



**MINISTRY OF BUSINESS,
INNOVATION & EMPLOYMENT**
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Briefing for the Incoming Minister of Immigration

June 2022

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1. Portfolio Overview

1. The immigration system regulates the entry and stay of foreign nationals in New Zealand to support a range of national objectives:
 - To support the economy and labour market with key skills;
 - To enable family reunification and ties to be maintained;
 - To contribute to New Zealand’s international and humanitarian commitments; and
 - To support the security and integrity of New Zealand’s borders.
2. The responsibilities of the Minister of Immigration include leading the policy and strategic direction for the immigration system, certifying immigration instructions which set the rules and criteria for the grant of visas and entry permission, and decision-making in regard to individual cases.
3. The Ministry of Business, Innovation, and Employment (MBIE) provides the following support for this portfolio:
 - Immigration New Zealand (INZ) administers the core operational function
 - the Immigration Policy teams, within the Labour, Science and Enterprise group, provide policy advice
 - the Immigration Advisers Authority, within the Te Whakatairanga Service Delivery group, provides services to license people who provide New Zealand immigration advice.

Priorities

4. Over the past three years we have had to adapt quickly to focus on new priorities as we entered, worked through, and now emerge from, the COVID-19 pandemic. The focus through this year has been on the reopening of the borders and implementing new system and policy settings.
5. There are several areas where we are focused in our work programme, including:
 - **The new Accredited Employer Work Visa** – this new streamlined employer-led visa is fully live from 4 July 2022. Many of the Rebalance changes (such as the median wage threshold and sector agreements) are also enabled through this framework and online platform. To date over 4,000 employers have applied for accreditation.
 - **System transformation in INZ** – developing a pathway to operational excellence by taking maximum advantage of our recently-deployed online visa platform; embedding the associated new ways of working; and putting the customer at the centre of what INZ does.
 - **Review and reopening of the Skilled Migrant Category** – the current points-based system is closed to new applications while being reviewed. s 9(2)(f)(iv) [REDACTED]
[REDACTED]
 - **Review and reopening of the Parent Category** – the Parent Category has been closed to new applications since 2016. s 9(2)(f)(iv) [REDACTED]
[REDACTED]

- **Immigration Funding review** – the border and travel restrictions established in response to COVID-19 led to a significant decline in visa applications and third-party revenue. In November 2021, Cabinet agreed to a first principles review of the immigration funding model. The first stage, focused on bringing fee and levy rates closer to appropriate levels of cost recovery, has been completed, with amended immigration regulations to give effect to the new fees and levy rate are being considered by the Cabinet LEG Committee on 23 June. s 9(2)(f)(iv)
- **Response to the Productivity Commission and further work** – the Productivity Commission has a number of findings and recommendations for the immigration system. You will receive advice on a Government response in August, including whether to pursue a Government Policy Statement.
- **Review of Family and Partnership settings** – a range of family related issues including the requirements to demonstrate a genuine relationship, family violence visa settings, and the application of health and disability checks have been raised by various stakeholders. A review is scheduled for 2023.

6. The following box highlights the s 9(2)(f)(iv) to the previous Minister earlier this year, and how we are progressing these.

s 9(2)(f)(iv)

s 9(2)(f)(iv)

- Reopening the border and allowing New Zealanders, communities, and businesses to reconnect and attract new skills;
- Progressing the rebalancing immigration programme;
- Delivering the 2021 Resident Visa; and
- Responding to the New Lynn terrorist attack.

Reopening the border: Reconnecting New Zealand

The border was used as the primary defence for eliminating and preventing the reintroduction of COVID-19 to New Zealand since it was closed in March 2020.

Earlier this year decisions were made on reconnecting New Zealanders to the world. Through these decisions, the border is being progressively reopened, to the point where the borders will be fully ‘reopened’ on 31 July. The policy work is now complete; meanwhile the ongoing operational activity associated with the reopening of the border is INZ’s highest priority.

The Immigration Rebalance

The Immigration Rebalance changes skilled work and residence settings, leveraging the break-point of closed borders, to make it easier to attract key skills while not returning to the growing pre-COVID reliance on lower skilled migrant workers. These changes are intended to drive improvements in wages, training and conditions for New Zealanders, more productive business models and technology investment, and a more sustainable growth path.

The details for most components are now agreed, with policy work shifting to support INZ’s implementation of the changes:

- The median wage threshold comes in with the new Accredited Employer Work Visa from 4 July;

- The Green List straight to residence path opens in September;
- The requirement for partners of most temporary workers to get a labour market tested visa to work applies from December;
- Post study work visa changes for sub-degree study will apply to study commencing after 31 July.

A number of detailed implementation decisions will follow.

Further policy work and Ministerial decisions are needed on:

- The finalised sector agreements with seafood, construction, care, meat processing, and adventure tourism for implementation from October;
- Consultation with Pacific Island Countries on Pacific worker schemes in the sector agreements;
- s 9(2)(f)(iv) [REDACTED]
- The system design for the requirement for employers to be accredited to employ any migrant.

2021 Resident Visa

To provide a pathway to residence for those on temporary visas who were in New Zealand during the COVID-19 pandemic, in October 2021 the Government announced the 2021 Resident Visa, a one-off, simplified pathway to residence for around 165,000 migrants currently in New Zealand. This is the most significant residence policy decision in the history of immigration in New Zealand.

Applications opened on 1 December 2021 and close on 31 July 2022. INZ is committed to deciding the vast majority of these residence applications within 12 months, with some being much faster.

As at 15 June 2022, over 100,000 applications were received under the two phases of applications for the 2021 Resident Visa, which equated to over 200,000 applicants. Of these INZ had approved over 25,000 applications and granted residence to nearly 55,000 people.

- Approximately 93 per cent of applications expected (28,000) under phase one have been received.
- Approximately 90 per cent of applications (82,000) under phase 2 have been received.

Responding to the New Lynn terrorist attack

New Zealand has experienced two terror events in the last few years where the perpetrator has not been a New Zealand citizen, the most recent of which is the Samsudeen case culminating in the stabbing of shoppers in Countdown New Lynn in September 2021. This case highlighted gaps in the immigration settings for managing individuals who are not citizens and are a known risk to public safety, but who otherwise cannot be deported. Cabinet directed officials to provide advice on potential options in the immigration system to address this risk s 9(2)(f)(iv) [REDACTED]

s 9(2)(f)(iv) [REDACTED]

Officials undertook targeted consultation with immigration experts and community groups. [REDACTED]

s 9(2)(f)(iv) [REDACTED]

7. As we deliver on these, we will discuss with you further priorities for the immigration policy work programme. A full overview of the immigration policy work programme is attached to this briefing as Annex 5.

The Immigration System

8. New Zealand's immigration system regulates the entry, and stay in New Zealand, of people who are not New Zealand citizens.
 - The Minister of Immigration is responsible for the immigration system, including the regulation of immigration advisers, and is responsible for leading the development of all immigration policy, as well as for the immigration-related appropriations that fall within Vote Labour Market.
 - The Minister of Immigration also has powers under the Immigration Act 2009, including as a primary decision maker, and the ability to delegate the decision-making power to other Ministers and officials.
9. The Immigration system supports a range of economic, social, security, international and humanitarian objectives. Immigration settings need to balance impacts across these objectives, particularly the need to balance potentially negative impacts of immigration on the labour market with facilitating the attraction of highly skilled workers and migrants to fill genuine skills gaps. The regulatory system also needs to strike the right balance between making entry as easy as possible for genuine travellers, while ensuring and maintaining the integrity of the system.
10. Prior to COVID-19, the Immigration context was characterised by a high growth in numbers of low-skilled temporary work visa holders and increased pressure on skilled residence visas. Processing times in some visas were growing. In additions, migrant exploitation and non-compliance was a growing area of focus.
11. COVID-19 resulted in unprecedented challenges for the Immigration system, related primarily to the closure of the border, with flow on impacts for families and the economy. The impacts of COVID-19 have been highly varied, with regions that rely on hard-hit sectors such as tourism particularly affected. INZ was also significantly impacted, with revenue significantly reduced due to fewer applications, and visa processing capacity impacted by the effects of lockdowns and the need to rapidly respond to new visa demands.
12. Attached as Annex 3 is an overview of work undertaken during COVID-19 and which is now underway to support reconnecting New Zealand with the world.
13. Annex 4 provides an overview of the main visa classes in the New Zealand immigration system.

Work on immigration's contribution to New Zealand's economy and labour market

The new Accredited Employer Work Visa and the Immigration Rebalance provide new toolsets to manage labour market and economic impacts

14. In 2019 Cabinet agreed to changes to the temporary work visas settings. The new Accredited Employer Work Visa (AEWV) opens fully on 4 July. It combines six existing visas into one, and introduces a new employer-led three gate system that will improve INZ's ability to scrutinise and restrict poor employers from employing migrants, give migrants more certainty that a job has been approved before they apply for their visa, and ensure migrant skills match those advertised.
15. There are three gates in the new online system:
 - The Employer Gate** – opened May. This requires the employer to be accredited before seeking to recruit migrants. Accreditation requirements are divided by risk and volume

considerations (standard, high volume, franchise and triangular employers) with the level of scrutiny applied by INZ tailored to the risk level.

Job Check – opens 20 June. This requires employers to get their job approved before recruiting a migrant by demonstrating they have advertised, are offering the market rate, meet pay and hours requirements, and declaring they could not find New Zealanders.

Migrant visa – opens 4 July (when remaining border restrictions for work visa holders are lifted). This allows the migrants to apply for the visa for a job checked role. Checks include health, character, and that the migrant’s skills match those advertised for (so an employer cannot appoint a lower skilled migrant than they required of New Zealand applicants).

16. The new system will be quicker and more transparent for employers and migrants. INZ is also reviewing its evidence-informed risk tools to determine where best to focus resources; looking most closely at requests for some roles which are known to have been used as pathways to residence, and expediting requests from known and trusted employers.
17. The Immigration Rebalance introduced a median wage threshold for roles, replacing a previous requirement that roles below the median wage receive approval from the Ministry of Social Development that there were not suitable jobseekers available. The median wage is being used as a proxy for skill, and this change efficiently limits the ability of employers to continue to draw on low skilled migrants. Employers can still employ working holiday makers and students below the median wage, but many sectors will need to adapt their wages and conditions to attract New Zealanders or shift to more productive business models or technologies.
18. The Rebalance also introduced “green lists”, providing key roles such as doctors and engineers a streamlined pathway straight to residence, and some other key roles such as nurses and dairy farm managers a two year work to residence path. There is also a streamlined two year work to residence path for workers paid more than twice the median wage.
19. Residence is a powerful driver for many migrants, and some will seek any work path that offers a chance for residence. This can lead to gaming of certain roles by lower skilled migrants, displacing New Zealanders from genuine roles and training opportunities, and exposure to risks of exploitation. The Immigration Rebalance changes to post study work rights for some sub-degree students help to shut some of these pathways. The review of the Skilled Migrant Category will provide another opportunity to set clear expectations about pathways to residence for the skills that New Zealand needs.

Prevention of migrant exploitation

20. INZ works closely with the Labour Inspectorate and across MBIE to ensure that migrants are not exploited. Evidence suggests that migrant exploitation is a serious and growing problem in New Zealand.
21. In August 2020 the Government announced a package of legislative, policy and operational changes as a result of the Temporary Migrant Worker Exploitation Review (the Review). These changes represent a coordinated end-to-end set of policy and operational changes to reduce migrant exploitation.
22. The changes were accompanied by \$50 million in funding over four years from 2020 to 2024, to help ensure that Employment New Zealand and INZ are better resourced to respond to reports of exploitation and take action. This funding also supports a migrant exploitation information

and education action plan, which focuses on providing more information and education outreach on employment rights and obligations for both employers and migrant workers.

23. On 1 July 2021, the first of the new changes from the Review came into force. The remaining changes from the Review require legislation to be implemented. Officials are currently drafting the Worker Protection (Migrant and Other Employees) Bill, which will amend the Companies Act, Employment Relations Act and Immigration Act to:
 - Disqualify people convicted of migrant exploitation and people trafficking from managing or directing a company;
 - Establish new immigration infringement offences targeting non-compliant employer behaviour;
 - Allow Labour Inspectors to issue an infringement notice where employers fail to provide requested documents in a reasonable timeframe; and
 - Expand the stand-down list to cover existing Immigration Act offences.
24. Officials intend to have the Bill finalised and ready for introduction to Parliament in August 2022. A full evaluation of the changes is scheduled in 2023.
25. In addition, officials have been assisting the Education and Workforce Committee while it has been conducting an inquiry into migrant exploitation. The Committee received public submissions on the issue from October 2021 to February 2022 and held a number of public and private hearings on the issue.
26. Officials prepared a departmental report in May 2022 summarising and responding to key themes and questions that arose from both submissions and Committee members. Key themes from submitters largely focused on the role of visa settings and government policy in contributing to making migrants vulnerable to exploitation. The Committee is expected to produce its final report in July 2022.

