



COVERSHEET

Minister	Hon Erica Stanford	Portfolio	Immigration
Title of Cabinet paper	Requiring cargo ship crew and passengers to hold an NZeTA	Date to be published	28 August 2024

List of documents that have been proactively released

Date	Title	Author
July 2024	Requiring cargo ship crew and passengers to hold an NZeTA	Office of the Minister of Immigration
12 July 2024	Regulatory Impact Statement- Requiring more classes of person to hold an NZeTA before travel	MBIE
24 July 2024	Requiring cargo ship crew and passengers to hold an NZeTA ECO-24-MIN-0131	Cabinet Office

Information redacted

YES / NO *(please select)*

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 commercial information and confidentiality.

In Confidence

Office of the Minister of Immigration

Cabinet Economic Policy Committee

Requiring cargo ship crew and passengers to hold an NZeTA to travel to New Zealand

Proposal

- 1 This paper seeks agreement to require cargo ship passengers and crew (including the foreign crew of ships authorised by the Minister of Transport to carry coastal cargo¹) to hold a New Zealand electronic Travel Authority (NZeTA) before travelling to New Zealand. This will align with the existing NZeTA obligations on cruise ship passengers and crew.

Relation to government priorities

- 2 The NZeTA supports the Government's priority of ensuring immigration is a strongly performing regulatory system that manages immigration risk, by providing Immigration New Zealand (INZ) with advance notice of intending visa-waiver travellers.
- 3 The NZeTA also contributes to delivering on the accountabilities of the Border Executive Board (BEB)², which includes system improvements to support a smart and safe border now, and into the future.

Executive Summary

- 4 Since October 2019, most visa-waived travellers (air passengers who hold passports from visa waiver countries, crew of commercial aircraft and all cruise ship passengers and crew) have been required to hold an NZeTA before their travel to New Zealand.
- 5 In March 2023, Cabinet directed the Ministry of Business, Innovation and Employment (MBIE) to consult on requiring cargo ship crew and passengers, the crew of foreign ships authorised to carry coastal cargo and private aircraft crew to hold an NZeTA before travel to New Zealand³ [DEV-23-MIN-0023]. Cabinet also agreed to MBIE exploring an extension to the 28-day deemed visa period for crew and passengers on cargo and cruise ships, following concerns from shipping agents about congestion and delays at ports.
- 6 Following a pause in mid-2023, I now wish to progress this work, to better manage immigration risk to New Zealand's borders while facilitating travel and trade.
- 7 I am advised that the consultation process (undertaken in 2023 and refreshed in June 2024) has confirmed that there is broad support for making cargo ship crew and passengers visa waiver on the condition of holding an NZeTA before travel, due to the facilitation benefits it offers and few barriers to implementation.
- 8 I seek Cabinet's agreement to make cargo ship passengers and crew visa waiver for travel to New Zealand on the condition they hold an NZeTA (unless exempt) from April 2025. I also propose including crew of a foreign ship authorised by the Minister of Transport to carry coastal

¹ Under section 198(2) of the Maritime Transport Act 1994.

² The Border Executive Board's members include the Chief Executives of New Zealand Customs Service, MBIE, and the Ministries of Foreign Affairs and Trade, of Health, for Primary Industries, and of Transport.

³ In this paper the term 'private aircraft crew' is used to refer to unscheduled commercial flights where the owner of the aircraft is on board as either the pilot or the passenger, and other commercial unscheduled international services.

cargo in this regime. As many of those ships will be captured in the cargo ship category above, most crew will already hold NZeTAs (subject to Cabinet's agreement to the proposal).

