

13. Employment in New Zealand

13.1 Employment and Commercial Activities

Members of the staff of missions and posts may not undertake any other employment or secondary employment or any professional or commercial activity, outside their official diplomatic, consular or domestic functions, for personal profit or gain while in New Zealand (Article 42 of the VCDR and Article 57 of VCCR refer). This section does not apply to locally employed staff who are New Zealand citizens or permanent residents.

13.2 Employment of Family Dependants

The employment of family members is based on reciprocal arrangements with the sending state. The written approval of Protocol Division is necessary for any member of the officer's officially recognised family to take up paid employment in New Zealand. Where a Dependants' Employment Agreement (DEA) or Arrangement is in place, approval will normally be granted immediately.

In the absence of a DEA, approval is unlikely to be granted unless a written undertaking is given by the sending state that a New Zealand dependant in similar circumstances would be permitted to take up employment in that state. The sending state will also need to provide a written confirmation that the family member's immunity is waived in respect of the person's employment.

13.3 Dependants' Employment Agreements/Arrangements (DEAs)

New Zealand has negotiated bilateral DEAs with a number of countries to facilitate the employment of family members of diplomats. These DEAs are reciprocal. Where such DEAs are in place, the applicant is only required to advise Protocol Division of their intention to look for, or take up, employment. MFAT's Third Person Note granting approval to work constitutes approval to work in New Zealand - no work visa is required.

Subject to any conditions set out in the relevant DEA, approval will normally be conditional on agreement of the sending state to waive any immunity of the person concerned in relation to their employment. The person concerned will also be required to pay New Zealand income tax on remuneration from such employment. Approval will be given only for persons who are part of the officer's officially recognised family. The person concerned must cease employment no later than the same date as the diplomatic or consular officer's assignment finishes.

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