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## Eligibility to enrol in New Zealand schools

### Overview

<b>This circular is about</b>	<p>The eligibility requirements for enrolment in New Zealand schools. It includes:</p> <ul style="list-style-type: none"><li>• advice on verifying eVisas which in some cases have replaced Passport stamps</li><li>• changes to recording International Group Students for state and state-integrated schools.</li></ul>
<b>This circular replaces</b>	Circular 2012/01
<b>The action needed is</b>	Follow the requirements of this circular to ensure that all eligible students are enrolled appropriately.
<b>It is intended for</b>	Boards of trustees, principals and administration staff of state, state-integrated and registered schools (private schools and Partnership Schools   Kura Hourua).
<b>For more information</b>	<ul style="list-style-type: none"><li>• Information about immigration issues can be found at: <a href="http://www.immigration.govt.nz">http://www.immigration.govt.nz</a></li><li>• Information about VisaView can be found at: <a href="https://www.immigration.govt.nz/documents/online-systems/visaviewguideforeducationproviders.pdf">https://www.immigration.govt.nz/documents/online-systems/visaviewguideforeducationproviders.pdf</a></li><li>• Information about enrolment and the documents required as evidence for enrolments can be obtained by contacting the e-Admin Contact centre:  phone 04 463 8383 Email <a href="mailto:e.admin@education.govt.nz">e.admin@education.govt.nz</a></li></ul>

### Purpose

This circular defines the basis on which students are eligible to enrol in New Zealand schools, and what documents are needed to confirm their eligibility. It also explains the details that must be recorded on ENROL by all registered schools.

### Changes in this circular:

**There are some changes to eligibility and enrolment processes described in this circular:**

1. **VisaView** is provided by Immigration New Zealand so that schools can check on the visa status of their students. With the development of on-line systems, some students now have eVisas or label-less visas with limited physical evidence of their visa status.

Schools are now able to check on their students' visa status, and, if necessary, print off records to save on the student's file as evidence of that status.

2. **International group students** are two or more international students, entering New Zealand together in an organised group and enrolling at a Code Signatory school for 12 weeks or less.

The Ministry of Education has developed an online form for state and state-integrated schools to make it easier to register groups of international students. Code Signatory schools are required to report all enrolments of international students, including international group students.

- The form allows state and state-integrated schools to enter students as a group and specify the number of tuition days they, as a group, will be having.
- You can find the form using the link at the bottom of the "Create a Student Record" tab in ENROL after you have logged in. (Refer to *Principal ENROL Manual*).
- If in doubt about whether you should use the new form or enter the students individually in ENROL, call the e-Admin contact centre on 04 463 8383, or email [e.admin@education.govt.nz](mailto:e.admin@education.govt.nz).
- Private schools should continue to use the RS13G form to enter students as a group.

## Who is eligible?

Every child between the ages of 5 and 19 is eligible to enrol in a state school or state integrated school if they are a domestic student.

Eligibility ends on 1 January after a student's 19th birthday. Special Education students who are ORS funded or who have section 9 agreements to attend a state special school are eligible until the end of the year that they turn 21 years of age.

Schooling is compulsory for domestic students between the ages of 6 and 16. Students who are not eligible to enrol as domestic students may be able to enrol as international students.

International students can only be enrolled at schools that are signatories to the *Education (Pastoral Care of International Students) Code of Practice 2016* -

<http://www.nzqa.govt.nz/providers-partners/education-code-of-practice/>

## Why is it important to determine eligibility on enrolment?

Eligibility establishes a student's entitlement to an education and how the school will be funded to provide it. Refer to [Appendix A](#) for a flowchart to help determine which eligibility criteria each student meets.

## Recording the student categories in ENROL

Having students enrolled and recorded under the appropriate categories and supported by the required documentation, ensures that there can be confidence in the integrity of the attendance, enrolment, and funding processes that underpin our education system. Keeping the ENROL records accurate by updating the system is important for funding and audit purposes.

## Checking on visa status

Students from overseas may be able to provide a school with evidence of their visa status – a visa label in their passport, an email or letter from Immigration New Zealand, or, if the student has an Immigration on-line account, they may log in and show the record of their visa status.

