



COVERSHEET

Minister	Hon Andrew Little	Portfolio	Minister of Immigration
Title of Cabinet paper	Immigration (Visa, Entry Permission, and Related Matters) Amendment Regulations (No 2) 2023	Date to be published	18 September 2023

List of documents that have been proactively released		
Date	Title	Author
August 2023	Immigration (Visa, Entry Permission, and Related Matters) Amendment Regulations (No 2) 2023	Office of the Minister of Immigration
7 August 2023	Minute of Decision - Immigration (Visa, Entry Permission, and Related Matters) Amendment Regulations (No 2) 2023 CAB-23-MIN-0355.01	Cabinet Office
August 2023	Immigration (Visa, Entry Permission, and Related Matters) Amendment Regulations (No 2) 2023 [PCO 25644/4.0]	Parliamentary Counsel Office

Information redacted

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.



Cabinet

Minute of Decision

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

Immigration (Visa, Entry Permission, and Related Matters) Amendment Regulations (No 2) 2023

Portfolio **Immigration**

On 7 August 2023, following reference from the Cabinet Legislation Committee, Cabinet:

- 1 **noted** that on 31 May 2023, the Cabinet Economic Development Committee (DEV) agreed to the proposed changes to the application process of the Skilled Migrant Category (SMC) residence visas, to include a zero fee for SMC Expressions of Interest and to provide for a fee for online SMC applications [DEV-23-MIN-0097];
- 2 **noted** that the Immigration (Visa, Entry Permission, and Related Matters) Amendment Regulations (No 2) 2023 give effect to the decision referred to in paragraph 1 above;
- 3 **authorised** the submission to the Executive Council of the Immigration (Visa, Entry Permission, and Related Matters) Amendment Regulations (No 2) 2023 [PCO 25644/4.0];
- 4 **noted** that the Immigration (Visa, Entry Permission, and Related Matters) Amendment Regulations (No 2) 2023 come into force on 7 September 2023;
- 5 **noted** that in May 2023, DEV agreed to remove references to the Skilled Migrant Category Job Search Visa [DEV-23-MIN-0097], but that after further work officials consider this to be premature due to the numbers of in-flight applications and potential eligible applicants under current settings;
- 6 **rescinded** the decision referred to in paragraph 5 above.

Rachel Hayward
Secretary of the Cabinet

***Secretary's Note:** This minute replaces LEG-23-MIN-0133. Cabinet agreed to the rescinding recommendation in paragraph 6.*

Immigration (Visa, Entry Permission, and Related Matters) Amendment Regulations (No 2) 2023

Order in Council

At Wellington this day of 2023

Present:
in Council

These regulations are made under sections 400 and 402 of the Immigration Act 2009 on the advice and with the consent of the Executive Council.

Contents

		Page
1	Title	1
2	Commencement	1
3	Principal regulations	2
4	Regulation 9 amended (Notification of expression of interest in applying for residence class visa)	2
5	Schedule 4 amended	2

Regulations

- Title**
These regulations are the Immigration (Visa, Entry Permission, and Related Matters) Amendment Regulations (No 2) 2023.
- Commencement**
These regulations come into force on 7 September 2023.

3 Principal regulations

These regulations amend the Immigration (Visa, Entry Permission, and Related Matters) Regulations 2010.

4 Regulation 9 amended (Notification of expression of interest in applying for residence class visa)

In regulation 9(b), after “fee”, insert “(if any)”.

5 Schedule 4 amended

In Schedule 4, under the heading—

(a) *Residence class visa*, replace the item relating to residence class visa application—Skilled Migrant Category with:

5(1) and (2)(e)(i)	Residence class visa application—Skilled Migrant Category (hard copy)	1,880	1,610	2,480
23AA(1) and (5)(i) or 23A(1)(a) and (4)(i), as applicable	Residence class visa application—Skilled Migrant Category (online)	1,880	1,610	2,480

(b) *Residence class visa—related matters*, revoke the items relating to regulation 9(b) Skilled Migrant Category (hard copy) and regulation 9(b) Skilled Migrant Category (online).

Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 7 September 2023, amend the Immigration (Visa, Entry Permission, and Related Matters) Regulations 2010 (the **principal regulations**).

Regulation 9(b) of the principal regulations is amended to provide that a fee may not necessarily be prescribed in relation to a notification of expression of interest in applying for a residence class visa.

Schedule 4 of the principal regulations is amended to provide that—

- the fees for a residence class visa application—Skilled Migrant Category are the same, whether the application is made in hard copy or online; and
- there are no prescribed fees for a notification of expression of interest in applying for a residence class visa—Skilled Migrant Category.

**Immigration (Visa, Entry Permission, and Related
Matters) Amendment Regulations (No 2) 2023**

Issued under the authority of the Legislation Act 2019.

Date of notification in *Gazette*:

These regulations are administered by the Ministry of Business, Innovation, and Employment.