Elimination of people trafficking

27. The Minister of Immigration is responsible for leading, in consultation with other Ministers, government action on eliminating people trafficking. People trafficking is the recruitment, transportation, transfer, harbouring or receipt of a person through coercion or deception, for the purpose of exploiting that person. Exploitation associated with people trafficking includes forced labour, slavery and sexual exploitation. People trafficking can occur across international borders and within a country, and both New Zealanders and migrants can be victims of trafficking.
28. INZ and New Zealand Police are jointly responsible for investigating instances of people trafficking. Since 2015, there have been four prosecutions for people trafficking, and 51 victims officially identified, with two offenders convicted. All the prosecutions to date have involved migrants who were trafficked across New Zealand's border. In 2019 an Inter-Agency TIP Operations Group (Operations Group) was established, made up of operational agencies most likely to engage with cases of people trafficking. The Operations Group meets monthly to discuss people trafficking cases with a cross-agency interest.
29. INZ reports internationally on our efforts to combat people trafficking. Actions to address people trafficking are also included in the Government's *Plan of Action against Forced Labour, People Trafficking and Slavery*. Reports on progress against the Plan of Action are made every 6

Work on immigration's contribution to New Zealand's humanitarian objectives

30. Since the 1980s, New Zealand has, under the Refugee Quota Programme, resettled 750 refugees annually who are referred for resettlement by the United Nations High Commissioner for Refugees (UNHCR). In September 2018, Cabinet agreed to increase the refugee quota to 1,500 places annually from July 2020 (Cabinet had previously agreed to permanently increase the quota to 1,000 places annually in June 2016). However, the impact of COVID-19 has affected our ability to realise this increase. The Government aims to resettle 1,500 refugees per year from 2022/23 onwards.
31. We expect that, by 30 June 2022, over 750 refugees will have arrived into New Zealand through the Refugee Quota Programme. Working closely with MFAT, MSD and other agencies, INZ has also played a lead role in the arrival and settlement in New Zealand of more than 1600 people as part of the Afghanistan humanitarian response, over 800 of whom are now housed permanently in the community.
32. The Refugee Quota is complemented by the extended Community Organisation Refugee Sponsorship Category pilot (150 refugees over three years) and the Refugee Family Support Category (currently 300 places annually and increasing to 600 from 1 July 2022).
33. Quota refugees resettled in New Zealand spend their first five weeks in the country at the Mangere Refugee Resettlement Centre (MRRRC) – Te Āhuru Mōwai o Aotearoa, where they participate in a reception programme that focuses on preparing them to live and work in the community. INZ funds and contracts the delivery of settlement support services to quota refugees for up to 12 months after their arrival in their settlement locations.
34. In addition to quota refugees, INZ also undertakes first instance determination of claims for refugee and protected person status in New Zealand.
35. Immigration settings facilitate family migration to enable the partners and immediate family (dependent children and parents) of New Zealand citizens and residents to live with them in New Zealand.
36. There are also specific policies allowing for the family reunification of refugees. Family migration policies recognise the right of New Zealanders to live here with their families and the importance of family to successful migrant settlement. In 2021, Cabinet agreed to increase the cap for the Refugee Family Support Category from 300 to 600 place per year and to increase the support available for applicants. These changes are being implemented from 1 July 2022.
37. MBIE also leads the coordination and implementation of the whole of government Migrant Settlement and Integration Strategy and the Refugee Resettlement Strategy. Both initiatives provide cross-government frameworks to support successful migrant and refugee resettlement so that they can participate and have a sense of belonging in their community and to New Zealand. These strategies will both be reviewed in the coming financial year.
38. MBIE leads the Welcoming Communities programmes, which supports local government and their communities to foster welcoming and inclusive communities for newcomers, including recent migrants, former refugees, and international students.

39. The immigration system can also support wider humanitarian responses to crises. Where offshore crises, including civil war and invasions, have occurred in the past, New Zealand's standard immigration approach is to:
- apply a sympathetic approach to people who are onshore on temporary visas, while maintaining an expectation that, unless they meet residence criteria, they will eventually leave
 - work with the international community to help meet the protection needs of displaced people – predominantly through the Refugee Quota Programme.
40. In the last 12-months, bespoke immigration pathways have been provided following offshore crises including:
- *Afghanistan* - the immigration response to Afghanistan included an emergency visa process, and wrap-around settlement support on arrival for over 1,600 Afghan nationals. This is a unique policy which reflects that New Zealand had a special obligation to assist this cohort as they were at risk of harm due to their support for New Zealand activities.
 - *Ukraine* – following Russia's invasion of Ukraine, the Minister of Immigration directed INZ to prioritise Ukrainian visa applications, temporary visas of Ukrainians onshore which were due to expire this year were extended by 12 months and Ukrainians with valid visas were allowed to enter the country prior to the border reopening. Cabinet subsequently agreed to establish the 2022 Special Ukraine Policy which enables an estimated 1,600 New Zealand Ukrainians to sponsor their parents, grandparents, siblings, adult children (and their immediate families) to shelter in New Zealand for two years.
41. The immigration system supports Pacific regional development objectives through the Pacific Access Category and Samoan Quota residence policies and through temporary labour mobility schemes, including the RSE policy.
- The economic contribution these programmes make to the Pacific is significant and continues to solidify New Zealand's special relationship with Pacific Island nations.
 - Registrations for the Pacific Access Category and Samoan Quota are currently postponed given current border restrictions, but are expected to reopen later in the year.
42. In 2018, Cabinet agreed to a phased policy work programme on Pacific migration, including:
- a review of the Recognised Seasonal Employer (RSE) scheme and wider labour mobility objectives for the Pacific;
 - a review of residence visa categories, including Pacific Access Category, Samoan Quota, and Family categories.
43. COVID-19 has subsequently affected the timing and phasing of these reviews. You will receive further advice on progress and next steps for the RSE policy review and wider work on Pacific Immigration policies.

Work on immigration's contribution to the security of New Zealand's borders

44. The immigration system regulates the entry and exit of visa holders crossing New Zealand's borders.
- MBIE is a member of the Border Executive Board, set up in January 2021 to strengthen existing collaboration of border agencies to ensure a safe and smart border. It comprises the CEs of six agencies with border responsibilities (New Zealand Customs Service, MBIE, Ministry of Health, Ministry of Foreign Affairs and Trade, Ministry for Primary Industries and Transport).
 - MBIE also works closely with other agencies, including New Zealand Police, Aviation Security, and the Department of Internal Affairs, to provide an efficient, coordinated, and responsive border management system by leveraging each other's resources and information.
 - This enables the border sector to respond to the challenges of increasing demand for border services, particularly increasing passenger volumes.
 - COVID-19 has shown the importance of border management in responding to incoming challenges and threats.
45. MBIE is an active member of the Migration 5 (M5) (the immigration agencies of Australia, Canada, New Zealand, the United Kingdom, and the United States) which work on areas of common interest, such as information sharing and refugee assessment.
46. As Minister of Immigration, you are a member of the Five Country Ministerial (FCM). The FCM is an annual meeting of the home affairs, interior, security and immigration ministers of Australia, Canada, New Zealand, the United Kingdom, and the United States of America. New Zealand's involvement in the FCM is led by the Department of the Prime Minister and Cabinet and supported by INZ on migration and border related matters.
47. The FCM has developed over recent years into an increasingly active body, with an ongoing collaborative work programme, on a range of national security-related issues, including border security.
48. INZ also plays a role as a member of New Zealand's maritime security sector, which is comprised of several government agencies and stakeholders with maritime domain risk management and support responsibilities. Within the national security system, the agencies are brought together under the Maritime Security Oversight Committee (MSOC), incorporating governance, policy, intelligence, and operational coordination functions. MSOC has a Maritime Security Strategy to provide cross-government policy guidance for the sector.

People smuggling and mass arrivals

49. People smuggling is where an individual pays a smuggler to transport them to another country illegally. The smuggler makes a profit while often vulnerable potential passengers are exposed to great personal risks. New Zealand has international obligations to counter people smuggling and protect those undertaking dangerous journeys.
50. The unscheduled and unlawful arrival of more than 30 passengers to New Zealand in one event is termed a 'mass arrival'. While New Zealand has not had a successful mass arrival, a mass arrival would present a national security risk to New Zealand given the resource and security implications of managing it.

51. Legislative and policy changes were made in 2013 to manage this risk. A prevention-focused strategy, cross-agency structure, practised response plan and ring-fenced budget are also in place to deter attempts, and effectively manage a mass arrival should one occur.
52. MBIE, through INZ, has the lead role for the prevention and management of a mass arrival. In the event that a mass arrival occurs, the lead Minister is the Minister of Immigration.
53. s 9(2)(f)(iv)
[REDACTED]

Key immigration statistics

54. This section provides you with key statistics and insights on evidence and performance of the immigration system. You will also be provided with further information on key trends and performance indicators of the system following this initial briefing.

- The size of New Zealand’s **temporary migrant workforce** was increasing pre-COVID-19:
 - As at 31 May 2022 there are around 141,700 people in New Zealand on work visas. Prior to COVID-19 border restrictions the number of people in New Zealand on work visas was increasing driven by the number of people on Essential Skills, Family, and Work to Residence visas. COVID-19 resulted in a decrease in overall work figures driven by an outflow of people on Working Holiday Scheme visas.
 - For the year ended May 2022 68 per cent of Essential Skills visa approvals were for mid-high skilled roles (ANZSCO skill level 1-3). This is higher than previous years with these roles only making up 57 per cent of approvals in the year ended May 2019.
- **Overall residence approvals** have been more static in line with Government decisions on the residence planning ranges across the Business/Skilled, Family, and International/Humanitarian categories. However, demand far exceeded the planning range limits which led to growing queues in categories such as Skilled Migrant and Residence from Work prior to the introduction of 2021 Resident Visa.
- In the year ended May 2022 there were:
 - 60,800 people (principal and secondary applicants) approved in the Business/Skilled stream
 - 10,800 people approved in the Family stream
 - 2,600 people approved in the International/Humanitarian stream
- In the year ended May 2022 people approved under the Business/Skilled residence stream made up 82 per cent of all residence approvals. This is significantly higher than the previous four years where they have made up an average of 55 per cent and is driven by the introduction and streamlined processing of the 2021 Resident Visa.
- The 2021 Resident Visa made up 86 per cent of all Business/Skilled stream approvals and 71 per cent of the total number of residence approvals in the year ended May 2022. Skilled Migrant Category (SMC) and Residence from Work approvals combined to account for 51 per cent of all residence visas for the year ended May 2021, with this figure falling to just 10 per cent for the year ended May 2022.
- 216,200 people have been approved residence over the past five years (Year ended May 2018 to Year ended May 2022). As at 31 May 2022, 190,100 people approved for residence in the last five years are currently in New Zealand.
- The number of on-hand residence applications has increased significantly: from around 8,800 in May 2018 to 74,300 applications in May 2022 (representing 137,800 people). 84 per cent of these are for the 2021 Resident Visa, which has reduced on-hand SMC and Residence from work applications as a result of its introduction.
- 46,500 people arrived in New Zealand on visitor visas in the year ended May 2022 (excluding Australians). The pre-COVID-19 levels of visitor arrivals were significantly higher

with over 2.1 million people arriving in New Zealand on visitor visas in the year ended May 2019.

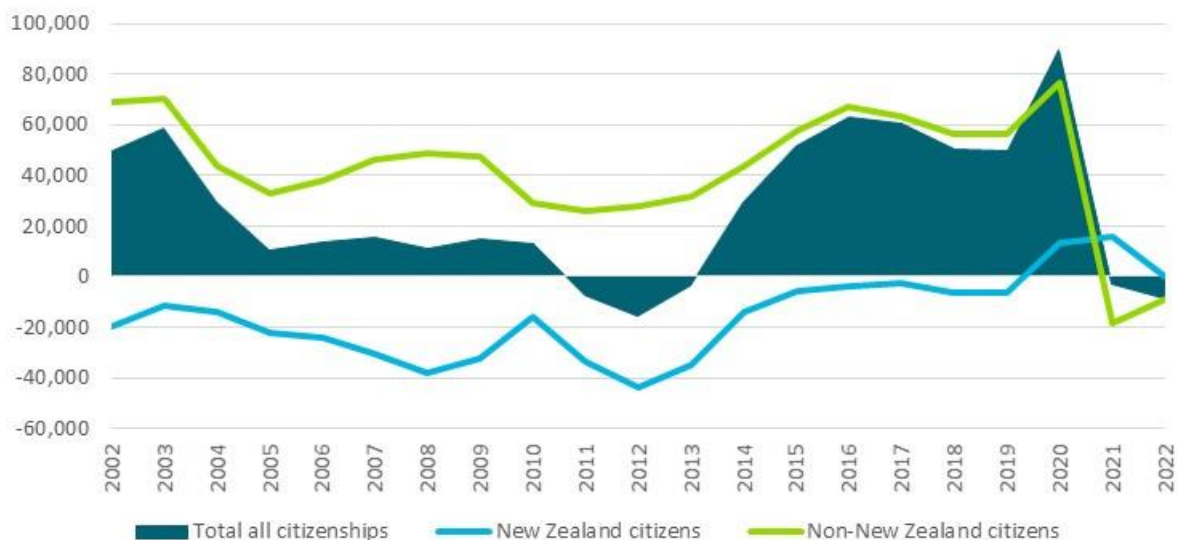
- Around 39,400 **student visas** were granted in the year ended May 2022, this number is significantly fewer than in the years preceding COVID-19 restrictions. In the year ended May 2019 there were 103,800 student visas approved. Of the 39,400 visas approved in the year ended May 2022:
 - 30 per cent were studying at universities
 - 45 per cent were studying at primary and secondary school
 - 10 per cent were studying at private training establishments (PTEs)
 - 8 per cent were studying at polytechnics

Since 2016 the proportion of student visas granted for PTE students, and to a lesser extent polytechnic students, has decreased as a proportion of total approvals.

