodge an appeal.

Payment information

The fee for filing this Notice of Appeal is \$700.

To confirm how you pay the appeal fee, please visit the Ministry of Justice website:

www.justice.govt.nz/tribunals/immigration/immigration-and-protection/make-an-appeal/forms-and-fees/

If you need further assistance, please contact the Tribunal on:

Ph: 64 9 914 4299

Email: IPT@justice.govt.nz

Appeal fees are non-refundable.

Application process

You must lodge this Notice of Appeal form together with your lodgement fee and all relevant documents by email, in person, by courier or by post to the Tribunal at the address at the end of this form. The Tribunal must receive it within the time limit.

If you send a copy of this Notice of Appeal with your proof of payment by email, the Tribunal will accept it on that date but you still need to deliver or post the original of this Notice of Appeal and supporting documents to the Tribunal.

After you have lodged your appeal, the Tribunal will write to let you know that your appeal has been received.

A copy of your appeal will be sent to Immigration New Zealand who will provide any information and/or relevant parts of your immigration file to the Tribunal.

If you change your representative, or your (or your representative's) contact details change, you must notify the Tribunal immediately.

Important Information

It is an offence under the Immigration Act 2009 to make any statement, provide information, evidence or submissions knowing that they are false or misleading in any material aspect in any appeal or matter in the nature of an appeal to the Tribunal.

Terms used in this form

The following contains a list of terms that are used in this application form. The definitions are provided as a guide only and should not be taken as legal advice.




Appellant	An appellant is the person who applied for, and was declined, a residence class visa.
Certified Copy	A true copy, approved by someone legally allowed to approve it. If you are in New Zealand, certified copies must be approved by a lawyer, notary public, Justice of the Peace or court official.
Certified Translation	A written translation from one language into English that has been officially certified by a recognised translation agency. A translation by a friend or family member will not be accepted.
Decision	The letter from Immigration New Zealand or the Minister of Immigration telling you what they decided in regards to your application.
Dependent child	A dependent child means a child under 18 years of age who is not married or in a civil union and who is dependent on you (the principal appellant), whether or not the child is your child.
Minor Appellant	A minor appellant is an appellant who is under 18 years of age and not married or in a civil union.
Representative	A representative must be a lawyer, a licensed immigration adviser, or a licence-exempt person. For the full list, see <i>Guide 1 – A guide to making a residence visa appeal</i> .
Responsible Adult	This is either the minor appellant's parent or a person nominated by the Tribunal.

Do a quick check

Before sending in the form – check:

- You have answered all the relevant steps in English

If you can, you should also provide:

-  A copy of your decision from Immigration New Zealand or the Minister of Immigration
-  Any relevant information you want the Tribunal to take into account when considering your appeal (in English or with a certified translation). The original and one copy of all documents should be provided.
-  A copy of your identification page from your passport
- You and your representative (if you have one) have signed this form.
- You and every person 17 years or older, have signed at Step 6. This signature authorises the Ministry of Justice and the New Zealand Police to provide information about each person.
- You (or your responsible adult if you are under 18 years of age) have signed at Step 7. This signature declares that everything you have said is true.
- You have paid the fee. This fee is non-refundable.

If you need more help filling in this form, please call (64 9) 914 4299, email ipt@justice.govt.nz, or visit www.justice.govt.nz/tribunals/immigration/immigration-and-protection/.

Send in the form

You can post the form to:

Immigration and Protection Tribunal
DX EX 11086
Auckland
New Zealand

or post, courier, or deliver the form to:

Immigration and Protection Tribunal
Level 1
41 Federal Street
Auckland 1010

Phone: 64 9 914 4299
Email: ipt@justice.govt.nz
Website: <https://www.justice.govt.nz/tribunals/immigration/immigration-and-protection/>

If you email your form, please remember that you still need to deliver or post the original appeal form and your supporting documents to the Tribunal. The form and the fee must reach the Tribunal in time. If it does not, the Tribunal will not be able to extend time.

