

**Application number:** 21312918

**Client number:** 77964780

17 November 2022



DENATON AGBIKOSSI  
C 3308 M Justin Agbikossi  
Agla-Akplomey  
Cotonou  
Benin

Dear DENATON AGBIKOSSI

**Application for a student visa for:**

**Applicant:**  
DENATON AGBIKOSSI

**Date of birth:**  
06 October 2001

Thank you for your application for a student visa - Full fee paying. We received your application on 20 October 2022.

**Our decision on your application**

We have declined your application for a student visa because you do not meet the requirements set out in the immigration instructions for student visas.

We have made this decision because:

**Confirmation of enrolment**

Immigration instructions U3.1(a)(i) states applicants for a student visa must have an offer of place (or a confirmation of enrolment if they are continuing a programme of study), with a New Zealand education provider that meets student visa requirements (see U3.7, U3.10, and U5.1).

You provided confirmation of enrolment dated 08 August 2022 which confirmed your enrolment start date of 18 July 2022 and enrolment finish date of 14 November 2022. We wrote to you on the 04 November 2022 to please confirm if you have been enrolled for 2023 and to send the confirmation of enrolment if you were enrolled. However, we did not receive any evidence to show your enrolment status or information regarding when you were likely to enrol. An email from the University of Auckland has confirmed that you are not as yet enrolled in semester one and two for the 2023 academic year.

As we have no evidence to show you are enrolled for 2023 and you have only provided a confirmation to show you were enrolled to 14 November 2022 only, we are not satisfied that immigration instructions U3.1.(a)(i) has been met and therefore, your visa application has been declined.

We have considered if granting of a limited visa would lessen our concerns if there are any special circumstances that would justify an exception to immigration instructions, but can find no reason to grant a limited visa or a visa as an exception.

While your application has been declined for the above reason, please note that our assessment around bona fides have not been completed. An assessment of this will need to be completed with any future application made to Immigration New Zealand.

Please note that due to the outcome of this application our assessment of your medical certificate has not been completed and will not progress further at this stage.

If you choose to reapply in the future, the medical certificate you submitted with this application will only be valid if it is less than three months old at the time you reapply. If this is the case, further assessment of your medical certificate will take place when you reapply. If your medical certificate is more than three months old when you reapply you will be required to submit a new medical certificate.

### **Requesting a Reconsideration**

There is no right of appeal or reconsideration against a decision on a temporary entry class visa application made outside of New Zealand.

If you have new information that has not been considered by INZ, you can submit a further application. This would be considered on its merits and would need to show that you meet all relevant New Zealand government immigration instructions.

### **Contact us**

If you have any questions, you can:

- find answers to frequently asked questions or email us your enquiry at <https://www.immigration.govt.nz/search>, or
- call our Immigration Contact Centre on 0508 55 88 55 or 09 914 4100, or for those outside of New Zealand +64 9 914 4100.

You will need to tell us your application and client numbers (you will find these at the top of this letter). Please have them with you and be ready to quote them if you contact us.

Yours sincerely

Kelly Kenny  
Immigration Officer  
Immigration New Zealand

## APPENDIX:

### U3.1 Summary

*See also Immigration Act 2009 s4*

- a. Unless otherwise specified, to be granted a student visa to attend a programme of study of more than three months, applicants must:
  - i. have an offer of a place or, if returning to continue a programme of study, a confirmation of enrolment in an approved programme of study with an education provider in New Zealand that meets student visa requirements (see [U3.5](#), [U3.10](#), and [U5.1](#)); and
  - ii. be exempted from or have paid tuition fees; and
  - iii. if aged under 18, meet accommodation requirements (see [U3.15](#)); and
  - iv. have fulfilled the purpose and met the conditions for any previous or current temporary visas held as set out in [E3.15](#) and [E3.20](#); and
  - v. meet the conditions set out in [E3.20](#); and
  - vi. not be the holder of a current visitor visa granted under Guardians accompanying students to New Zealand instructions (see [V3.100](#)); and
  - vii. hold insurance (see [U3.45](#)), unless they are a Doctor of Philosophy (PhD) student or a student holding a New Zealand scholarship administered through the Ministry of Foreign Affairs and Trade.
- b. All applicants must meet the requirements under Generic Temporary Entry Class instructions for:
  - i. lodging an application for a temporary entry class visa as set out at [E4](#); and
  - ii. bona fide applicants as set out at [E5](#); and
  - iii. health and character as set out at [A4](#) and [A5](#).
- c. Applicants who have not completed, or will not be completing the programme of study endorsed on their student visa and who wish to change their programme of study and/or education provider must:
  - i. meet requirements (a) and (b) above; and
  - ii. meet the requirements set out at [U3.40](#).