## Checking on visa status – using VisaView

Immigration New Zealand has implemented an online service that allows schools to confirm the visa status of overseas students. The service does not confirm identity – schools need to check that using other means. But it provides up-to-date information about a student's visa status, and can provide a printed record for the student's file. For full information about VisaView, go to

<https://www.immigration.govt.nz/documents/online-systems/visaviewguideforeducationproviders.pdf>

Before you start with VisaView, you will need to have a RealMe account, and to register your school's details. This is explained in the Guide.

## Domestic students and international students

A student who is not a New Zealand citizen is treated either as a domestic student or an international student depending on the documents they hold giving them the right to reside in New Zealand. Although they may be from overseas, they may have the same eligibility as a NZ citizen, and they may be classed as a domestic student.

Students who are not entitled to the domestic student classification are, by default, international students.

Domestic students are funded by the Ministry of Education, and international students are not.

To establish whether a student should be treated as a domestic student or an international student, refer to the Appendices.

### Domestic students

Domestic students have an entitlement to state-funded education at a state or state integrated school. Some domestic students are entitled to free education throughout their schooling, while others are entitled for a period of time, as shown in a visa or other documents.

### Domestic students (permanent)

Domestic students (permanent) have ongoing entitlement to state-funded education at a state school. The following are categories of domestic (permanent) students:

- New Zealand citizen
- New Zealand resident or Australian resident
- Australian citizen.

The documents that provide evidence of their status need to be sighted, copied and retained only **once**, when the student first enrolls in a New Zealand school.

For more details, and information about the evidence a school must obtain, go to [Appendix B](#).

Once the student has been recorded on ENROL there is no ongoing requirement to copy and retain their proof of entitlement.

## Domestic students (time-bound)

Domestic students (time-bound) are generally students from overseas who hold a current student visa with conditions. The visa does not name the school. They are entitled to enrol in New Zealand schools as domestic students for a finite period of time.

**While almost all domestic (time-bound) students will hold a domestic student visa**, some students will have other documents such as an interim visa which extends the time period of their previous visa. Some students will have an official document setting out their eligibility.

The appropriate documents need to be sighted, copied and retained, and ENROL updated - when a student:

- first enrolls in a New Zealand school
- moves to enrol at another New Zealand school
- provides updated documents (i.e. new proof of eligibility) to continue their enrolment.

For more details and information about domestic students (time-bound), and the evidence a school must sight, copy and retain, go to [Appendix C](#).

## International students

The Education Act 1989 requires that all students who are not domestic students must be enrolled as international students if they are attending school for more than two weeks, or are paying a fee for education services. They may hold a visitor visa, or a student visa that names the school.

Students participating in a school-to-school or sister-school exchange that has not been approved by the Ministry of Education are international students if they attend school for more than two weeks.

International students are not funded by the Ministry and are sometimes referred to as foreign or fee-paying students. For more details, and information about student verification documents for international students go to [Appendix D](#).

## Funding of international students

All domestic students and those on a government approved exchange scheme in state and state-integrated schools are funded by the Ministry through the school's operations grant.

The Education Act 1989 (s4B) specifies that international students at state or state integrated schools must pay fees to cover all costs including tuition, course fees and administration, as well as the Export Education Levy.

Schools enrolling international fee paying students must pay either the International Student Levy or the Export Education Levy. Information about these levies and the process for collecting these from schools is available on the following pages:

- International Student Levy (ISL) (which includes the Export Education Levy) – applies to state and state integrated schools:  
<http://www.education.govt.nz/school/running-a-school/resourcing/operational-funding/international-student-levy/>
- Export Education Levy (EEL) – applies to private schools:  
<http://www.education.govt.nz/ministry-of-education/legislation/the-export-education-industry-development-fund-and-levy/collection-of-export-education-levy-from-private-schools/>

Information on international students, and the payment of international student levies, can be accessed at <http://www.education.govt.nz/quick-links/international-students/>

## Additional information

### Visas

- **Visitor Visa** holders can
  - go to any school as a visitor for up to two weeks, at the school's discretion. No tuition fees are paid and they are not entered on ENROL.
  - attend a Code signatory school as an international fee-paying student for up to 3 months in any one year. They cannot split their study across two calendar years. To stay in a school for longer than three months, they will need to be offered a place in the school and hold a valid student visa.
  - be on a short-term government approved exchange programme and attend school as a domestic (time-bound) student.
- **Interim Visas** are often issued in the form of a letter or email from Immigration New Zealand.
  - If the interim visa continues the conditions of their previous visa, it has the **same status as the original one**. So a student who had a domestic student visa and now has an interim visa (that continues the same conditions) can continue to be a domestic student.
  - The ENROL category – **Visa Domestic** – will remain the same but the document expiry date should be updated with the expiry date of the new visa.

