

## ANNEX 8L

### SCHEDULE OF COMMITMENTS ON TEMPORARY EMPLOYMENT ENTRY - NEW ZEALAND

#### Article 8L.1 Definitions

For the purposes of this Annex:

- (a) **“temporary employment entry”** means entry by a natural person of India, including a skilled worker, into the territory of New Zealand, in order to work under a fixed term employment contract concluded pursuant to the law of New Zealand, without the intent to establish permanent residence.

#### Article 8L.2 Grant of Temporary Employment Entry

1. New Zealand shall make commitments in respect of the temporary employment entry of natural persons.
2. Such commitments and the conditions governing them shall be inscribed in New Zealand's Schedule to this Annex.
3. Where New Zealand makes a commitment under paragraphs 1 and 2, it shall grant temporary employment entry to the extent provided for in that commitment, provided that such natural persons:
  - (a) meet all relevant eligibility requirements for temporary employment entry into New Zealand;
  - (b) are in possession of a genuine employment offer from an accredited employer in New Zealand; and
  - (c) are otherwise qualified under all applicable immigration measures.
4. New Zealand shall ensure that any fees charged by its competent authorities for the processing of an application for temporary employment entry and stay by a natural person covered under this Annex are reasonable, in that they do not unduly impair or delay trade in services or the conduct of investment activities under this Agreement.

5. The granting of temporary employment entry shall not replace the requirements to carry out a profession or activity according to the specific laws and regulations in force in the territory of New Zealand.
6. Nothing in this Annex shall apply to measures regarding citizenship, nationality, residence or employment on a permanent basis.

## APPENDIX 8L-1

### SCHEDULE OF TEMPORARY EMPLOYMENT ENTRY – NEW ZEALAND

#### Explanatory notes:

1. This Schedule sets out New Zealand's commitments, including the conditions and limitations governing those commitments, in respect of the temporary employment entry and stay of natural persons of India.
2. This Schedule is divided into the following sections:
  - (a) Section A sets out New Zealand's commitments in respect of temporary employment entry for iconic Indian occupations; and
  - (b) Section B sets out New Zealand's commitments in respect of temporary employment entry for skilled workers in specified occupations drawn from sectors in which New Zealand has an identified skills shortage.

**. Section A: Commitments on Temporary Employment Entry for Iconic Indian Occupations**

This Section sets out commitments, including the conditions and limitations governing those commitments, in respect of the temporary employment entry and stay of natural persons of India in iconic Indian occupations:

<p align="center"><b>Temporary employment entry for natural persons in the following iconic Indian occupations</b></p>	<p align="center"><b>Conditions and Limitations, including numbers, duration of stay and other requirements</b></p>
<p><b>Horizontal Conditions and Limitations</b></p>	<p>Up to a maximum of 600 temporary employment entry visas at any one time.</p>
<p><b>1. Yoga instructors</b></p>	<p>Up to a maximum of 100 visas at any one time.</p> <p><b>Duration</b></p> <p>Duration of stay of up to three years at any one time, dependent upon the employment agreement. This cannot be extended beyond three years, and Yoga instructors who have spent three years in New Zealand working under this Annex are not eligible for a further work visa or work permit under this Annex until they have spent a minimum of three years outside New Zealand.</p> <p><b>Requirements</b></p> <p>A natural person of India who has a recognised Yoga qualification, of least a bachelor’s degree in Yoga from an institution<sup>1</sup> recognised by the Indian Government, and holds an International English Language Testing System (“IELTS”) Level 5 in Listening and Speaking English, or an equivalent score in an English language testing system recognised by the New Zealand Government.</p>

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<sup>1</sup> For greater certainty, these qualifications must be recognised by the appropriate New Zealand authority where New Zealand law requires such recognition as a condition of the provision of that service in New Zealand.

<p><b>Temporary employment entry for natural persons in the following iconic Indian occupations</b></p>	<p><b>Conditions and Limitations, including numbers, duration of stay and other requirements</b></p>
<p><b>2. Indian Chefs</b></p>	<p>Up to a maximum of 250 visas at any one time.</p> <p><b>Duration</b></p> <p>Duration of stay of up to three years at any one time, dependent upon the employment agreement. This cannot be extended beyond three years, and Indian chefs who have spent three years in New Zealand working under this Annex are not eligible for a further work visa or work permit under this Annex until they have spent a minimum of three years outside New Zealand.</p> <p><b>Requirements</b></p> <p>A natural person of India who has a tertiary level qualification in Indian cuisine, obtained after at least two years of successful study at an institution recognised by the Indian Government<sup>2</sup>, and who has at least two years of relevant work experience post-qualification, and holds an IELTS Level 5 in Listening and Speaking English, or an equivalent score in an English language testing system recognised by the New Zealand Government.</p>
<p><b>3. Music Teachers</b></p>	<p>Up to a maximum of 50 visas at any one time.</p> <p><b>Duration</b></p> <p>Duration of stay of up to 3 years, dependent on the employment agreement. This cannot be extended beyond 3 years, and music teachers who have spent 3 years in New Zealand working under this Annex are not eligible for a further work visa or work permit under this Annex until they have spent a minimum of 3</p>