As at 31 May 2022 there are 32,100 people in New Zealand on student visas.

- **Annual net migration** (the net number of long-term arrivals in New Zealand) loss since 2021 has been driven by a net loss of non-New Zealand citizens offset by net gains of New Zealand citizens. This continues a reversal of historical patterns where New Zealand had an annual net migration gain of non-New Zealand citizens and an annual net migration loss of New Zealand citizens. However, since late 2019 we have observed a net inflow of New Zealand citizens and since early 2020 we have observed a net outflow of non-New Zealand citizens.

Annual net international migration (12/16 month rule)
2002-2022 years ended April



2. Immediate priorities and key upcoming decisions

56. This section provides key dates and immediate priorities for the Immigration portfolio. Officials are available to brief you to provide further information.
57. Following this initial briefing, you have the opportunity to discuss your policy priorities with officials and sequencing of further policy advice.
58. Other policy areas that present opportunities include:
- A review of the Immigration Act 2009, s 9(2)(f)(iv)
 - Re-setting international education to minimise immigration risks and support wider Government objectives to transition to a high quality and lower-volume industry strategy.
 - Completing the review of the RSE Scheme and making decisions on further work on Pacific immigration policies.
 - Completing changes to the Refugee Family Support Category.
 - Reviewing family policies, including partnership.
59. Officials are available to provide more context and advice on the issues identified above, as well as implementation and timing of your priorities. Prioritisation and sequencing over the balance of this Parliamentary term will be necessary.

Key decisions and priorities

60. The following items are the upcoming schedule of activities/initiatives being developed or implemented by INZ, or are currently being developed by the Immigration Policy teams for the Minister of Immigration:

Topic	Description	Driver	Timing
Things that are going to happen (e.g. externally-driven processes)			
Delegation of decision-making	In general, the majority of the Minister of Immigration's decision-making powers can (and have been) delegated to immigration officers and refugee and protection officers. A draft letter of delegation will be provided for discussion with you and the Associate Minister of Immigration after Ministerial warrants are conferred.	Delegation of decision-making powers	June 2022
Estimates Examination 2022/23 – submission of responses to supplementary written questions	We will seek your approval of responses to the 182 Supplementary Written Questions received as part of the 2022/23 Estimates Examination	Select Committee response	By 23 June 2022

Topic	Description	Driver	Timing
Foreign Affairs, Defence and Trade Select Committee Oral Hearing on Ukraine	FADTC have requested an oral hearing with the Minister of Immigration to discuss the immigration response to the Ukraine situation. The hearing is currently scheduled for 30 June. Briefing materials will be provided to the Minister of Immigration in the week of 20 June.	Select Committee oral hearing request	By 30 June 2022
s 6(a)			
2022 US Trafficking in Persons Report	The United States will publish a report that assesses and ranks each country on their efforts to eliminate people trafficking. This may attract media attention and officials will provide you talking points before the report is published. New Zealand was downgraded in 2021 from tier one to tier two – the US stated that New Zealand does not fully meet the minimum standards for the elimination of trafficking but is making significant effort to do so.	United States legislation	June 2022
Further use of repatriation fund	Decision on the continued use of the New Zealand Repatriation Fund which has been in place and has been used to assist migrants in hardship with their travel home.	The paper requires a decision before the end of the current financial year so that remaining funding can be transferred to the 2022/23 financial year, if agreed	June 2022
2022/23 – 2024/25 Refugee Quota Programme and 2022/23 Refugee Quota composition	Joint Ministers (MOI and MFA) approval for the annual composition of the Refugee Quota in line with the decision made on the three year Quota by Cabinet.	Impacts the 22/23 refugee quota which starts on 1 July	June 2022
Special direction to grant limited visas to certain onshore	Special direction to grant onshore RSE Limited visa holders a General Limited Visa where their employer makes an undertaking to INZ (policy decisions already	Necessary to keep RSE holders lawfully in New Zealand	June 2022




Topic	Description	Driver	Timing
Recognised Seasonal Employer (RSE) workers	made).		
Clarifying the definition of “mandated refugees” in Community Organisation Refugee Sponsorship instructions	Changes to instructions in order to remove the requirement for applicants to have a Refugee Status Determination, if they have been determined as mandated refugees by the Government (Refugee Status Unit).	Without changes, no community sponsored applicants are able to be selected.	June 2022
Implementing changes to the Refugee Family Support Category visas	Implements Cabinet decisions regarding Refugee Family Support Category.	Previously agreed and reflected in Budget bids. Implementation 1 July	June 2022
Revocation of Essential Skills work visa instructions	Revokes all Essential Skill work visa instructions (as this visa category will be replaced by Accredited Employer work visa on 4 July 2022), and provides clarification on the recent changes that will allow partners and dependent children of work visa applicants to apply for a visa from 4 July 2022.	Important component of launching Accredited Employer Work Visa on 4 July	June 2022
s 9(2)(f)(iv)			
s 9(2)(f)(iv)			
Minor border exception amendment to ITA period	Reduce the Invitation to Apply period from 4 to 2 months and a minor amendment to the family of critical health workers border exception.	Part of Reconnecting New Zealand work – important to minimise the tail of border exception applications that are flowing through	June 2022

Topic	Description	Driver	Timing
Allocation of expired hypothecated PELT fees	Joint Ministers approval (Immigration, Education, Finance) for the allocation of expired hypothecated pre-purchased English Language Tuition fees to provide additional support for up to three years through the Ministry of Education for the families who have been settled in New Zealand as a result of the Afghan response.	Current funding through the Afghan response will expire at the end of June 2022.	June 2022
Phasing out border exceptions	To close EOIs for most border exceptions on 31 July and MPI classes of workers on 1 September 2022 in line with the Reconnecting New Zealand policy decision.	To align with the Reconnecting New Zealand timing.	July 2022

Topic	Description	Driver	Timing
Things currently scheduled to happen			
Immigration settings in cases of national security concerns	s 9(2)(f)(iv)	Cabinet report back	s 9(2)(f)
Recognised Seasonal Employer Review	The first phase of the review is scheduled for the second half of 2022 and focusses on decisions on the cap setting process; allocation process; streamlining labour market testing; strengthening the compliance framework; and minimum wage requirements. The previous Minister of Immigration had intended to make some initial announcements on the review and cap for 2022/23 at the RSE industry conference at the end of July. Officials will provide further advice on the review by the end of June 2022.	RSE Review and RSE Conferences	End July 2022
s 9(2)(f)(iv)			
Temporary Migrant Worker Exploitation	The previous Government announced a set of policy, operational and legislative changes in August 2020 and associated	Implementing Cabinet or ministerial policy	Draft legislation to be ready for Introduction in

Topic	Description	Driver	Timing
Review Proposals	funding to reduce temporary migrant worker exploitation. The first changes came into force in July 2021, including new reporting tools for migrant exploitation and the new Migrant Exploitation Protection Visa. The remaining changes require legislation to be implemented. Officials are finalising draft legislation to be introduced in Q3 2022.	decisions	August 2022
Immigration Rebalance – Sector Agreements	Cabinet endorsed consultation on sector agreements for five sectors allowing access to migrant workers below the median wage on a transitional or ongoing basis. MBIE and other agencies have completed consultation with the affected sectors and have final proposals. The Minister of Immigration was invited to report back to Cabinet in consultation with relevant portfolio Ministers to confirm the agreements. Several sectors have seasonal allowances which will ideally be in place for workers to arrive before year end.	Cabinet Report Back	August 2022 (for implementation in October 2022)
s 9(2)(f)(iv)			

Topic	Description	Driver	Timing
Things to be aware of			
Education and Workforce Committee inquiry into migrant exploitation	On October 27 2021 the Education and Workforce Committee opened an inquiry into migrant exploitation to investigate the scale of migrant exploitation in New Zealand, the impact of exploitation on migrants and their families, and what could be done to address migrant exploitation. Officials were appointed as advisors to the Committee and have assisted the Committee as it has conducted the Inquiry.	Select Committee inquiry	Committee report is expected to be produced in July 2022.

Topic	Description	Driver	Timing
Responses to Petitions Committee	MBIE has been asked to provide information in relation to three public petitions by the Petitions Committee. The petitions relate to refugees from Myanmar, extending temporary visas to support the horticulture industry and the Ukraine response. MBIE will provide our proposed responses to the Minister of Immigration prior to sending them to the committee.	Petitions committee requests	June/July 2022
s 9(2)(f)(iv)			

3. Decision-making in the Portfolio

61. The Minister of Immigration is responsible for leading the development of all immigration policy and legislation and, unlike most other areas of government, also has decision making powers with regard to individual non-citizens. While most of these powers are delegated to officials or the Associate Minister of Immigration, some decisions cannot be delegated (see from paragraph 72 below).
62. The Minister of Immigration is also responsible for the immigration related appropriations that fall within Vote Labour Market. The other appropriations within Vote Labour Market are the responsibilities of:
- the Minister for Workplace Relations and Safety
 - the Minister for ACC
 - the Minister for Social Development and Employment (in relation to Employment)
 - the Minister for COVID-19 Response (one appropriation).

Immigration law establishes the decision-making framework

63. The Immigration portfolio includes two pieces of primary legislation: the Immigration Act 2009 (the Act), which covers the immigration regulatory system, and the Immigration Advisers Licensing Act 2007 (IALA), which governs occupational licensing for providers of immigration advice who are not lawyers.

Immigration Act 2009

64. The Act establishes an immigration system that:
- requires persons who are not New Zealand citizens to hold visas to travel to New Zealand, and hold a visa and entry permission to stay in New Zealand;
 - provides for the development and publication of immigration instructions (which have legal standing and are certified by the Minister of Immigration);
 - provides rules for the safe and orderly management of the border;
 - provides a process for implementing specified immigration-related international obligations;
 - includes mechanisms for compliance and enforcement;
 - provides for the charging of fees and levies;
 - provides powers to the Minister of Immigration regarding decision making in individual cases (the Act allows for decisions to be made as positive exceptions to instructions, generally meaning that a person who would not otherwise qualify for a visa is granted one); and
 - establishes a specialist tribunal (the Immigration and Protection Tribunal or IPT) to consider immigration related appeals.
65. **Regulations** made under the Act set out the legal requirements for making and lodging applications for visas and entry permission, making claims for refugee and protection status, and lodging appeals to the IPT, which is supported by the Ministry of Justice. The rules and

criteria for the grant of visas and entry permission are set out in immigration instructions which are certified by the Minister of Immigration and reflect the Government's immigration policy settings.

Immigration instructions

66. The rules and criteria for a person to be granted a visa and entry permissions are set out as immigration instructions in the INZ Operational Manual. Amending immigration instructions is the primary mechanism to implement government policy decisions about immigration. The Operational Manual also outlines some of the processes INZ follows to assess and verify applications, and determine refugee status claims.
67. The Act requires the Minister of Immigration to approve and formally certify immigration instructions, which are then published in the Operational Manual and made available on the website www.immigration.govt.nz. Immigration instructions changes are generally bundled together for release in a regular cycle, but urgent changes are made where necessary.
68. The complexity and breadth of the portfolio, and its interrelation with other areas of government, means that Ministers of Immigration generally seek Cabinet's agreement to broad policy decisions, with more minor and technical decisions typically made without Cabinet's involvement.

