
NEW ZEALAND ASSOCIATION FOR MIGRATION AND INVESTMENT

REGULATION 1 - MEMBERSHIP CRITERIA

These Regulations replace Regulation 1 from the date of approval by the Board pursuant to Rule 17

All members of NZAMI must hold membership in one of the following classes whose prerequisites and attendant benefits are set out below.

1. Definitions

- 1.1 "NZAMI Application Form" means any form prepared by NZAMI for the purpose of accepting applications for membership;
- 1.2 "Exempt Advisers" are exempt from the need to hold a license under the Immigration Advisers' Licensing Act 2007;
- 1.3 "IAA" is the Immigration Advisers' Authority;
- 1.4 "Lawyers" are as defined in the Lawyers and Conveyancers' Act 2006 who hold a current Practising Certificate issued by the New Zealand Law Society;
- 1.5 "Immigration Advisers" and "immigration advice" are as defined in the Immigration Advisers' Licensing Act 2007;
- 1.6 "Licensed Advisers" are Immigration Advisers who hold a current Full, Limited or Provisional Licence issued by the IAA;
- 1.7 "Member" means any person or organisation that holds one of the classes of membership of NZAMI.
- 1.8 "Overseas Based Advisers" are Immigration Advisers who are domiciled outside New Zealand and who are not Licensed Advisers;
- 1.9 "Person" must be an individual and does not include a body corporate; and
- 1.10 "Rules" and "Rule" means the Rules of NZAMI or a Rule of those Rules, and terms used in these Regulations shall be deemed to have the meaning ascribed to them in the Rules unless otherwise defined in these Regulations.

2. Full Membership

- 2.1 Eligibility and Evidence: The following categories of persons may be Full Members and must provide the evidence specified:
 - (a) Licensed Advisers

- (i) IAA licence number; and
 - (ii) IAA licence type and expiry date.
- (b) Exempt Advisers
- (i) Evidence of exempt status (in the case of lawyers, a copy of their current Practising Certificate); and
 - (ii) Signed Statutory Declaration as to their competence to provide immigration advice.
- (c) Overseas Based Advisers
- (i) Provide evidence to demonstrate that they
 - have made at least 10 successful New Zealand immigration applications under any immigration category;
 - are competent in all categories of immigration by achieving at least 33 points out of 35 on an 'open book' Questionnaire set by the NZAMI;
 - are competent in the English language in order to fulfill all duties as an Immigration Adviser;
 - have sufficient administrative infrastructure in order to fulfill all professional obligations as an Immigration Adviser;
 - have access to copies of all the law, policy and procedure documents listed on the NZAMI Application Form; and
 - are registered with the immigration adviser registration body of their country of domicile if that country requires registration.
 - (ii) Signed Statutory Declaration that they
 - have been in business or employed as an Immigration Adviser for a period of no less than 12 months;
 - agree to be bound by the Rules and Code of Ethics of NZAMI; and
 - are not disqualified from being a Licensed Adviser.

2.2 Benefits: Full Members are entitled to all benefits of membership of NZAMI and in particular shall be entitled:

- (a) To attend all educational, promotional and social courses and functions run by or on behalf of NZAMI subject to payment of any attendance fee;
- (b) To publicise membership and use the NZAMI logo and other visual identifiers as defined by the Board in regulations or as approved by the Board from time to time, or on a case-by-case basis;
- (c) To vote at Annual General Meetings and Special General Meetings; and

- (d) To be elected and to serve as a Director of the Board.

3. Non-Principal Membership

3.1 Eligibility and Evidence: All categories of persons who may be Full Members may instead be Non-Principal Members provided that:

- (a) They provide the evidence required for an application for Full Membership at cl. 2.1; and
- (b) They provide evidence that they are employed by a current Full Member or by an organisation which employs at least one current Full Member.

