

[In Confidence]

Office of the Minister of Immigration

Chair, Cabinet Economic Development Committee

Consulting on proposed changes to post-study work rights and eligibility of students' partners and their dependent children to work and study in New Zealand

Proposal

1. This paper seeks Cabinet's agreement to consult the international education sector on a set of proposed changes to immigration settings to ensure post-study immigration pathways for international students are fit for purpose and reduce the likelihood of exploitation. The proposals:
 - 1.1. remove employer assisted post-study work visas at all levels;
 - 1.2. provide a one year post-study open work visa for non-degree Level 7 or below qualifications;
 - 1.3. provide a three year post-study open work visa for degree Level 7 or above qualifications;
 - 1.4. require students completing non-degree Level 7 or below qualifications to undertake at least two years of study in order to gain eligibility for post-study work rights; and
 - 1.5. require international students studying Level 8 or 9 qualifications to be in an area specified on the Long Term Skill Shortage list in order for their partner to be eligible for an open work visa, and in turn the partner's dependent children to be eligible for fee-free compulsory schooling.

Executive Summary

2. International education is currently New Zealand's fifth largest export earner. The sector has significant benefits to New Zealand by:
 - 2.1. bolstering the domestic education sector
 - 2.2. building stronger international connections
 - 2.3. strengthening research links
 - 2.4. encouraging innovation
 - 2.5. increasing global competitive advantage
 - 2.6. encouraging tourism and regional economic growth

- 2.7. creating jobs and provide a potential pool of highly-skilled migrants for New Zealand's labour market.
3. Immigration policy settings facilitate the entry of genuine international students as well as providing a potential pathway for international students to contribute the skills and qualifications New Zealand needs to support economic growth.
 4. There has been significant growth in New Zealand's international education sector over the last few years particularly at the sub-degree level. This growth has been associated with some negative consequences including a decline in the skill level of people granted permanent residency and exploitation and fraudulent behaviour from some education providers, agents, and unscrupulous employers. Some changes have been made to education and immigration settings to address this but more work needs to be done.
 5. The key challenge for the immigration system and corresponding policy settings is to manage outcomes and potential trade-offs in a way that maximises the overall benefits for New Zealand. I have focused on proposing changes to post-study work rights for international students because these rights are strongly linked to the residence pathway and the risk of exploitation.
 6. I have considered changes to post-study work rights with three main policy objectives in mind:
 - 6.1. to ensure that post-study pathways for international students are fit-for-purpose and contribute the skills and qualifications New Zealand needs;
 - 6.2. to reduce the likelihood of students being exploited by unscrupulous employers, education providers and agents; and
 - 6.3. to minimise losses of genuine international students.
 7. The resulting proposals:
 - 7.1. reduce the length of post-study work visas for students studying qualifications at lower levels on the New Zealand Qualification Framework (which will incentivise higher level study and direct students studying at lower levels into other visa options, such as the labour market tested Essentials Skills visa); and
 - 7.2. remove the employer link to the issuing of a post-study work visa (reducing the risk of exploitation).
 8. These proposals may impact on the international education sector with the potential to reduce student numbers and revenue, particularly at the sub-degree level. Consultation will enable the sector to provide feedback on the proposals.
 9. I estimate that between 12,000-16,000 migrants will be impacted by the reduction in post-study work rights. This is likely to flow on to numbers and skill mix of applications for permanent residence. Substitution effects may mean that some opt for higher level qualifications or apply for other visas post-study, while others may seek alternative pathways to residency.
 10. I also intend to consult on proposed changes to the eligibility of students' partners and their dependent children to work and study in New Zealand, so that these settings are better aligned with Government's goals for international education.

11. The proposals in this paper support the Government's broader plans for a high-quality international education system in order to generate educational, economic, social and cultural benefits to New Zealand. The draft International Education Strategy (the Strategy), being developed by the Minister of Education, will seek to attract genuine students and ensure strong alignment with New Zealand's labour market for those students who want to stay in New Zealand following study.
12. The Strategy is framed around three key goals: an excellent education and student experience, sustainable growth and global citizens. The broad direction for international education and a description of the Strategy are set out in Annex One.
13. Following consultation I intend to report to Cabinet Economic Development Committee on the outcome of public consultation and seek agreement to final proposals in late July 2018 with a view to announcing any changes in early August 2018.

Background

14. Well-managed immigration is essential to our economic and social success as a country. My key immigration priorities are to:
 - 14.1. Better match the skills New Zealand needs with the skills New Zealand gets in order to improve the contribution of immigration to the labour market outcomes of New Zealanders
 - 14.2. Tackle the exploitation of migrants
 - 14.3. Review New Zealand's approach to Pacific migration issues
 - 14.4. Increase New Zealand's refugee intake
 - 14.5. Make immigration system improvements and contribute to the security of New Zealand's borders.
15. Annex Two provides a summary of the papers I intend to take to Cabinet in the immigration portfolio and outlines how they align to my portfolio priorities and the Government's wider economic, labour market, foreign relations and security objectives.

New Zealand's International Education Sector

16. In New Zealand, International Education is provided by:
 - 16.1. Universities
 - 16.2. Institutes of Technology and Polytechnics (ITPs)
 - 16.3. Private Training Establishments (PTEs), including English Language Providers
 - 16.4. Schools (Primary and Secondary)
 - 16.5. Offshore or online delivered education services
17. New Zealand is the fifth most popular English speaking destination for international students. Compared with our key competitors – the United States, United Kingdom, Canada and Australia – New Zealand does not have a comparable level of market

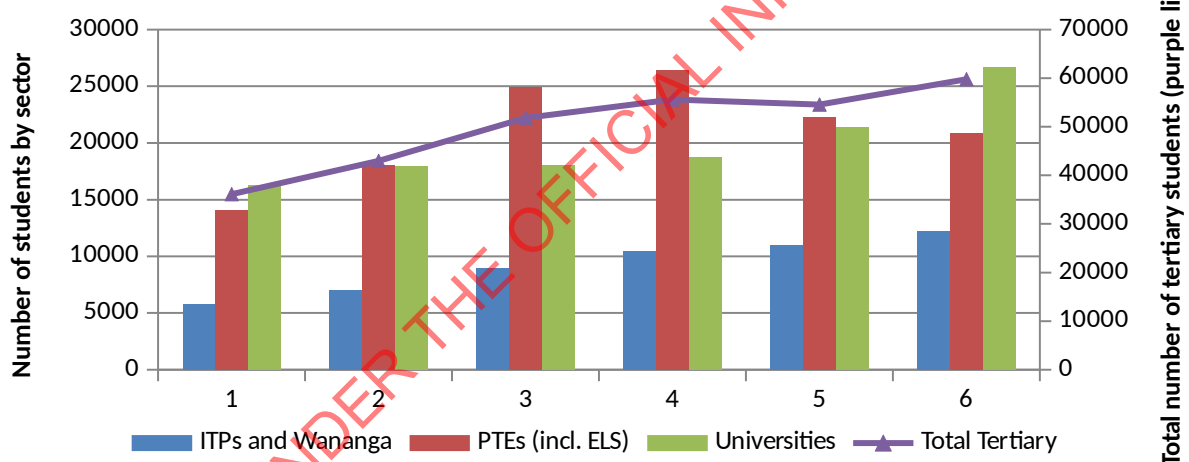
power nor does it experience similar levels of brand recognition and preference. New Zealand is nevertheless an attractive international education destination, in part because:

- 17.1. the visa application process is user-friendly and relatively straightforward;
- 17.2. the cost of study is in the middle range compared to key competitors; and
- 17.3. gaining residence post-study has been easier than key competitors.