### New Zealand Birth Certificates

- **New entrants born in New Zealand since 1 January 2006** need to have their birth certificates checked. These children have been issued with a birth certificate which shows whether they are a New Zealand citizen by birth or not. Children who were born after that date, and are not New Zealand citizens, may be eligible for a Grant of New Zealand citizenship. Families should apply to the Department of Internal Affairs:

Phone 0800 22 51 51 or [www.citizenship.govt.nz](http://www.citizenship.govt.nz)

### Waivers - 28 day waiver and extended waiver

The Education Act 1989 s4(8) allows principals the discretion to have an international student in their school for a period of 28 days. This is sometimes used while a situation is being resolved (eg, documents are being organised).

The Ministry does not fund these students. In very exceptional circumstances, the Ministry may extend this waiver while a complex situation is being resolved.

For more details, a principal should contact the local office of the Ministry.

## Questions and answers

### Does a school have to enrol a domestic student who has applied for enrolment?

Yes, in general, a state school must enrol a student who is eligible. There are some exceptions:

- if there is an enrolment scheme the school must abide by the scheme.
- unless directed to by the Secretary for Education, the school is not required to enrol a student who is currently excluded or expelled, but they may do so.

Guidelines are available about stand-downs, suspensions, exclusions and expulsions at <http://www.education.govt.nz/school/managing-and-supporting-students/student-behaviour-help-and-guidance/stand-downs-suspensions-exclusions-and-expulsions-guidelines/>

### Why are there different student visas?

There are two kinds of student visa. If a student visa does not have a school name on it, it's a domestic student visa. If a school is named, the visa is for an international fee-paying student, who is required to attend the named school.

### Can a school enrol international students?

If the school is a signatory to the *Education (Pastoral Care of International Students) Code of Practice 2016*, and the board of trustees has a vacant place and makes an offer of place, the school can enrol an international student.

### Does a school have to make an offer of place to all potential international fee paying students?

No. But a school that is a signatory to the *Code of Practice* can choose to make an offer of place and enrol a fee paying student. Schools that are not signatories cannot.

### What is the Code of Practice?

The *Education (Pastoral Care of International Students) Code of Practice 2016* specifies outcomes and key processes required of education providers for the pastoral care of international students. The Code is established under section 238F of the Education Act 1989. The Act requires that a provider must be a signatory to the Code to be able to enrol international students. It is administered by the New Zealand Qualifications Authority (NZQA). Go to

<http://www.nzqa.govt.nz/providers-partners/education-code-of-practice/>

### Who are exchange students?

Exchange students are overseas students who are in New Zealand to study under an exchange programme approved by the Ministry of Education. This includes school-to-school (or sister school exchanges), as well as those organised by Exchange Programme Organisations (EPOs).

The approval process for exchange schemes is administered by the Ministry of Education (in consultation with Immigration New Zealand). For more information, contact

<http://www.education.govt.nz/school/student-support/student-wellbeing/student-exchange-approvals/>

For a list of approved EPOs, go to

<http://www.education.govt.nz/school/student-support/student-wellbeing/exchange-programmes-which-meet-the-code-of-practice-for-international-students/>

### **What is the status of exchange students?**

Exchange students, where the exchange programme is approved by the Ministry of Education, are regarded as domestic students (time-bound).

All secondary schools that host approved school-to-school (or sister school) exchanges need to be signatories to the *Education (Pastoral Care of International Students) Code of Practice 2016*.

Responsibility for students who are on an EPO exchange is with the EPO. Those students can attend any secondary school, whether they are a Code signatory school or not.

### **Can a school enrol a student who has a Visitor Visa that states that they can study for up to 3 months?**

Yes, if the school is a signatory to the Code. The school can enrol the student for one single period of study up to 3 months in any calendar year. The student must be entered on ENROL as an international student and must pay international fees.

