

## FAQS

### HOW MUCH ARE YOUR FEES FOR YOUR SERVICES?

Many people believe an immigration lawyer will be more costly than a licensed immigration adviser. In most instances, this is not the case.

After you have completed our free online immigration assessment, we will tell you whether or not we believe you are potentially eligible for New Zealand residence. In addition, we will determine the most appropriate category of residence to be applied for and we will forward to you a full fee schedule which provides a fixed quote for our immigration services and outlines all additional costs that will be involved with your application.

The fees quoted by our firm are based on an application basis, not an individual basis. In most instances, there is very little extra work involved providing and preparing a residence application for an individual as compared to a residence application for a couple or a family. Many licensed immigration advisers use the numbers of individuals to be included in the application as an excuse to increase fees, where in reality, the additional work required to include a number of individuals over and above the main applicant is actually negligible. The fees quoted by our firm therefore are on a per application basis (whether that be an individual, couple, or family). In a residence context, the only additional costs involved with individuals over and above a main applicant are disbursement related only.

Our fees are based on the complexity of and the specialist knowledge required for each application. To give you a general idea, to engage our firm to obtain New Zealand permanent residence under the Skilled Migrant Category fees will be in the vicinity of NZ\$5,000.00 (excluding GST and disbursements); Family (Partnership) Category applications between NZ\$2,500.00 to NZ\$3,000.00; and Business Category applications from NZ\$5,000.00 to NZ\$10,000.00.

Our service fee does not include any disbursements incurred with the application (Immigration New Zealand (**INZ**) application processing fees for example) and these fees will range between NZ\$1,000.00 to NZ\$3,000.00 (depending on the category).

An essential point to note is that we will only accept instructions from you if we firmly believe your application will qualify, for two important reasons:

- First, our firm has built up a significant amount of goodwill with INZ which we would not wish to jeopardise by filing applications that do not comply with immigration criteria; and
- Second, a significant portion of our fee is contingent on your applications being approved. We are quite happy for you to compare our costs against those charged by licensed immigration advisers. However, our firm does not compete on fees, we merely charge fees which are reasonable for the services contemplated and required to complete instructions. In our view there is no competition in relation to the level of service and professional ability our firm provides to our clients in comparison with all current licensed immigration advisers. If you expect the best possible service to be provided in a professional and efficient manner, you should engage our firm to assist you. You will be charged reasonably for those services.

### WHY DO YOU NOT CHARGE AN INITIAL FEE FOR AN IMMIGRATION ASSESSMENT?

From the information you provide us on our online immigration assessment, it usually takes only a few minutes for us to confirm whether or not an individual has a realistic chance of securing New Zealand residence. Why would we charge for that?

Based on this eligibility assessment, if an individual is committed to instructing our firm to assist in the immigration process, we will thereafter schedule either a meeting or an international conference call (at our expense) to discuss your instructions in detail. It is during this full discussion that the initial assessment is confirmed and any potential issues with the application can easily be identified.



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### WHY DO YOU NOT CHARGE AN INITIAL FEE FOR AN IMMIGRATION ASSESSMENT? (Con't)

Some licensed immigration advisers charge for assessments. However, the assessments are usually templates, where standard recorded answers are provided based on age, qualifications or work experience; therefore, they have absolutely no value in them whatsoever. You would receive the same information from INZ directly.

Real value and skill in relation to the assessment process is the secondary discussion undertaken after the preliminary assessment is completed. It is during that process that our firm will provide advice to you as to the most appropriate category to be pursued, all costs involved with the process, any potential identifiable issues, and other points tailored specifically to your particular circumstances. A generic and initial assessment cannot see all the necessary information required in order to provide a tailored immigration package. For example, employer expectations and processing branch office of INZ who will process the application all change the advice provided in contemplation of our firm receiving instructions.

### HOW LONG WILL THE PROCESS TAKE?

This will depend on the application and your personal circumstances.

Most individuals obtain New Zealand permanent residence under the Skilled Migrant Category, which, in most instances, requires the individual to hold a full time offer of skilled employment.

Once an offer of skilled employment is obtained, it will usually take us around four to eight weeks to obtain a work visa for the person to commence employment. A residence application usually takes about three to six months to process.

Often, the most difficult issue with any migration process where an offer of employment is involved is in obtaining a temporary visa to commence work to the satisfaction of the employer who has offered the position.

Many employers do not hold positions open indefinitely, and therefore it is very important that you receive timely and accurate advice or assistance to obtain temporary visas as soon as possible to secure your job offer which will ultimately lead to the grant of New Zealand residence.

Foreseen or unforeseen issues can also stall the processing of applications considerably. Current or even extinguished serious traffic or criminal convictions can delay processing of applications, and also, which is increasingly common, health issues or concerns can substantially delay the processing of the applications and also add considerably to the complexity of the instructions. If you have a health concern this may affect your ability to obtain a temporary visa or residence and at the very least will delay the processing of these types of applications quite considerably to a point where in some instances medical waiver submissions are required to be drafted to support applications.