Immigration Advisers Licensing Act 2007

69. The IALA:
 - has as its purpose the promotion and protection of the interests of consumers
 - requires people providing immigration advice to be either licensed, or exempt from licensing (lawyers are exempt)
 - provides for the licensing requirements for those who provide immigration advice
 - establishes an Authority (housed within MBIE) to administer licensing and investigate complaints against immigration advisers and unlicensed persons, as well as facilitating other matters such as continued professional development
 - provides for the Authority to consult you on the development of competency standards and the code of conduct, and seeks your approval and sign off, and
 - establishes a specialist tribunal to make determinations on complaints against immigration advisers and to make some consumer redress orders.
70. **Regulations** made under the IALA provide the fees and levies payable by licensed immigration advisers and for other minor aspects of licensing.

Further Responsibilities

71. In addition to making decisions with regard to individual cases, the Minister of Immigration:
 - delegates aspects of decision-making to the Associate Minister of Immigration and to officials
 - currently leads, in consultation with other Ministers (in particular the Minister for Workplace Relations and Safety), the government action on the prevention of migrant exploitation and human trafficking.

Decision-making

72. The Minister of Immigration is a primary decision maker under the Act (except in relation to refugee and protection matters, where there is largely no role for the Minister). In general, the majority of the Minister of Immigration's decision-making powers are delegated to immigration officers and refugee and protection officers, who make most decisions on visas and refugee and protected person status, respectively. Decisions may be reviewed by the IPT or the courts (by leave), where the Act allows for review.
73. Some powers cannot be delegated (those relating to classified information, deportation relating to national security, class special directions relating to the response to COVID-19, and decisions relating to the immigration status of protected persons who have been excluded from recognition under the refugee convention) or have not been delegated to immigration officers or refugee and protection officers. The Minister of Immigration can delegate certain decisions, and the nature of some of these decisions (particularly those that are at the absolute discretion of the decision maker – that is, which allow for positive exceptions to instructions to be made), mean that to some extent the degree to which the Minister may wish to become involved in individual cases is a matter for their own prerogative.
74. In general, Ministers do not get involved in applications for visas received by INZ. Ministers may, however, receive requests for intervention, particularly from those applicants who do not meet policy. Immigration is unusual in this nature and exercising discretionary ministerial powers creates a significant workload. While it is possible for a Minister of Immigration to retain all decision-making powers with regard to individual cases where individuals have asked for ministerial intervention, in recent years Ministers of Immigration have exercised the option for individual case work to be delegated to the Associate Minister of Immigration (and in turn, senior INZ officials who have been specifically delegated decision-making powers by the Minister of Immigration (DDMs)).
75. Further information on delegations to the Associate Minister of Immigration will be provided to you shortly. The Minister or Associate Minister has traditionally made the following decisions:
- Whether to grant a residence class visa as an exception to residence instructions in response to the IPT's recommendation that a residence applicant has special circumstances warranting an exception.
 - Whether to grant a visa to a person who is in New Zealand unlawfully. As these powers also rest with immigration officers, the Minister or Associate Minister does not usually consider these requests until an individual has approached INZ for an exception/discretionary decision and been turned down.
 - Whether to sign a deportation liability notice with respect to New Zealand residence class visa holders who have been found to have obtained their residence by fraud. The Minister is also able to cancel or suspend a person's liability for deportation.
 - Determining the immigration status of protected persons who may have committed certain crimes or acts.
 - Using classified information in decision-making if the Minister determines that the classified information relates to matters of security or criminal conduct.

4. How MBIE supports you

Our primary ways of engaging with you

76. We engage with you primarily through the following mechanisms:

- Regular meetings between yourself and MBIE immigration officials. These meetings are generally weekly, and based on your preference.
- Weekly update reports on key policy and operational updates for current issues in the portfolio.

77. We are happy to adjust any of these based on your preferred ways of working.

Immigration-related areas of MBIE

Immigration Policy

78. Four teams within MBIE's Labour, Science and Enterprise group provide policy advice and analysis to the Minister of Immigration:

- The **Immigration Skills and Residence Policy team** provides advice on the core visa settings for both temporary and resident visas, and on the interface of the immigration system with skills and education, labour market, and economic regulatory systems and programmes.
- The **Immigration Border and Funding Policy team** provides advice on immigration legislation (the Immigration Act and the IALA), supports the implementation of policy changes and the funding of the immigration system, and provides advice on border settings.
- The **Immigration International and Humanitarian Policy team** provides advice and analysis on international, humanitarian, and national security related issues in the immigration portfolio, including refugee issues, immigration responses to international crises, bilateral and multilateral engagement.
- The **International Labour Policy team** (within the Workplace Relations and Safety Policy branch), provides advice on migrant exploitation, forced labour and people trafficking issues to the Minister of Immigration and the Minister for Workplace Relations and Safety.

79. The Immigration Policy work programme is developed in consultation with the Minister of Immigration and other relevant Ministers.

Regional Skills Leadership Groups

80. Regional Skills Leadership Groups (RSLGs) were formed in June 2020 to identify and support better ways of meeting future skills and workforce needs in our regions and cities. They are part of a joined-up approach to labour market planning which see our workforce, education and immigration systems working together to better meet the differing skills needs across the country.

81. Functioning independently, the 15 groups are regionally based and regionally led, and supported by a team of data analysts, advisors, and workforce specialists at MBIE. This support team sits within the Employment, Skills and Immigration Policy branch. RSLG members are

regional industry leaders, economic development agencies, and iwi, worker, and government representatives.

82. The Groups will provide timely local labour market intelligence inform to central government and regional stakeholder decision making, including to inform immigration policy work and decisions and will build links between labour market interventions, including the reforms of vocational education and the temporary work visa system.
83. This focus of the Groups is on developing regional workforce plans. The plans will set out the aspiration for the region and how the desired future state will be achieved, including commitments for actions from the parties represented on the RSLG. Each RSLG will then oversee, facilitate, and encourage the implementation of its region's plan through its network of relationships with central government and local actors.

Immigration New Zealand

84. The INZ group is situated in MBIE. INZ's purpose is to be a trusted steward of the immigration system by ensuring we get the balance right between facilitating the migration New Zealand needs and managing risk.
85. Most of INZ's operational work is focused on deciding residence, temporary entry and transit visa applications. INZ also removes people who are in breach of immigration law, or resolves their immigration status in other ways. INZ's Border Operations seeks to ensure that a passenger's immigration risk is kept offshore. It aims to protect New Zealand's interest through enhanced passenger risk assessment and facilitation.
86. INZ's strategy, 'Striking the Balance', emphasises the importance of balancing its functions of facilitating those migrants which New Zealand needs, while also acting as an effective regulator in the face of increasing external threats. There are five strategic outcomes envisaged in the strategy:
 - facilitate migrants in high demand to come to New Zealand – New Zealand gets the migrants it needs;
 - ensure the immigration system drives compliant behaviour – users are self-regulating and voluntarily compliant;
 - minimise harm from immigration – immigration has positive outcomes for migrants and communities;
 - identify and manage risk and vulnerability early – targeted information gets to the right place at the right time; and
 - work together – INZ functions as one cohesive team.
87. An overview of INZ's structure and people is included in Annex 1.
88. The COVID-19 pandemic and historic closure of New Zealand's borders has meant significant change for INZ.
89. As a result of the border closures and rolling lockdowns throughout the world which kept our offshore staff out of their offices, in February 2021 INZ closed our offices in Mumbai, Manila and Pretoria and withdrew visa processing functions from our Beijing office. This reduced our footprint by 324 people, which included 224 processing staff, and reduced our expenditure by \$18.8 million per annum in wages and other costs.

90. Visitor and student visa applications accounted for 89 per cent of the work these offices did – categories which have been closed to offshore applicants while border restrictions remained in place.
91. INZ has been building capacity and capability to ensure that timely visa decisions for applicants across all visa categories can be delivered. INZ has been planning since the middle of 2021 to return its workforce to a level which will be appropriate for when the borders were to re-open, albeit in a highly ambiguous landscape which has made accurate forecasting difficult.
92. As part of this, INZ has recruited 229 processing staff over the last 12 months. These staff have been trained across a number of different visa categories to ensure they can be moved between different visa categories depending on visa volumes. We have also opened an additional processing office in Christchurch as part of building our capacity.
93. INZ completes comprehensive workforce planning and regularly reviews its workforce requirements based on a number of factors, including changes in policy and significant environmental factors. INZ is reallocating resources across its visa processing network as required to support the Government’s top priorities – the border reopening and expected application increases over time, the implementation of the AEWV and the processing of 2021 Resident Visa applications.
94. INZ has made system changes that will improve efficiencies in processing and free up capacity. This includes moving more visa categories onto our enhanced Immigration Online platform which allows for greater efficiency in processing visas through the automation of routine tasks. Visitor visa applications, the 2021 Resident Visa and the Employer accreditation applications are all on the enhanced platform already, and the final work to put Job Check and AEWV work visas onto the platform is underway now.
95. INZ has received over 100,000 applications for the 2021 Resident Visa since December 2021, equating to over 200,000 applications, with over 25,000 approved and 55,000 migrants granted residence.
96. So far in total in 2021/22, INZ has decided more than 310,000 visa applications, involving nearly 370,000 people, including:
- Over 36,000 residence applications
 - Nearly 50,000 visitor applications
 - Over 165,000 work applications
 - Over 37,000 student applications.
97. So far in this financial year, INZ has also:
- resettled over 670 mandated refugees in New Zealand, and anticipates that around 750 mandated refugees will have arrived in New Zealand by 30 June;
 - deported over 200 people, with over 200 further people departing voluntarily; and
 - approved nearly 880 2022 Special Ukraine Visa applications, with over 200 people having subsequently arrived in New Zealand.

Immigration Advisers Authority

98. The Immigration Advisers Authority (IAA) is a statutory body housed in MBIE's Market Integrity Branch, in the Te Whakatairanga Service Delivery Group. The Authority was set up under the IALA to license people who provide New Zealand immigration advice, onshore or offshore. Any person who provides New Zealand immigration advice must be licensed unless they are exempt under the Act. Lawyers, Members of Parliament and their staff, and staff and volunteers of Community Law Centres and Citizens Advice Bureau are among those exempt.
99. As at 31 May 2022 there were 1,277 licensed immigration advisers, 1032 onshore and 245 offshore.
100. The Immigration Advisers Authority was established under the Immigration Advisers Licensing Act 2007. IAA's primary functions include administering the licensing regime, maintaining a public register of licensed advisers, and maintaining competency standards and a code of conduct for licensed advisers. IAA also receives complaints about licensed immigration advisers and investigates complaints against people providing advice without a licence.

Research, Monitoring and Evaluation on Migration

101. Monitoring of trends and research into immigration is a function of the Data, Insights and Intelligence Branch within MBIE's Data, Digital and Insights Group. The branch provides research and evidence to inform immigration and labour market policy, evaluate policy and service delivery programmes, and monitor migration flow statistics.

Legal, Ethics and Privacy Branch

102. MBIE's Legal, Ethics and Privacy Branch provides legal advice and support to the Ministry and Ministers. Due to the complex legal framework in which immigration decision making takes place, MBIE's legal advisors provide independent legal advisory support. In addition, the Litigation team represents the Minister of Immigration in Tribunal matters where the Minister is the respondent (for resident deportation decisions), represents immigration officers applying for warrants of commitment for immigration detention, and prosecutes immigration related offending. The Ministry's Legal Branch also provides oversight and instructs Crown Law and Crown Solicitors in High Court immigration-related litigation.

Other immigration-related government bodies

Immigration and Protection Tribunal (IPT)

103. The IPT is an independent body established under the Act to hear appeals on:

- decisions by INZ to decline a residence class visa application
- a person's pending deportation – the person may either be a New Zealand resident, a temporary class visa holder whom INZ wishes to deport for cause (for example, due to a conviction or a breach of visa conditions), or someone unlawfully in New Zealand because their temporary visa has expired
- decisions by INZ to not recognise a person as a refugee or a protected person.

104. The IPT is chaired by a District Court Judge, appointed by the Governor-General on the recommendation of the Attorney-General, and comprises members appointed by the Governor-General on the recommendation of the Minister of Justice.

- The Chairperson of the IPT is Judge Martin Treadwell.
- The IPT is administered by the Ministry of Justice.

Immigration Advisers Complaints and Disciplinary Tribunal (IACDT)

105. The IACDT was established under the Immigration Advisers Licensing Act 2007 and deals with complaints against licensed immigration advisers. The Authority refers complaints to the Tribunal.

106. The IACDT is administered by the Ministry of Justice and can impose a range of sanctions that include: caution or censure, a requirement to undertake training, suspension or cancellation of licence, payment of a penalty of up to \$10,000, payment of costs and refunds, and compensation to the complainant or other person.




107. The IACDT also deals with appeals against some decisions made by the Authority. These may relate to a decision of the Registrar of the Authority to cancel the licence of an immigration adviser or a determination of the Registrar to reject a complaint against a licensed immigration adviser.







108. Members of the IACDT are appointed by the Governor-General on advice from the Ministers of Justice and Immigration.











- The Chairperson of the IACDT is Mr David Plunkett.