- 9 I do not propose including unscheduled private and commercial aircraft crew in the regime at this time, due to their low immigration risk, low numbers (approximately 4,000 per annum) and the complexity of implementation.
- 10 Consultation elicited differing views on the deemed visa period, particularly for cargo ships. Shipping agents generally supported an extension of seven or 14 days. Domestic shipping representatives and the maritime union considered any extension could adversely impact the domestic coastal cargo shipping sector, as international ships might use the extra time in our waters to carry coastal cargo, directly competing with the domestic sector.
- 11 While commercial sensitivities have made it difficult for MBIE to access information to clarify the impact of extending the deemed visa period on the coastal cargo sector, officials consider it possible that a longer deemed visa period could adversely impact domestic cargo ships.
- 12 Cruise ship sector stakeholders advised that, while they would appreciate a longer deemed visa period, they normally operated well within the current settings. On the advice of MBIE and the Ministry of Transport, I recommend no change be made to the current 28-day deemed visa period for passengers and crew of cargo and cruise ships.
- 13 I note that to further manage risk and strengthen our maritime border settings, MBIE is separately working on a maritime Advance Passenger Processing (APP) system, which enables pre-travel screening and for passengers to be prevented from boarding.

The NZeTA provides information about travellers and their intentions

- 14 In September 2018, Cabinet agreed that, as a condition of travelling visa waiver, all travellers from visa waiver countries (with some exceptions, such as Australian citizens), cruise ship crew and passengers, and crew of commercial aircraft would be required to hold a NZeTA before travel to (or transit via) New Zealand, with effect from October 2019. Cabinet also noted that the requirement to hold an NZeTA could be extended to further groups of travellers in future, including cargo vessel passengers and crew [DEV-18-MIN-0191].
- 15 In March 2023, Cabinet Economic Development Committee (DEV), directed officials to:
- 15.1 consult with the maritime and aviation sectors on extending the NZeTA to cargo ship crew and passengers, crew of foreign ships authorised to carry coastal cargo, and private aircraft crew⁴, and
 - 15.2 consider the deemed visa period for cargo and cruise ships in light of concerns about congestion and delays at ports raised by shipping agents. [DEV-23-MIN-0023].
- 16 The NZeTA is legally a condition on the waiver of the requirement to hold a visa to travel here. It:
- 16.1 provides INZ with some information about intending travellers, including biographic information and passport number(s), and a character declaration;
 - 16.2 enables people who are not eligible to travel here visa waiver, due to their convictions or previous immigration history, to be advised of this ahead of their travel (this information may date, as NZeTAs are valid for two years for travellers and five years for crew)
 - 16.3 facilitates border entry for genuine travellers, as part of a modern and secure border that uses digital solutions to assess and manage risk.

⁴ Private aircraft are those where the owner is onboard as either the pilot or the passenger

- 17 The NZeTA is most effective when used in combination with other immigration measures, such as the APP system⁵, which is in place at the aviation border and being developed at the maritime border. The APP helps to keep risk offshore by enabling INZ to issue a Do Not Board directive to carriers if immigration risk is identified.
- 18 As most maritime arrivals who are leaving on the same vessel do not apply for a visa before travel, or have their border movements recorded in INZ systems, INZ used to receive no information on them. The rollout of the NZeTA in 2019 addressed this gap for the largest class of maritime arrivals (cruise ship passengers and crew). However, this did not extend to cargo ship passengers and crew. They are deemed to hold a visa and entry permission on arrival and not required to hold an NZeTA, make no declarations and are not captured in INZ systems.
- 19 An amendment to the Immigration (Visa, Entry Permission, and Related Matters) Regulations 2010 (the Regulations) will make these classes of traveller ‘visa waiver’ for travel here and (as a condition of this) require them to hold an NZeTA before travelling to New Zealand. Upon arrival, these classes of traveller will be deemed to hold a temporary visa and have been granted entry permission (as they are still classes of traveller under Schedule 3 of the Regulations).

The timeframes of the deemed visa settings have also been reviewed

- 20 New Zealand shipping agents representing the foreign cargo shipping sector raised concerns with MBIE that the length of the deemed visa period⁶ (currently a maximum of 28 days) is not long enough to enable cargo ships to complete their schedules. Crew on cargo or cruise ships that stay beyond the deemed visa period require work visas to remain lawful.
- 21 Following the reopening of the border in 2022, some New Zealand ports have continued to experience delays due to workforce shortages, limited berthing availability and adverse weather. MBIE understands the delays have mainly affected bulk cargo ships as they require labour and/or specialised equipment to discharge cargo.⁷
- 22 The shipping agents consider an extension of the deemed visa period could facilitate them to operate in New Zealand and avoid the financial and administrative costs associated with visa applications.