### WHAT RANGE OF SERVICES DO YOU PROVIDE?

Our firm provides a comprehensive service to our clients. In an immigration application, this includes (but is not limited to) the following:

- Pre-assessment of potential eligibility for a temporary visa and New Zealand residence;
- A full telephone conference or initial meeting to confirm eligibility, establish timeframes and address practical considerations through the immigration process;
- A monthly newsletter to all our clients keeping our clients informed on immigration, employment, financial and other important developments directly applicable to individuals migrating to New Zealand;
- Referrals to third parties, including: specialist recruiters, transporters of goods, banks, finance companies, commercial business agents, and property purchase/rental experts;
- Assisting with registration (if applicable), completing NZQA applications, and processing all temporary and residence visa applications.

The Live in New Zealand team has extensive experience in assisting individuals to migrate from one side of the planet to the other. We receive instructions and guide individuals through the entire immigration process from start to finish. We provide a complete and comprehensive service. We know who to trust, who not to trust, and where and when to undertake all matters required for the immigration process.



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### WHAT RANGE OF SERVICES DO YOU PROVIDE? (Con't)

In addition to providing a full range of immigration services, Lane Neave is a full service law firm with almost 100 staff. As a result, we are also able to provide assistance and guidance on the following general legal matters in New Zealand:

- Purchasing and renting accommodation;
- Transferring funds to New Zealand;
- Establishment of pre-migration trusts (for tax benefits);
- Drafting of New Zealand wills and estate documentation.

By engaging Lane Neave to assist you in the immigration process, you have the peace of mind that your immigration application is being handled by a team of professionals. We are also able to address all legal concerns or queries that you may have - and there will be many.

### WHY CHOOSE AN IMMIGRATION LAWYER AND NOT A LICENSED IMMIGRATION ADVISER?

On 4 May 2010 all individuals providing immigration advice in New Zealand and internationally must be licensed by the Immigration Advisers Authority (IAA). The issue however which is not well known to migrants investigating as to whether or not to engage a licensed immigration adviser or a New Zealand law firm to assist them with their application is the professional ability, competency, and value for money provided by licensed immigration advisers.

In short, there is a reason why the New Zealand Government was required to regulate people and businesses providing immigration assistance. Lawyers are exempt from the licensing regulations as due to the professional ability, service standards, and fair fees charged by lawyers for instructions the Government deemed that it was not necessary to include lawyers within the IAA licensing regime.

Even if an individual holds a licence to be a licensed immigration adviser in New Zealand, this absolutely does not guarantee that you will be provided the most appropriate and best advice in terms of your migration options, it also currently does not mean that you will be charged a reasonable fee for the services rendered by such a licensed immigration adviser. Our firm acts for many clients who had used a licensed immigration adviser first before transferring to our firm with overall dissatisfaction in relation to the professional ability of the adviser, processing their applications in a timely manner, and/or becoming out of their depth when complicated or unforeseen issues have arisen during the processing of an application (such as employment issues, business related issues, or health/character issues).

The simple question is really why would you risk your entire migration and future lifestyle by hiring a licensed immigration adviser when you have the ability to easily hire specialist immigration lawyers in New Zealand to complete the process from start to finish in a professional, efficient manner, and for a reasonable fee?

By engaging a firm of New Zealand lawyers you will be able to receive leading immigration advice, assistance with all your legal needs in New Zealand (not just immigration) and assurance that you are being represented by a firm of New Zealand lawyers who are exempt from the necessity to be pulled within the licensing requirements under the IAA. As lawyers we are able to take statutory declarations and submit certified copies of documentation to INZ (not originals) due to our trusted, professional status in New Zealand. This is not a service that licensed immigration advisers can provide.

### HOW CAN I FIND EMPLOYMENT IN NEW ZEALAND? ARE YOU ABLE TO ASSIST WITH THIS?

Yes. The reality is that in order for an individual to obtain a job offer, the individual is usually required to be in New Zealand to find that offer of employment. 95% of job offers are given to individuals who are physically present in New Zealand and who are able to meet employers and undertake employment interviews.

We will provide appropriate guidance and advice as to how the process is undertaken. However, in order for you to obtain New Zealand permanent residence, you should expect the main applicant travelling to New Zealand for an extended period of time, to source an offer of full time employment to obtain New Zealand residence.

Our firm has established sound relationships with specialist recruiters who will be able to assist with placement in New Zealand. We do not dabble in this specialist area, as only a professional recruitment consultant can provide the appropriate advice and guidance you may need.