Annex 1: MBIE key people

Immigration portfolio

The Leadership team		
<p>Carolyn Tremain</p>  <p>Chief Executive E carolyn.tremain@mbie.govt.nz s 9(2)(a)</p>	<p>Chris Bunny</p>  <p>Deputy Secretary, Labour, Science and Enterprise (LSE) E chris.bunny@mbie.govt.nz s 9(2)(a)</p>	<p>Alison McDonald</p>  <p>Deputy Secretary, Immigration New Zealand (INZ) E alison.mcdonald3@mbie.govt.nz P 04 913 3927 s 9(2)(a)</p>

The Labour, Science and Enterprise (Policy) team		
<p>Chris Bunny</p>  <p>Deputy Secretary, Labour, Science and Enterprise (LSE) E chris.bunny@mbie.govt.nz s 9(2)(a)</p>	<p>Ruth Isaac</p>  <p>General Manager, Employment, Skills and Immigration Policy (ESIP) E ruth.isaac@mbie.govt.nz s 9(2)(a)</p>	<p>Andrew Craig</p>  <p>Manager, Immigration (Skills & Residence) Policy E andrew.craig@mbie.govt.nz s 9(2)(a)</p>
<p>Kirsty Hutchison</p>  <p>Manager, Immigration (Border & Funding) Policy E kirsty.hutchison@mbie.govt.nz s 9(2)(a)</p>	<p>Sam Foley</p>  <p>Manager, Immigration (International & Humanitarian) Policy E sam.foley@mbie.govt.nz s 9(2)(a)</p>	<p>Nita Zodgekar</p>  <p>Manager, International Labour Policy E nita.zodgekar@mbie.govt.nz s 9(2)(a)</p>

The Immigration New Zealand team		
<p>Alison McDonald</p>  <p>Deputy Secretary, Immigration E alison.mcdonald3@mbie.govt.nz P 04 913 3927 s 9(2)(a)</p>	<p>Catriona (Cat) Robinson</p>  <p>Associate Deputy Secretary E catriona.robinson@mbie.govt.nz P 04 897 5497 s 9(2)(a)</p>	<p>Stephen Vaughan</p>  <p>Chief Operating Officer E stephen.vaughan@mbie.govt.nz P 04 901 1554 s 9(2)(a)</p>
<p>Nicola Hogg</p>  <p>General Manager, Border & Visa Operations E nicola.hogg@mbie.govt.nz P 04 896 5355 s 9(2)(a)</p>	<p>Stephen Dunstan</p>  <p>General Manager, Enablement E stephen.dunstan@mbie.govt.nz P 04 896 5460 s 9(2)(a)</p>	<p>Fiona Whiteridge</p>  <p>General Manager, Refugee & Migrant Services E fiona.whiteridge@mbie.govt.nz s 9(2)(a)</p>
<p>Stephanie Greathead</p>  <p>General Manager (Acting), Customer E stephanie.greathead@mbie.govt.nz P 04 896 5375 s 9(2)(a)</p>	<p>Zoe Goodall</p>  <p>General Manager, Assurance E zoe.goodall@mbie.govt.nz s 9(2)(a)</p>	<p>Richard Owen</p>  <p>General Manager, Verification & Compliance E richard.owen@mbie.govt.nz s 9(2)(a)</p>
<p>Fraser Richards</p>  <p>Special Counsel (Immigration) E fraser.richards@mbie.govt.nz s 9(2)(a)</p>		

Other Senior MBIE Officials with Immigration responsibilities

Contact	Role	Contact details
Suzanne Stew	Deputy Secretary for Te Whakatairanga Service Delivery Group, which provides critical functions and services that support businesses, employees and consumers to operate successfully in the marketplace. This includes the Immigration Contact Centre.	E suzanne.stew@mbie.govt.nz P 04 474 2926 s 9(2)(a)
Greg Patchell	Deputy Secretary for Digital, Data & Insights Group, which is responsible for the data and insights, digital and technology functions within MBIE. They work with MBIE's business groups to ensure they have the data and technology to enable them to deliver on the opportunities, challenges and priorities that lie ahead for Aotearoa New Zealand. This includes the operation of the enhanced Immigration Online Platform.	E greg.patchell@mbie.govt.nz P 04 896 5171 s 9(2)(a)
Sanjai Raj	General Manager of the Market Integrity branch of Te Whakatairanga Service Delivery, which delivers cross cutting regulatory infrastructure underpinning optimal operation of markets.	E sanjai.raj@mbie.govt.nz P 04 474 2699 s 9(2)(a)
Katherine MacNeill	General Manager of the Employment Services branch of Te Whakatairanga Service Delivery, which provides employment dispute resolution services, regulates minimum employment standards through the Labour Inspectorate and provides employer systems and assurance through regulatory and business system enhancement.	E katherine.macneill@mbie.govt.nz P 04 896 5810 s 9(2)(a)
Duncan Connor	National Manager of the Occupational Regulation unit of the Market Integrity branch, which operates a number of occupational regulatory schemes across different portfolios, with the Immigration Advisers Authority. Registrar, Immigration Advisers - The Immigration Advisers Licensing Act 2007, establishes the statutory role of Registrar of Immigration Advisers and the functions of the Immigration Advisers Authority.	E duncan.connor@mbie.govt.nz s 9(2)(a)

Immigration New Zealand At A Glance

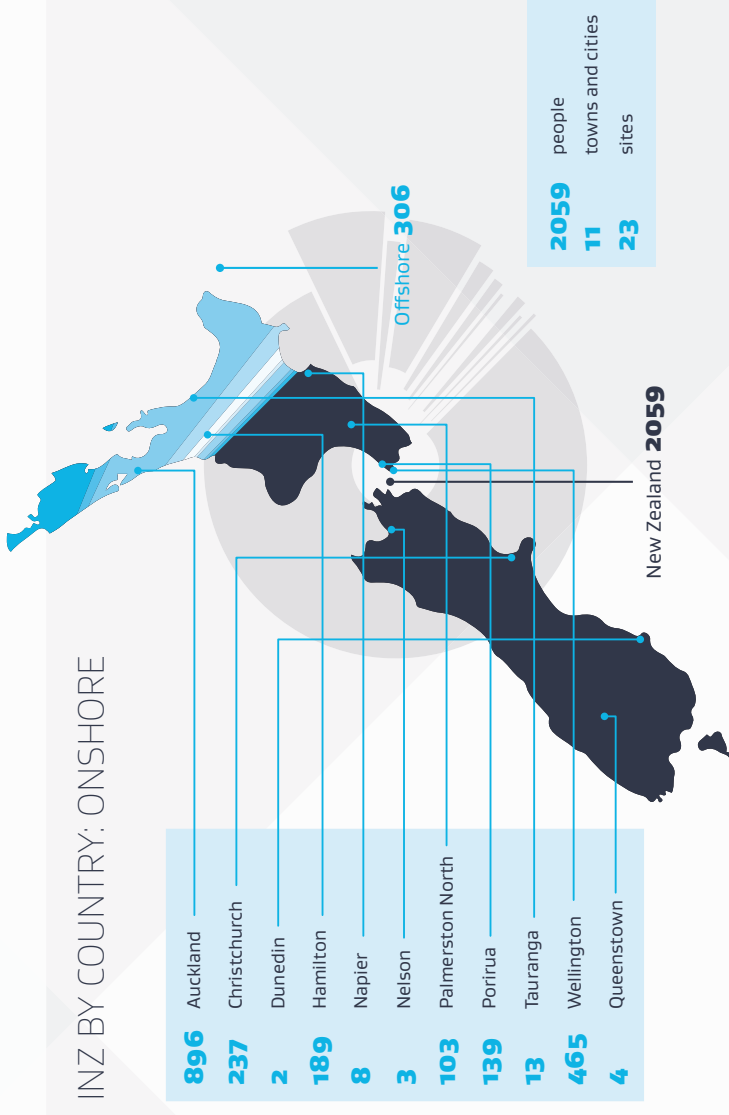
IMMIGRATION NEW ZEALAND (INZ) AT A GLANCE

JUNE 2022

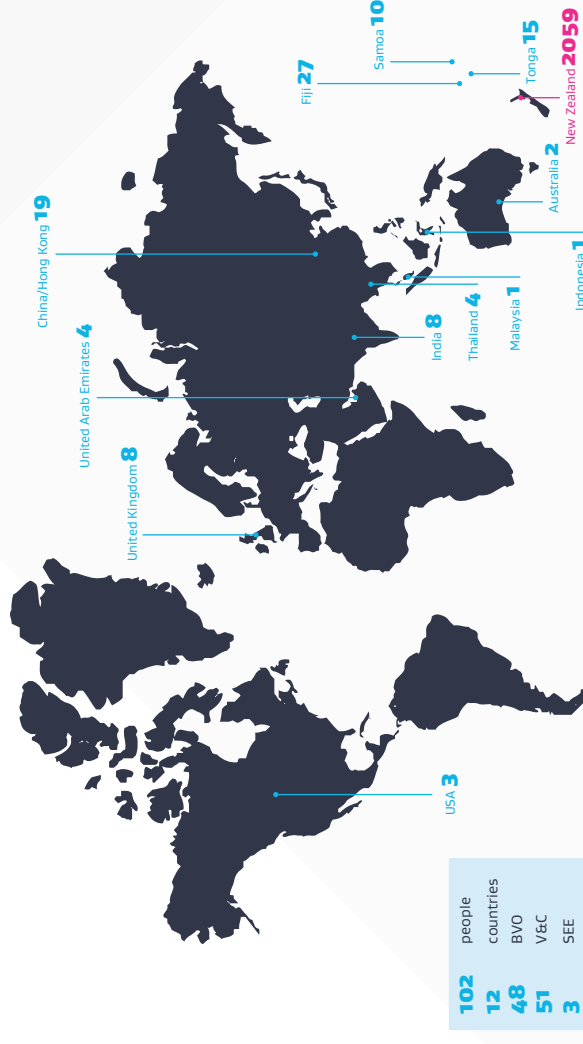
INZ BY BRANCH

BRANCH	SIZE	LOCATION	ROLE
Office of the Deputy Secretary	Very small (4 people)	Central Wellington	Leads INZ Sets strategic direction Key interface for Ministers and the CE key decision-making authority
Office of the Associate Deputy Secretary	Small (10 people)	Central Wellington	Leads the embedding of the Striking the Balance strategy Brings Te Ao Māori into the work of INZ
Operations, Tasking and Improvement (OTI)	Small (77 people)	Auckland, Wellington	Ensures operational, tactical and planned operational activity is properly organised Supports prioritisation and planning at Immigration Leadership Team level Provides timely operational information and insights across INZ Manages incident and system action responses
Customer, Engagement and Education (CEE)	Medium (87 people)	Global (mostly onshore)	Manages relationships with key external stakeholder groups Develops and implements sector strategies Delivers educational resources to help migrants and employers to navigate the system Delivers stakeholder engagement and communications through Teahi with INZ Comms
Enablement	Medium (154 people)	Auckland, Christchurch, Hamilton, Wellington	Converts policy changes into immigration instructions Delivers INZ's accountability functions and coordinates OAs, WPOs Supports Ministers through secretarial functions and material for decision making Accountable for immigration health policy Provides oversight and support to projects to improve INZ functions Delivers learning programmes and leads business change
Border and Visa Operations (BVO)	Very large (1326 people)	Global (mostly onshore)	Manages INZ's visa operations network and front-line border operations Collaborates with border agencies and international partners Provides support functions for immigration visa and border operations
Refugee and Migrant Services (RMS)	Medium (142 people)	Auckland, Hamilton, Wellington	Helps migrants settle in NZ Determines refugee and protection claims Resettles refugees referred by UNHCR
Verification and Compliance (V&C)	Large (333 people)	Global (mostly onshore)	Identifies and treats near-term risk Verifies decisions to ensure compliance with Immigration Act and conditions Addresses compliance breaches, investigates and prosecutes criminal offences Identity management and resolution
Assurance	Small (28 people)	Central Wellington	Documents and escalates risk as appropriate Performs quality assurance assessment Analyse and prepare responses to statutory complaints Triage, assign, and categorise all feedback to INZ

INZ BY COUNTRY: ONSHORE



INZ BY COUNTRY: OFFSHORE



Annex 2: Vote Labour Market

109. Five Ministers are responsible for appropriations in Vote Labour Market. For 2022/23 the Minister of Immigration is responsible for appropriations totalling:

- Just over \$464 million for immigration services, including assessment and processing services of \$299 million (mostly funded by third-party revenue), services for the attraction of migrants, settlement and integration of refugees and other migrants, and integrity and security of the New Zealand immigration system;
- \$8.6 million for policy advice and related services; and
- Just over \$4 million for regulation of immigration advisors, of which \$935,000 is to be funded by third-party revenue.

110. Revenue of just over \$40 million in non-tax Crown revenue for immigration services is forecast to be collected (as the Immigration Adviser Levy and Immigration Levy).