NZeTA: Key themes from consultation and proposed changes

- 23 Consultation on the proposals took place from 27 March to 21 April 2023. A key focus of the consultation was to better understand how the proposed NZeTA requirements would impact the sectors and how compliance costs could be minimised. In June 2024 MBIE reengaged with the sectors originally consulted to confirm views and seek any additional feedback.
- 24 Feedback was received from five stakeholders in 2023: Maritime Union of New Zealand, New Zealand Shipping Federation, Shipping New Zealand, ISS-McKay and Maritime New Zealand. The Ministry of Transport and MBIE Tourism Policy also provided early input and feedback on the proposals. The aviation and tourism sectors did not provide comment. Additional feedback was received in June 2024 from Shipping New Zealand, reiterating their support for the NZeTA applying to cargo ships, and a longer deemed visa period.

⁵ APP checks each traveller’s profile against multiple databases before boarding, including checks against INZ IT for alerts or warnings and the Interpol lost and stolen passports database. There is no APP at the maritime border.

⁶ Under Schedule 3 of the Regulations, certain classes are waived the requirement to apply for a visa and entry permission in advance of travel to New Zealand (or on arrival) and are instead deemed to hold a temporary visa and entry permission on entry. The length of the temporary visa varies by class of person.

⁷ Approximately 60 per cent of ships that stayed beyond the deemed visa period during October 2022-April 2023 were bulk carriers – meaning they carried goods that were not in containers/packaged e.g grain and logs.

Stakeholders generally supported NZeTA requirements for cargo ships

- 25 There was broad support for extending the obligation to hold an NZeTA to cargo ship crew and passengers. The cargo shipping industry did not see any significant barriers to implementation, but did emphasise the importance of an appropriate lead-in time and working closely with MBIE to ensure the carriers understood and could comply with the new requirement. They also highlighted some issues for consideration, including:
- 25.1 internet connectivity is poor for cargo ships, particularly in the middle of the ocean, limiting their ability to request an NZeTA when sailing between ports.
 - 25.1.1 Officials advise that the Regulations require persons or carriers / agents to request an NZeTA before they start travelling to New Zealand (ie no later than at the international port prior to New Zealand). In addition, the NZeTA does not need to be requested for every visit or even annually (for crew, it is valid for five years, provided they stay with the same employer).
 - 25.2 English language capability of crew is poor.
 - 25.2.1 Officials advise that manning or shipping agents must request the NZeTA on behalf of marine crew.
 - 25.3 Ships may not know they are coming to New Zealand until they are en route, which could mean upon arrival that crew on board are not deemed to hold a visa and entry permission because they do not hold an NZeTA, making them unlawful.
 - 25.3.1 Officials advise that risk can be mitigated by its education and support of shipping agents (who advise foreign ships of the regulations in each country).
- 26 I therefore propose making cargo ship crew and passengers visa waver for travel to New Zealand on the condition they hold a valid NZeTA.

Crew of foreign ships authorised to carry coastal cargo should be included for completeness

- 27 Cabotage refers to the transportation of goods or people within a country's border by foreign vessels. Governments typically set laws to limit or prevent this to protect domestic carriers. In the maritime environment, the Maritime Transport Act 1994 essentially limits the transport of coastal cargo to domestic ships and foreign ships operating between New Zealand ports as part of an international voyage (if carrying coastal cargo is incidental to the carriage of international cargo). If these ships are not available, the Minister of Transport can authorise any foreign ship to carry coastal cargo in New Zealand.
- 28 Crew on foreign ships that have been specifically authorised to carry coastal cargo are deemed to hold a temporary visa (maximum of 28 days) and have been granted entry permission under the Regulations, meaning INZ currently generally receives no information on these travellers. I am advised that approximately 12-15 ships per annum are authorised to carry coastal cargo within New Zealand. Most of these ships will have entered New Zealand as cargo ships and so crew will likely hold NZeTAs already (subject to Cabinet agreement to the proposal). Very few ships enter New Zealand for the sole purpose of carrying coastal cargo.
- 29 I propose to make this group visa waiver for travel to New Zealand on the condition they hold an NZeTA before travel to New Zealand for completeness, and to ensure consistency of immigration settings for all international cargo ship crew coming here. Due to the overlap with cargo ship crew, officials do not anticipate any additional implementation or compliance burden.

