

ANNEX 8F

STUDENTS' MOBILITY AND POST STUDY WORK VISAS

1. Each Party agrees to grant visas, subject to the fulfilment of immigration requirements, to students of the other Party who have been accepted by recognised education institutions in their respective territories and to accord multi-entry visas to such students, valid for the duration of their studies.
2. Neither Party shall impose any numerical limits on the admission and entry of students from the other Party to recognised education institutions in their respective territory, subject to the fulfilment of the prescribed eligibility conditions of the relevant educational institutions.
3. Each Party agrees to allow students from the other Party studying in recognised education institutions in their respective territories to work for at least 20 hours per week in line with each Party's respective national policies on the work provisions of student visas.
4. New Zealand agrees to maintain the following opportunities for students from India who have completed their full programme of study in New Zealand¹ through recognised education institutions to work temporarily in New Zealand, subject to their fulfilment of all relevant immigration requirements:²
 - (a) upon completion of a bachelor's degree (including honours), periods of stay of up to two years;
 - (b) upon completion of a master's by research or master's by coursework, periods of stay of up to three years; and
 - (c) upon completion of a doctoral degree, periods of stay of up to four years.
5. The Parties acknowledge the important contribution to each Party made by Science, Technology, Engineering or Mathematics ("STEM") specialists, including Information and Communications Technology ("ICT") professionals. To enhance mobility in these fields, New Zealand shall extend possible stays from two to three years for Indian students graduating in New Zealand with bachelor's degrees with First Class Honours in the STEM fields, including ICT fields.

¹ For greater certainty, a programme is considered to take place "in New Zealand" if students study full-time in New Zealand for at least 30 weeks each year.

² For greater certainty, if relevant immigration requirements include any labour market tests, such labour market tests shall be objective, reasonable and non-discriminatory.

6. India shall provide a work-based immigration route with reciprocal eligibility and duration to the commitments in paragraphs 4 and 5 for students from New Zealand who are natural persons of New Zealand and who successfully complete their studies in India and wish to supplement their education with professional experience in India.
7. Each Party shall arrange for its commitments contained in this Annex to be implemented within one year of the date of entry into force of this Agreement.
8. Neither Party shall have recourse to dispute settlement under Chapter 19 (Dispute Settlement) regarding any matter arising under or related to this Annex unless the matter involves a pattern of practice and the natural persons affected have exhausted all available administrative remedies regarding the particular matter.³

³ The administrative remedies shall be deemed to be exhausted if the final determination in the matter has not been issued by the other Party within a reasonable period of time after the date of institution of the process for the remedy, including any proceedings for review or appeal, and the failure to issue such a determination is not attributable to delays caused by the natural persons concerned.