

5. Private Domestic Staff

Accredited diplomatic/consular/official staff may employ New Zealand nationals or permanent residents in their domestic service. For accredited diplomatic/consular/official staff who wish to employ Private Domestic Staff from their own country or a third country, work visas may be issued by Immigration New Zealand subject to the conditions set out below.

Private Domestic Staff are regarded by MFAT as the personal employee of the diplomatic/consular/official staff member concerned. They differ from 'Service Staff', who are officially employed by the sending state on a rotational basis (refer Chapter 3).

5.1 Entry into New Zealand

Before they depart their own country, Private Domestic Staff must apply to Immigration New Zealand for a 'Domestic Staff of a Diplomat Work Visa' to enter New Zealand. The entry of Private Domestic Staff into New Zealand is not an automatic right.

The specific conditions and requirements of the work visa are on Immigration New Zealand's website www.immigration.govt.nz.

Standard work visa requirements will apply and may take several months to process. These include, among other things, the completion of a work visa application form, an employment agreement compliant with New Zealand employment law, Statement of Undertaking signed by the diplomat, Declaration of Acceptance of Conditions signed by the applicant, medical check, police certificates, visa fee etc.

For the purposes of progressing the submitted visa application, on request from the mission or post, Protocol Division will confirm to Immigration New Zealand the diplomatic/consular/official status of the staff member proposing to employ the domestic staff member.

Domestic staff employed by diplomatic/consular/official staff must be persons over 18 years of age. Partners or children of domestic staff are not eligible for visas as a dependant of a person granted a work visa under these conditions. The Statement of Undertaking by the employer includes an obligation to repatriate the domestic staff member at the conclusion of his/her employment in New Zealand.

The employment terms and conditions of Private Domestic Staff must be consistent with New Zealand employment law. Failure to comply with New Zealand employment law could lead to the withdrawal of work visas for the Private Domestic Staff, and/or other measures as necessary. Missions and posts unfamiliar with New Zealand employment law are advised to view the Ministry of Business, Innovation and Employment's website at www.mbie.govt.nz, or consult employment professionals for advice on drawing up employment agreements.

If approved, a work visa is issued to the same expiry date of the diplomatic/consular/official staff member's current visa. The work visa will specify the name of the diplomatic/consular/official staff member.

Three years must elapse before a domestic staff is eligible to be employed by another diplomat.

A Private Domestic Staff member has the right to keep their passport, employment contract and personal property in an accessible place at all times.

If a Private Domestic Staff member has any concerns about their employment or status in New Zealand, they should contact Protocol Division personally and directly.

5.2 Renewal of Work Visa

If a Private Domestic Staff member needs to extend their work visa, they are required to apply for the extension at least six weeks prior to the expiry of their current visa. All extension requests are subject to the same immigration requirements as a first-time applicant – including the completion of a Work Visa application form, employment agreement compliant with NZ employment law, Statement of Undertaking signed by the diplomat, Declaration of Acceptance of Conditions signed by the applicant, medical check, police certificates, visa fee etc. The documentation should be sent to Immigration New Zealand.

For detailed information regarding work visas, refer to the Immigration New Zealand website – www.immigration.govt.nz.