I do not recommend extending the NZeTA to unscheduled private or commercial aircraft

- 30 Although no feedback was received from the aviation sector during the 2023 consultation, MBIE consulted with Customs and the Ministry of Transport, as they have a role in the regulation of non-scheduled private and commercial aircraft. The Ministry of Transport and MBIE had concerns about applying the NZeTA to this group, as practical challenges would potentially outweigh the improvement in immigration risk management (APP is not used for these aircraft, requiring a manual sampling approach to ensure compliance).
- 31 I am advised this group poses a low risk to New Zealand because most private aircraft are registered in New Zealand, Australia, and the United States and most passengers come from the same places⁸. While crew data is not captured by INZ, I am advised that crew are likely to be based in the same countries and pose little immigration risk. In addition, it is a small group, estimated at 4,000 travellers per year. For these reasons, I do not propose at this time to require NZeTAs for crew of unscheduled private or commercial aircraft.

I consider the existing NZeTA policy framework should apply to cargo ship travellers

- 32 There is an existing policy framework for the NZeTA, which among other things:
- 32.1 enables ‘positioning’ (flying here to join a vessel or craft they are working on) crew from visa-required countries to travel here holding a Crew NZeTA, rather than be required to hold a visitor visa prior to travel, as previously;
 - 32.2 does not require crew to pay the International Visitor Conservation and Tourism Levy (IVL) of \$35 when they request their NZeTAs (which cost \$17 on the app or \$23 on the INZ website); and
 - 32.3 requires a request for a Traveller NZeTA to be accompanied by payment of the IVL.
- 33 I consider it appropriate to apply the NZeTA and IVL policy settings to cargo ship crew and passengers as well, and seek Cabinet’s agreement that:
- 33.1 crew on a cargo ship are visa waiver for travel to New Zealand, so are required to hold a Crew NZeTA before travelling to New Zealand and exempt from paying the IVL;
 - 33.2 passengers on a cargo ship are visa waiver for travel to New Zealand, so must hold a Traveller NZeTA before travelling here and pay the IVL when they request the NZeTA;
 - 33.3 cargo ship crew who are positioning are treated consistently with cruise and aircraft positioning crew (requiring a change to the definition of ‘positioning crew’ in the Regulations to include cargo ship crew that are flying in to join a vessel).
- 34 The cargo ship sector was particularly supportive of being able to use the NZeTA for positioning crew. Although only about 10 per cent of cargo ship crew currently fly in to join a vessel, these settings are facilitative and beneficial to our international trade arrangements. Risks associated with the potential misuse of NZeTAs can be managed through compliance and monitoring.

Ensuring quality photos to support efficient NZeTA processing

- 35 A request for an NZeTA must include, among other things, a photograph of the person’s head (unless they are crew). MBIE has become aware of an issue with the Regulations, which require an immigration officer to accept any photo of the client’s head submitted with an NZeTA request, regardless of quality. Quality photos are crucial to efficiently establishing client identity. Low quality images require manual processing, which is inefficient. I propose amending the

⁸ Data from 1 August 2022 to 27 November 2022 showed that 41 per cent of passengers on private aircraft held New Zealand passports, 31 per cent United States passports and 28 per cent Australian passports.

Regulations so that, consistent with the requirements for electronic visa applications, photos for an NZeTA request must be of acceptable quality.