RESIDENCE VISA APPEAL

NOTICE OF APPEAL

Immigration and Protection Tribunal | Rōpū Take Manene, Take Whakamaru

Immigration Act 2009

FORM 1

TRIB No.: _____

Step 1. Your details

What is your full name? (As shown on your passport)

Full name Family Name/Surname First Name Middle Name
Title Mr Mrs Ms Miss Dr Other (specify) _____

Are you known by, or have you ever been known by another name? (Please tick to confirm)

Yes No

If yes, please supply the additional names. If no, leave this blank and move on to the next question

Other names Family Name/Surname First Name Middle Name
Family Name/Surname First Name Middle Name

What is your gender? (Please tick to confirm)

Male Female Prefer not to disclose
 Other *Please tell us your gender identity* _____

When were you born? _____ / _____ / _____ (day/month/year)

What countries are you a citizen of?

List all countries [List countries](#)

What date did you arrive in New Zealand? (if applicable)

_____ / _____ / _____ (day/month/year)

What date did your visa expire, or what date is your visa due to expire? (if applicable)

_____ / _____ / _____ (day/month/year)

What is your current relationship status? (You may tick more than one box)

Never Married Married Engaged Separated
 Widowed Civil Union Partnership / Defacto Divorced

Step 2. Your contact details

What is your current residential address? (This must be a physical address)

You must notify the Tribunal immediately if you change your address.

Address	No.	Street	Suburb
	City		State (if outside NZ)
	Country		Post code

What are your contact details? Please include country code for phone number outside New Zealand.

Daytime contact number _____

Mobile phone number _____

Email address _____ *Email address*

Where do you want us to send all documents and official notices relating to this appeal? (This must be a physical address. Please tick to confirm.)

- to your representative (details to be provided in Step 5). *Move on to Step 3 and continue.*
- to you, at the address or email address above
- to you, at the following address (*if you are a minor appellant and have a responsible adult, this will be the responsible adult's address for communication*):

Address	No.	Street	Suburb
	City		State (if outside NZ)
	Country		Post code

Responsible adult's email address _____

You must notify the Tribunal immediately if you change your address.

Step 3. Other persons included in your residence class visa application

Were there other persons included in your residence class visa application to Immigration New Zealand?
(Please tick to confirm)

Yes. Move on to steps below No. Move to Step 4

Please list all persons who were included in your residence class visa application to Immigration New Zealand.

Full name Family Name/Surname First Name Middle Name
Date of birth (day/month/year) / / _____
Relationship to principal appellant
Do you wish to include this person in the appeal?
(Please tick to confirm) Yes No

Full name Family Name/Surname First Name Middle Name
Date of birth (day/month/year) / / _____
Relationship to principal appellant
Do you wish to include this person in the appeal?
(Please tick to confirm) Yes No

Full name Family Name/Surname First Name Middle Name
Date of birth (day/month/year) / / _____
Relationship to principal appellant
Do you wish to include this person in the appeal?
(Please tick to confirm) Yes No

Full name Family Name/Surname First Name Middle Name
Date of birth (day/month/year) / / _____
Relationship to principal appellant
Do you wish to include this person in the appeal?
(Please tick to confirm) Yes No

Full name Family Name/Surname First Name Middle Name
Date of birth (day/month/year) / / _____
Relationship to principal appellant
Do you wish to include this person in the appeal?
(Please tick to confirm) Yes No

Continue on a separate sheet of paper if necessary and attach it to this form.

Step 4. Your immigration details

What is your Immigration New Zealand client number?

What is your Immigration New Zealand application number?

Date of decision _____ / _____ / _____ (day/month/year)

Date you received the decision _____ / _____ / _____ (day/month/year)

Please include a copy of your decision from Immigration New Zealand or the Minister of Immigration.

What residence category did you apply under?