If you are unrepresented, most recruitment consultants will not show any interest in you unless you are physically here, especially in the current labour market. However, when clients ask us to assist, we make use of our strong relationship with our recruiters. These recruiters will provide guidance and assistance before your travel to New Zealand. Because you have asked our firm to assist, they know that you are most certainly



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### HOW CAN I FIND EMPLOYMENT IN NEW ZEALAND? ARE YOU ABLE TO ASSIST WITH THIS? (Con't)

placeable and serious about New Zealand.

Therefore, not only can we provide initial assessment and guide you through the immigration process, but we can also assist you with a referral to our trusted recruitment consultants. Furthermore - very importantly - we ensure that the offer of employment is compliant with immigration regulations. If it is not, we will negotiate changes to positions with employers and recruitment consultants to ensure you actually qualify for the visa.

Obtaining a full time compliant offer of skilled employment is the most difficult challenge faced by migrants currently in a tight labour market. We have the experience and expertise to provide advice as to potential eligibility and also to refer you to individuals who can assist. Nobody can provide any guarantee that you will be able to secure an offer of employment. A tough labour market requires professional and reliable advice as to employability. If there is no reasonable chance that you will secure employment in New Zealand you will be told this before embarking on the residence process. Our firm does not wish to waste clients' money or our time pursuing immigration applications where there is no reasonable chance of success. Unfortunately the same cannot be said for the services provided by some licensed immigration advisers.

### WILL IMMIGRATION NEW ZEALAND HELP ME PUT MY APPLICATION TOGETHER OR PROVIDE ADVICE AS TO HOW TO MAKE AN APPLICATION?

No. The New Zealand Government applies its policy using strict criteria and whilst applications are encouraged from individuals, no definitive advice or assistance will be provided before you submit your application.

There are good reasons why Lane Neave has a dedicated Live in New Zealand team.

Only a firm of professional lawyers can provide a full and accurate assessment of your immigration chances, assist you to obtain employment in New Zealand, while also making sure that your application will qualify for the visa that you require before you submit your visa to the New Zealand Government.

We have seen numerous instances of individuals using licensed immigration advisers or filing their own applications, only to have these applications rejected for simple errors or mistakes that were readily identifiable and easy to correct before the application was submitted. Once an application has been tainted, it is much more difficult to submit a second compliant application. In truth, you only have one chance at filing an appropriate application.

We have had clients come to us for help after unsuccessfully contacting INZ directly for advice and assistance. Having contacted them three or four times with the same question, they had been given three or four different answers, all of them wrong.

The process that you will undertake is the bureaucratic one, and, in the view of the immigration officer processing your application, you are either "in" or you are "out". Our Live in New Zealand team will ensure that you are "in"!

### CAN I PREPARE AND SUBMIT MY OWN APPLICATIONS TO IMMIGRATION NEW ZEALAND?

Yes.

You can assess, complete, submit, and process your own applications directly with INZ. The difficulty in taking responsibility for your own application is that you will not receive direct (or reliable assistance) with your application from INZ. INZ will provide information to you; but they will not provide personalised, tailored advice. There is a huge difference between the two.

On a second point, and even more important, is the quality of decisions made by INZ. A Select Committee hearing at Parliament on Thursday, 3 June 2010 briefed Members of Parliament and advised that 21.8% of decisions made by INZ were considered "poor and questionable". One in five decisions therefore made by INZ is either "poor or questionable", although, some comfort may be felt, that a previous Select Committee briefed Members of Parliament that the percentage rate was previously 29.1%. David Cunliffe, a former Immigration Minister was quoted in relation to this release as follows:



LANE NEAVE LAWYERS, NEW ZEALAND

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### **CAN I PREPARE AND SUBMIT MY OWN APPLICATIONS TO IMMIGRATION NEW ZEALAND?** (Con't)

“The public must be appalled..... it is essentially a random walk in and Immigration decision-making process between the wrong decision, the right decision and something in between”.

Our firm has taken over a considerable number of applications where applicants have received negative letters from INZ intending to decline their applications where, in reality after perusal of the application itself and response submissions the applications are later approved. We would estimate that there are a significant number of applicants who do not receive a professional opinion or assistance in the immigration process whose applications are declined where, in reality, if they did receive assistance and appropriate professional advice they would have secured a visa. Many applications declined on health grounds are not supported by sound evidential foundation and in most instances are not contested by migrants by receiving a second opinion from a consultant medical physician (one example of many).

The essential point here is that no one (including our firm) can provide a 100% guarantee to a migrant, although what this firm can guarantee is that if we are not able to obtain a visa for you no one else could.

What is clear, is that if you take your own responsibility to file and process your own visa applications, your application may be one of the 20% where the ultimate decision made by INZ is “poor or questionable” and if this is in relation to a declined application you would have lost your opportunity to Live in New Zealand purely due to a poor decision being made by a Government representative on your application.