

TITLE OF DECISION: *OG (Skilled Migrant)* [2016] NZIPT 202756

INDEX TERMS:

Skilled Migrant category / Fiji / sterilising unit coordinator / INZ declined the application as position not skilled / decline decision correct / SM7.10 / SM7.10.1 / Appendix 6 / Convention on the Rights of the Child / no substantial match to ANZSCO quality assurance manager / while appellant performed valuable role in unit, not engaged at a strategic level as envisaged by ANZSCO tasks / special circumstances found / husband not included in application given Fiji and NZ convictions / application includes four children / currently has day-to-day care of deceased sister's NZ-citizen children, arranged by CYFS / with same employer for 10 years / strongly supported by supervisor and colleagues / holds NZ certificate qualification / children in NZ 11 years / youngest NZ-born / family integrated well into school, church life and wider community / well-settled in NZ with strong nexus to family, friends and community / recommendation to Minister of Immigration that the appellant's special circumstances warrant consideration as an exception to instructions / section 188(1)(f) / Minister granted residence

COUNTRY:

Fiji

DATE OF DECISION:

27 May 2016

DECISION MAKER:

Aitchison, S

JUDICIAL BODY:

Immigration And Protection Tribunal

STATUTE:

Immigration Act 2009

DATE RESIDENCE APPLICATION MADE:

5 February 2015

INTERNATIONAL INSTRUMENT:

1989 Convention on the Rights of the Child (CRC)

OUTCOME:

(f) Referred to Minister