111. The Crown has provided \$84 million in Budget 2022 (of which \$50 million is in contingency) to cover the shortfall in third-party revenue for Visa processing, to offset the COVID-19 related deficits in the Immigration Visa and Electronic Travel Authority fees memorandum accounts.

112. MBIE is the department responsible for administering Vote Labour Market.

113. For administrative simplicity, one Minister typically takes overall responsibility for Vote Labour Market budget processes. The Lead Minister for Vote Labour Market (currently the Minister for Workplace Relations and Safety) receives the final estimates documentation for approval on behalf of the Vote. Over the course of the financial year you will also receive as Minister of Immigration:

- October and March Baseline Updates
- Late In-Principal Expense Transfers (IPETs) in June
- Estimates and Supplementary Estimates material for consultation ahead of the Vote Lead Minister's approval
- Select Committee Estimates Examination material ahead of a portfolio-based hearing
- Preparatory material ahead of the Estimates debate and Annual Review debate in the House, if required.

114. In recent years the Education and Workforce Committee has also held a 'year-end' examination, requesting the presence of both the individual Vote Labour Market ministers and relevant MBIE officials.

Annex 3: Overview of immigration work since the start of the pandemic

New function – establishing and processing border exceptions

- Decisions on over 100,000 border exception requests, with ongoing changes to settings needing to be managed.
- A dedicated office, taking 15% of INZ’s processing capacity.

New 2021 Resident Visa

- Largest ever residence policy, expecting to decide 120,000 applications in 12-18 months.
- As at 14 June, over **100,000** applications received and over **25,600** decided - over **55,300** new residents.

Onshore processing continued

- In 2020, temporary onshore application volumes reduced, but only by 3% compared to 2019.
- Onshore applications became more complicated (e.g. visitors stuck in NZ no longer met visitor policy).
- Extensions were implemented for groups of workers and visitors onshore.
- Significant unanticipated work with stranded migrants, including seasonal workers.

Offshore volumes reduced, as did processing capacity

- Offshore offices in Mumbai, Manila, Pretoria were closed and processing was removed from Beijing, resulting in an overall FTE reduction of around 324.
- In 2020, Offshore temporary volumes reduced by 89%. The reduction in visa volumes is primarily in offshore applications, most of which were processed in offshore offices now closed.

Implementing significant change and responding to humanitarian events

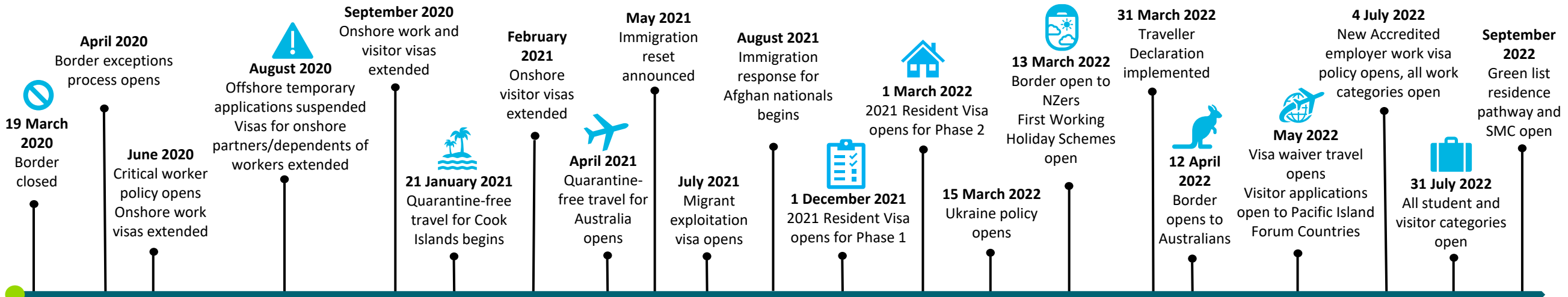
- Increase from 10-15 operational policy changes each year, to 58 in 2020 and 66 in 2021.
- Immigration responses to the crises in Afghanistan and Ukraine, supporting resettlement of over **1,600** Afghan nationals and approving visas for over **780** Ukrainians so far.

Preparing to re-open the border

- Building capacity and making system improvements, including a new office in Christchurch, which will pilot new ways of working.
- Recruiting and training **230** processing staff over the past 12 months and moving resource between visa products to respond to volumes.
- Implementation of trans-Tasman safe travel zone and New Zealand Traveller Declaration.
- Deployment of Airline Liaison Officers to support processing of passengers at airports offshore.
- New technology that will result in processing efficiencies and better targeted risk management, enabling the system to better manage peaks and troughs.

Building a more efficient and effective system

- Investment in technology will make the work less resource-intensive and create efficiencies.
- Simplifying policy for a more transparent system for users and support operational efficiency.



	WORKING HOLIDAY	VISITOR	STUDENT	EMPLOYER ACCREDITATION	WORK	BORDER
2022 REOPENING	<ul style="list-style-type: none"> • Began re-opening 13 March • Over 18,000 visas renewed • Over 10,000 applications decided • Average processing time 7 working days • Approved around 97% 	<ul style="list-style-type: none"> • Pacific applications have opened, with over 1,400 received • Over 47,000 Electronic Travel Authority requests approved • Remaining categories open 31 July, using new technology • Aim to process straightforward applications in 20 working days 	<ul style="list-style-type: none"> • Border exception for 5,000 students implemented • Over 3,700 applications have been received and over 1,500 decided • All other student applications open on 31 July 	<ul style="list-style-type: none"> • New accreditation policy opened on 23 May • 20,460 employers are expected to apply in year one, 3,800 so far • Processed using new technology and automation • Aim to process in 10 working days 	<ul style="list-style-type: none"> • The next stages of the new policy open on 4 July • Aim to process the job check in 10 working days and the visa application in 20 days • We expect to receive over 60,200 applications for other types of work visas in 22/23 	<ul style="list-style-type: none"> • Class exceptions will phase out, returning capacity and providing increased flexibility of resources • Over 1,300 Eols received for those earning 1.5x median wage • Over 880 Eols received for other critical workers • 425,500 travellers have arrived in NZ since 14 March 2022

BUILDING CAPACITY	TECHNOLOGY ENHANCEMENTS	RISK SETTINGS
<ul style="list-style-type: none"> • New Christchurch office and recruitment of 229 processing staff • Surge capacity, including redeployment of MIQ staff to INZ • Partnering with iwi on Christchurch recruitment • Upskilling of existing INZ staff to Immigration Officer roles • Training staff on multiple products to enable flexibility • Reducing duplication of requested documents if an applicant applies again 	<ul style="list-style-type: none"> • Immigration online enhancements provide more information for applicants • Increased automation in applications to improve processing times • More targeted ‘pop-up’ guidance to immigration officers during application assessment • Direct links to NZ Business number register during assessment process • Improved guidance for applicants in application form 	<ul style="list-style-type: none"> • Working with partners who support the decision-making process (e.g. through security and character checks) to improve the process • Segmenting and dynamic management of risk and verification • Testing quality controls and our tolerance for different visa types at different levels

CUSTOMER SATISFACTION AND TRUST

- 78% of visa applicants who received a decision on their application between Feb-Apr 2022 trust Immigration New Zealand
- 83% of 2021 resident visa applicants who received a decision between Feb-March 2022 were satisfied with the overall experience and 65% said service was better than they expected
- overall satisfaction across all categories was 70% for the last quarter

Annex 4: Overview of the main categories of visas

Temporary entry and residence are the two main visa classes. A temporary visa allows a holder to be in New Zealand for the purpose and length of the visa. A residence visa provides the holder the right to live, work, and study in New Zealand. A residence visa also confers a range of rights and opportunities, including funded education, welfare benefits and the right to vote.

Work:

- *Temporary work visas*
 - Accredited Employer Work Visa (AEWV): The main temporary work visa and replaces the Essential Skills visa from 4 July 2022. Is labour market tested, with approximately 60,000 holders onshore prior to the 2021 Residence Visa.
 - Working Holiday Schemes: Available to young people (usually aged 18 to 30) to travel to and work in New Zealand for up to 12 months, or 23 months if from the UK or Canada. 45 schemes, 13 are uncapped (44,400 in 2019/20)
 - Post Study Work: Open work visa of 1-3 years depending on the qualification previously studied on a student visa. Cabinet recently agreed to restrict visa length, and place limits on access to these for those undertaking sub-degree level study (17,300 in 2019/20)
 - Recognised Seasonal Employer: provides for seasonal work in horticulture and viticulture. Numbers capped at 16,000 in 2022 but are under review.
- *Residence work visas:*
 - Skilled Migrant Category (SMC): currently a points-based system, with points awarded for age, qualifications, work experience and skilled employment (or offer employment). 160 points needed to be selected. Is closed and under review. 16,700 approved in 2019/20
 - Investor: Based on level of investment, either \$10 million for three years, or a points system that requires a minimum investment of \$3 million for four years. (800 in 2019/20)
 - Entrepreneur: For those who have run a NZ business for two years. (400 in 2019/20)

Family:

- *Temporary family visas:*
 - Partner: For partners of NZ citizens and residents where there is a genuine relationship. Can work full time in any employment (12,300 approved in 2019/20)
 - Partner of a worker or Student: Some partners of these visa holders can obtain an open work visa for the same length as their partner's visa. (22,800 approved in 2019/20)
- *Residence family visas:*
 - Partnership: For partners of NZ citizens and residents where there is a genuine relationship and the couple have lived together for 12 months. (13,300 in 2019/20)
 - Parent: For parents of NZ citizens and residents; Parent must be able to support themselves. Capped at 1,000, currently closed and under review. (200 in 2019/20)
 - Culturally Arranged Marriage: Allows holders entry to get married or after being married.
- *Study (temporary visas only):*
 - International Students: applicants must have an offer of place at an NZ institution, sufficient funds, and meet any course prerequisites. Most tertiary students are allowed to work 20 hours per week. (62,100 approved in 2019/20)
 - Dependent students: For children of workers to attend school. (17,200 in 2019/20)
- *International / Humanitarian (all residence visas):*
 - Refugees: Includes Refugee Quota (1,500 places), Refugee Family Support Categories (300), Refugee and Protection, and Refugee Emergency.
 - Samoan Quota: Applicants who are citizens of Samoa can be granted residence through the ballot

provided they have a job in NZ. (Capped at 1,100 per year)

- Pacific Access: Applicants who are citizens of target countries can be granted residence through a ballot with a job in NZ. (Various caps apply across countries).
- Other: Includes ministerial direction, asylum, and section 61 decisions. (1,200 in 2019/20)
- Visitor (*temporary visas only*):
 - Enables friends and family and others to visit and explore New Zealand, enjoy amateur sports, or study for up to three months. Many partners and family use visitor visas. (446,600 in 2019/20, excluding Australians and those from visa waiver countries).

Annex 5: Overview of immigration policy work programme

Context for the current Immigration Policy work programme

1. The key components and sequencing of the current immigration policy work programme, as set out below and in the attached chart, were agreed by the former Minister of Immigration in December 2021. This was informed by advice on:
 - responding to, and leveraging the opportunity provided by, the COVID-19 pandemic and border closures;
 - the Government's immigration priorities;
 - system performance priorities; and
 - policy and operational capacity to develop and implement changes.
2. The work programme delivers on the s 9(2)(f)(iv) for the portfolio: Reconnecting New Zealand, the Immigration Rebalance, the 2021 Resident Visa, and addressing national security risks.
3. This report sets out the work programme for 2022 and the priorities that were deferred into 2023 or later. A brief overview and status update is provided on the key workstreams.
4. We have not provided advice on relative priorities at this time to inform any changes you may wish to make to the work programme. The current phasing of Government priorities was informed by the need to respond to the timing opportunities presented by COVID-19 (reopening the border and the Rebalance) and non-discretionary regulatory system priorities (such as the fees and funding review). Other priorities, while important, are more discretionary and this is where you will have more choices about revisiting prioritisation and phasing across the second half of 2022 and into 2023 if you wish. Officials will provide further advice on specific programmes and choices and trade-offs to adjust the work programme as required.
5. The work programme remains significant. Although the work to respond to the border closures is winding down, reviews are underway or planned across almost the entire scope of the system: including work and student visas, skilled and investor residence, s 9(2)(f)(iv) the funding and fees framework, national security, s 9(2)(f)(iv) and the RSE programme, exploitation and compliance tools, and a two-part review of the Immigration Act (the Act). At the same time, the policy teams are still supporting the Government's response to the Ukraine and Afghanistan crises and implementation of the new Accredited Employer Work Visa and Reconnecting New Zealand. Alignment of immigration levers with changes underway elsewhere in the skills system and the economy also requires ongoing management and adjustment.
6. The policy teams have been bolstered above normal resourcing since early 2021 with the use of secondees and contractors to deliver the current work programme. A third core Immigration Policy team has recently been stood up s 9(2)(f)(iv) The additional team takes the core immigration policy resource to approximately 30 FTEs. The International Labour Policy team also supports the portfolio through leading the work on reducing exploitation and human trafficking. The new team resource is already assumed in the scope of the current work programme.

