

MOVEMENT OF NATURAL PERSONS FOR BUSINESS PURPOSES¹

ARTICLE 1

Procedural commitments related to entry and temporary stay

Each Party should ensure that the processing of applications for entry and temporary stay pursuant to their respective commitments in this Agreement follows good administrative practice. To that effect:

- (a) each Party shall ensure that:
 - (i) fees charged by its competent authorities for the processing of applications for entry and temporary stay do not unduly impair or delay trade in goods or services, or establishment or operation, under this Agreement;
 - (ii) completed applications for the grant of entry and temporary stay are processed as expeditiously as possible;

¹ The definitions provided in Article 10.3 (Definitions) and Article 10.20(3) (Scope and definitions) apply to this Annex.

- (iii) competent authorities endeavour to provide, without undue delay, information in response to any reasonable request from an applicant concerning the status of an application;
 - (iv) if its competent authorities require additional information from the applicant in order to process an application, they endeavour to notify the applicant without undue delay;
 - (v) its competent authorities notify an applicant of the outcome of their application promptly after a decision has been taken;
 - (vi) if an application is approved, its competent authorities notify the applicant of the period of stay and other relevant terms and conditions;
 - (vii) if an application is denied, its competent authorities, either on request or their own initiative, make available to the applicant information on any available appeal or review procedures; and
 - (viii) it endeavours to accept and process applications in electronic format; and
- (b) subject to a Party's competent authorities' discretion, documents required from applicants for an application for the grant of entry and temporary stay of short-term visitors for business purposes should be commensurate with the purpose for which they are collected.

ARTICLE 2

Additional procedural commitments applying to intra-corporate transferees¹

1. Each Party shall ensure that its competent authorities adopt a decision on the application for entry or temporary stay of an intra-corporate transferee, or a renewal of it, and notify the decision to the applicant in writing, in accordance with the notification procedures under its law, as soon as possible but:
 - (a) in the case of the Union, not later than 90 days after the date on which the complete application was submitted; and
 - (b) in the case of New Zealand:
 - (i) within 15 working days after the receipt of an application completed and submitted in accordance with its law; or
 - (ii) if a decision cannot be made in that time period, provide an indicative timeframe within which the decision will be made.

¹ Paragraphs 1, 2 and 3 of this Article do not apply for the Member States that are not subject to Directive 2014/66/EU of the European Parliament and of the Council of 15 May 2014 on the conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer (OJ EU L 157, 27.5.2014, p. 1).

2. Each Party shall ensure that, if the information or documentation supplied in support of an application is incomplete, its competent authorities endeavour to notify the applicant within a reasonable period of time of the additional information that is required and set a reasonable deadline for providing it. The period referred to in paragraph 1 shall be suspended until the competent authorities have received the additional information required.

3. The Union shall extend to family members of natural persons of New Zealand, who are intra-corporate transferees to the Union, the right of entry and temporary stay granted to family members of an intra-corporate transferee under Article 19 of Directive 2014/66/EU.

4. New Zealand shall allow the entry and temporary stay of the partner and any dependent children accompanying an intra-corporate transferee of the Union that has been granted entry and temporary stay. The period of temporary stay for that partner and, where relevant, dependent children, shall be the same as that granted to the intra-corporate transferee.

5. For the purposes of paragraph 4, the following definitions apply:
 - (a) "partner" means any spouse or civil partner of an intra-corporate transferee from the Union, including under a marriage, civil union, or equivalent union or partnership, recognised as such in accordance with the law of New Zealand. For greater certainty, this includes any unmarried or same sex partner of the intra-corporate transferee; and

- (b) "dependent children" means children under the age of 20 who are dependent on the intra-corporate transferee and who are recognised as dependent children in accordance with the law of New Zealand where:
- (i) the intra-corporate transferee has the legal right to remove them from their home country; or
 - (ii) both of the children's parents will be granted entry and temporary stay in accordance with this Agreement.

ARTICLE 3

Cooperation on return and readmission

The Parties acknowledge that the enhanced movement of natural persons following from Articles 1 and 2 requires full cooperation on return and readmission of natural persons who do not or no longer fulfil the conditions for entry to, presence in or residence on the territory of the other Party.