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<sup>2</sup> For greater certainty, these qualifications must be recognised by the appropriate New Zealand authority where New Zealand law requires such recognition as a condition of the provision of that service in New Zealand.

Temporary employment entry for natural persons in the following iconic Indian occupations	Conditions and Limitations, including numbers, duration of stay and other requirements
	<p>years outside New Zealand.</p> <p><b>Requirements</b></p> <p>A natural person of India who has Bachelor’s degree or equivalent three-year tertiary qualification in music, has at least two years’ relevant work experience as a music teacher, and holds IELTS score of 6.5, or an equivalent score in an English language testing system recognised by the New Zealand Government.</p>
<p><b>4. Ayush Practitioners (excluding yoga instructors)</b></p>	<p>Up to a maximum of 200 visas at any one time.</p> <p>This commitment is for natural persons of India seeking employment as an Ayush Practitioner, including the following fields:</p> <ul style="list-style-type: none"> <li>(a) Ayurveda;</li> <li>(b) Naturopathy;</li> <li>(c) Unani;</li> <li>(d) Siddha;</li> <li>(e) Sowa Rigpa; and</li> <li>(f) Homeopathy.</li> </ul> <p><b>Duration</b></p> <p>Duration of stay of up to three years at any one time, dependent upon the employment agreement. This cannot be extended beyond three years. Ayush Practitioners who have spent three years in New Zealand working under this Annex are not eligible for a further work visa or work permit under this Annex until they have spent a minimum of three years outside New Zealand.</p>

Temporary employment entry for natural persons in the following iconic Indian occupations	Conditions and Limitations, including numbers, duration of stay and other requirements
	<p><b>Requirements</b></p> <p>A natural person of India who:</p> <ul style="list-style-type: none"> <li>(a) holds a bachelor's degree in Indian Traditional Medicine/Ayush Systems of Medicine, recognised by the Indian Ministry of Ayush, and which required at least three years of successful study from an institution recognised by the Indian Government<sup>3</sup>;</li> <li>(b) has at least four years of professional experience working as a recognised practitioner of ayurveda, yoga and naturopathy, Unani, Siddha, Sowa Rigpa, or homeopathy; and</li> <li>(c) holds an IELTS score of 6.5 or an equivalent score in an English language testing system recognised by the New Zealand Government.</li> </ul>

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<sup>3</sup> For greater certainty, these qualifications must be recognised by the appropriate New Zealand authority where under New Zealand law such recognition is a condition of the provision of that service in New Zealand.

## Section B: Commitments on Temporary Employment Entry for Skilled Occupations

1. This Section sets out commitments, including the conditions and limitations governing those commitments, in respect of skilled workers in specified occupations drawn from sectors in which New Zealand has an identified skills shortage.
2. The occupations listed below, to which the corresponding entries apply, shall be reviewed every five years by the Committee on Trade in Services.
3. The Parties shall work towards the conclusion of a mutually satisfactory outcome to the review pursuant to paragraph 2. Until agreement is reached, or as otherwise mutually agreed, the five-year arrangement applying immediately prior to the review shall remain in place.

<b>Temporary employment entry for natural persons in the following skilled occupations</b>	<b>Conditions and Limitations (including numbers, duration of stay and other requirements)</b>
<b>Horizontal Conditions and Limitations</b>	<p>The following are general requirements for all temporary employment entry for skilled occupations set out in Entries 1 through 5 of this Section.</p> <p>A natural person of India who seeks temporary employment entry under this Section must:</p> <ol style="list-style-type: none"> <li>(a) hold the minimum required qualifications<sup>4</sup> and relevant work experience as specified for each category;</li> <li>(b) hold International English Language Testing System (“IELTS”) score of 6.5, or an equivalent score in an English language testing system recognised by the New Zealand government.</li> <li>(c) have registered with the appropriate professional body or have obtained licence or approval to work in New Zealand from the appropriate</li> </ol>

<sup>4</sup> For greater certainty, these qualifications must be recognised by the appropriate New Zealand authority where under New Zealand law such recognition is a condition of the provision of that service in New Zealand.