7. The work programme is also informed by Immigration New Zealand's (INZ) capacity to implement system changes and resource timely processing. INZ have a significant service transformation underway and are already implementing new policies such as the 2021 Resident Visa. Our policy work programme is well integrated with implementation considerations and options. A principle of streamlining and simplification is also applied to policy options to improve the user experience, system efficiency, and the speed of INZ processing while achieving policy objectives.

Key components of the current work programme

The Immigration Rebalance and Reconnecting New Zealand were substantive COVID-driven work programmes that occupied most available resources in the first half of 2022

8. These programmes were driven by the COVID response, and the opportunity presented by the border restrictions. They occupied most of the teams' resources in the first half of 2022, but some of these resources can be released as the Immigration Rebalance shifts to its implementation phase (except for the skilled residence review noted below) and the border fully reopens.

Immigration Rebalance

9. The Immigration Rebalance includes changes to work, student and residence settings. It leverages the opportunity of closed borders to make it easier to attract key skills while not returning to the pre-COVID growth levels or reliance on lower-skilled migrant workers. These changes are intended to drive improvements in wages, training and conditions for New Zealanders, and more productive business models and technology investment, as well as supporting sustainable levels of inward migration.
10. The key components of the Rebalance package and implementation dates are:
 - A median wage requirement for the new Accredited Employer Work Visa (AEWV) – from 4 July when the border opens to workers;
 - A green list of globally competitive key roles provided with either a streamlined pathway straight to residence (opens September), or residence after two years working in the role in New Zealand;
 - Restricting post-study work rights for sub-degree international students to qualifications relevant to green list occupations – applies for study commencing after 11 May (except for students entering as part of one of the student border exception groups);
 - Sector agreements which allow limited access to workers below the median wage in five sectors - to be finalised at Cabinet in August for implementation in October;
 - A temporary, below median wage, exemption for some tourism and hospitality roles until April 2023;
 - Partners of temporary workers (excluding green list and highly-paid roles) will need to apply for AEWVs to work, but can work for less than thirty hours – comes into effect for new visas from December;
 - Employer accreditation will be required to employ any migrant worker (including working holiday makers or students) – to be finalised and introduced in 2023 following further Cabinet decisions.

11. The details for most components are now agreed and the policy work programme is shifting to support INZ's implementation of the changes (e.g. advice on and development of associated changes to Immigration Instructions and guidance materials). However, further policy work and Ministerial decisions are needed on:
- The finalised sector agreements with seafood, construction, care, meat processing, and adventure tourism. Consultation on the sector agreement proposals endorsed by Cabinet has just completed and you will receive advice on 23 June on finalised proposals to agree with relevant portfolio Ministers and then Cabinet;
 - Consultation with Pacific Island Countries on Pacific worker schemes in the sector agreements. The first are likely to be seasonal worker schemes for meat processing and onshore seafood processing from 2024 (the sectors are encouraged to recruit Pacific workers earlier, but it would become a requirement for some roles from this point);
 - s 9(2)(f)(iv)
 - s 9(2)(f)(iv)
 - The Green list is to be reviewed in a year's time.
12. The international education changes are intended to limit the ability of students to use low-level study primarily as a path into work and residence, particularly for courses providing skills that are of limited value to the New Zealand labour market. Cabinet also agreed:
- To increase the living cost requirement (to ensure students have the means to support themselves in New Zealand); and
 - s 9(2)(f)(iv)
13. s 9(2)(f)(iv) Monitoring is also being set up to track the paths taken by new students to ensure the changes achieve the intended goals.

Skilled Residence Review

14. The remaining significant piece of policy work from the Rebalance programme is the review of the Skilled Migrant Category (SMC) which is the main residence visa category for those wishing to migrate to New Zealand for skilled work and to live here permanently.
15. The current Skilled Migrant Category awards points for qualifications, skilled work, time in New Zealand, age and other attributes. Applicants must score 160 points to qualify for residence (though this was intended to be raised or lowered to control numbers). The SMC

has a two-stage process to manage volumes: an expression of interest (EOI) is lodged; EOIs are then drawn from the pool and may be issued an Invitation to apply with a formal application.

16. The category was closed to new applications in March 2020 due to lockdown impacts on INZ processing. At that time there was a significant queue already built up with more than two years' waiting times. Due to concerns that many lower-skilled workers were qualifying for residence it was decided not to reopen the category until a review was undertaken to address these issues. However, on hand applications have continued to be processed. People can still submit EOIs, but none have been drawn or invited to issue an application since March 2020. Any policy changes will not affect how on hand applications are considered but would apply to any new applications.

17. The one-off 2021 Resident Visa announced in September 2021 (an initial component of the Rebalance programme) provided a residence pathway for most temporary workers in New Zealand this will clear a large proportion of the existing queues and those onshore who would have been likely to apply for residence. People outside New Zealand and in New Zealand on student visas were not included in the 2021 Resident Visa. It was agreed that the SMC would not reopen to new applications until after applications for the 2021 Resident Visa closed at the end of July. No specific date was set (as it will depend on decisions about any policy changes), though September or October have been notional dates.

18. There are now two other paths to skilled residence: the green list roles agreed in the Rebalance, and a two-year work to residence path for people earning twice the median wage agreed in 2019 as part of the new AEWV policy. s 9(2)(f)(iv)

 - s 9(2)(f)(iv)
 - s 9(2)(f)(iv)
;
 - s 9(2)(f)(iv)

19. s 9(2)(f)(iv)

 - s 9(2)(f)(iv)
 - s 9(2)(f)(iv)
 - s 9(2)(f)(iv)

20. s 9(2)(f)(iv)

Reconnecting New Zealand

21. Key remaining milestones for Reconnecting New Zealand and border exceptions include:

Phased reopening of the border is largely complete:

- In March 2020, the Government closed New Zealand's borders to foreign nationals to protect New Zealanders from COVID-19. The processing of offshore temporary visa applications was also suspended. Regular visa pathways were replaced by 'border exceptions' with high thresholds to reduce the flow of people entering New Zealand with COVID-19 and to manage demand for space in managed isolation and quarantine facilities.
- As the threat posed by COVID-19 to New Zealanders' and the public health system reduced, the Government has implemented its plan to reconnect with the world through a staged reopening of the border. The timelines of the border reopening were informed by the public health situation, set up of the Travel Health Declaration System, and visa processing capacity. This is intended to mitigate the impact on processing of the 2021 Resident Visa and avoid the risk of long delays when the border reopened. Workers and other priority travellers were prioritised to support the economic recovery from COVID-19. Family reunification was also a priority.
- On 11 May, the Prime Minister announced the government's decision to bring forward the final step of the border reopening to July: all work visas including the new Accredited Employer Work Visa will reopen on 4 July and all student and visitor visas will reopen on 31 July [CAB-22-MIN-0139]. Final amendments to immigration regulations to reopen visa applications for the offshore partners and dependent children of work visa applicants are being considered by the Cabinet Legislation Committee on 23 June.

We are transitioning away from border exceptions in 2022:

- On 19 April 2022, Cabinet agreed to phase out the border exception regime in stages and delegated final decisions to the Minister of Immigration [CAB-22-MIN-0139 refers]. The Minister of Immigration has agreed that expressions of interest for border exceptions will be phased out on 31 July 2022, except:
 - for primary sector class exceptions which will end on 1 September 2022; and
 - where the class exception is required as a transitional arrangement to a proposed sector agreement as part of the Immigration Rebalance (seafood processors and deep-sea fishers).

External factors necessitated commencement of important legislative and funding system improvement programmes that must continue

Funding Review

22. A comprehensive first principles review of the immigration funding system has commenced driven by the immediate need to address the funding shortfall created by COVID-19. The work over 2022 comprises two main phases. First, an interim fee and levy review was undertaken in early 2022 to address the funding gap between revenue raised from tendered visa applications and the costs associated with visa processing. A LEG paper implementing the new

fee and levy rates will be considered by the Cabinet Legislation Committee on 23 June with new fee and levy rates coming into effect on 1 August. This will be followed by a more in-depth consideration over 2022 s 9(2)(f)(iv)

Significant funding has been provided by the Crown over recent Budgets to cover the remaining shortfalls in third party revenue.

Legislative programme

23. s 9(2)(f)(iv)
24. Work to address potential gaps in the immigration settings to reduce national security risks in response to the New Lynn supermarket incident was commissioned by Cabinet in December 2021. s 9(2)(f)(iv)

The work-programme also includes the following workstreams for the remainder of 2022

Investor migrants

25. Decisions have been taken by Cabinet on changes to investor visa categories to better support the Government's Investment Attraction Strategy. These changes seek to better target active investors who will invest in areas where capital is most needed e.g. early stage high-growth businesses, and to incentivise investors with skills and experience to become actively involved in New Zealand's business and investment ecosystem. An implementation review is to be scheduled 12 months after the new programme is implemented.
26. A draft communications plan has been prepared but an announcement date is yet to be confirmed. We understand that early discussions on an announcement date and overall approach are taking place between your office and the office of the Minister of Economic Development. Alongside the changes to the Investor Visa Category, responsibility for investor migrant attraction and aftercare services will also transfer from Immigration New Zealand to New Zealand Trade and Enterprise with effect from 1 July 2022. The transfer of functions was agreed by Joint Ministers in March 2022 to distinguish between the roles of attraction and regulatory decision-making more clearly.
27. s 9(2)(f)(iv)

Parent Category

28. The Parent Category allows some residents and citizens to sponsor their parents to migrate to New Zealand. As supporting migration of people who are unlikely to work in New Zealand can

impose demand on health and other services funded by taxpayers, the category is capped at 1000 people per annum. Sponsors must also meet an income threshold to demonstrate they have the means to look after their parents' wellbeing (currently the minimum to bring one parent is approximately \$115,400 – two times the median wage – and this increases by the median wage for each additional parent being sponsored).

29. Selecting expressions of interest (EOIs) for this visa, and processing applications have been paused since 2016 and the scheduled resumption in 2020 was deferred due to the processing impacts of COVID and the Government's intention to review this visa category. The 2020 Labour Party Manifesto made a commitment to review the barriers to the Parent Category Resident Visa. In the meantime, people can still submit EOIs and the queue has increased. At the moment there are approximately 8,800 EOIs in the queue (and the 2021 Resident Visa may produce another surge in demand in two to three years' time).

30. s 9(2)(f)(iv) [Redacted]

- [Redacted]
- [Redacted]
- [Redacted]

31. We are planning to provide advice on these options to you by the end of July. The timeline for reopening the category will be dependent on Cabinet decisions, the degree of public consultation you wish to undertake, the degree of system changes required for implementation, and any trade-offs involved in INZ's processing resources.

Response to Productivity Commission inquiry into immigration (and regulatory stewardship and performance monitoring duties)

32. The Productivity Commission released its report on the immigration system in April. The findings of the report are broadly aligned with the Immigration Rebalance, including:

- highlighting that while it is not the sole answer, immigration has an important role to play alongside other market levers to improve productivity; and
- recognising the negative impacts of the pre-COVID growth in lower-skilled migration.

33. The report also recommends greater transparency about system objectives and costs and benefits and also taking absorptive capacity into account when making immigration policy decisions. s 9(2)(g)(i) [Redacted]

- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]

34. Initial views on the report were provided to the former Minister and Minister of Finance ahead of engagement with the Commission. s 9(2)(f)(iv) [Redacted]

- [Redacted]

s 9(2)(f)(iv)

35. The report also emphasises the importance of regular and evidence-based monitoring of specific visa and general system performance against a range of social and economic goals. There has been a significant amount of policy change and implementation over the last several years (temporary work reforms, COVID responses, Rebalance and 2021 Resident visa). Time is also needed in the work programme to ensure we have a good understanding of current system performance and issues to monitor impacts and advise on further improvements. Further stewardship work is being progressed on:
- developing an improved system performance framework;
 - identifying areas of system weakness that need to be addressed (e.g. simplification of visa settings and system checks) and constraints in the legislative framework that are not fit for purpose or impact performance; and
 - the application of Te Tiriti o Waitangi principles to immigration policy decisions and engagement.
36. We are also factoring in a return to more business-as-usual public consultation on significant settings in the work programme. During the COVID period significant decisions such as the 2021 Resident Visa and Immigration Rebalance package were taken with only very targeted or no consultation. How this is done will be part of addressing the Productivity Commission's somewhat unfair claim that immigration policy has become a black box.

