



COVERSHEET

Minister	Hon Kris Faafoi	Portfolio	Immigration
Title of Cabinet paper	Immigration (Visa, Entry Permission, and Related Matters) Amendment (COVID-19 – Applications and Fees) Regulations (No 2) 2020	Date to be published	24 November 2020

List of documents that have been proactively released

Date	Title	Author
September 2020	Immigration (Visa, Entry Permission, and Related Matters) Amendment (COVID-19 – Applications and Fees) Regulations (No 2) 2020	<i>Office of the Minister of Immigration</i>
5 October 2020	CAB-20-MIN-0448	<i>[Cabinet Office]</i>

Information redacted

YES / NO [select one]

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Cabinet

Minute of Decision

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Immigration (Visa, Entry Permission, and Related Matters) Amendment (COVID-19 - Applications and Fees) Regulations (No 2) 2020

Portfolio Immigration

On 5 October 2020, Cabinet:

- 1 **noted** that in July 2020, Cabinet agreed to suspend, for the maximum period of three months, the ability of people offshore to apply for, or express interest in applying for, most temporary entry class visa types [CBC-20-MIN-0069, LEG-20-MIN-0108];
- 2 **noted** that the Immigration (Visa, Entry Permission, and Related Matters) Amendment (COVID-19 – Applications and Fees) Regulations 2020:
 - 2.1 give effect to the decisions above;
 - 2.2 came into effect on 10 August 2020;
 - 2.3 expire on 9 November 2020, unless extended through a further regulation change;
- 3 **noted** that the Minister of Immigration considers that the suspension of applications should be continued post the November expiry date, and that this continues to be reasonably necessary to manage the effects, or deal with the consequences of, the outbreak of COVID-19;
- 4 **agreed** to extend the current suspension of applications for, and expressions of interest in applying for, most offshore temporary visas, for a further three months to 8 February 2021;
- 5 **agreed** that Ministers with Power to Act (the Minister of Immigration, the Minister of Foreign Affairs, the Minister of Housing and the Minister of Health) [CBC-20-MIN-0069] continue to be authorised to revoke the regulations, in whole or in part, should the Minister of Immigration recommend that:
 - 5.1 suspending the ability of persons outside of New Zealand from applying for a temporary entry class visa is no longer required; or
 - 5.2 applications for certain temporary entry class visas should be reopened before the end of the suspension period;
- 6 **agreed** that this suspension not apply to people applying for visas from within a Safe Travel Zone that is in effect, where they intend to travel to New Zealand from that Safe Travel Zone;

- 7 **agreed** that the Immigration (Visa, Entry Permission, and Related Matters) Regulations 2010 be amended to clarify that participants in national Antarctic programmes operated by a Contracting Party to the Antarctic Treaty are not liable for immigration charges in any circumstances, including where national Antarctic programmes are expressing interest in individuals being able to undertake such travel and where individuals are then applying for visas;
- 8 **noted** that item 5 in Schedule 3 of the Immigration (Visa, Entry Permission, and Related Matters) Regulations 2010 establishes that people who travel to New Zealand on a marine craft that is not a cruise or a cargo vessel are deemed to hold a visa on arrival and that this provision conflicts with current maritime border management, which requires such people, who are not New Zealand citizens or visa holders, to apply for and be granted a border exception and a visa before arrival;
- 9 **agreed** to the removal of item 5 from Schedule 3 of the Immigration (Visa, Entry Permission, and Related Matters) Regulations 2010;
- 10 **agreed** that a cross referencing error in section 4 of the Immigration (Visa, Entry Permission, and Related Matters) Regulations 2010 relating to the definition of a “Scheduled International Service” be rectified;
- 11 **noted** that the Immigration (Visa, Entry Permission, and Related Matters) Amendment (COVID-19 - Applications and Fees) Regulations (No 2) 2020 give effect to the decisions above;
- 12 **authorised** the submission to the Executive Council of the Immigration (Visa, Entry Permission, and Related Matters) Amendment (COVID-19 - Applications and Fees) Regulations (No 2) 2020 [PCO 23205/7.0];
- 13 **noted** that the Immigration (Visa, Entry Permission, and Related Matters) Amendment (COVID-19 - Applications and Fees) Regulations (No 2) 2020 come into effect on 9 November 2020;
- 14 **noted** that, if it is considered appropriate to continue suspending offshore temporary visa applications after 8 February 2021, the Minister of Immigration will report to Cabinet in December 2020 to seek further agreement.

Michael Webster
Secretary of the Cabinet