



## COVERSHEET

<b>Minister</b>	Hon Michael Wood	<b>Portfolio</b>	Immigration
<b>Title of Cabinet paper</b>	Immigration Rebalance – determining the green list and sector agreements	<b>Date to be published</b>	12 July 2022

### List of documents that have been proactively released

<b>Date</b>	<b>Title</b>	<b>Author</b>
April 2022	Immigration Rebalance – determining the green list and sector agreements	MBIE
April 2022	SWC-22-MIN-0070	Cabinet office
April 2022	CAB-22-MIN-0145	Cabinet office

### Information redacted

**YES / NO** [select one]

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# Cabinet

## Minute of Decision

*This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.*

### Immigration Rebalance: Determining the Green List and Sector Agreements

**Portfolio**                      **Immigration**

On 19 April 2022, following reference from the Cabinet Social Wellbeing Committee, Cabinet:

- 1        **noted** that in December 2021, Cabinet agreed the Rebalance package, which includes:
  - 1.1      a median wage threshold indexed to the New Zealand median wage for employer-assisted visas (unless an occupation is exempted by another setting);
  - 1.2      a green list which facilitates easier entry for specified high skilled or hard to fill and high national importance roles;
  - 1.3      Confidential advice to Government
  - 1.4      a new framework for sector agreements in a small number of sectors where there is short-term or ongoing need for capped access to lower skilled migrants;
  - 1.5      restrictions to the work rights of most partners of migrant workers to qualify for an Accredited Employer Work Visa by obtaining a role paying above median, but allowing them to work less than 30 hours per week, and;
  - 1.6      extending accreditation to require all employers to be accredited to hire a migrant worker, including those with open work rights, from 2023;

[CAB-21-MIN-0554]

- 2        **noted** that the median wage threshold will apply to the Accredited Employer Work Visa from July 2022;

#### Green list

- 3        **agreed** that the green list facilitates easier entry by providing two prioritised and streamlined residence pathways:
  - 3.1      a fast track straight to residence path;
  - 3.2      a work to residence path, which requires two years in a job on the list to qualify;

- 4 **agreed** that the green list is implemented with selected occupations including some health practitioners, engineers, construction and infrastructure roles and IT professionals provided residence pathways as outlined in Table One under CAB-22-SUB-0145;
- 5 **noted** that to give effect to these green list settings, a new application process within the Skilled Migrant Category will be established for people in occupations on the green list who:
  - 5.1 have an ongoing job offer in one the listed occupations from an accredited employer;
  - 5.2 meet the skill criteria that will be specified for each occupation;
  - 5.3 are aged 55 or younger (aligned to the Skilled Migrant Category age limit);
  - 5.4 meet the English language requirements set out in the Skilled Migrant Category;
  - 5.5 meet standard health and character requirements for residence;
- 6 **noted** the existing Skilled Migrant Category process of claiming points in an expression of interest and then being subsequently invited to apply for residence would not apply for people using the green list to apply;
- 7 **noted** the Skilled Migrant Category fee will apply, and that this is currently under review;
- 8 **agreed** to include dairy farm manager roles paid median wage or above a work to residence pathway through the green list;

**Sector Agreements**

- 9 **agreed** that sector agreements for the Care Workforce, Seafood, Construction and Infrastructure, Meat Processing and Seasonal Snow and Adventure Tourism industries, as outlined in Appendix One under CAB-22-SUB-0145 are progressed to consultation with sector peak bodies and unions;
- 10 **agreed** that the following Ministers and associated portfolio agencies support the engagement and any further development of sector agreements:

Sector Agreement	Minister(s)
Care Workforce	Minister of Health Minister for Disability Issues Associate Minister of Health (Hon Dr Ayesha Verrall)
Construction and Infrastructure	Minister of Housing Minister of Building and Construction Minister of Infrastructure Minister of Transport
Meat processing	Minister of Agriculture
Seafood	Minister for Oceans and Fisheries
Seasonal Snow and Adventure Tourism	Minister of Tourism

- 11 **noted** that the Minister of Immigration intends to report back to Cabinet in June 2022 with the finalised sector agreements, following a short period of engagement with sectors;

**Additional arrangements**

- 12 **Confidential advice to Government**  
[Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- 13 **agreed** to provide the Tourism and Hospitality sector a transitional sector agreement from 4 July 2022 to April 2023 which allows for recruitment at a lower wage threshold of \$25.00 per hour to support these sectors in their recovery after COVID-19 restrictions;
- 14 **agreed** to include all tourism and hospitality specific roles (of any ANZSCO skill level – as in Table 4 under CAB-22-SUB-0145) in the above decision;
- 15 **agreed** that any transitional sector agreement for tourism and hospitality specific roles will not include the occupations listed at paragraph 12 or chef, as these roles will be subject to the median wage threshold;
- 16 **noted** that under the Rebalance changes, migrants employed in chef roles will be required to have a relevant qualification deemed equivalent to an NZQA qualification to be eligible for an Accredited Employer Work Visa;
- 17 **invited** the Minister of Immigration to review the green list and **Confidential advice to Government**  
[Redacted] and report back to Cabinet if there are proposed changes;

**Implementation**

- 18 **noted** that the median wage threshold will be applied to the Accredited Employer Work Visa, and the green list and sector agreements for temporary work visa settings will also be introduced alongside this visa which opens in July 2022;
- 19 **noted** that people in green list occupations on the straight to residence path will be able to apply for residence from September 2022;
- 20 **noted** that affected partners of migrant workers must obtain an Accredited Employer Work Visa (with an exemption from the 30-hour requirement) from December 2022 to be able to work, and before December open work rights will be issued to partners of temporary visa holders earning the median wage or above (as per current policy settings);
- 21 **noted** that given the time required to consult on, agree, and implement sector agreements, transitional settings need to be agreed for some of the sectors identified for sector agreements now, to be in place from 4 July 2022, until final sector agreements are in place from September 2022;

- 22 **agreed** that for the following Carer, Construction and Infrastructure roles, employers would be able to recruit using the Accredited Employer Work Visa pathway at or above 90 percent of the median wage for construction roles, and at or above \$25.39 (or the equivalent rate in any pay equity arrangement) for carer roles, and a 2-year stand down would apply to:
- 22.1 Construction and Infrastructure roles, including: metal fabricators, welders, fitters, fitter-welder, painting trades worker, fibrous plasterer, solid plasterer, wall and floor tiler;
  - 22.2 Carer roles, including: kaiāwhina (hauora) (Māori health assistant), disabilities services officer, residential care officer, aged and disabled carers, nursing support worker, personal care assistant, therapy aide, child or youth residential care assistant;
- 23 **agreed** that the border exception for onshore seafood processors is amended to a lower wage threshold of \$24.00 per hour from late April 2022, and to increase the cap to 200 workers until the Seafood sector agreement comes into place from September 2022;
- 24 **agreed** that should Step 5 of Reconnecting New Zealand commence from July 2022, a median wage threshold for the Foreign Fishing Crew visa is put in place from 4 July 2022 while the Seafood sector agreement is finalised;
- 25 **noted** that the Minister of Immigration will report back to Cabinet in June 2022 on final sector agreements and to progress development of Pacific programmes [CAB-21-MIN-0554].

Diana Hawker  
for Secretary of the Cabinet