



COVERSHEET

Minister	Hon Erica Stanford	Portfolio	Immigration
Title of Cabinet paper	Responding to high net migration trends and migrant exploitation	Date to be published	22 May 2024

List of documents that have been proactively released

Date	Title	Author
14 March 2024	Responding to high net migration trends and migrant exploitation	Office of the Minister of Immigration
20 March 2024	Responding to high net migration trends and migrant exploitation CAB-24-MIN-0096 Minute	Cabinet Office
25 March 2024	Responding to high net migration trends and migrant exploitation ECO-24-MIN-0031 Minute	Cabinet Office

Information redacted

YES / NO

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Some information has been withheld or the reasons of Confidential advice to Government.



Cabinet

Minute of Decision

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Responding to High Net Migration Trends and Migrant Exploitation

Portfolio Immigration

On 25 March 2024, following reference from the Cabinet Economic Policy Cabinet Committee, Cabinet:

Background

- 1 **noted** that current levels of net migration are at a record high, as part of an increasing trend since the mid-2000s;
- 2 **noted** that the current trends around net migration highlight issues related to both the short-term growth in migration and an upwards structural trend in net migration;
- 3 **noted** that the current Accredited Employer Work Visa (AEWV) settings have contributed to a surge in cases of migrant exploitation;
- 4 **noted** that a number of the changes recommended in the paper under CAB-24-SUB-0096 respond to concerns raised in the recent Bestwick review and seek to mitigate the risk of future exploitation;
- 5 **noted** that many of the changes below are not new, but a return to settings that are the same as, or similar to, those pre-pandemic;

Changes impacting current and future migrants

- 6 **noted** that despite the median wage threshold under the AEWV, officials have seen an increase in the number of lower-skilled migrant workers coming to New Zealand through this pathway;
- 7 **agreed** to reduce, for people who submitted an AEWV application between 4 July 2022 and 20 June 2023 in an Australia New Zealand Standard Classification of Occupations (ANZSCO) level 4 and 5 role and earning at or above median wage:
 - 7.1 the duration of the AEWV to two years (with the ability to apply for a further year);
 - 7.2 the Maximum Continuous Stay (MCS) to three years;
- 8 **agreed** that the above changes apply to anyone who submits an application from the date of

- 9 **noted** that in-progress AEWV applications at the time of implementation will continue to be assessed under the current AEWV settings;
- 10 implementation of the changes, including anyone who has been issued a re-used job token; **agreed** to exempt workers in ANZSCO level 4 and 5 roles who are either earning 1.5 times the median wage, or who are in an occupation on the Green List or Sector Agreement residence pathway, from these changes;
- 11 **agreed** to reduce the MCS of the Transport and Seasonal Snow and Adventure Tourism Sector Agreements to three years and the AEWV duration to two years for the Transport Sector Agreement;
- 12 **agreed** to introduce a new accreditation standard that an employer must notify Immigration New Zealand within 10 working days if an AEWV holder’s employment ends;
- █ [REDACTED]
Confidential advice to Government
- █ [REDACTED]
Confidential advice to Government
- █ [REDACTED]
Confidential advice to Government

Tightening settings for future lower-skilled applicants

- 16 **noted** that in August 2023, the previous government agreed to add earthmoving plant operators, linemarkers, machine operators not elsewhere classified, driller’s assistants, earthmoving labourers, mechanic’s assistants and road traffic controllers to the Construction and Infrastructure Sector Agreement [DEV-23-MIN-0171];
- 17 **rescinded** the decision in paragraph 16 above;
- 18 **agreed** to shut down the work to residence pathways for truck drivers and bus drivers under the Transport Sector Agreement;
- 19 **agreed** to introduce a minimum skills and experience threshold for the AEWV of three years’ relevant work experience, or a relevant qualification at level 4 or above of the New Zealand Qualifications and Credential Framework, except for roles paid twice the median wage roles and Green List roles;
- 20 **agreed** to introduce an accreditation and job check requirement that employers must take reasonable steps to ensure that migrant workers are suitably qualified before inviting them to apply for an AEWV;
- 21 **agreed** to require AEWV applicants applying for ANZSCO Level 4 and 5 roles to meet a minimum standard of English language competence of Level 4 of the International English Language Testing System or higher;

Ensuring New Zealanders are first in line for jobs

- 22 **agreed** to introduce a requirement under the AEWV that ANZSCO level 4 and 5 occupations are advertised with the Ministry of Social Development;

Targeting scrutiny on the highest risk employers

23 **agreed** to disestablish the franchisee accreditation category under the AEWV, and allow franchisee employers to hold standard, high-volume or triangular employment accreditation, depending on their circumstances;

Other changes

24 **agreed** to grant work rights to high school leavers who are awaiting the outcome of a family residence application;

25 **authorised** the Minister of Immigration to make further policy decisions as required to give effect to the above decisions;

26 **noted** that the Minister of Immigration will certify new immigration instructions under section 22 of the Immigration Act 2009 to give effect to the above decisions;

Further options to improve the AEWV

27 **invited** the Minister of Immigration to report back to the Cabinet Economic Policy Committee (ECO) in August 2024 on a second phase of work which will include considering further options to tighten the AEWV at each stage, including a suitable replacement to the median wage threshold;

Addressing longer-term challenges from the upwards structural shift in migration

28 **noted** that the Minister of Immigration, Minister for Social Development and Employment, and Minister for Tertiary Education and Skills will explore how to better understand labour demand to ensure that supply pipelines are properly calibrated to meet that demand;

29 **noted** that the Minister of Immigration together with the Minister of Finance, the Minister for Infrastructure, the Minister for Regional Development and the Associate Minister of Agriculture (Animal Welfare, Skills) will consider a Government Policy Statement for immigration that could set out how this Government will think about the balance between absorptive capacity and the need to address skill shortages in developing immigration settings;

■ Confidential advice to Government
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Rachel Hayward
 Secretary of the Cabinet