

Professional Business Practices and Supervision.

Meeting the Competency Standard 6.1, 6.6 and 6.8 performance indicators

27 May 2026 | 2 pm – 3 pm NZT

DISCLAIMER: None of the information provided in this webinar should be taken as legal advice.

Today's Webinar

Why does this matter?

Working professionally & ethically

Supervision obligations



Why does this matter?



Regulatory Requirements

Relevant Competency Standards

6.1: Understanding of and commitment to professional, ethical, socially responsible and culturally sensitive behaviour and practice; in particular, to all aspects of the licensed immigration advisers code of conduct.

6.6: The ability to develop and maintain ethical and professional relationships with clients.

6.8: Understanding of the importance of quality assurance techniques to the provision of immigration advice such as checklists, peer review, case reviews, supervision, team briefings; and the ability to apply these.



Regulatory Requirements

Code of Conduct 2014

A licensed immigration adviser must:

Clause 1:

Be honest, professional, diligent and respectful and conduct themselves with due care and in a timely manner.

Clause 2:

(a) maintain a relationship of confidence and trust with the client and provide objective advice.
(e) obtain and carry out the informed lawful instructions of the client.

Clauses 11 to 13

- Supervision agreement
- Roles and responsibilities of the supervisor
- Roles and responsibilities of the provisional licence holder



