



COVERSHEET

Minister	Hon Michael Wood	Portfolio	Immigration
Title of paper	<i>Border Exception Proposals – transition to the Accredited Employer Work Visa</i>	Date to be published	19 September 2022

List of documents that have been proactively released		
Date	Title	Author
4 April 2022	<i>2122-3185 Border Exception Proposals – transition to the Accredited Employer Work Visa</i>	MBIE
6 April 2022	<i>Minute of decisions – meeting of Border Exception Ministers, 6 April 2022</i>	MBIE

Information redacted

YES / NO

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

Some information has been withheld for the reasons of international relations, privacy of natural persons, constitutional conventions, commercial information, and free and frank opinions

Minute of decisions – meeting of Border Exception Ministers, 6 April 2022

On 6 April, Border Exception Ministers:

New and expanded class exceptions

- a **Agreed** to expand the cap for the existing meat processors border class exception: from 150 to 650, maintaining existing pay requirements of at least \$27 per hour across a pay period
- b **Agreed** to a border class exception for up to 300 silviculture forestry workers earning at least the median wage (currently \$27 per hour)
- c **Agreed** to a border class exception for up to 280 wood processors and manufacturers (plus partners and dependent children) earning at least median wage (currently \$27 per hour), for up to 12 months
- d **Agreed** to expand the existing dairy worker class exception for up to 300 dairy farm assistants earning at least median wage plus \$1 (currently \$28 per hour), which does not have an expiry date, by:
 - adding an extra 500 workers to the cap
 - reintroducing eligibility for assistant dairy farm managers, 2ICs and dairy herd managers
 - amending the minimum pay requirement to at least median wage plus \$1 for all roles
- e **Agreed** to a class exception for up to 275 ski seasonal workers, subject to the sector's agreement to pay at least the median wage (currently \$27 per hour)
- f **Agreed** to a class exception for up to 200 foreign officials (Ministers and other Government representatives plus their official delegations) to New Zealand, to be nominated by MFAT (or the responsible counterpart agency), for up to 6 months
- g **Agreed** to a class exception for up to 25 immediate adult family members from non-visa-waiver countries of diplomats resident in New Zealand, to be nominated by MFAT, and commencing from 1 May, to align with immediate family members from visa-waiver countries, for up to 12 months
- h **Did not agree** to a class exception for up to 25 diplomatic private domestic staff, to be nominated by MFAT, for up to 12 months

Changes to government-approved lists

- i **Agreed** to add the FIBA Basketball World Cup Qualifier 2023 to the Government-approved events list
- j **Agreed** to reduce the threshold for the major infrastructure projects list from \$100 million to \$50 million, which will double the number of qualifying projects while managing impacts on visa processing capacity
- k **Agreed** to replace the requirement that the worker has an essential role in the delivery or execution of an approved major infrastructure project with a bright line test of a median wage requirement, to ensure changes to settings are aligned with the Immigration Rebalance
- l **Noted** that most critical workers coming to New Zealand for roles over six months were included in eligibility for the 2021 Resident Visa provided they were in New Zealand by 31 July 2022, including those workers coming in via the major infrastructure projects list
- m **Noted** that in December 2021, Cabinet decided that workers entering under expanded border settings ahead of the AEWV would not be considered to be critical workers eligible for the 2021 Resident Visa [CAB-21-MIN-0554]
- n **Noted** that if Ministers agree to expand the pathway for workers entering under the major infrastructure projects list, officials will prepare immigration instructions for certification that ensure consistency with the Cabinet decision noted in m
- o **Agreed** to add the Marsden Point decommissioning project to the Government-approved major infrastructure projects list (with a minimum pay threshold of median wage)

Constitutional conventions

- p Constitutional conventions