18. International education is an important export earner for New Zealand. In 2015/16 the contribution to GDP from onshore international education activity was estimated at \$4.2 billion (excludes offshore activity), up from an estimated \$2.7 billion in 2014. In 2017 the industry was estimated to support 33,000 jobs. Universities currently have the largest market share, at 44 per cent of the revenue generated by international students studying at tertiary level (2016 data).

19. Figure 1 sets out details of international students in tertiary study by provider type. It shows that the sector grew significantly between 2014 and 2015, with large increases in the number of international students, particularly those at PTEs.

Figure 1: International fee-paying tertiary students with valid visas as at April, 2013-2018



20. This growth in PTEs was driven predominantly by two key markets – China and India – although the composition of these markets is very different. China is more highly represented in the higher-value sectors, with over half of Chinese students attending universities, compared to 12% of Indian students (with over half of all Indian enrolments based in PTEs).¹

21. However, there have been some undesirable consequences of the growth of international education in New Zealand. This includes pathways to residency for lower-skilled graduates contributing to the gradual decline in the skill level of new permanent residents over the past 5 years along with exploitation and fraudulent behaviour from some education providers, agents, employers and students.

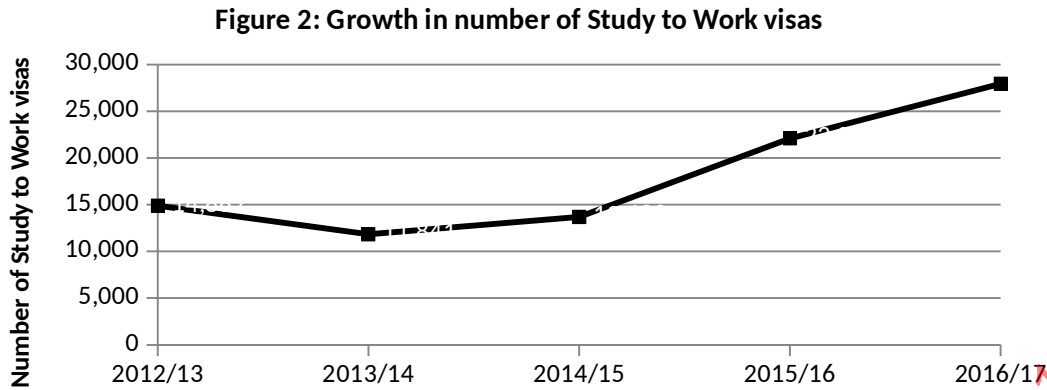
¹ Higher value refers to both the economic value per international student (studying at higher levels on the New Zealand Qualification Framework has a higher financial benefit to New Zealand) as well as skills that international students can bring to the labour market, once they have completed their qualification.

22. In response to these undesirable consequences, changes have been made to re-balance settings for international students. English language proficiency requirements for prospective students were strengthened in 2015. In both 2016 and 2017, changes were made so that those applying for residence through the Skilled Migrant Category (SMC) needed to meet a higher threshold to gain points for 'skilled work' as well as needing more points overall. This has led to a significant reduction in international enrolments at sub-degree level since 2016, with further reductions seen in 2017 figures as shown in Figure 1 above.

The role of work-rights in international education and who is eligible

23. Being able to work while studying (in-study work rights) and after completing study (post-study work rights) are key components of international education offerings for New Zealand and its competitors. This has been one of the factors driving the attractiveness of New Zealand as a study destination (other factors include the quality of education, the standard of living and personal safety). The proposals in this paper are concerned only with post-study work visas. I have focused first on making changes to post-study work visas for international students because these rights are strongly linked to the ability to gain residence and because the current settings create an opportunity for exploitation.
24. There are currently two post-study work visas available, sequentially: a one-year open visa which allows the individual to take up any work, and a two-year employer-assisted visa which requires an offer of full-time work in the same discipline as the student's New Zealand qualification.
25. To be eligible for these post-study visas, a student must have completed a qualification that would get points under the SMC residence programme² and meet minimum study duration requirements:
- 25.1. at least one academic year (30 weeks) at level 7 (this, for instance, includes bachelor qualifications and Level 7 diplomas), or
 - 25.2. at least two academic years (60 weeks) at sub-degree levels, either as one course or two consecutive courses with a progression (for example studying a Level 5 qualification in year one and then a Level 6 qualification in year two).
26. From 2012/13 to 2016/17 the number of people on post-study work visas has almost doubled from 14,882 to 27,922, as seen in Figure 2. Given the peak in international student growth in 2014 and 2015, the number of those on post-study work visas can be expected to remain high over the next year or so, as they utilise their full work rights, before contracting again.

2 The SMC is a points system based on factors such as age, work experience, qualifications and an offer of skilled employment. Applicants must be aged 55 years of under, and meet English language, health and character requirements.



Settings for post-study work rights are not fully calibrated to support Government's objectives for international education

27. While some changes have been made to address issues in the international education sector, further changes are needed to align these settings with the outcomes that this Government is seeking from our immigration system.

28. I have considered changes to post-study work rights with three main policy objectives in mind:

- 28.1. to ensure that post-study pathways for international students are fit-for-purpose and contribute the skills and qualifications New Zealand needs;
- 28.2. to reduce the likelihood of students being exploited by unscrupulous employers, education providers and agents; and
- 28.3. to minimise losses of genuine international students.

Proposals are focused on getting pathways right, so that highly skilled and qualified international students can gain residence, and labour market impacts are minimised

29. Immigration settings have enabled the transition to residence for some international students (including those studying at lower/sub-degree levels and in generic subjects such as business) who might otherwise not have been considered suitable for the residence programme: that is, individuals with similar skill and qualification levels who had not studied in New Zealand as international students would not have been able to use this pathway successfully. This has been a factor in the gradual decline in the average skill level of new residence visa holders observed over the last five years. Recent changes to the SMC, as outlined in paragraph 17 above, will see this trend reverse, but further changes are needed to ensure that the settings align with objectives.

30. Analysis shows that SMC migrants who were former international students earn less than other types of SMC migrants and they also earn less than domestic graduates with the equivalent qualification and field of study³. The gaps in earnings, with both other SMC migrants and domestic graduates does not fully close over the period of analysis, with the gap widening in later years for graduates in some fields of study.

