



COVERSHEET

Minister	Hon Kris Faafoi	Portfolio	Immigration
Title of Cabinet paper	Immigration (Visa, Entry Permission, And Related Matters) Amendment (Covid-19—Applications) Regulations 2021	Date to be published	4 June 2021

List of documents that have been proactively released		
Date	Title	Author
April 2021	Immigration (Visa, Entry Permission, And Related Matters) Amendment (Covid-19—Applications) Regulations 2021	Office of the Minister of Immigration
8 April 2021	LEG-21-MIN-0034 Immigration (Visa, Entry Permission, And Related Matters) Amendment (Covid-19—Applications) Regulations 2021	Cabinet Office
1 March 2021	2021-2592 Minor and technical change to Regulations	MBIE

Information redacted

NO

Any information redacted in this document is redacted in accordance with MBIE's policy on Proactive Release and is labelled with the reason for redaction. This may include information that would be redacted if this information was requested under Official Information Act 1982. Where this is the case, the reasons for withholding information are listed below. Where information has been withheld, no public interest has been identified that would outweigh the reasons for withholding it.



Cabinet Legislation Committee

Minute of Decision

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Immigration (Visa, Entry Permission, and Related Matters) Amendment (COVID-19 - Applications) Regulations 2021

Portfolio Immigration

On 8 April 2021, the Cabinet Legislation Committee:

1 **noted** that:

- 1.1 in July 2020, the Cabinet Business Committee 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 and LEG-20-MIN-0108]
- 1.2 the Immigration (Visa, Entry Permission, and Related Matters) Amendment (COVID-19 – Applications and Fees) Regulations 2020, which came into effect on 10 August 2020, gave effect to that decision;

2 **noted** that:

- 2.1 in October 2020, Cabinet agreed to continue that suspension [CAB-20-MIN-0448];
- 2.2 the Immigration (Visa, Entry Permission, and Related Matters) Amendment (COVID-19—Applications and Fees) Regulations (No 2) 2020, which came into effect on 9 November 2020, gave effect to that decision;

3 **noted** that:

- 3.1 in December 2020, the Cabinet Business Committee agreed to continue that suspension [CBC-20-MIN-0138];
- 3.2 this was given effect by the Immigration (Visa, Entry Permission, and Related Matters) Amendment (COVID-19—Applications and Fees) Regulations (No 3) 2020, which came into effect on 8 February 2021;
- 3.3 unless the suspension is extended through a further regulation change before 7 May 2021 the suspension will end, and the suspension regulation will be repealed;

4 **noted** that the Minister of Immigration considers that the current suspension of certain applications should be continued beyond the May expiry date, and that this continues to be reasonably necessary to manage the effects of, or deal with the consequences of, the outbreak of COVID-19 and to manage the impacts of the measures that have been taken to manage COVID-19;

5 **agreed** to extend the current suspension of applications for most offshore temporary visas for a further three months, to 6 August 2021;

- 6 **noted** that Ministers with Power to Act (the Minister of Immigration, the Minister of Foreign Affairs, the Minister of Housing and the Minister of Health) will revoke the regulations, in whole or in part, should the Minister of Immigration recommend that:
- 6.1 suspending the ability of persons outside of New Zealand from applying for a temporary entry class visa is no longer required; or
 - 6.2 applications for certain temporary entry class visas should be reopened before the end of the suspension period;
- 7 **noted** that on 22 March 2021, in the context of the implementation of wider quarantine-free travel, Cabinet agreed to amend the Immigration (Visa, Entry Permission, and Related Matters) Regulations 2010 to:
- 7.1 ensure that once a quarantine-free travel zone is in place, third country nationals in that zone can continue to make applications for temporary entry class visas, regardless of whether quarantine-free travel is in effect or not; and
 - 7.2 amend the references to ‘safe travel zone’ to ‘quarantine-free travel zone’;
- [CAB-21-MIN-0081]
- 8 **noted** that the Immigration (Visa, Entry Permission, and Related Matters) Amendment (COVID-19—Applications) Regulations 2021, give effect to paragraphs 5 and 7 above;
- 9 **authorised** the submission to the Executive Council of the Immigration (Visa, Entry Permission, and Related Matters) Amendment (COVID-19—Applications) Regulations 2021 [PCO 23642/9.0];
- 10 **noted** that a waiver of the 28-day rule is sought:
- 10.1 to enable full consultations to be completed and to enable the regulations to come into force before the current suspension period expires on 7 May 2021;
 - 10.2 on the grounds that this will have little effect on the public, noting they maintain the status quo with regard to most offshore applications for temporary entry class visas and, where they change, confer minor benefits to third country nationals in quarantine-free travel zones;
- 11 **agreed** to a waiver of the 28-day rule so that the Immigration (Visa, Entry Permission, and Related Matters) Amendment (COVID-19—Applications) Regulations 2021 can come into effect on 7 May 2021;
- 12 **noted** that, if it is considered appropriate to continue suspending offshore temporary visa applications after 6 August 2021, the Minister of Immigration will return to Cabinet to seek further agreement, but that the ability to do this will depend upon the passage of amendment legislation recently agreed to by Cabinet and due to be introduced shortly | [DEV-21-MIN-0016].

Gerrard Carter
Committee Secretary

Present: (see over)

Present:

Hon Grant Robertson (Chair)
Hon Andrew Little
Hon David Parker
Hon Poto Williams

Officials present from:

Office of the Prime Minister
Officials Committee for LEG