### **What about short term visitors who are here just for a visit?**

A Visitor Visa holder can go to *any* school as a short-term visitor for up to 2 weeks if the school is not receiving money for the visit. This visiting is at the school's discretion. These students may not pay any fees, and are not entered on ENROL as they are just visiting. The school must keep a separate record of their details.

### **Can a student who is living in New Zealand unlawfully go to school?**

If the student is ordinarily resident in New Zealand, living with their parents, legal guardians or family in NZ for more than 6 months, they may be able to enrol as a domestic student, even if they are not legally entitled to be here.

Families need to apply to the Ministry of Education to obtain a letter from the Ministry confirming that the student can be enrolled. Information collected for this process will not be disclosed to immigration authorities. Information and application forms can be found here:

<http://parents.education.govt.nz/primary-school/schooling-in-nz/children-unlawfully-in-nz/>

### **Who can help to establish the immigration status of a student?**

Immigration New Zealand's VisaView software gives a school access to information about the student's status on-line.

<https://www.immigration.govt.nz/documents/online-systems/visaviewguideforeducationproviders.pdf>

The parent/caregiver's permission is required before this can be done. (Getting their permission should be included on enrolment materials.)

If the information from VisaView is required as evidence of their status, print a copy of the information and keep it on file.

For further information call Immigration New Zealand on 0508 558 855 and ask for information on a particular student's situation.

### **Do all students need to be entered into the ENROL system?**

All students that are enrolled at your school must (except as below) be recorded in the ENROL enrolment system – domestic, international, and adult students.

There are two exceptions

- short-term visitors who are visiting for 2 weeks or less are not recorded on ENROL. The school keeps a separate record of their details.
- visiting international group students at state and state integrated schools should not be recorded on the main ENROL system but be registered using the online form available on the link at the bottom of the “Create a Student Record” tab in ENROL.

### **What are the guidelines for eligibility of adult students?**

These are set out in [Circular 2004/07](#).

Further information is available by contacting [resourcing@education.govt.nz](mailto:resourcing@education.govt.nz)

### **Why does the school need to keep copies of documents as evidence of a student’s eligibility?**

Schools are required to keep evidence of a student's eligibility to enrol in a New Zealand school and make it available on request to Ministry of Education staff, reviewers from the Education Review Office (ERO), and others authorised to enter the school.

In the event of a Resourcing Audit of a school's Roll Returns, where the eligibility of a student counted as a domestic student is not able to be verified, the school's funding and staffing will be adjusted.

### **How long does a school need to keep the old paper records of enrolment?**

E19/22a forms for students who were enrolled under the previous paper system are to be retained for the period of seven years after the students have left the school system.

*This is an update to Circular 2013/21 School Enrolment Circular, which detailed how long schools must keep student enrolment forms. In the previous circular we advised that the E19/22a forms were only to be kept for seven years after students left the school they were enrolled in. This is an error, as forms can only be disposed of seven years after a student has left the schooling system. This is in line with the School Records Retention/Disposal Information Pack. This can be found at <http://www.education.govt.nz/school/running-a-school/archiving-and-disposing-of-school-records/>*

### **Who can be contacted for more advice?**

The local Ministry of Education office:

Whangarei	(09) 436 8900	Nelson	(03) 546 3470
Auckland	(09) 632 9400	Christchurch	(03) 378 7300
Hamilton	(07) 858 7130	Dunedin	(03) 471 5200
Rotorua	(07) 349 7399	Invercargill	(03) 211 8000
Napier	(06) 833 6730		
Whanganui	(06) 349 6300		
Lower Hutt	(04) 463 8699		

School administration staff who need guidance about the enrolment process, and documents required as evidence for enrolment can contact the e-Admin Contact centre, phone 04 463 8383 or email **[e.admin@education.govt.nz](mailto:e.admin@education.govt.nz)**