31. The proposed changes aim to reduce any negative impact that international students are having on New Zealanders' ability to get employment. Under the proposals, former

³ Ministry of Education (2017) Factsheet: *Young, international graduates – employment outcomes*. While international graduates generally earn less, the health sector is an exception to this rule.

international students with lower-level qualifications will need to apply for visas that require labour market testing after one year if they want to remain in New Zealand to work.

The changes focus on changing settings that may be contributing to the exploitation of international students on post-study visas

- 32.** International students are particularly vulnerable to exploitation via unscrupulous employers, providers and agents because of:
- 32.1. financial pressures (for example, from higher than expected living costs or loan repayment obligations);
 - 32.2. living far away from support systems;
 - 32.3. lack of awareness of employment rights;
 - 32.4. reluctance to report exploitation, especially if there may be immigration consequences; and
 - 32.5. the need to secure employment to gain a pathway to residence (for example, buying job offers or working for less than minimum wage).
- 33.** Further, international students typically work in industries that are more likely to have relatively high rates of non-compliance with labour laws including retail, hospitality and horticulture.
- 34.** Many of these vulnerabilities apply equally to former students on post-study visas and I consider that the 'employer-assisted' post-study visa exacerbates exploitation. This is because the jobs need to meet certain requirements (such as wage thresholds and jobs being aligned with qualifications completed) for the students to be eligible for this work visa, and for this work to qualify for points under the SMC.
- 35.** As a result, some students are focused on meeting the requirements to seek a residence visa and therefore will 'buy' jobs that will help them meet these requirements. In addition there are situations where the student is being exploited by an employer, but the student remains in the job and does not lodge a complaint with INZ or the Labour Inspectorate. This is because leaving that employer may jeopardise their employer-assisted visa, and as a result, their ability to gain the experience (and points) required to qualify for residence.
- 36.** There is very little formal data on the scale of exploitation, which by its very nature, is often purposely concealed. Table 1 below outlines the number of investigations by Immigration New Zealand related to international students.
- 37.** These investigations relate to exploitation of workers, inflated or misleading job offers or non-existent job offers. It should be noted that the highest number of investigations are for the post-study employer assisted visa.

Table 1: Investigations by INZ relating to international students

Last Visa Application	2014/15	2015/16	2016/17	2017/18	Totals
Post-study – Employer Assisted	10	3	43	67	123
Post-study – Open	1	1	19	21	42
Full fee paying	3	4	16	8	31
Practical experience post study	-	-	1	-	1
English language studies	2	-	2	1	5
Totals	16	8	81	97	202

Changes to tighten settings need to be balanced with maintaining New Zealand's international education competitiveness

38. Making changes to which international students can get post-study visas, and the length of these visas, could deter some genuine students whose main focus is study. Even students who have no intention of remaining in the country after completing their studies may perceive New Zealand to have a 'less welcoming' environment. These changes could also make New Zealand less competitive, when compared to the offerings of other markets for international students.
39. I recognise that for many international students, it is important to have the opportunity to gain some practical work experience on completion of study. To balance these changes, I am proposing changes that allow students to maintain access to some form of post-study work rights once they have completed their qualification.
40. My proposed changes will contribute to achieving the direction being set in the draft International Education Strategy (the Strategy), currently being developed by the Minister of Education. The draft strategy outlines New Zealand's value proposition as a high quality and welcoming destination for international students. Furthermore, the Strategy looks to build value in the sector for a thriving and globally connected New Zealand. The broad direction for international education and a description of the Strategy are set out in Annex One.

Proposals for changes to post-study work rights

41. I am seeking Cabinet's agreement to consult on the following changes that address the identified issues:
- 41.1. remove employer assisted post-study work visas at all levels;
 - 41.2. provide a one year post-study open work visa for non-degree Level 7 or below qualifications;
 - 41.3. provide a three year post-study open work visa for degree Level 7 or above qualifications;
 - 41.4. require students completing non-degree Level 7 or below qualifications to undertake at least two years of study in order to gain eligibility for post-study work rights.
42. These proposals meet the Government's objectives, as they:
- 42.1. send a strong signal that New Zealand values migrants with high level qualifications for residence;

- 42.2. remove the employer assisted post-study work visa which has been contributing to the exploitation of some international students; and
- 42.3. still provide an opportunity for international students who have completed their qualifications to gain New Zealand work experience.

Understanding the impacts

43. The sum of the impact of these proposals is set out in Table 2 below:

Table 2: Resulting change of proposals

Type of qualification	Current post-study visas	Proposed post-study visas	Change
Level 7 degree and above	One year open and two year employer assisted	Three years open	Total number of years the same
Non-degree NZQA Level 7, two year duration	One year open and two year employer assisted	One year open	Visa reduction of two years
Non-degree NZQA Level 7, less than two years	One year open and two year employer assisted	None	Visa reduction of three years
Level 4-6, two year duration	One year open and two year employer assisted	One year open	Visa reduction of two years
Level 4-6 less than two years	None	None	None

Impact on students

44. These proposals may reduce the number of international students, with the prospect of reduced post-study work visas potentially making other markets more attractive than New Zealand.

45. The proposals will likely affect between 12,000 to 16,000 students, however it is unclear how this will change behaviour, and how many might choose not to study in New Zealand as a result or will stay for a shorter period.

46. This estimate has been developed using data on the most recent cohort of approximately 55,800 international tertiary students approved visas to study⁴. Of these:

46.1. 36,500 were studying Level 7 or below at ITPs and PTEs and Level 6 and below at Universities⁵

46.2. Approximately 70% (25,600) of this group will stay on after their study and transfer to another visa, with one of these visas potentially being an open post-study work visa

47. However not everyone who stays in New Zealand after completing their studies transfers onto an open post-study work visa. Officials estimate that between 10,000 to 16,000

4 2017/18 March to April academic year

5 This also includes visas where no study level information was given – approximately 7,000

students transfer to an open post-study work visa. This represents the range of number of individuals approved for an open post-study work visa for non-degree Level 7 and below for each year over the last three years.

Impacts on providers

48. The changes I am proposing may result in a decline of sub-degree level international student numbers that will impact on PTEs most, followed by ITPs. It is expected that universities, and the compulsory schooling sector, will be the least affected.

s 9(2)(b)(ii)

50. Less is known about the impact that these proposals will have on PTEs. Estimates suggest a reduction in student numbers of 10,000 would have an estimated economic impact of around s 9(2)(g)(i) per year, including s 9(2)(g)(i) of lost fee revenue across the industry as a whole. The consultation process will be particularly important to provide more details of likely impacts.

Impacts on the labour market

51. Research by the Ministry of Business, Innovation and Employment in 2018⁶ found that, at the aggregate level, there were no impacts of temporary migration on the hiring of New Zealanders; however, at a more disaggregated level, international students had a positive effect on the hiring of youth and beneficiaries. Study to work migrants (that is, those on a post-study work visa) had a slight negative effect on the hiring of youth. By reducing the number of international students on post-study work visas and the length of time they have for the visas, I would expect these proposals to have a mildly positive impact on New Zealanders in the labour market.
52. The proposed changes will have an impact on the labour market, by potentially removing up to 12,000 – 16,000 students out of the workforce one year after initial qualifications have been completed (although some may choose to apply for other visas). The impact would not likely be seen until one or two years after changes are introduced, as students currently with access to post-study work visas move on to these visas. It is likely the biggest impact will be experienced in Auckland, which accounts for over 60% of international students.
53. Individuals whose post-study work visas expire and who wish to remain in New Zealand to work will need to apply for a different type of visa, such as an Essential Skills work visa. This visa requires a labour market test to determine that there are no New Zealanders available to undertake the employment opportunity. Alternatively, we may see an increase in alternative pathways to residency, such as through partnerships.

