



COVERSHEET

Minister	Hon Michael Wood	Portfolio	Immigration
Title of Cabinet paper	New Zealand Business Number (Authority to Require NZBN) Amendment Regulations 2022 and Immigration (Visa, Entry Permission, and Related Matters) Amendment Regulations (No.2) 2022	Date to be published	16 August 2022

List of documents that have been proactively released

Date	Title	Author
March 2022	New Zealand Business Number (Authority to Require NZBN) Amendment Regulations 2022 and Immigration (Visa, Entry Permission, and Related Matters) Amendment Regulations (No.2) 2022	Office of the Minister of Immigration
31 March 2022	LEG-22-MIN-0040 Minute	Cabinet Office

Information redacted

NO

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Cabinet Legislation Committee

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.

New Zealand Business Number (Authority to Require NZBN) Amendment Regulations 2022 and Immigration (Visa, Entry Permission, and Related Matters) Amendment Regulations (No.2) 2022

Portfolios **Small Business / Immigration**

On 31 March 2022, the Cabinet Legislation Committee:

- 1 **noted** that, In August 2019, the Cabinet Economic Development Committee (DEV) agreed to introduce the Accredited Employer Work Visa (AEWV) system to replace six existing temporary work visa categories, and that the new system will require employers to be accredited with Immigration New Zealand (INZ) in order to support a migrant worker's AEWV application [DEV-19-MIN-0228];

New Zealand Business Number

- 2 **noted** that Immigration New Zealand has developed an ICT system to manage employer accreditation, and that the New Zealand Business Number (NZBN) will be used as the employer identifier in the system;
- 3 **noted** that the New Zealand Business Number (Authority to Require NZBN) Amendment Regulations 2022 will authorise the Ministry of Business, Innovation and Employment to require all employers who apply for accreditation under the new AEWV system to provide their NZBN when they apply for accreditation;
- 4 **noted** that section 29 of the New Zealand Business Number Act 2016 requires the Minister of Small Business to do the following before making a recommendation to authorise an agency to require eligible entities to provide their NZBN:
 - 4.1 consult the Privacy Commissioner and take into account the potential privacy effects of the authorisation;
 - 4.2 have regard to the advantages and disadvantages for eligible entities of the authorisation;
 - 4.3 have regard to the potential effects of the authorisation on the agency's costs;
- 5 **noted** that the requirements set out in paragraph 4 above have been met;

Fees for applications under the AEWV system

- 6 **noted** that, in February 2022, the Cabinet Economic Development Committee (DEV) agreed to the following fees to be payable for applications under the AEWV system [DEV-22-MIN-0009]:

		Fee – NZ\$
Employers to be accredited through one of four pathways:	Standard (≤5 migrants at any one time)	740
	Upgrade fee (standard to high-volume)	480
	High-volume (≥6 migrants at any one time)	1,220
	Triangular employment (includes labour hire companies)	3,870
	Franchisees	1,980
Reconsideration of declined employer accreditation application		240
Job check fee		610
Reconsideration of declined job check		240
Issuing of AEWV to worker		540

- 7 **noted** that DEV also agreed to an exemption to the accreditation fee for employers who hold accreditation under the Work to Residence –Talent (Accredited Employer) scheme, with more than six months duration remaining at 9 May 2022 (which was the previously intended opening date for employer accreditation applications) [DEV-22-MIN-0009];
- 8 **noted** that the *Immigration (Visa, Entry Permission and Related Matters) Amendment Regulations (No.2) 2022* will give effect to the decision referred to in paragraph 6 above, with the following clarifications:
- 8.1 the fees are payable on application, and are payable regardless of the outcome of the application;
- 8.2 reconsiderations of job checks may also be requested where the job check was not declined, but was approved for fewer positions than the employer requested;
- 8.3 the fee waiver referred to in paragraph 7 above will apply to employers who have six months' duration remaining on their accreditation on 23 May (rather than 9 May), as this is now the opening date for accreditation applications;

Submission of amendment regulations

- 9 **authorised** the submission to the Executive Council of the:
- 9.1 New Zealand Business Number (Authority to Require NZBN) Amendment Regulations 2022 [PCO 23859/3.0];
- 9.2 Immigration (Visa, Entry Permission, and Related Matters) Amendment Regulations 2022 [PCO 24606/5.0];
- 10 **noted** that the regulations referred to in paragraph 9 will come into effect on 23 May 2022.

Rebecca Davies
Committee Secretary

Attendance: (see over)

Present:

Hon Chris Hipkins
Hon Andrew Little
Hon David Parker
Hon Poto Williams
Hon Jan Tinetti
Hon Michael Wood (Chair)
Hon Dr David Clark
Hon Phil Twyford
Keiran McNulty, MP (Senior Government Whip)

Officials present from:

Office of the Prime Minister
Officials Committee for LEG