3.2 Benefits: Non-Principal Members are entitled to all benefits of membership of NZAMI which are available to Full Members except that they are not entitled:

- (a) To vote at Annual General Meetings and Special General Meetings; and
- (b) To be elected and to serve as a Director of the Board

4. Associate Membership

4.1 Eligibility and Evidence: The following categories of persons or organisations may be Associate Members and must provide the evidence specified:

- (a) Category 1: Individuals or organisations with an interest in immigration but who are not in the business of providing immigration advice:
 - (i) No evidence of eligibility is required but in the case of an organisation one person must be nominated to be the organisation's representative.
- (b) Category 2: Individuals who are Exempt Advisers and for whom the giving of immigration advice is either not their primary role or is not undertaken for financial gain:
 - (i) Evidence of exempt status (in the case of lawyers, a copy of their current Practising Certificate); and
 - (ii) Signed Statutory Declaration stating that giving immigration advice is not their primary role or is not undertaken for financial gain.
- (c) Category 3: Individuals who wish to remain informed on immigration matters but who are ineligible to give immigration advice at the time an application for membership is approved:
 - (i) Signed Statutory Declaration
 - stating that they are not giving immigration advice at the time of applying for membership;

- undertaking, upon becoming a Licensed Adviser, to inform the Secretary of that change of status; and
- agreeing to be deemed to hold Full Membership upon becoming a Licensed Adviser.

4.2 Benefits: Associate Members are entitled to all benefits of membership of NZAMI which are available to Non-Principal Members.

4.3 Associate Members who carry out voluntary or not-for-profit work, or who belong to voluntary or not-for-profit organisations, may upon written application be considered for a waiver of the annual membership fee.

5. Honorary Membership

5.1 Eligibility and Evidence: A Full Member may be granted Honorary Membership where:

- (a) It is determined that he or she has made an outstanding contribution to the NZAMI; and
- (b) He or she is nominated by the Board and the nomination is approved by majority vote at a Special General Meeting.

5.2 Benefits: Honorary Members are entitled to all benefits of membership of NZAMI which are available to Full Members.

5.3 A Full Member may hold Honorary Membership for one term only of three years. A former Honorary Member is not eligible for a second term of Honorary Membership.

5.4 During the term of Honorary Membership the annual membership fee is waived.

6. Change of Membership Status

6.1 In the case where any Member whose circumstances change such that the Member is no longer eligible for the class of membership that the Member holds ("the original membership"), but is eligible for another class of membership ("the new membership"), the following provisions apply.

- (a) NZAMI may give written notice to the Member of its intention to reclassify the Member's membership and shall specify which class or classes of membership for which the Member appears to be eligible;
- (b) The Member shall be invited to indicate which new membership they will adopt and to notify NZAMI within 30 days of receiving notice from NZAMI as per c. 6.1(a);
- (c) Upon receiving notice of the Member's choice of new membership, the NZAMI shall amend and record the Member's membership accordingly, provided that the Member is eligible for the new membership according to the information available to NZAMI at the time; and

- (d) In the event that the Member does not respond to notice from NZAMI within 30 days of the date of the notice, NZAMI shall be entitled to assign the Member the new membership as it sees fit, providing that the Member is eligible for the new membership according to the information available to NZAMI at the time.
- 6.2 Where a change of membership pursuant to cl. 6.1 results in an increase in the fee payable by the Member for that year of membership in which the change of membership takes place, NZAMI shall be entitled to invoice the Member for the difference between the fee for the original membership and the fee for the new membership for each whole pro-rata period (as set out in Regulation 7) following the date on which the Member notifies their choice of membership or NZAMI amends the Member's membership as the case may be.
- 6.3 Where a change of membership pursuant to cl. 6.1 would result in a decrease in the fee payable by the Member for that year of membership, the Member is not entitled to a refund of the difference between the fee for the original membership and the fee for the new membership for the balance of the year of membership in which the change of membership takes place.

APPROVED by the Board this _____ day of May 2009

Secretary