**Note:** Applicants who are progressing to further study, for example a student in Year 13 who is progressing to tertiary studies, will not need to meet [U3.40](#).

**Effective 07/09/2022**

### U3.7 Confirmation of enrolment

Applicants who are returning to the same New Zealand education provider to continue a programme of study or training scheme may, instead of an offer of a place, provide a confirmation of enrolment from the education provider which shows:

- a. the name of the programme of study; and
- b. the annual fee for the programme of study; and
- c. whether the student is full-time (see [U6.1.1](#)) or part-time (see [U7.20](#)); and

- d. the dates and duration of all scheduled vacations if the programme of study or training scheme is one academic year or more.

**Note:** For the information specified at U3.7(d), this can be provided in a separate document accompanying the Offer of Place or Confirmation of Enrolment.

**Effective 02/12/2013**

#### U3.10 Tuition fees

- a. Applicants must provide evidence of full payment of tuition fees for one year or one programme, whichever is shorter.
- b. For applicants living outside New Zealand, evidence of payment is not required until after the application has been approved in principle.
- c. Despite (a) above, aviation students may provide evidence of full payment of the first term as set out under U6.35.5.
- d. Despite (a), the following students are not required to provide evidence of tuition fee payment if they can meet the required exemption and provide evidence as below:

	<b>Exemption</b>	<b>Evidence required</b>
i	Exempt from tuition fees	Confirmation that the programme of study is exempt from fees or that the student is exempt from paying any fees.
ii	Students participating in a Study Abroad or Non-award scheme under a study abroad partner agreement with a New Zealand Tertiary education institution	Confirmation from the New Zealand tertiary institution that tuition fees are being paid directly to them from a foreign tertiary institution or authorised third party provider on behalf of the foreign tertiary institution.
iii	Students holding a New Zealand scholarship administered by the Ministry of Foreign Affairs and Trade	Notice of the award of a full New Zealand scholarship.
iv	Home country government loan approval at a tertiary institution	Evidence that the loan has been applied for and confirmation from the tertiary institution that the fees will be paid directly to them.
v	Home country government loan approval at a private training establishment (PTE) for study at Bachelor's degree and above	Evidence that the loan has been applied for and confirmation from the PTE that the fees will be paid directly to them.
vi	Foreign government-supported student	Meet the all requirements as applicable under <a href="#">U12</a> .

**Effective 31/07/2022**

## U5.1 Status of education providers and programmes

- a. All education providers must certify in their offers of places to foreign students (see [U3.5](#)) that the programme of study or training scheme offered complies with foreign student requirements for different kinds of education providers (see [U5.5-U5.20](#)).
- b. All education providers offering places to foreign students must be signatories to the Education (Pastoral Care of Tertiary and International Learners) Code of Practice 2021.
- c. Any queries on the status of programmes or training schemes offered by private training establishments should be referred to the Service Delivery Unit, Quality Assurance Division, New Zealand Qualifications Authority (NZQA), PO Box 160, Wellington.
- d. Students will not be granted a student visa to undertake a programme of study or training scheme offered at an education provider that holds a Category Four status under the NZQA's External Evaluation Review (EER) quality assurance system.
- e. Immigration New Zealand (INZ) may suspend the processing of applications for student visas for study at an education provider where at least one of the following applies:
  - i. the offered programme of study or training scheme does not comply with foreign student requirements as set out in [U5.5](#) to [U5.20](#);
  - ii. the education provider is not complying with its obligations under the Immigration Act, immigration regulations, or immigration instructions;
  - iii. INZ has been informed by education agencies that the education provider is not complying with its obligations under the Education Act and education regulations.
- f. Before a decision is made to suspend the processing of student visas, the following will be taken into account:
  - i. evidence of the non-compliance; and
  - ii. reasons for the non-compliance; and
  - iii. the duration, frequency, and severity of the non-compliance.
- g. INZ may resume the processing of student visas if it is satisfied that the education provider is complying with its obligations.

**Effective 31/07/2022**