

Responding to Potentially Prejudicial Information (PPI) in your Visa Application

If you've recently submitted an application for a temporary or residence visa, you may receive a letter from Immigration New Zealand requesting further information from you. If INZ holds concerns about your application, they will ask you to clarify and respond to their concerns and submit additional supporting evidence. These are referred to as 'PPI letters', and can often be the cause of great panic to an applicant.

A PPI letter will deal with concerns regarding your ability to meet one or more of the requirements of the visa. This could include for example, your bona fides (genuineness); your employer's ability to sustain your position; the stability of your relationship; your ability to financially maintain yourself while in New Zealand; or your character in the case where you may have provided false or misleading information.

Queen City Law can represent you and respond to a PPI letter on your behalf.

Obligation on applicant to make their case

Under section 58 of the Immigration Act 2009, it is up to a visa applicant to ensure that all necessary information has been provided to INZ. The immigration officer does not have an obligation to chase up information, or come back for clarifications. Therefore it is in your interests to make sure your PPI response is clear and complete, with the appropriate evidence to back up any claims.

Be specific

Following on from the above point, it is clear there is no benefit in taking a lax approach to a PPI. It makes sense to submit an orderly response that clearly answers each and every concern held by INZ. If your answer is vague or confusing, or you can't submit quality evidence to support your claims, INZ may very well decline your application. This decline will stay on your immigration record, and you must disclose it in any future applications to INZ.

Outlining the relevant law

As trained lawyers, we can identify any applicable legislation or immigration regulations that assist your case. When we draft a PPI response on behalf of our clients, we make comprehensive submissions that focus on the relevant points and outline the particular legislation that applies. We can also conduct research for any useful precedents.

Providing supporting evidence

Before submitting additional documents, you should think hard about whether these will actually back up your claims or whether there is another document that could do the job better. It's also helpful to put yourself in the shoes of your case officer. There is no point in submitting hundreds of random invoices/receipts/bank statements if the immigration officer cannot make sense of it. In making sure your documents are neatly organised and adequately explained, you will be helping out your case officer (and yourself) greatly.

Requesting an extension

INZ will mostly give satisfactory timeframes for an applicant to review the letter and respond with the requested information. However it may be that you require extra time, in which case you can request an extension to the deadline. Once again, you should remember that the onus is on you to make your case. We recommend contacting your case officer as soon as you feel that an extension may be required, don't leave it until the last minute. You should also avoid requesting more than one extension if possible. It helps if you give a satisfactory explanation as to why you need more time to respond. We find that INZ are generally reasonable in allowing extensions so long as you aren't mucking the case officer around. You should always keep a copy of anything you send to INZ and record how you submitted the information (i.e. email, post).

Offshore applicants

In the case of temporary visa applicants applying from outside New Zealand, INZ has no obligation to send a PPI letter. Therefore it is especially important that you provide any and all relevant information upfront when you first submit your application. Note this does not apply to those applying for residency from offshore.

If you would like some assistance with your PPI response, contact the friendly team at Queen City Law. They have a great track record at turning failing applications into successful decisions.

Disclaimer: This publication is necessarily brief and general in nature. You should seek professional advice before taking any further action in relation to matters dealt with in this publication.

About the author

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