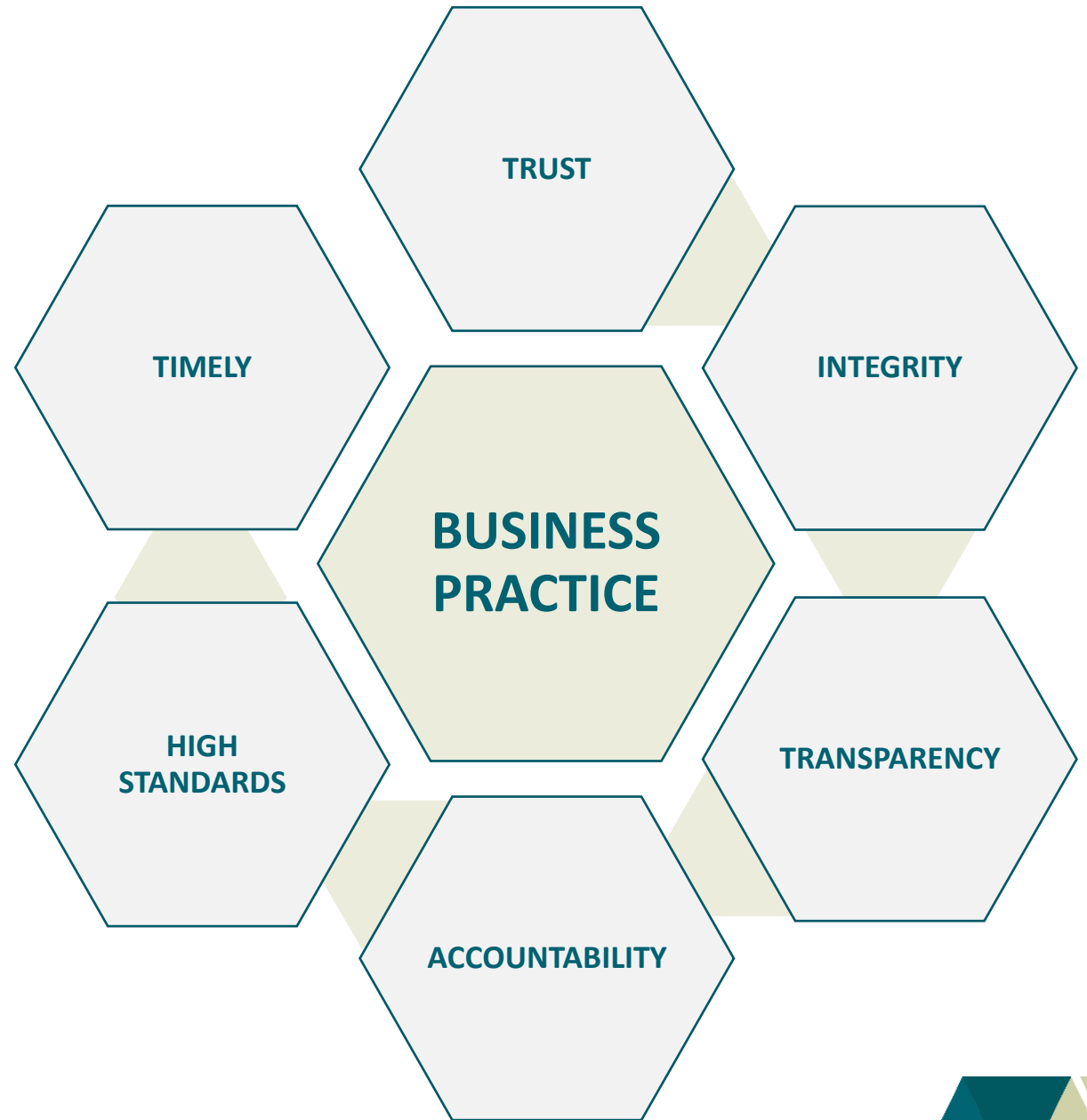
Working professionally & ethically



The Core

Clause 1: An LIA must:

Be honest, professional, diligent and respectful and conduct themselves with due care and in a timely manner.



Scenario 1

You are representing a client for their AEWV application. You noticed that the client has not given you information on some of the questions on the visa application form. The client is currently overseas and has been unreachable despite your attempts to contact them. The client has also not reviewed the draft application.

Which action is acceptable under the Code of Conduct?

- a) Complete the visa application form to the best of your knowledge and submit the application as it is in your client's best interest.
- b) Submit the application and later obtain the pending information from the client to update INZ.
- c) Submit the application and once the client is available, get them to review the submitted application.
- d) Obtain all the information from the client and get them to review the draft application before submitting to INZ.

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- c) Submit the application and once the client is available, get them to review the submitted application.
- d) Obtain all the information from the client and get them to review the draft application before submitting to INZ.

Disciplinary Decisions – Common Issues

1. Provide draft applications to clients prior to submission

- [CE v Asici \[2025\] NZIADT 42](#), at [53-54]:
 - It is not enough that an adviser sends the draft, let alone only believes this was achieved. An adviser should seek confirmation from the client that the draft is accurate. There is a lot of information in a visa application and hence multiple opportunities for errors. The consequence of errors can be serious and can result in the application being declined due to the provision of incorrect information thereby raising character issues.
 - The requirement to send a draft application to a client and receive confirmation of its accuracy is not a meaningless bureaucratic exercise. It is critical to the integrity of the application to undertake this exercise, unless the application is so urgent it is impractical.
[54] The failure of Ms Asici to send the draft application to the complainant shows a lack of diligence and due care, in breach of cl 1.
- [TG v Ma \[2025\] NZIACDT 27](#), at [78]
- [ZH v Ma \[2025\] NZIACDT 30](#), at [77-78]

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Substantive decisions involving a breach of Clause 1 in the past 12 months

Disciplinary Decisions – Common Issues

2. Provide accurate and complete advice

[MM v Ma \[2024\] NZIACDT 07](#), at [45]-[46]:

- ‘... Ms Ma’s advice to the complainant – about the ease with which he could change jobs – is misleading’.
- ‘She failed to tell him that the jobs had to meet the same immigration criteria as the job for which he was approved. Nor did she tell him any transfer was subject to an assessment by Immigration NZ, though he presumably knew an application would have to be made, as he was aware Immigration NZ charged a fee for changing jobs.’
- ‘... her advice was not professional or diligent. This is a breach of cl 1 of the Code’.
- This example highlights that some cases present unique situations. It is recommended to carefully identify the key elements or change in circumstances, communicate them to the clients and keep a record of communication.



The Core

Clause 2: An LIA must:

(a) maintain a relationship of confidence and trust with the client and provide objective advice.

(e) obtain and carry out the informed lawful instructions of the client.



Scenario 2

As a licensed immigration adviser, you personally undertake initial consultation with your new clients. After this stage, you have delegated the 'clerical tasks' to your unlicensed staff. Your staff looks after client's onboarding, explaining LIA professional standards, written agreement, visa application form, communication and submission of the application to INZ. You manage responses to INZ for any RFI or PPI.

Which statement below closely aligns with the Code of Conduct?