Immigration settings are flexible enough to support new education offerings

⁶ Draft MBIE report: *Impact of Temporary Migration on Employment and Earnings of New Zealanders* (due to be released in June 2018)

Proposed changes to settings for partners, and their dependent children, of international students

56. Partners of international students, and partners' dependent children are eligible for open work and student visas respectively if the international student is studying either towards a qualification:

56.1. at Level 7 in an area specified on the Long Term Skill Shortage List (LTSSL);
or

56.2. at Level 8 or higher.

57. There is an opportunity to change these settings so that they incentivise more international students to study in areas better aligned to New Zealand's skill needs.

58. I am proposing to consult on the following change:

58.1. require Level 8 or 9 qualifications to be in an area specified on the LTSSL in order for partners of international students to be eligible for an open work visa, and in turn allow dependent children to be eligible for fee-free compulsory schooling.

59. This proposal aligns with the Government's objective to alleviate skills shortages and preserve and enhance the ability of businesses to recruit skilled workers to fill real skill gaps.

60. The impact of this proposal is set out in Table 3 below.

Table 3: Resulting change of proposals

Type of qualification	Current settings for partners and dependent children	Proposal	Change
Level 6 and below	Partners and dependent children not eligible for work or students visas.	N/A	No change
Level 7 in an area not specified on the LTSSL	Partners and dependent children not eligible for work or students visas.	N/A	No change
Level 7 in an area specified on the LTSSL	Partner eligible for an open work visa, and in turn their dependent	N/A	No change

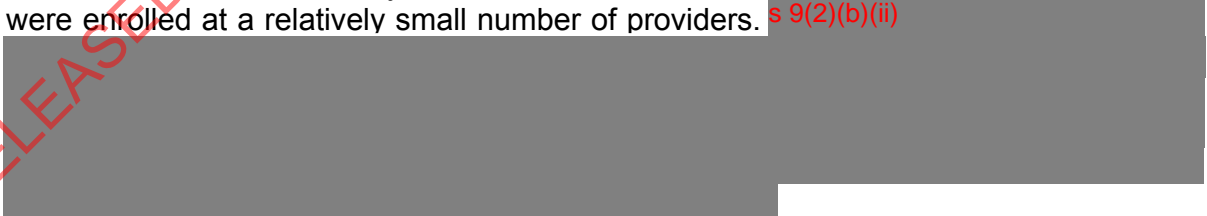
	children, are eligible for fee-free compulsory schooling.		
Level 8 or 9 in an area not specified on the LTSSL	Partner eligible for an open work visa, and in turn their dependent children, are eligible for fee-free compulsory schooling.	Partners and dependent children not eligible for work or students visas.	International student no longer able to sponsor their partner and in turn the partner unable to sponsor their dependent child.
Level 8 or 9 in an area specified on the LTSSL	Partner eligible for an open work visa, and in turn their dependent children, are eligible for fee-free compulsory schooling.	N/A	No change
Level 10	Partner eligible for an open work visa. Dependent children of international students studying at Level 10 (without a partner) are eligible for fee-free compulsory schooling.	N/A	No change

Impact on students

61. Analysis has indicated that approximately 5,485 of the 7,413 student visa holders studying at Level 8 or 9 qualifications were not linked to the LTSSL. 1,302 of these students were linked to either a partner or dependent child or both. Partners and dependent children are still able to apply for a work, student or visitor visa in their own right.

Impact on providers

62. The impact of this proposal is unlikely to be large as it affects a small number of international students. Analysis found that students affected by the proposed change were enrolled at a relatively small number of providers. s 9(2)(b)(ii)



Impact on the labour market

63. 2013 research has identified a small negative impact of temporary family category migrants on the employment of New Zealanders⁷. The proposed change could result in up to 1,300 fewer partners granted 'Partner of a Student' work visas. This would not exclude them from being able to apply for other visas such as an Essential Skills work visa, which is labour market tested. Information is not available about how many

⁷ MBIE (2013) *The rise of temporary migration in New Zealand and its impact on the Labour Market*.

partners are actually working, and in what sectors, so the labour market impacts of the reduction in partners has not been able to be assessed.

Compulsory school sector impacts

64. The proposed change could result in approximately 400 fewer domestic students in the compulsory school sector. An accurate break down of the impacts on individual schools or regions is not available as the data does not record the school or region of a dependent student visa holder. However, based on where the linked international students were enrolled, it is assumed that in 2017 most dependent children were in Auckland and were also likely to be slightly overrepresented in Southland and the Bay of Plenty. The number of these children at any one school is likely to be small.

Next steps and consultation

65. Subject to Cabinet agreement, I propose to undertake consultation on the proposals in this paper from 29 May to 22 June 2018, providing interested parties with an opportunity to feedback on the proposals and implementation, and outline potential impacts. I propose public consultation and a targeted consultation with those in the international education sector, including providers and agents, as well as with student associations and international students. The proposed consultation document is attached as Annex Three.
66. Following consultation I intend to report back to Cabinet Development Committee on the outcome of public consultation and seek agreement to final proposals in late July 2018, with a view to announcing any changes in early August 2018.

Consultation

67. Education New Zealand, the Ministry of Education, the Ministry of Foreign Affairs and Trade, the New Zealand Qualifications Authority and the Tertiary Education Commission have been consulted on the development of these options. The Department of Prime Minister and Cabinet has been consulted. The Treasury has been informed.

Financial Implications

68. There are no direct costs to the Crown arising from the proposals in this paper. If Cabinet agrees to changes to post-study work rights that reduce entitlements for some international students, there is likely to be a decrease of revenue from the international education sector.
69. The proposal to change the settings for partners of international students and their children could create a savings to Vote Education estimated between \$2.3 million and \$2.9 million per year.

Human Rights

70. The proposals are consistent with the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993.

Gender Implications

71. Males are more highly represented in PTEs and ITPs where the proposals are likely to have the biggest impact.⁸

Publicity

72. The consultation document will be made available on the Ministry of Business Innovation and Employment and Immigration New Zealand websites. Key stakeholders in the international education sector will be contacted directly to seek their feedback. Officials also intend to seek feedback from stakeholders via survey.