<b>Temporary employment entry for natural persons in the following skilled occupations</b>	<b>Conditions and Limitations (including numbers, duration of stay and other requirements)</b>
	<p>regulatory authority, where required.</p>
<p><b>1. Visa commitments on temporary employment entry for the following skilled workers in the IT Sector:</b></p> <ul style="list-style-type: none"> <li>(a) Software engineers;</li> <li>(b) Software and applications programmers; and</li> <li>(c) ICT project managers.</li> </ul>	<p>Up to a maximum of 1,000 temporary employment entry visas at any one time.</p> <p><b>Duration</b></p> <p>Duration of stay of up to three years at any one time, dependent upon the employment agreement. This cannot be extended beyond three years. Recipients of visas under the temporary employment entry commitment who have spent three years in New Zealand under this Annex are not eligible for a further work visa or work permit under this Annex until they have spent a minimum of three years outside New Zealand.</p> <p><b>Requirements</b></p> <p>Holds a bachelor's degree in software engineering, Engineering, or an equivalent degree and has at least five years of professional experience working in that field.</p>
<p><b>2. Visa commitments on temporary employment entry for the following skilled workers in Engineering Occupations:</b></p> <ul style="list-style-type: none"> <li>(a) Civil Engineer;</li> <li>(b) Mechanical Engineer;</li> <li>(c) Structural Engineer; and</li> <li>(d) Environmental Engineer.</li> </ul>	<p>Up to a maximum of 1,000 temporary employment entry visas at any one time.</p> <p><b>Duration</b></p> <p>Duration of stay of up to three years at any one time, dependent upon the employment agreement. This cannot be extended beyond three years. Recipients of visas under the temporary employment entry commitment who have spent three years in New Zealand under this Annex are not eligible for a further work visa or work permit under this Annex until they have spent a minimum of three years outside New Zealand.</p>

Temporary employment entry for natural persons in the following skilled occupations	Conditions and Limitations (including numbers, duration of stay and other requirements)
	<p><b>Requirements</b></p> <p>One of the following:</p> <ul style="list-style-type: none"> <li>(a) a Washington Accord accredited (initial) engineering degree;</li> <li>(b) Bachelor of Engineering with Honours (NZQCF Level 8);</li> <li>(c) a qualification at NZQCF Level 7 or higher, with a letter from Engineering New Zealand certifying that the degree and any further learning meet the benchmark requirements towards Chartered Professional Engineer professional status in New Zealand; or</li> <li>(d) registration as a Chartered Professional Engineer by Engineering New Zealand.</li> </ul>
<p><b>3. Visa commitments on temporary employment entry for the following skilled workers in the Construction Sector:</b></p> <ul style="list-style-type: none"> <li>(a) Construction Project Manager; and</li> <li>(b) Building Project Manager.</li> </ul>	<p>Up to a maximum of 700 temporary employment entry visas at any one time.</p> <p><b>Duration</b></p> <p>Duration of stay of up to three years at any one time, dependent upon the employment agreement. This cannot be extended beyond three years. Recipients of visas under the temporary employment entry commitment who have spent three years in New Zealand under this Annex are not eligible for a further work visa or work permit under this Annex until they have spent a minimum of three years outside New Zealand.</p> <p><b>Requirements</b></p> <p>One of the following:</p> <ul style="list-style-type: none"> <li>(a) Bachelor of Engineering with Honours (NZQCF Level 8);</li> <li>(b) Bachelor of Engineering Technology</li> </ul>

Temporary employment entry for natural persons in the following skilled occupations	Conditions and Limitations (including numbers, duration of stay and other requirements)
	<p>(NZQCF Level 7);</p> <p>(c) Bachelor of Construction (NZQCF Level 7);</p> <p>(d) a bachelor's degree at NZQCF Level 7, or a higher qualification with the minimum equivalent of 360 credits, which includes the requirements of a New Zealand major in the focus areas of construction management, civil engineering, or highway engineering;</p> <p>(e) a Graduate Diploma at NZQCF Level 7, or a higher qualification which includes the knowledge requirements of a New Zealand Graduate Diploma in the focus areas of construction management, highway engineering, civil engineering or construction project management;</p> <p>(f) a diploma at NZQCF Level 6, or a higher qualification, with the minimum equivalent of 240 credits, which includes the knowledge requirements of a New Zealand Diploma in the focus areas of civil engineering, highway engineering, construction or construction management;</p> <p>(g) a Washington Accord or Sydney Accord accredited undergraduate (initial) engineering degree in Civil Engineering;</p> <p>(h) a qualification at NZQCF Level 7 or higher, with a letter from Engineering New Zealand certifying that the degree and any further learning meet the benchmark requirements towards Chartered Professional Engineer professional status in New Zealand; or</p> <p>(i) NZ registration in the field of civil engineering as a Chartered</p>