- a) I engage with my clients at the initial stage and that is enough.
- b) My unlicensed staff is not giving any form of immigration advice. These are just admin tasks and good for their development.
- c) I must also explain the significant matters of the agreement, LIA professional standards and have more personal engagement with my clients.
- d) The client was informed about this practice during my initial consultation and they gave their consent to proceed.

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Disciplinary Decisions – Common Issues

2(a) Maintain a relationship of confidence and trust with the client and provide objective advice

[QX v Yu \[2026\] NZIACDT 05](#), at [47]-[48]:

- ‘... she was careless in not realising until 12 September of the imminent expiry of his visa when she should have known from the moment she was instructed (about 25 July 2023) of the expiry date’.
- ‘... failed to immediately alert the complainant to the visitor visa application and take instructions, instead eventually falsely leading him to believe she had sought a work visa (by sending him the fabricated letter from Immigration NZ)’.
- ‘... failed to maintain a relationship of confidence and trust with the complainant and give him advice. This is a breach of cl 2(a)’.

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Substantive decisions involving a breach of Clauses 2(a) & (e) in the past 12 months

Disciplinary Decisions – Common Issues

2(e) Obtain and carry out the informed lawful instructions of the client

[XI v Shi & Sun \[2026\] NZIACDT 03](#), at [67], [76] & [105]:

Ms Shi – Provisional licence holder

- ‘...clause 2(e) requires the adviser to personally and directly “obtain” the instructions to “carry out” the substantive immigration work’.
- ‘...personally take charge of the engagement (both communication and substantive work) from the beginning to the end’.

Lack of direct personal engagement:

- ‘... amounts to rubber stamping; a breach of clauses 1 (the obligation to be professional and diligent) and 2(e) (the obligation to obtain instructions)’.

Mr Sun – Supervisor

[105] ‘Mr Sun was neither professional nor diligent and did not act with due care in his supervision of Ms Shi by permitting her to charge such an extravagant fee for a simple application. This is a breach of cl 1’.



Supervision



Purpose of supervision

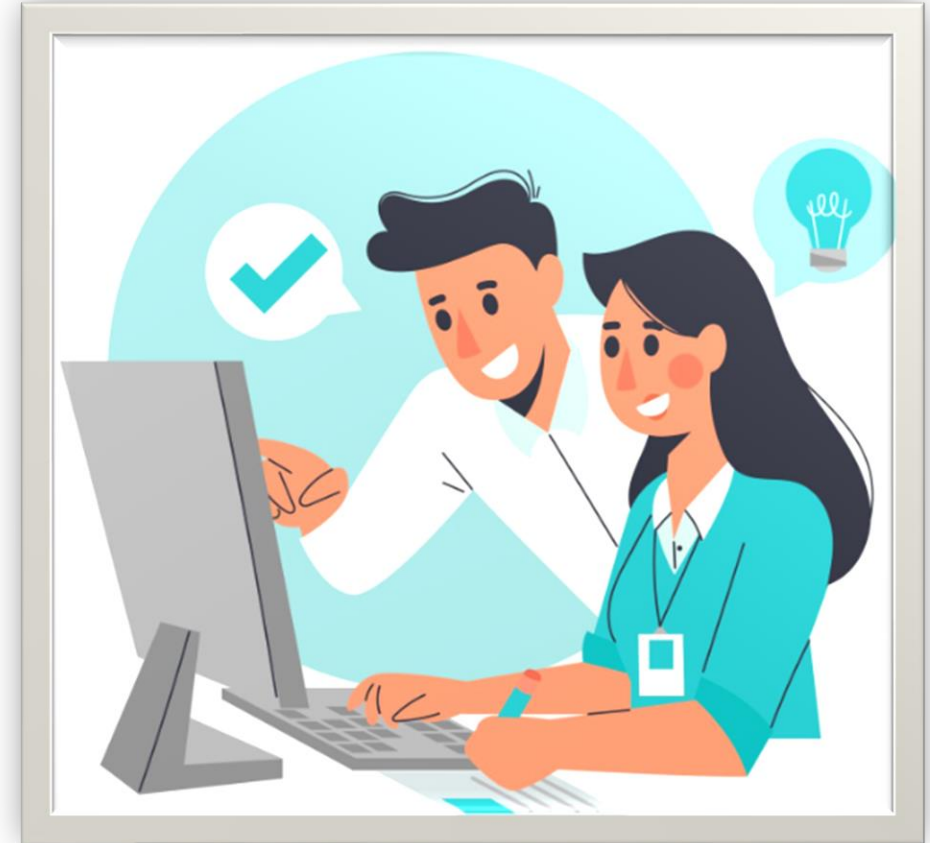
- Protect the clients and maintain their confidence in immigration advice
- Facilitate capability development of provisional licence holders
- Ensure advice provided meets the same standard as a full licence holder – *accurate, competent and ethical*
- Embed ethical and professional practice from the outset
- Exchange of experience, knowledge and wisdom
- Develop leadership and training skills of the supervisor