73. I intend to announce the agreed final changes in August 2018 at the New Zealand International Education Conference.

Recommendations

The Minister of Immigration recommends that the Cabinet Development Committee:

1. **note** that immigration policy settings play a role in the international education sector by facilitating the entry of genuine international students to receive a high quality education and experience, as well as providing a potential pathway for international students to contribute to the skills and qualifications New Zealand needs to support economic growth;
2. **note** that a review of post-study work rights was undertaken with regard to the following policy objectives:
 - 2.1. to ensure that post-study pathways for international students are fit-for-purpose and contribute the skills and qualifications New Zealand needs;
 - 2.2. to reduce the likelihood of students being exploited by unscrupulous employers, education providers and agents; and
 - 2.3. to minimise losses of genuine students to the export education industry.
3. **note** that changes to the eligibility of students' partners and their dependent children to work and study in New Zealand to better align with Government's goals for international education have also been identified;
4. **agree** that the following proposals for changes to post-study work rights and eligibility of students' partners and their dependent children to work and study in New Zealand be consulted on:
 - 4.1. remove employer assisted post-study work visas at all levels;
 - 4.2. provide a one year post-study open work visa for non-degree Level 7 or below qualifications;
 - 4.3. provide a three year post-study open work visa for degree Level 7 or above qualifications;

⁸ This is based on Immigration New Zealand data on Student Visa approvals in the 2016/17 financial year. In the tertiary sectors, 22 per cent and 46 percent of males were in ITPs and PTEs respectively. For women, 4 percent were in Universities, with 17 per cent and 39 per cent in ITPs and PTEs.

- 4.4. require students completing non-degree Level 7 or below qualifications to undertake two years of study in order to gain eligibility for post-study work rights; and
 - 4.5. require international students studying Level 8 or 9 qualifications to be in an area specified on the Long Term Skill Shortage list in order for their partner to be eligible for an open work visa, and in turn the partner's dependent children to be eligible for fee-free compulsory schooling.
5. **agree** to the release of the consultation document, attached as Annex Three, on the proposals outlined in 4.1 – 4.5 above;
 6. **authorise** the Minister of Immigration to make any technical changes to the consultation document, prior to its public release, that aligns with the overall policy intent outlined in this paper;
 7. **note** that public consultation is intended to be undertaken from 29 May to 22 June 2018, including targeted consultation with international education providers and agents, as well as with student associations and international students;
 8. **note** that, subject to Cabinet agreement to consult, I intend to return to the Cabinet Development Committee in late July to report back on the outcome of the consultation and to seek agreement to final proposals with a view to announce any changes in August 2018.

Authorised for lodgement

Hon Iain Lees-Galloway
Minister of Immigration

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Annex One: The strategic direction of the international education sector

1. The changes outlined in this Cabinet paper will help achieve the Government's new strategic direction for international education. They are part of the broader work programme aimed at refocusing the international education sector on quality, student experience, sustainable growth and value.
2. Through the draft International Education Strategy the Government is aiming to create an environment where international education can thrive and provide economic, social and cultural benefits for all of New Zealand.

Drivers for a new strategic direction for international education

3. International education is our fifth highest export earner and sits at the intersection of immigration, education, economic development, foreign affairs, and labour market policies. Settings across all portfolios impacting on international education need to align in order to support the sector's quality, growth and benefits to New Zealand, including contributing skills to our workforce.
4. The international education sector operates in a global marketplace that is highly sensitive to policy shifts. These shifts can affect New Zealand's reputation, and impact on our desirability as a global study destination. Both loss of market, and low-value growth present risks.
5. There was rapid growth in international education until 2017, with much of that growth occurring between 2014-2016 in sub-degree level study (certificates and diplomas below bachelor's level). Many of these students were seeking a pathway to permanent residency and chose to come to New Zealand for this reason.
6. The ability to work for a period after studying is part of the New Zealand international education proposition, and is also offered by competitor destinations. I believe the changes to post-study work rights proposed in the paper make appropriate adjustments without removing this important option for some of our international students. These changes will need to be supported by careful and consistent domestic and global messaging that New Zealand remains a welcoming, high-quality study destination.
7. A number of changes to government settings have already been implemented to ensure the quality of New Zealand's international education offerings. These include the 2015 tightening of the assessment of English language proficiency, and more rigorous monitoring and cross-agency activity in relation to international education providers. These targeted changes have resulted in a measurable reduction of over 14,000 international students in lower-value courses over the past two years, and reduced student vulnerability.

Introducing the draft International Education Strategy

8. The draft International Education Strategy takes a broad view of international education encompassing students, providers, communities, our domestic education system, and a range of international connections and opportunities.

9. This is a shift from a primary focus on economic development and growth in the current Leadership Statement on International Education.
10. The figure below shows the three goals and associated outcomes of the draft International Education Strategy.

AN INTERNATIONAL EDUCATION STRATEGY FOR NEW ZEALAND



What the draft International Education Strategy will deliver

11. The draft International Education Strategy signals a sharper focus on quality, both in terms of the educational offering and the overall student experience. The Government will support the sector to achieve growth in priority areas, including higher value study programmes and a broader range of education products and services to diverse markets. The Government also wants to see increased regional diversification so that all regions share in the benefits of international education. The draft strategy provides opportunities for New Zealanders to develop global skills and knowledge, make global connections, and understand and embrace the benefits of international education at home and overseas.
12. Student wellbeing is at the centre of our draft strategy. The Government wants an international education sector where students feel welcome, safe and well, and valued for their contribution to New Zealand.
13. The success of our international education strategy will be judged by a range of outcomes, including the economic value of the sector, international student satisfaction and perceptions of education quality, product and service innovation, market diversification, and domestic students undertaking an outbound international experience through their studies.
14. As a result of recent policy changes, international education in New Zealand is already in a period of transition. While it is difficult to predict the impact of these proposed changes to post-study work rights, **s 9(2)(f)(iv)**

Engagement plan summary

15. In order to align the proposed changes to post-study work rights with the direction being set under the draft International Education Strategy, we propose the post-study work rights changes and the draft International Education Strategy be consulted on with the public at the same time.
16. Following consultation, it is anticipated that the International Education Strategy will be launched at the New Zealand International Education Conference in August in parallel with final announcements on the post-study work rights settings

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Summary of Upcoming Cabinet Papers in the Immigration Portfolio

The Government's vision is to improve the wellbeing and living standards of New Zealanders, including through productive, sustainable and inclusive economic growth.