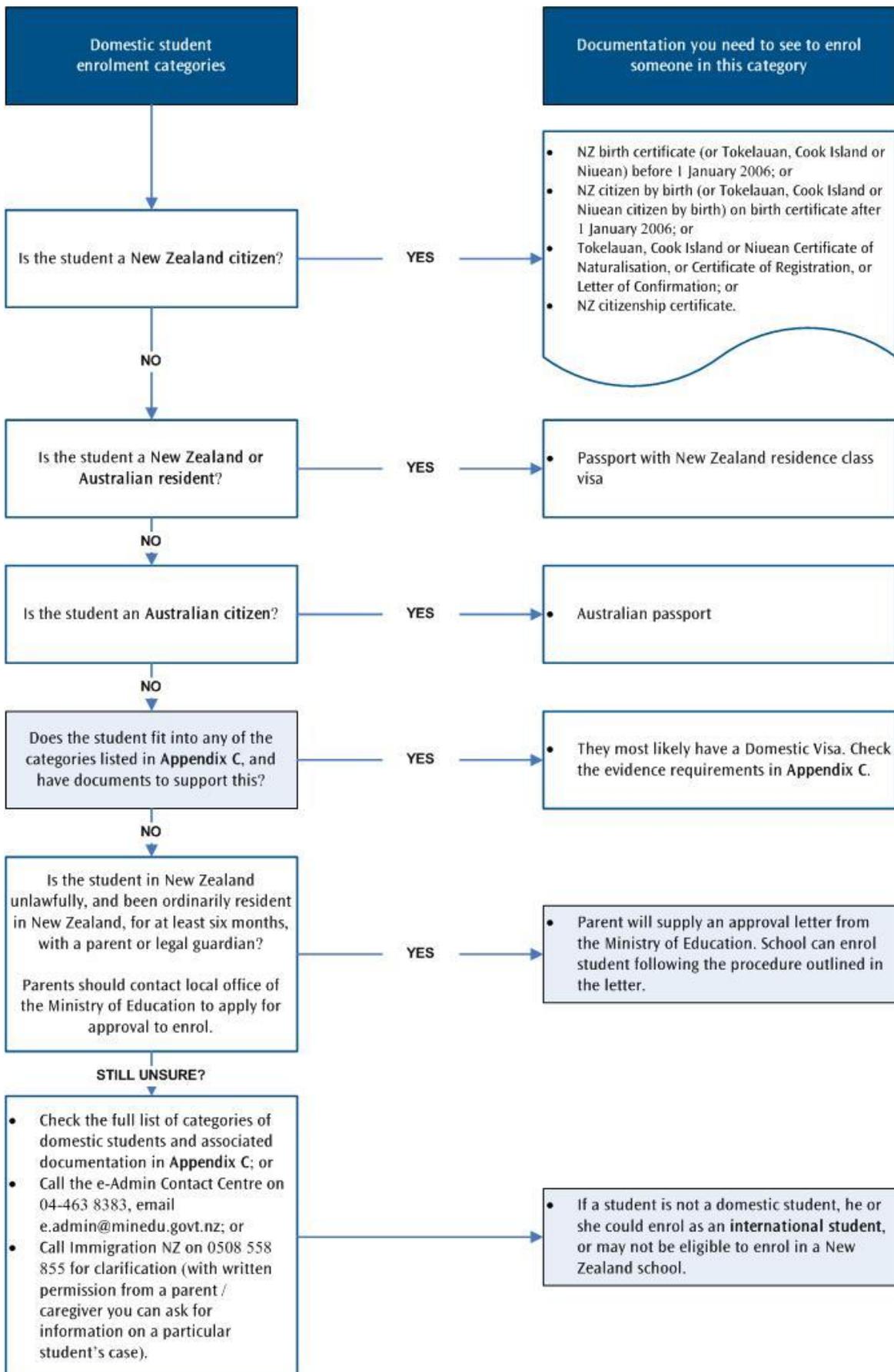
**Issued by**

Nicky Hampshire

Group Manager, Service Delivery, Learning Support

Ministry of Education, National Office, Mātauranga House, 33 Bowen Street, Thorndon, Wellington, New Zealand.

