

Verification of presence in New Zealand for grant of citizenship

Introduction This policy outlines the relevant legislation and policy relating to the 'presence in New Zealand requirement' of the Citizenship Act 1977.

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Legislation

**Citizenship
Act 1977
Section
8(2)(b)**

Section 8(2)(b) of the Citizenship Act requires the applicant to have:

'been present in New Zealand for a minimum of 1,350 days during the 5 years immediately preceding the date of the application; and for at least 240 days in each of those 5 years,-

being days during which the applicant was entitled in terms of the Immigration Act 1987 to be in New Zealand indefinitely.'

**Definition of
New Zealand**

The Citizenship Act 1977 defines New Zealand as also including the following:

Cook Islands
Niue
Tokelau
Ross Dependency.

**Applicants
not yet 16
years of age
applying
under 9(1)(a)**

An applicant applying under section 9(1)(a) whose parent(s) are, or are about to become, New Zealand citizens is not required to meet the presence in New Zealand requirement.

An applicant applying under section 9(1)(a) whose parent(s) are not, or are not about to become, New Zealand citizens is required to meet the presence in New Zealand requirement.

See guidelines - Applying presence to grant applicants not yet 21 years of age.

Days in New Zealand

Introduction To meet the presence requirement, the applicant must have been: in New Zealand for at least 1,350 days in the five years preceding application
in New Zealand for at least 240 days in each of the five years, and entitled, in terms of the Immigration Act 1987, to be in New Zealand indefinitely for those days.

Entitlement to be in New Zealand indefinitely An applicant is entitled to be in New Zealand indefinitely under the Immigration Act if they:
hold a valid New Zealand residence permit
are a New Zealand citizen by descent
are an Australian citizen, or
are an Australian permanent resident.

Five-year period

The five years immediately preceding application is the relevant period of presence in New Zealand for the applicant, e.g. if the application was lodged on 2 July 2010, the applicant's residence period is from 2 July 2005 to 1 July 2010.

Legislation links

[Citizenship Act 1977](#)