Vision

The immigration system supports this vision by:

Improving New Zealand's labour market outcomes including by filling skill and labour shortages and raising overall skill levels

Encouraging investment and supporting innovation and exports

Supporting foreign relations objectives and New Zealand's international and humanitarian commitments

Supporting social inclusion, including through family reunification

Protecting the security of New Zealanders and the border

The key priorities for the Future of Work Ministerial group are:

- Better aligning and co-ordinating policies, systems and processes across the immigration, workplace relations and safety, income support, education, and employment portfolios to get more New Zealanders into work, with a particular focus on improving labour market outcomes for priority groups
- Supporting the transformation of the New Zealand economy from low skill/wage jobs towards high skill/wage jobs, and (as part of this)
- Helping workers and firms anticipate and constructively respond to the impact of technology change on jobs and skill requirements, including those workers at the highest risk of job displacement and those facing mid-career transitions

Other Government priorities with implications for immigration include:

- Refreshing New Zealand's approach to the Pacific islands region, including developing deeper partnerships and adopting principles of engagement based on mutual understanding, friendship, mutual benefit, collective ambition, and sustainability
- Deepening cooperation with Australia to enhance New Zealand's security and prosperity, including by streamlining trans-Tasman travel and working together to **s 6(a)**
- Supporting the rules-based international system and increasing New Zealand's overseas development contribution and improving responses to global emergencies and issues

Government Priorities

2018 Immigration portfolio priorities

Better match the skills New Zealand needs with the skills New Zealand gets and ensure that the immigration, education and welfare systems work together to improve labour market outcomes for New Zealanders*

*below are the first steps of immigration's contribution to wider work to better align labour market systems and to address skill and labour shortages that is underway

Tackle the exploitation of migrants, particularly of international students and temporary workers

Review New Zealand's approach to Pacific migration issues

Increase New Zealand's refugee intake

Make immigration system improvements and contribute to the security of New Zealand's borders

Upcoming papers

Changes to the Labour Market Test and Accredited Employer policy
s 9(2)(f)(iv)

Changes to immigration settings to facilitate the KiwiBuild programme

Regionalisation of labour market policies

New Zealand Residence Programme

Changes to immigration settings for international students

Establishing an inquiry into temporary migrant worker exploitation

Pacific migration Review

Increasing the Annual Refugee Quota to 1,500 Places

s 9(2)(f)(iv)

Proposal to develop an Electronic Travel Registration

Removal of departure card

Sets out the key elements of an immigration package for KiwiBuild and seeks agreement to consult

MBIE to provide initial advice on how immigration can better support the needs of regional labour markets

Seeks agreement to the next iteration of the New Zealand Residence Programme, which sets out who gets residence in New Zealand

Seeks agreement to consult on proposed changes to restrict access to post-study work visas to higher qualified former international students and tighten access to work and student visas for family members of students

To seek agreement to establish an inquiry into temporary migrant worker exploitation (including international students) to make recommendations to mitigate migrant vulnerability and reduce exploitation

Seeks agreement to a proposed immigration policy work programme from 2018-2020 for Pacific immigration policies

Seeks Cabinet agreement to increase the annual Refugee Quota to 1,500 by June 2020, and to the funding required to implement the increase

Seeks agreement to consult on proposal to introduce Electronic Travel Registration (ETR), which would be mandatory for most people who currently travel to or transit New Zealand visa free

Seeks agreement to the removal of the requirement that travellers complete a physical departure card at the border (Statistics New Zealand has developed new measures which do not depend on departure card data)

Would target more facilitative visa settings at construction occupations whilst ensuring better labour market outcomes for the domestic construction workforce

Unknown - Impacts will depend on the decisions made by Cabinet

Unknown - Impacts will depend on the decisions made by Cabinet

The changes would reduce the number of students who stay and work here after study and may reduce the number of international students

Strengthen the labour market and immigration protections for migrants.

Increase in number of permanent residence visas granted (by 500 annually)

An estimated 1.3 million visa free visitors per annum would be required to hold an ETR

Would facilitate border processes for all passengers departing New Zealand

Expected impacts

s 9(2)(f)(iv)

Visa approvals ↑

s 9(2)(f)(iv)

Visa approvals ↓

Visa approvals ↔

Visa approvals ↔

Visa approvals ↑

Status / Timing

Cabinet paper due DEV 23 May 2018

Cabinet paper due DEV 23 May 2018

Cabinet paper due in July 2018

Cabinet paper due DEV 23 May 2018

Cabinet paper due in July 2018

Cabinet paper due DEV 23 May 2018

Cabinet paper due in July 2018





Consultation on immigration settings for international students

**Seeking your views on settings for post-study work rights for
international students and eligibility of students' partners and
dependent children to work and study in New Zealand**

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The consultation process

The Ministry of Business Innovation and Employment (MBIE) is consulting on:

- **post-study work rights for international students**
- **eligibility of students' partners and dependent children to work and study in New Zealand**

You are invited to make a submission on the proposals raised in this discussion document. Submissions are due by **5.00 pm on Friday 22 June 2018**.

Please complete the form at this link to make a submission *[insert survey monkey link]*. Alternatively you can email your submission to internationaleducation_consultation@mbie.govt.nz. Please use the submission template available here *[insert submission template link]*.

Your submission may respond to any or all of the proposals in this document. In addition, you are welcome to provide other information that you think might be relevant to this consultation. If possible, any views in your submission should be supported by evidence or examples of how the proposals would affect you.

Use of information

MBIE will use the information provided in submissions to inform our analysis and the advice to Ministers. MBIE may contact submitters directly if MBIE requires clarification of any matters in the submission.

Confidential Information

If your submission contains any confidential information, please indicate this on the front of the submission. In addition, the confidential information should be clearly marked within the text, for example, by including the confidential information in square brackets or as a separate appendix. Please clearly indicate in your submission any confidential information that you do not want published on MBIE's website or included in any summary of submissions that MBIE may publish.

The material identified as confidential will not be published, however if MBIE receives a request under the Official Information Act 1982 for a copy of submissions, MBIE will need to make its own assessment of whether the information should be released, including whether it is in the public interest to release the information received. In this event, MBIE will endeavour to consult with submitters that have provided confidential information prior to making its decision on the request.

Personal Information

The Privacy Act 1993 establishes certain principles with respect to the collection, use and disclosure of information about individuals by various agencies, including MBIE.

Please clearly indicate in your submission if you do not wish your name or contact details to be posted on MBIE's website or included in any summary of submissions that MBIE may publish.

Executive Summary

International education is currently New Zealand's fifth largest export earner. The sector provides significant benefits to New Zealand by:

- bolstering the domestic education sector
- building stronger international connections
- strengthening research links
- encouraging innovation
- increasing global competitive advantage
- encouraging tourism and regional economic growth

Immigration policy settings help genuine international students to study in New Zealand, and support international students to contribute the skills and qualifications New Zealand needs to support economic growth.

However, it is important that the settings reflect New Zealand's policy objectives for immigration, and current settings do not fully achieve this. In particular, we think that the settings for post-study work rights need to be revised. In considering possible changes to post-study work rights, we focused on the following:

- ensuring that the pathways for international students after they finish their studies are fit-for-purpose and help to contribute to the skills New Zealand needs;
- reducing the likelihood of students being exploited by unscrupulous employers, education providers and agents; and
- minimising the risk that genuine students would be deterred from choosing to study in New Zealand.

This consultation document seeks feedback on proposals that align with the objectives outlined above. The proposals are to:

- remove employer assisted post-study work visas at all levels;
- retain a one year post-study open work visa for non-degree Level 7 or below qualifications;
- provide a three year post-study open work visa for degree Level 7 or above qualifications; and
- require students completing non-degree Level 7 or below qualifications to undertake at least two years of study to be entitled to post-study work rights.

Alongside these proposals, the settings for partners and dependent children of international students have also been identified as an area where current policies could better align with the Government's goals to alleviate skill shortages and enable businesses to get skilled workers to fill skill gaps.