Temporary employment entry for natural persons in the following skilled occupations	Conditions and Limitations (including numbers, duration of stay and other requirements)
	<p>Professional Engineer or an Engineering Technologist by Engineering New Zealand.</p> <p>One of the following:</p> <p>(a) a bachelor's degree at NZQCF Level 7, or a higher qualification with the minimum equivalent of 360 credits, which includes the requirements of a New Zealand major in quantity surveying or construction economics;</p> <p>(b) a Graduate Diploma at NZQCF Level 7, or a higher qualification, which includes the knowledge requirements of a New Zealand Graduate Diploma in the focus areas of construction, construction management or construction project management; or</p> <p>(c) a diploma at NZQCF Level 6, or a higher qualification, with the minimum equivalent of 240 credits, which includes the knowledge requirements of a New Zealand Diploma (Level 6) in the focus areas of quantity surveying, construction economics, construction management or building.</p>
<p><b>4. Visa commitments on temporary employment entry for the following skilled workers in the Education Sector:</b></p> <p>(a) Primary School Teacher; and</p> <p>(b) Secondary School Teacher.</p>	<p>Up to a maximum of 500 temporary employment entry visas at any one time.</p> <p><b>Duration</b></p> <p>Duration of stay of up to three years at any one time, dependent upon the employment agreement. This cannot be extended beyond three years. Recipients of visas under the temporary employment entry commitment who have spent three years in New Zealand under this Annex are not eligible for a further work visa or work permit under this Annex until they have spent a minimum of three years outside</p>

Temporary employment entry for natural persons in the following skilled occupations	Conditions and Limitations (including numbers, duration of stay and other requirements)
	<p>New Zealand.</p> <p><b>Requirements for both primary and secondary school teachers</b></p> <p>NZ registration with the appropriate licensing or regulatory body and with either a provisional or full practising certificate issued by the appropriate licensing or regulatory body.</p> <p>For transparency, examples of the qualifications that are acceptable, include the following:</p> <ul style="list-style-type: none"> <li>(a) Bachelor of Education;</li> <li>(b) Bachelor of Education (Early Childhood);</li> <li>(c) Bachelor of Education (Technology);</li> <li>(d) Bachelor of Teaching;</li> <li>(e) Bachelor of Teaching (Early Childhood Education); and</li> <li>(f) Bachelor's degree with a Graduate diploma in Education or Teaching.</li> </ul>
<p><b>5. Visa commitments on temporary employment entry for the following skilled workers in the Health Sector:</b></p> <ul style="list-style-type: none"> <li>(a) Registered Nurse (all categories); and</li> <li>(b) Physiotherapist.</li> </ul>	<p><b>Duration:</b></p> <p>Duration of stay of up to three years at any one time, dependent upon the employment agreement. This cannot be extended beyond three years. Medical and health practitioners who have spent three years in New Zealand working under this Annex are not eligible for a further work visa or work permit under this Annex until they have spent a minimum of three years outside New Zealand.</p> <p>Up to a maximum of 900 temporary employment entry visas issued at any one time</p>

Temporary employment entry for natural persons in the following skilled occupations	Conditions and Limitations (including numbers, duration of stay and other requirements)
	<p><b>Requirements</b></p> <p>A natural person of India who:</p> <ul style="list-style-type: none"> <li>(a) is registered with the appropriate licensing or regulatory body<sup>5</sup> of New Zealand; and</li> <li>(b) has at least three years of professional experience working in that occupation.</li> </ul> <p>For transparency, examples of the qualifications that are acceptable, include Bachelor of Nursing or equivalent.</p> <p>Up to a maximum of 300 temporary employment entry visas at any one time.</p> <p><b>Requirements</b></p> <p>A natural person of India who:</p> <ul style="list-style-type: none"> <li>(a) is registered with the appropriate licensing or regulatory body<sup>6</sup> of New Zealand; and</li> <li>(b) has at least three years of professional experience working in that occupation.</li> </ul> <p>For transparency, examples of the qualifications that are acceptable, include Bachelor of Physiotherapy or Bachelor of Health Sciences (Physiotherapy) or equivalent.</p>

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<sup>5</sup> For greater certainty, these qualifications must be recognised by the appropriate New Zealand authority where under New Zealand law such recognition is a condition of the provision of that service in New Zealand.

<sup>6</sup> For greater certainty, these qualifications must be recognised by the appropriate New Zealand authority where under New Zealand law such recognition is a condition of the provision of that service in New Zealand.