A Guide to Completing the Form: *Application for Approval as a Domestic Student*

**About this guide**

We **shape** an **education** system that delivers **equitable** and **excellent outcomes**

*He mea* ***tārai*** *e mātou te* ***mātauranga*** *kia* ***rangatira*** *ai, kia* ***mana taurite*** *ai ōna* ***huanga***

This guide will help you complete the form *Application for Approval as a Domestic Student* (*for children who are unlawfully living in New Zealand*). It will give you information about completing the application form and help you understand the requirements you and your children need to meet to be eligible to study in New Zealand as domestic students.

Before completing the application form you should read this guide and the leaflet *Information about education of children and young persons who are residing unlawfully in New Zealand.*

To apply for consideration as a domestic student you need to complete all the sections of the form *Application for Approval as a Domestic Student*, and complete and sign the statutory declaration in Section F*.* You must send the completed form to your local Ministry of Education office with all the documents we need to assess your application. A checklist is provided to assist you with gathering the required documents. If you do not include everything we need, we may not process your application and may return it to you.

The Ministry of Education does not charge a fee for processing application forms.

**About the application form**

Use the form *Application for Approval as a Domestic Student* (*for children who are unlawfully living in New Zealand*)if:

* you are applying under this category for the first time, or
* your last application was declined, or
* approval was withdrawn and you are reapplying, or
* your last application to renew approval was declined.

***Certified copies of documents***

Do not send original documents with your application as these will not be returned to you. Copies of you and your child’s passport/birth certificate and New Zealand immigration visas and permits must be certified by a solicitor, Justice of the Peace or notary public.

All supporting documentation must accompany and be received with the completed application form.

***Translations of documents***

All documents not in English must be translated. If you provide a translation, it must:

* be in English; and
* be accompanied by a certified copy of the original document; and
* not be made by you, any of your family members or an immigration adviser or lawyer assisting you with your immigration status; and
* have the stamp or signature of the translator or translation business approved by DIA; and
* be paid for by you.