This consultation document seeks feedback on a proposal to require international students studying Level 8 or 9 qualifications to be studying an area specified on the Long Term Skill Shortage list in order for their partner to be eligible for an open work visa, and in turn the partner's dependent children to be eligible for fee-free compulsory schooling.

The Ministry of Business, Innovation and Employment will provide advice to the Minister of Immigration on the outcome of this consultation. Final decisions are expected to be made and announced in August 2018.

Post-study work rights for international students

Current settings

The current 'Study to Work' pathway for international students who have completed their qualification in New Zealand was designed to allow students with qualifications to progress from being a new graduate to be able to have the opportunity to gain practical experience in their chosen field.

Currently, once international students complete their study they may be eligible for:

- an initial one year open work visa. This entitles the international student to work in any role for any employer; and then
- a two year employer assisted work visa. This entitles the student to work in a role in the same area as their qualification.

In order to be eligible for a 'Study to Work' visa, international students must have completed a qualification that is either:

- a Level 7 or higher qualification that involved a single course of 30 weeks or more in New Zealand;
- a Level 4-6 qualification that involved a single course in New Zealand of 60 weeks or more;
- two or more Level 4-6 qualifications that each involved 30 weeks or more of study in New Zealand, where the level of the last qualification is higher than the first; or
- a National Certificate (Level 4) or New Zealand Certificate (Level 4) relevant to an occupation on Part B or C of the 'List of Skilled Occupations'¹ that involved a single course in New Zealand of 60 weeks or more.

Appendix One provides more detail about qualification types and levels on the New Zealand Qualifications Framework.

Reason for change

Overall, New Zealand's residence programme values higher levels of study more than lower, because research consistently shows that those who complete study at higher levels have better outcomes.

The main problems that have been identified with the current settings for post-study work rights are that:

- the current pathways to residency are not right; and
- settings can exacerbate migrant exploitation.

Post-study pathways for international students

We know from data that an increasing number of international students studying at sub-degree levels or doing short graduate or post graduate diplomas or certificates (including in particular those studying generic subjects such as Business Studies) have been gaining residence, when they might otherwise not have been considered suitable for the residence programme had they not studied in New Zealand.

Of this group:

- students who studied sub-degree and post-degree level certificates and diplomas were more likely to stay in New Zealand than students who studied at other levels;

¹ The List of Skilled Occupations can be found here:

<https://www.immigration.govt.nz/opsmanual/index.htm?toc.htm?35165.htm>

- the most popular field of study for international students, Management and Commerce, was associated with above average post-study employment rates, but below average incomes;
- students who studied information technology or food hospitality and personal services, were also more likely to stay in New Zealand than students who studied other fields (although this represents a much smaller group than those that studied management and commerce).

These trends have been identified as factor in the gradual decline in the average skill level of new residents over the last five years.

Exploitation of international students

International students are particularly vulnerable to exploitation by unscrupulous employers, providers and agents. We know that international students typically work in industries that are more likely to have relatively high rates of non-compliance with labour laws, including retail, hospitality and horticulture. We do not have data about the scale of student exploitation (as a lot of exploitative behaviour is deliberately hidden), but we know that international students can be particularly vulnerable to exploitation because they may:

- experience severe financial pressures (for example, from higher than expected living costs or loan repayment obligations);
- live far away from support systems;
- lack awareness about their employment rights;
- be reluctant to report exploitation, especially if there may be immigration consequences; and
- need to work to gain residence (which can lead, for example, to buying job offers or working for less than minimum wage).

We have been made aware of situations where some students are sold a 'pathway to residence'. In this situation, agents sign up students who then get into debt to pay for their education, and subsequently become reliant on paid work (often undertaking long hours) to pay back their loans. We have also been advised that some students 'buy' jobs that meet the requirements of their visa, or are prepared to stay with employers that are exploiting them just so that they can get the relevant experience and points that support residence applications.

Immigration New Zealand has received feedback that current 'employer-assisted' post-study work right settings exacerbate this. This is because visa holders must be working in jobs that meet certain requirements (such as wage thresholds and being aligned with qualifications completed), and employers can use these requirements to exploit migrants.

Proposed changes to post-study work rights for international students

There are four proposed changes to the settings for post-study work rights to better align with the Government's objectives. These are as follows:

- **Proposal One:** to remove employer assisted post-study work visas at all levels
- **Proposal Two:** to provide a one year open work visa post-study for non-degree level 7 or below
- **Proposal Three:** to provide a three year open work visa post-study for degree level 7 or above
- **Proposal Four:** to require students studying at non-degree level 7 (such as graduate diplomas) to study in New Zealand for at least two years to be entitled to post-study work visas (this aligns with current sub-degree requirements)

These proposals meet the Government's objectives, as they:

- send a strong signal that New Zealand values migrants with high level qualifications for residency;
- remove the employer assisted post-study work visa, which we know has been contributing to the exploitation of some international students; and
- still provide an opportunity for international students who have completed their qualifications to gain New Zealand work experience.

Impacts

The proposals will likely see a reduction in the number of international students, particularly students that are studying non-degree level 7 and below. It is anticipated that this will have the biggest impact on Private Training Establishments (PTEs) and Institutes of Technology and Polytechnics (ITPs).

Consultation Questions: Post-study work rights for international students

Proposal One: to remove employer assisted post-study work visas

1. Do you support the proposal to remove employer assisted post-study work visas?
 - 1.1. Yes. If so, why?
 - 1.2. No. If so, why not?
2. What impacts do you think this proposed change will have on you or your organisation?

Proposal Two: to provide a one year open post-study work visa for non-degree level 7 or below

3. Do you support the proposal to provide a one year open work visa post-study for non-degree level 7 or below?
 - 3.1. Yes. If so, why?
 - 3.2. No. If so, why not?
4. What impacts do you think this proposal will have on you or your organisation?

Proposal Three: to provide a three year open work visa post-study for degree level 7 or above

5. Do you support the proposal to provide a three year open work visa post-study for degree level 7 or above?
 - 5.1. Yes. If so, why?
 - 5.2. No. If so, why not?
6. What impacts do you think this proposal will have on you or your organisation?

Proposal Four: to require students studying at non-degree level 7 (such as graduate diplomas) to study in New Zealand for at least two years to be entitled to post-study work visas (this aligns with current sub-degree requirements)

7. Do you support the proposal to change requirements so that those studying at non-degree level 7 will be required to study in New Zealand for at least two years to be entitled to post-study work visas?
 - 7.1. Yes. If so, why?
 - 7.2. No, if so, why not?
8. What impacts do you think this proposal will have on you or your organisation?

Implementation

9. If changes are made to settings, do you think that students with current visas should still be exempt from changes (i.e. still be entitled to post-study rights that were anticipated when they got their first visa?)
 - 9.1. Yes. If so, why?
 - 9.2. No. If so, why not?
10. If these proposals are agreed, how long is needed to accommodate these changes?
 - 10.1. Immediately
 - 10.2. Three months
 - 10.3. Six months
 - 10.4. One year
 - 10.5. Longer

Other comments

11. Do you have any other comments on these proposals?
 - 11.1. Yes
 - 11.2. No

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Rights for partners and dependent children of international students

Current settings

The partners and dependent children of international students studying at Level 6 or below are not eligible for visas on the basis of their relationship with the international student.