Humanitarian responses

37. Substantive policy work on the refugee programme is now complete with Cabinet decisions having been taken on the 150 places from Australia and setting the next three-year quota for the refugee programme. Policy will also provide support to INZ on the refreshes of the Refugee Resettlement and Migrant Settlement Strategies.
38. Ongoing residual policy work is likely to be required in relation to existing humanitarian responses for Afghanistan and Ukraine. Requests from groups from Afghanistan and Ukraine to increase access to sponsor families to come to New Zealand and to widen the scope of the Ukraine response visa s 9(2)(f)(iv). Work in this area may need to ramp up if any future humanitarian crises emerge.

Policy input on refugee issues

39. Cabinet made decisions on the next three-year refugee quota and the 150 offer to Australia in the first half of 2022. Changes to increase the Refugee Family Support Category from 300 place to 600 places and increase the support available and extend the Community Organisation Refugee Sponsorship pilot programme (150 places over three years) will also be implemented this year. Immigration New Zealand is also refreshing the Refugee Resettlement and Migrant Settlement Strategies. Some policy resource will be required to support the implementation of these changes and the refreshes.

Recognised Seasonal Employer (RSE) policy review

40. The review of Recognised Seasonal Employer (RSE) Policy is part of a wider Pacific policy work programme. The previous Minister agreed to progress the review in two phases. The first phase of the review is scheduled for the second half of 2022 and focusses on decisions on the cap setting process; allocation process; streamlining labour market testing; strengthening the compliance framework; and minimum wage requirements. Further work on other elements, including accommodation quality and pastoral care requirements, is scheduled to commence in 2023. While long-running, this review has been continually disrupted to address shorter term RSE issues, especially border exceptions, onshore extensions and repatriation, and other higher priorities.
41. We will provide a further briefing on the RSE review and key upcoming decisions in the next two weeks. The previous Minister intended to make some initial announcements on the cap at the RSE industry conference at the end of July.

Support for Free Trade Agreements and other international engagement

42. Immigration Policy supports a range of international engagements and activities as part of business as usual. These include supporting MFAT in free trade negotiations as they relate to the movement of people, working holiday schemes, Migration 5 and Five Country Ministerial meetings, Bali Process and reporting to various multilateral organisations. In recent years, including before COVID-19, policy engagement in international meetings and fora has been more limited due to resourcing pressures and INZ has led in many areas. Connecting with policy counterparts and increasing policy engagement with other jurisdictions around key areas where cooperation is desirable are important objectives for the policy function looking ahead.

Migrant exploitation

43. The ongoing roll out of the migrant exploitation reforms will continue over 2022. You are well briefed on this work as the Minister of Workplace Relations and Safety. As Minister of Immigration, your responsibilities expand to include the INZ elements of implementation and compliance/enforcement.

Other priority work is currently deferred until 2023 (or next term)

44. The previous Minister agreed that there were other pieces of work that were important but would not be advanced in 2022.

s 9(2)(f)(iv)

45. s 9(2)(f)(iv)

Accredited Employer Work Visa (AEWV) framework review and adjustments

46. The new Accredited Employer Work Visa introduces a new online three gate, employer led process in which employers first get accredited; the job gate then tests the role has been advertised properly and meets the eligibility requirements around pay and hours; and then

the migrant can apply for their visa (if they have the relevant skills and meet health and character requirements). Employer accreditation is already open, the job gate opens 20 June, and the migrant gate 4 July. Many Rebalance settings are being operationalised through this framework.

47. The new system is intended to be monitored and for settings to be adjusted over time to ensure it meets its objectives and any issues addressed. There are a few outstanding intended components and areas for ongoing improvement that were not implementation critical that were deferred to allow resources to be redirected to the COVID response and the Rebalance changes. s 9(2)(f)(iv) [redacted]

- s 9(2)(f)(iv) [redacted]
- s 9(2)(f)(iv) [redacted]
- s 9(2)(f)(iv) [redacted]
- s 9(2)(f)(iv) [redacted]
- s 9(2)(f)(iv) [redacted]

s 9(2)(f)(iv) [redacted]

48. s 9(2)(f)(iv) [redacted]

s 9(2)(f)(iv) [redacted]

49. s 9(2)(f)(iv) [redacted]

- s 9(2)(f)(iv) [redacted];

- s 9(2)(f)(iv) [Redacted]
- s 9(2)(f)(iv) [Redacted]
- s 9(2)(f)(iv) [Redacted]
- s 9(2)(f)(iv) [Redacted]
 - [Redacted]
 - [Redacted]

50. These are collectively a significant programme of work that cannot be properly resourced until resources are freed up from other substantive projects like the Rebalance and Skilled Migrant reviews. s 9(2)(f)(iv)

[Redacted]

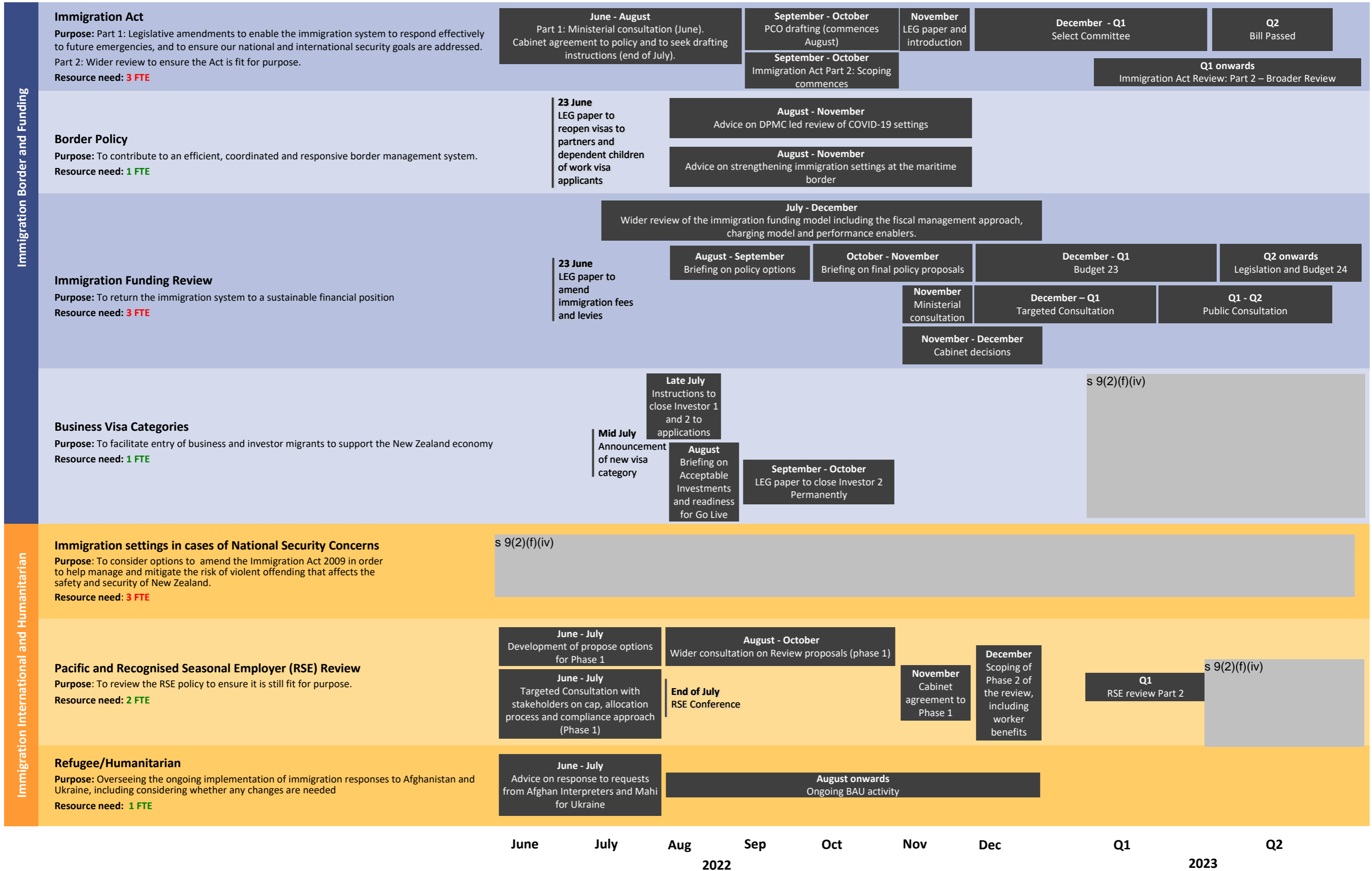
s 9(2)(f)(iv) [Redacted]

s 9(2)(f)(iv) [Redacted]

Immigration Key Project Timelines 2022/2023

Resourcing Key: **Very high >4 FTE, High 2-4 FTE, Moderate 1-2 FTE, Low 0.5-1 FTE, Very low <0.5 FTE.**

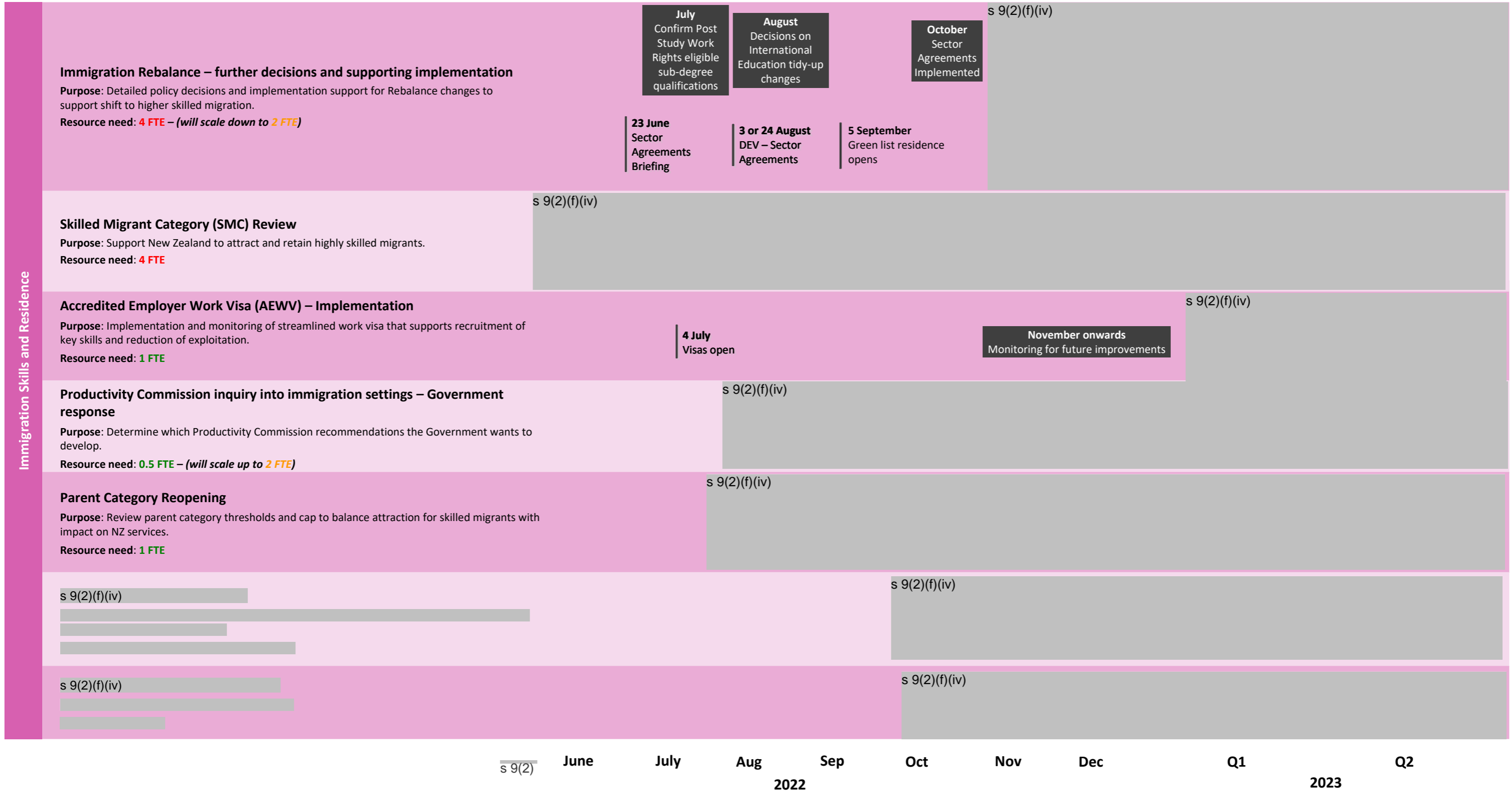
Note: All indicated timeframes are subject to change and Ministerial/Cabinet approval.



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Resourcing Key: **Very high >4 FTE, High 2-4 FTE, Moderate 1-2 FTE, Low 0.5-1 FTE, Very low <0.5 FTE.**

Note: All indicated timeframes are subject to change and Ministerial/Cabinet approval.



Immigration Skills and Residence