



COVERSHEET

Minister	Hon Michael Wood	Portfolio	Immigration
Title of Cabinet paper	Immigration (Mass Arrivals) Amendment Bill	Date to be published	28 March 2023

List of documents that have been proactively released

Date	Title	Author
June 2022	Addressing legal risks to the safe and effective management of a mass arrival	Office of the Minister of Immigration
1 June 2022	Addressing legal risks to the safe and effective management of a mass arrival DEV-22-MIN-0125 Minute	Cabinet Office
June 2022	Regulatory Impact Statement: Warrant of commitment	Ministry of Business, Innovation and Employment
December 2022	Immigration (Mass Arrivals) Amendment Bill	Office of the Minister of Immigration
8 December 2022	Immigration (Mass Arrivals) Amendment Bill LEG-22-MIN-0228 Minute	Cabinet Office

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 maintenance of the law, national security or defence, international relations, legal professional privilege, and confidential advice to government.



Cabinet Legislation Committee

Minute of Decision

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

Immigration (Mass Arrivals) Amendment Bill

Portfolio **Immigration**

On 8 December 2022, the Cabinet Legislation Committee:

- 1 **noted** that priority is sought for the Immigration (Mass Arrivals) Amendment Bill (the Bill) to hold a category 2 priority on the 2023 Legislation Programme (must be passed before the 2023 General Election);
- 2 **noted** that in June 2022, the Cabinet Economic Development Committee agreed to amend the Mass Arrivals provisions of the Immigration Act 2009 to:
 - 2.1 provide more time for the Courts to consider an application for a mass arrival warrant of commitment and allow for migrants to be detained while applications are determined by the Courts;
 - 2.2 make it clear that members of an irregular maritime arrival group are responsible for applying for entry permission and a visa, and deem them to have done so if they fail to do so;
 - 2.3 remove any possibility that members of an irregular maritime arrival group are deemed to hold a visa on arrival;
- [DEV-22-MIN-0125]
- 3 **noted** that the Bill gives effect to the decisions above;
- 4 **approved** the Immigration (Mass Arrivals) Amendment Bill for introduction [PCO 22498/4.0], subject to the final approval of the government caucus and sufficient support in the House of Representatives;
- 5 **authorised** the Minister of Immigration to approve further changes to the Bill consistent with the policy intent, prior to introduction;
- 6 **agreed** that the Parliamentary Counsel Office may make minor proofreading and editorial changes to the Bill prior to introduction;
- 7 **agreed** that the Bill be introduced on 14 December 2022;
- 8 **noted** that the Minister of Immigration is undertaking consultation which will determine the appropriate Select Committee for consideration of the Bill;

9 **agreed** that the government propose that the Bill be:

9.1 referred to the Foreign Affairs, Defence and Trade Committee for consideration;

9.2 enacted by the end of July 2023.

Rebecca Davies
Committee Secretary

Present:

Hon Chris Hipkins (Chair)
Hon Andrew Little
Hon David Parker
Hon Michael Wood
Hon Dr David Clark
Hon Dr Ayesha Verrall
Dr Duncan Webb, MP

Officials present from:

Office of the Prime Minister
Officials Committee for LEG