# Appendix A: Eligibility to enrol in New Zealand schools



## Appendix B – Domestic Students - permanent:

NZ Citizens (Incl Tokelau, Cook Island, Niue)

NZ and Australian Residents

Eligibility criteria	Verification document
<p><b>1. New Zealand citizen</b></p>	<ul style="list-style-type: none"> <li>• NZ birth certificate (<u>if the child was born before 1 January 2006</u>)</li> <li>• NZ birth certificate with confirmation that the child is a NZ citizen by birth (<u>if the child was born on or after 1 January 2006</u>)</li> <li>• Passport (NZ, Tokelauan, Cook Island or Niuean) (current or expired)</li> <li>• NZ citizenship certificate</li> <li>• Birth certificate (Tokelauan, Cook Island or Niuean) if the child was born before 1 January 2006</li> <li>• Birth certificate (Tokelauan, Cook Island or Niuean) with confirmation that the child is a citizen by birth (if the child was born on or after 1 January 2006)</li> <li>• Certificate of naturalisation (Tokelauan, Cook Island or Niuean)</li> <li>• Certificate of registration (Tokelauan, Cook Island or Niuean)</li> <li>• Letter of confirmation (Tokelauan, Cook Island or Niuean)</li> </ul>
<p><b>2. New Zealand or Australian resident</b></p>	<p>Other passport with NZ residence class visa label or stamp, or other evidence of residency.</p>
<p><b>3. Australian citizen</b></p>	<p>Australian passport (current or expired).</p>

## Appendix C – Domestic Students – time-bound

Eligibility criteria	Verification document
<p>4. <b>Domestic Time-bound - Parent has a current work visa</b> (or a current interim visa that extends such a visa)</p> <p>NB: Dependents of some work visa holders may not be eligible for a student visa</p>	<p><b>EITHER</b></p> <ul style="list-style-type: none"> <li>• a valid student visa (which does not name a school)</li> </ul> <p><b>OR</b></p> <ul style="list-style-type: none"> <li>• a valid interim visa that extends this visa and conditions</li> </ul> <p><i>If the parent's work visa expires during the year, the student may continue to be enrolled until the end of the current school year. ENROL must be updated with the new expiry date.</i></p> <p><i>When the student's visa was issued, Immigration New Zealand checked that the student is entitled to hold a student visa as the dependent child of the work visa holder. The school does not need to check the family relationship.</i></p>
<p>5. <b>Domestic Time-bound - Parent is a NZ citizen or resident</b> and student has applied for residence visa.</p>	<p>Any <b>ONE</b> of the following:</p> <ul style="list-style-type: none"> <li>• valid student visa <b>OR</b> a valid interim visa that extends this visa and conditions</li> <li>• Letter from Immigration NZ confirming student's current application for residence is <b>under consideration</b>.</li> </ul>

Eligibility criteria	Verification document
<p><b>6. Domestic Time-bound - Refugee or asylum seeker or protected person</b> - parent or student has made a claim to be recognised as a refugee – check the student’s documents – they may have NZ Residence (see 2 above) or a letter confirming that the application for residence is being considered (see 5 above).</p>	<p>Any <b>ONE</b> of the following:</p> <ul style="list-style-type: none"> <li>• valid student visa</li> <li>• valid interim visa that extends this visa and conditions</li> <li>• temporary visa label</li> <li>• letter from Immigration NZ</li> <li>• NZ issued Certificate of Identity</li> <li>• Refugee travel document</li> </ul>
<p><b>7. Domestic Time-bound - Parent has a scholarship funded by the NZ Aid Programme</b> administered by the Ministry of Foreign Affairs and Trade</p>	<ul style="list-style-type: none"> <li>• valid student visa <b>OR</b> a valid interim visa that extends this visa and conditions</li> </ul> <p><b>AND</b></p> <ul style="list-style-type: none"> <li>• letter from Ministry of Foreign Affairs and Trade stating that the parent holds a scholarship</li> </ul>
<p><b>8. Domestic Time-bound - Parent has a military visa</b></p>	<ul style="list-style-type: none"> <li>• valid student visa <b>OR</b> a valid interim visa that extends this visa and conditions</li> </ul>
<p><b>9. Domestic Time-bound - Parent is doing a PhD at a NZ University</b></p>	<ul style="list-style-type: none"> <li>• valid student visa <b>OR</b> a valid interim visa that extends this visa and conditions</li> </ul>
<p><b>10. Domestic Time-bound - Parent is a diplomat</b> A student who is the dependent of someone who holds a diplomatic or consular visa; if the visa expires, the student may continue until the end of the current school year.</p>	<ul style="list-style-type: none"> <li>• student’s passport</li> </ul> <p><b>AND</b></p> <ul style="list-style-type: none"> <li>• letter from the NZ Ministry of Foreign Affairs and Trade Protocol Division confirming that the student has diplomatic or consular immunity status</li> </ul>