Partners of international students are eligible for a 'Partner of a Student' work visa, if the international student is studying towards:

- a qualification at Level 7 in an area specified on the Long Term Skill Shortage List (LTSSL); or
- a qualification at Level 8 or higher.

The LTSSL identifies occupations where there is a sustained and on-going shortage of highly skilled workers both globally and throughout New Zealand. The current LTSSL can be found here: <http://skillshortages.immigration.govt.nz/long-term-skill-shortage-list.pdf>

The 'Partner of a Student' work visa is valid for the same duration as the international student's student visa. It entitles the student's partner to work in any job (i.e. they are not subject to a Labour Market Test to determine that there are no New Zealanders available to carry out the role). The partner is also entitled to study for up to three months.

Dependent children of the holders of a 'Partner of a Student' work visa are eligible for a student visa to attend compulsory schooling (i.e. primary and secondary school) in New Zealand and are regarded as domestic students, so they are not required to pay international student fees.

However, dependent children of international students *without* a parent on a 'Partner of a Student' work visa, will only be treated as domestic students for compulsory schooling if the international student:

- is enrolled in a Doctor of Philosophy (Level 10) programme at a New Zealand University; or
- is studying under a New Zealand Government Approved exchange programme; or
- holds a New Zealand Aid Programme Scholarship.

Partners and dependent children are still able to apply for work, student or visitor visas in their own right.

Reason for change

This proposal aligns with the Government's objective to alleviate skills shortages and enable businesses to get skilled workers to fill skill gaps.

Proposal for settings for partners of international students, and their dependent children

It is proposed that international students studying at Level 8 or Level 9 must be studying in an area specified on the LTSSL for their partner to be eligible for 'Partner of a Student' work visa. No change is proposed to the settings for Level 7 and below, or for Level 10 qualifications.

This will align the requirements at Level 8 and 9 for international students to sponsor a partner, with the current settings for international students studying at Level 7.

This proposal is intended to encourage more international students to complete qualifications in areas of identified skill shortages. It will also signal to international students and the wider education sector which

types of qualifications are most valuable to New Zealand and therefore merit work and study rights for partners and dependent children.

The proposal will make the settings for international students with a partner on a 'Partner of a Student' work visa more consistent with the obligations placed on other groups of visa holders who wish to bring a dependent child to study in New Zealand.

Impacts

The impact of this proposal is unlikely to be significant as it affects a relatively small number of international students. We estimate that the proposal will affect approximately 1,300 international students studying a Level 8 or 9 qualification not linked to the LTSSL, who are linked to a partner and/or a dependent child. The proposal could result in up to 1,300 fewer partners granted 'Partner of a Student' work visas and may result in around 400 fewer domestic students in the compulsory school sector.

Consultation Questions: Eligibility of students' partners and dependent children to work and study in New Zealand

Proposal Five: change the requirements for a 'Partner of a Student' work visa (which allows the partners' dependent children to qualify for fee-free compulsory schooling) to require the international student partner studying at Level 8 or 9 to be studying in an area specified on the long term skill shortage list.

12. Do you support the proposal to change the requirements for a 'Partner of a Student' work visa?

12.1. Yes. If so, why?

12.2. No, if so, why not?

13. What impacts do you think this proposal will have on you or your organisation?

Other comments

14. Do you have any other comments on these proposals?

14.1. Yes.

14.2. No

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Consolidated Consultation Questions

Submitter information

Please tell us if you are submitting as a:

1. Student
 - 1.1. Current
 - 1.2. Prospective
2. Education provider
 - 2.1. University
 - 2.2. Private Training Establishment
 - 2.3. Institute of Technology and Polytechnic
 - 2.4. English language provider
 - 2.5. Other. Please describe:
3. Immigration Agent
 - 3.1. Onshore
 - 3.2. Offshore
4. Student Association
5. Employer of international students
6. Other. Please describe:

Post-study work rights for international students

Proposal One: to remove employer assisted post-study work visas

7. Do you support the proposal to remove employer assisted post-study work visas?
 - 7.1. Yes. If so, why?
 - 7.2. No. If so, why not?
8. What impacts do you think this proposed change will have on you or your organisation?

Proposal Two: to provide a one year open post-study work visa for non-degree level 7 or below

9. Do you support the proposal to provide a one year open work visa post-study for non-degree level 7 or below?
 - 9.1. Yes. If so, why?
 - 9.2. No. If so, why not?
10. What impacts do you think this proposed change will have on you or your organisation?

Proposal Three: to provide a three year open work visa post-study for degree level 7 or above

11. Do you support the proposal to provide a three year open work visa post-study for degree level 7 or above?

11.1. Yes. If so, why?

11.2. No. If so, why not?

12. What impacts do you think this proposed change will have on you or your organisation?

Proposal Four: to require students studying at non-degree level 7 (such as graduate diplomas) to study in New Zealand for at least two years to be entitled to post-study work visas (this aligns with current sub-degree requirements)

13. Do you support the proposal to change requirements so that those studying at non-degree level 7 will be required to study in New Zealand for at least two years to be entitled to post-study work visas?

13.1. Yes. If so, why?

13.2. No, if so, why not?

14. What impacts do you think this proposed change will have on you or your organisation?

Implementation

15. If changes are made to settings, do you think that students with current visas should still be exempt from changes? (i.e. still be entitled to post-study rights that were anticipated when they got their first visa?)

15.1. Yes. If so, why?

15.2. No. If so, why not?

16. If these proposals are agreed, how long is needed to accommodate these changes?

16.1. Immediately

16.2. Three months

16.3. Six months

16.4. One year

16.5. Longer

17. Do you have any other comments on these proposals?

17.1. Yes

17.2. No

Rights of partners and dependent children of international students

Proposal Five: change the requirements for a 'Partner of a Student' work visa (which allows the partners' dependent children to qualify for fee-free compulsory schooling) to require the international student partner studying at Level 8 or 9 to be studying in an area specified on the long term skill shortage list.

18. Do you support the proposal to change the requirements for a 'Partner of a Student' work visa?

18.1. Yes. If so, why?

18.2. No. If so, why not?

19. Do you have any other comments on this proposal?

19.1. Yes

19.2. No

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Appendix One: The New Zealand Qualifications Framework

The New Zealand Qualifications Framework (NZQF) is divided into 10 levels based on how complex the learning is, with a level 1 certificate the least complex.

Level	Certificate	Diploma	Degree
10			Doctoral Degree
9			Master's Degree
8	Postgraduate Certificate	Postgraduate Diploma	Bachelor Honours Degree
7	Graduate Certificate	Graduate Diploma Diploma	Bachelor's Degree
6	Certificate	Diploma	
5	Certificate	Diploma	
4	Certificate		
3	Certificate		
2	Certificate		
1	Certificate		

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