Provisional licence holder: Clause 13

A provisional licence holder must:

- a) act in accordance with the supervision agreement approved by the Registrar
- b) inform the Registrar of any changes to the approved supervision arrangement
- c) not give immigration advice for any period of time without a supervision agreement approved by the Registrar
- d) provide any new supervision agreement to the Registrar for approval.



Provisional licence holder: Clause 8

A licensed immigration adviser must:

- a. work within the scope of their individual knowledge and skills, or under direct supervision if a provisional licence holder
- c. if a provisional licence holder, explain to the client that a provisional licence requires them to work under the direct supervision of a full licence holder, and they must seek advice from the supervisor whenever necessary



Scenario 3

You are a provisional licence holder and your primary supervisor is unavailable for the next 3 months. You need to continue your business and progress the current applications of your clients. You do not have a back up supervisor.

Which actions are acceptable under the Code of Conduct?

- a) Continue your practice after submitting a change of supervisor request to the IAA.
- b) Continue your practice after change of supervisor request is approved by the Registrar.
- c) Continue your practice as you are licensed by the IAA & your clients like your advice.
- d) Discontinue your practice until your primary supervisor can provide direct supervision.



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- c) Continue your practice as you are licensed by the IAA & your clients like your advice.
- d) Discontinue your practice until your primary supervisor can provide direct supervision.



Disciplinary Decisions

[ZX v Yu \[2026\] NZIACDT 04](#), at [57]-[58]:

- ‘... it is clear Ms Yu did not work under the direct supervision of her supervisor, in breach of cl 8(a) of the Code’.
- ‘Her failure to provide the supervisor with the documentation relating to the complainant and her provision of immigration advice to him without being directly supervised are breaches of the supervision agreement, and therefore of cl 13(a) of the Code. Such conduct is also unprofessional, in breach of cl 1.’
- ‘There is no evidence from Ms Yu that she informed the complainant she was provisionally licensed and was therefore required to work under supervision and seek advice from Mr Fujikawa when necessary. This is a breach of cl 8(c).’

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Substantive decisions involving a breach of Clauses 8 and 13 during the past 12 months

What is direct supervision?

Section 19(5) of the Immigration Advisers Licensing Act 2007 (the Act) requires a provisional licence holder to work under the direct supervision of an immigration adviser who holds a full licence.

- Must have a supervision agreement that is approved by the Registrar (*Clause 11*)
- The parties must meet regularly
- Direct supervision must continue when the primary supervisor is away or unavailable

A supervisor should:

- have ongoing oversight of all immigration advice provided by the provisional licence holder
- be responsible for quality and compliance
- develop and monitor the provisional licence holder's professional development plan



Supervisor: Clause 12

A supervisor must:

- a) hold a full immigration adviser licence
- b) ensure any fees charged are fair and reasonable
- c) act in accordance with the supervision agreement approved by the Registrar
- d) preserve the confidentiality of clients
- e) ensure personal relationships do not compromise the supervision agreement
- f) inform the Registrar of any changes to the approved supervision arrangement



Supervision Agreement: Clause 11

A provisional licence holder and their supervisor must have a supervision agreement in place that is approved by the Registrar of Immigration Advisers.

Mandatory content

- Parties and contact details
- Purpose and scope of supervision
- How direct supervision occurs
- Professional Development Plan
- Fees and employer agreement
- Roles & responsibilities
- Conflict management
- Record-keeping, termination and dispute resolution



[IAA Supervision toolkit](#)

Supervision Risks

- Providing immigration advice without supervision
- Poor record-keeping
- Passive or nominal supervision
- Inaccurate advice and unclear escalation pathways
- Capacity to provide effective direct supervision to multiple supervisees



MODEL SUPERVISION AGREEMENT

The Authority has developed a model supervision agreement. However, it is important that you tailor this to accurately reflect the actual agreement between the provisional licence holder and the supervisor.