What type of decision did you receive? (Please tick to confirm)

- An immigration Officer declined your residence class visa application.
Immigration Act 2009, Section 187(l)(a)(i)
- The Minister of Immigration declined your residence class visa application, and classified information was relied on in making the decision.
Immigration Act 2009, Section 187(l)(a)(ii)
- Your resident visa was cancelled when you were outside New Zealand.
Immigration Act 2009, Section 187(l)(b)
- You were granted a resident visa but were refused entry permission into New Zealand.
Immigration Act 2009, Section 187(l)(c)

What are the grounds for your appeal? (You may tick either or both)

- The decision was not correct in terms of the residence instructions. (*Please explain on next page.*)
Immigration Act 2009, Section 187(4)(a)
- Your special circumstances are such that consideration of an exception to those residence instructions should be recommended (*Please explain on next page.*)
Immigration Act 2009, Section 187(4)(b)

Step 5. Your representative's details

If you do not have a representative, you do not need to complete this step. Go to Step 6.

Only a lawyer, licensed immigration adviser, or a licence-exempt person can act as a representative. Overseas advisers must also be registered with the Immigration Advisers Authority.

What is your representative's name?

Full name First Middle Family Name/Surname

Title Mr Mrs Ms Miss Dr Other (specify) _____

Organisation name (if applicable) _____

What is your representative's physical address? (This must be a physical address)

Notices, documents, and information relating to this appeal may be sent to this address.

Address No. Street Suburb

City State (if outside NZ)

Country Post code

What is your representative's postal address?

Delivery service type _____ **PO Box/DX number** _____

Locality _____ **Town / City** _____ **Post Code** _____

What are your representative's contact details?

Please include country code for phone number outside New Zealand.

Daytime contact number _____

Mobile phone number _____

Email address Email address

Declaration

I (the representative) accept the authority to act on behalf of the appellant.

I will accept service of notices, communications, and other documents on his/her behalf.

I am a: (Please tick to confirm)

- Lawyer
- Licensed Immigration Adviser **Licence Number** _____
- Licence-exempt person. Please tick your ground for exemption:
- Person providing immigration advice in an informal or family context only
 - Current member of Parliament or one of their staff
 - Public service employee providing immigration advice within the scope of their employment agreement
 - Staff of a community law centre or citizens advice bureau

Representative's signature

Signature _____ **Date (day/month/year)** _____ / _____ / _____

Step 6. Consent to Ministry of Justice and/or New Zealand Police check

This authorisation MUST be signed by you and every person included in the appeal aged 17 years or older.

1. I authorise the Tribunal to seek information from the Ministry of Justice and/or the New Zealand Police about my criminal record and/or any complaints, charges, or investigations. I authorise the Ministry of Justice and/or the New Zealand Police to provide this information to the Tribunal.
2. Any information provided to the Tribunal by the Ministry of Justice and/or the New Zealand Police may, for purposes of this appeal, also be provided by the Tribunal to Immigration New Zealand and the Minister of Immigration.

Signature of appellant _____ **Date (day/month/year)** ____ / ____ / ____

Signature of spouse/partner _____ **Date (day/month/year)** ____ / ____ / ____

Name & signature of dependent child 1

First name _____ Last name _____ Signature _____ Day / Month / Year

Name & signature of dependent child 2

First name _____ Last name _____ Signature _____ Day / Month / Year

Name & signature of dependent child 3

First name _____ Last name _____ Signature _____ Day / Month / Year

Continue on a separate sheet of paper if necessary and attach it to this form.

Step 7. Sign and date this form

DECLARATION

This declaration MUST be signed by all appellants aged 18 years or older.

Knowing that it is an offence under the Immigration Act 2009 to make a declaration that is false. I declare that the answers in the form are true and correct. I authorise my representative to act on my behalf in all matters with the Tribunal and receive all correspondence and documents relating to my appeal.

Signature of appellant _____ **Date (day/month/year)** ____ / ____ / ____

If you are a minor appellant, a responsible adult must sign this declaration for you.

Responsible adult's name & signature

Full Name _____

Signature _____ **Date (day/month/year)** ____ / ____ / ____

Relationship to appellant _____

If you are a minor appellant and require a responsible adult to be nominated for you by the Immigration and Protection Tribunal, tick the box below:

I require a responsible adult to be nominated by the Tribunal.