Eligibility criteria	Verification document
<b>11. Domestic Time-bound - International adoption</b>	<ul style="list-style-type: none"> <li>• valid student visa <b>OR</b> a valid interim visa that extends this visa and conditions</li> </ul> <p><b>AND EITHER</b></p> <ul style="list-style-type: none"> <li>• A letter of support for the adoption application from Oranga Tamariki</li> </ul> <p><b>OR</b></p> <ul style="list-style-type: none"> <li>• Interim Order of Adoption</li> </ul>
<b>12. Domestic Time-bound - Parent is on an exchange programme</b>	<ul style="list-style-type: none"> <li>• valid student visa <b>OR</b> valid interim visa that extends this visa and conditions</li> </ul>
<b>13. Domestic Time-bound - International student who has come into care</b>	<ul style="list-style-type: none"> <li>• Letter from Oranga Tamariki confirming the arrangement</li> </ul>
<b>14. Domestic Time-bound - Child victim of trafficking</b> A student who has been certified by the NZ police as a child victim of people trafficking.	<ul style="list-style-type: none"> <li>• A temporary visa granted under the Immigration New Zealand <i>Child Victims of People Trafficking</i> policy.</li> </ul>
<b>15. Student on a government approved exchange programme</b>	<p>Any <b>ONE</b> of the following:</p> <ul style="list-style-type: none"> <li>• valid student visa <b>OR</b> a valid interim visa that extends this visa and conditions</li> <li>• valid visitor visa (for an exchange less than 3 months)</li> <li>• Australian passport</li> </ul> <p>If the exchange is organised by an approved Exchange Programme Organisation, the student will have a letter from them, and the organisation should be named on the student's visa.</p> <p>If the exchange programme is not government approved the student should be treated as an International Student.</p> <p><i>(if the student is a Visitor or Australian, use the passport serial number and enter the last date of the</i></p>

Eligibility criteria	Verification document
	<i>exchange as the expiry date)</i>
<p><b>16. MOE approved - Student in NZ unlawfully</b>  A student who is in NZ unlawfully, has been in NZ for at least six months, and is ordinarily resident in NZ.</p>	<ul style="list-style-type: none"> <li>• Current approval letter signed by MOE manager.</li> </ul> <p><i>Use the reference number and expiry date from MOE approval letter.</i></p> <p><i>There will be instructions in the letter advising the school to contact the MOE.</i></p> <p><i>ENROL will then be changed to MOE Confirmed by Ministry staff.</i></p> <p><i>The school must complete this process before claiming the student on its roll return.</i></p>

## Appendix D –

**International Fee Paying Students,  
International Group Students (staying more than 2 weeks),  
28 day visa waiver**

Eligibility criteria	Verification document
17. International fee paying	<p><b>Any ONE</b> of the following</p> <ul style="list-style-type: none"> <li>• valid student visa with Conditions of Study that include the name of the school OR interim visa that extends this visa and conditions</li> <li>• valid visitor visa</li> </ul> <p>A student can enrol using a <u>visitor visa</u> for only up to three months in any calendar year.</p> <p><i>(if the student is a visitor, use the passport serial number and the last date of their visit as the expiry date)</i></p>
18. Visiting <b>international group students</b> who are staying for longer than 2 weeks or paying fees	<p><b>Any ONE</b> of the following</p> <ul style="list-style-type: none"> <li>• valid group visitor visa.</li> <li>• valid visitor visa</li> </ul> <p>A student can enrol using a visitor visa for only up to three months in any calendar year.</p> <p><i>(Not registered on ENROL, but state and state integrated schools should use the on-line form in ENROL)</i></p>
19. 28 day waiver – Principal’s discretion	<p>Evidence that the student is taking steps to obtain a visa that will allow them to enrol in a school. No fees can be charged, and no funding is provided by the Ministry of Education.</p> <p><i>(In exceptional circumstances, an extension can be granted. Contact your local Ministry of Education office)</i></p>