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| Completing Section A: Information about the child or young person |
| **Page 1 of Section A**  *Proof of identity: y*ou must attach certified copies of each child’s identity documents. The identity document is usually a copy of the passport title page or citizenship papers of country of origin and will include the child’s photograph. In some circumstances identity documents may include a letter from Immigration New Zealand or the child’s birth certificate (to prove their age and relationship to you) **AND** supporting identity documentation to show that the child is the person on that birth certificate or named in that letter.  If these documents are not in English, you must provide an English translation.  *Child’s name(s) and surname/family name(s):* this is the child’s legal name as recorded on their passport or birth certificate.  *Also known as:* If the child is also known by another name, for example from an adoption, an English name, a name from a parent’s previous marriage or relationship - note that name in the application form.  *Date of Birth and Age:* this is the child’s date of birth as recorded on their passport or birth certificate and their age at the time of application (in years and months). Children who are under 5 years old at the time of application will only be considered if they will be turning 5 within one month of their application. Applications from children who turned 19 years old last year may not be considered.  *Reference number(s) from Ministry letter(s):* If this is not the first application for this child,include all the reference numbers from any ‘approved’, ‘declined’ or ‘incomplete’ application letters from the Ministry.  **Page 2 of Section A**  *Information about any of the child’s brothers and sisters included in this application:* If you would like the Ministry to consider all your school-aged children in this application, you must include a separate copy of Page 1 of Section A for each individual child, and provide proof of their identity.  *Child’s first name and family name* and *Child’s date of birth:* Record in the table the first name, family name, and date of birth for each of the child’s brothers and sisters you would like included in the application. |
| **Completing Section B: Information about parents/legal guardian or extended family members** |
| *Proof of identity:* you must attach certified copies of the identity documents for each parent, legal guardian or extended family member included in this application. The identity document is usually a copy of the passport title page or citizenship papers of country of origin and will include your photograph.  If these documents are not in English, you must provide an English translation.  In some circumstance’s identity documents may include a letter from Immigration New Zealand or evidence that you are currently getting welfare support (except Emergency Benefit) **AND** two forms of supporting identity documentation – one needs to have a photograph of you.  Examples of supporting identity documents include:   * a driver licence * an 18+ card, * a community services card or SuperGold Card, * a school/tertiary ID card, * an employment contract, a rental agreement, or * letters addressed to you at your current address.   *Name(s) and surname/family name(s):* this is your legal name as recorded on your passport, citizenship papers of country of origin, or birth certificate.  *Also known as:* This could include your birth name, an English name, or a name from a previous marriage or adoption.  *Proof of your relationship to the child:* such as a copy of the child’s birth certificate. This is especially important if your child does not have the same family name as you.  If you are making an application as an adoptive parent but you are not a parent recorded on the child’s birth certificate, please provide a copy of the final Court adoption decision.  If you are making an application as a legal guardian, please provide a copy of the relevant Court Order which grants you guardianship. A legal guardian is  (a) a testamentary guardian within the meaning of section 26 of the Care of Children Act 2004; or  (b) a Court-appointed guardian within the meaning of section 27 of that Act.  A legal guardian will usually be responsible for the care and control of the child in the child’s home country.  Proof of guardianship will differ in each case. If a guardianship order was made by the New Zealand Family Court, you will be able to request Court documentation (e.g. an appointment form signed by the Registrar of a Family Court in New Zealand).  For guardianship orders made overseas, proof of the relationship being recognised by Immigration New Zealand will either be on the visa label in the passport, or written confirmation from Immigration NZ.  If you are making an application as a member of the child’s extended family (for example an aunt, uncle or grandparent), please provide a copy of the relevant documents that verify your family relationships. Documentation may include evidence that you are a person who is treated by Immigration as having a dependent child within the meaning of section 4 of the Immigration Act.  If these documents are not in English, you must provide an English translation.  *Residential address*: If the second parent/legal guardian or extended family member included in the application is not living at the same address as the children, please record their address on the form (for example if one parent is living overseas). |
| **Completing Section C: This section is in two parts. You must complete both parts.** |
| **Part 1. Child’s Immigration status**  *Proof of unlawful situation in New Zealand*: Attach certified copies of all the New Zealand visas and permits for each child named in the application.  If any of the children was born in New Zealand on or after 1 January 2006 and he or she is not a New Zealand citizen please attach a copy of the child’s New Zealand birth certificate **and** a copy of all the New Zealand visas and permits of the parents named on the birth certificate. If both parents are named on the certificate and one is living overseas, please include their address in Section B. If your child has travelled overseas, you must also include a copy of all his or her New Zealand visas and permits.  *Last visa or permit and expiry date:* describe the type and expiry date of the last visa or permit your child was granted, for example – ‘visitor visa’, ‘limited purpose permit’, or ‘student visa’. If you were working with Immigration New Zealand to sort out your family’s immigration status but this purpose is not stated on your child’s limited purpose permit, you will need to provide a letter from Immigration New Zealand to show this.  *Date of most recent arrival in New Zealand*: If this is the first and only time your child has been in New Zealand, enter the arrival date from the child’s passport. If your child has travelled to and from New Zealand more than once, enter the most recent arrival date from the child’s passport. If your child was born in New Zealand and has not travelled overseas, the arrival date will be his or her date of birth. Record this information for each child included in the application.  **Part 2. Family’s long stay and ordinarily resident situation**  *Proof of long-stay situation in New Zealand:* Attach certified copies of all the New Zealand visas and permits granted within the last twelve months to each parent/legal guardian/extended family member included in this application.  *Last visa or permit and expiry date:* describe the type and expiry date of the last visa or permit granted to each parent/legal guardian or family member included in the application, for example – ‘visitor visa’, ‘work visa’, or ‘student visa’.  *Date of most recent arrival in New Zealand*: If this is the first and only time you have been in New Zealand, enter the arrival date from your passport. If you have travelled to and from New Zealand more than once, enter the most recent arrival date from your passport. Record this information for each parent/legal guardian or family member included in the application.  *In New Zealand continuously for the last 6 months:* If you and/or the children left New Zealand for a brief period within the last 6 to 12 months, please describe the length of time any of you were out of New Zealand and the purpose of the overseas trip.  *Number of months/years the family has been living continuously in New Zealand:* If you and/or the children have been in New Zealand for more than 6 months, please describe the total length of time you have all lived here continuously.  *Proof of ‘ordinarily resident’ in New Zealand:* Evidence that the family is established in New Zealand and ‘ordinarily resident’ here may include but is not limited to certified copies of:   * + correspondence addressed to the person;   + employment records;   + records of benefit payments from the Ministry of Social Development;   + banking records;   + rates demand;   + Inland Revenue records;   + mortgage documents;   + tenancy and utility supply agreements (e.g. power, gas, telephone);   + documents showing that the person’s household effects have been moved to New Zealand. |
| **Section D: Information about school to be attended** |
| *National Student Number (if known):* You do not need to provide this information, however, if any of the children have been enrolled in a New Zealand school, you may be able to ask their school for the information. The National Student Number will help us quickly identify your child’s enrolment records when assessing your application. |
| **Section E: Referee’s statement** |
| A referee’s statement is required. The statement forms part of the supporting evidence of a family’s long-stay and ordinarily resident situation.  The statement should indicate how long the referee has known the family, and how long the family has been in New Zealand. It should also describe the child’s or children’s normal living arrangement as the referee knows this to be. The statement may be from your employer, church leader, school principal, city or district councillor (**not** a relative, spouse or partner).  The referee must not live in the same address as the applicant/s or the child and is not the same person as the Statutory Declaration witness. The referee must provide their details and agree to be available for contact.  The referee’s statement could be filled in on the application form or attached to the form as a separate letter. The statement must be signed and dated by the referee. |
| **Section F: Statutory declaration** |
| This section must be completed (**by hand**) by the applicant and witnessed by a person authorised to take a statutory declaration e.g. Justice of the Peace, Member of Parliament.  Concealing information relevant to the application may result in withdrawal of approval.  There are penalties under the Crimes Act 1961 for providing false information and provision of false information may result in withdrawal of approval.  Parents or guardians, who are authorised to witness statutory declarations, **should not** witness them for their own children’s applications. |
| **Privacy statement** |
| The personal information on this form is being collected for the purpose of assessing your application to the Ministry of Education for the approval of the enrolment as a domestic student under the children living in New Zealand unlawfully category.  The information collected may be used and disclosed only for this purpose and for statistical and research purposes. The information will be held by the Ministry of Education and you have the right under the Privacy Act 2020 to access and request correction of this information. |
| **Assessing your application** |
| Your application will be assessed against the current domestic student criteria published in the *New Zealand Gazette*. Applicants are required to meet all the criteria in order to be eligible to access education as a domestic student.  Incomplete applications will not be assessed. If you have not completed the application form or have not included all the evidence or supporting documentation we have asked for in the form, we may contact you to discuss your application and ask for the missing information. In some situations, we may return everything to you and cancel the application.  ***New information or changes in the information you have provided***  After you have sent your application to the Ministry you can still provide additional information or documents, but you must do so before a decision on your application is made. Once a decision has been made, we will not be able to consider any further information or documents you provide unless a new application form and statutory declaration are received.  You must also keep us informed of any change in your circumstances, or of any changes to the information you have provided, for example, if your child receives a new visa while the Ministry is considering this application.  ***We will notify you in writing about our decision on your application***  If you are granted approval, you will also be given a letter to take to the principal of the school your child will attend. Note: The Ministry of Education approval does not provide authority to enrol in a school with an enrolment scheme if you do not live in the school zone. Nor does it provide authority to enrol in tertiary education or to access any other publicly funded services.  If your application is declined, you may submit another application when you are able to demonstrate that you can meet all the criteria. |
| **Local office contacts for more information** |
| If you have any questions about the enrolment process or need help in filling out the form, you can contact your local school or nearest Ministry of Education office.  <https://www.education.govt.nz/our-work/contact-us/> |