[IAA Model supervision agreement](#)

Review Your Practice

As a provisional licence holder:

- You are acting in accordance with the supervision agreement
- Your practices are robust and compliant to the Act
- Record keeping is up-to-date
- Consistently developing skills and competency

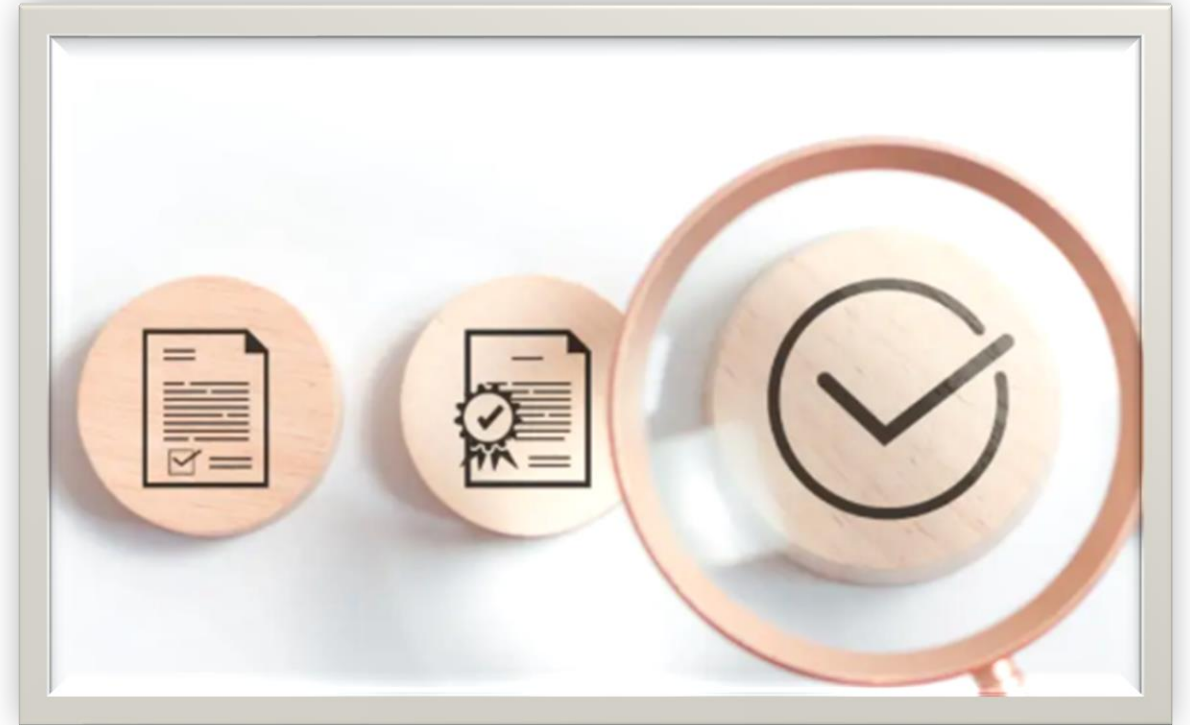
As a supervisor:

- You are acting in accordance with the supervision agreement
- Have clear workload boundaries and evidence based oversight
- How is my supervision adding value



Good Practice Indicators

- Regular, documented meetings
- Clear workload boundaries
- Evidence-based oversight
- Open communication
- Continuous improvement mindset



Resources

- [Immigration Advisers Licensing Act 2007 | New Zealand Legislation](#)
- [Code of conduct | IAA](#)
- [Code of conduct toolkit | IAA](#)
- [Immigration Advisers Complaints & Disciplinary Tribunal | New Zealand Ministry of Justice](#)
- [Supervision toolkit | IAA](#)
- [Guidance for developing a Supervision Agreement](#)
- [Model-supervision-agreement-may-2021.doc](#)



Feedback? Further Questions?

- Have we done a good job?
- How can we do better?
- Whatever the feedback, compliments, or complaints, we want to hear from you.



Complete the post-webinar survey: <https://www.surveymonkey.com/r/M6M2FWT>



Email us at info@iaa.govt.nz with “**Feedback – Webinar**” in the subject line



Thank you!