Implementation and compliance with NZeTA requirements

- 36 The following steps are required to implement the NZeTA changes:
- 36.1 Amendments to the Regulations will make cargo ship crew and passengers (including foreign crew of ships authorised to carry coastal cargo) visa waiver for travel to New Zealand on the condition they hold an NZeTA;
 - 36.2 INZ will develop memorandums of understanding or relationships with carriers, educate them, and on board them to the INZ systems which accept NZeTA requests on behalf of crew, and through which they can check the status of passengers and crew;
 - 36.3 Carriers will need to check travellers' NZeTA status before allowing them to travel to New Zealand and apply for Crew NZeTAs on crews' behalf.
- 37 INZ requires a minimal additional resource to implement the changes. This is mainly for building new relationships with affected carriers, onboarding them to INZ systems and some manual assessment of NZeTA requests (including identity resolution), noting that most NZeTA requests are decided by the system automatically. The cost will be offset by NZeTA revenue, with no impact on Crown revenue.
- 38 If the amendments to the Regulations take effect by October 2024, implementation can occur from April 2025. This would allow for sufficient time for MBIE to communicate the requirement to carriers and onboard them to INZ's systems.

Carriers must ensure travellers have the prescribed documentation to travel to New Zealand

- 39 Under the Immigration (Carriers' Information Obligations) Regulations 2010 (regulation 5(1)), a carrier must ensure the persons boarding a craft have the prescribed documents (including a visa if required). Although the Regulations do not specifically mention the NZeTA, if a person is waived the requirement to hold a visa to travel to New Zealand (i.e. visa-waiver) then they must hold an NZeTA (unless exempt, e.g. Australian citizens). Carriers that do not ensure travellers have the prescribed documentation to travel here commit an immigration offence for which infringement is possible.
- 40 As APP is not yet in place at the maritime border, INZ cannot automatically check travellers have the prescribed documentation. Therefore, INZ works closely with cruise ships to ensure they check travellers' NZeTA status before boarding and understand they should not board anyone who does not have a valid NZeTA (or visa, unless exempt). INZ monitors cruise ships' compliance with the NZeTA requirement.

41 **Commercial Information**

his would improve INZ's ability to ensure compliance with the NZeTA requirement and keep risk offshore. For cargo ships, INZ will continue to engage with the carriers to ensure they meet their immigration obligations.

The deemed visa period: feedback from consultation and proposed response

- 42 Under Schedule 3 of the Regulations, cargo and cruise ship passengers and crew are deemed to hold a visa until the earlier of:
- 42.1 the day and time the ship is given clearance to leave its last New Zealand port, or

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42.2 the expiry of 28 days (calculated on and from the day the ship arrives at its first port of entry in New Zealand on that voyage).

43 These settings aim to facilitate travel for cargo and cruise ship travellers and were developed at a time when there were low numbers of travellers entering New Zealand via the maritime border and it was not practical to require visas to be applied for in advance of arrival (especially when applications were paper based). Under the current settings, travellers on these ships must apply for visas if they are going to be in New Zealand beyond 28 days (work visas for crew and visitor visas for passengers).

Cruise ships generally operate well within the current 28-day deemed visa period

44 Stakeholders advised that although there was not a need for a longer deemed visa period (because cruise ships generally design their schedules to operate within current settings). They would appreciate having a longer deemed visa period, particularly expedition cruise ships⁹.

45 There was no data from INZ or the New Zealand Cruise Ship Association indicating cruise ship travellers need to apply for visas because they stayed beyond 28 days.

There were diverging views on the deemed visa period for cargo ships

46 Based on the feedback from consultation and advice from officials outlined below, I propose to maintain the current deemed visa period at a maximum of 28 days for cruise and cargo ship crew.

47 In 2023, representatives of the domestic coastal cargo and international cargo shipping sectors held strongly diverging views about the proposal to extend the deemed visa period:

47.1 Shipping agents representing foreign cargo ships supported extending the deemed visa period from 28 days to 35 or 42 days for cargo ship crew, citing the continued impact of supply chain issues and port congestion and delays on ships' schedules.

47.2 Representatives of the maritime union and domestic shipping sector opposed any change, citing the potential damage to domestic coastal shipping (as foreign cargo ships are permitted to carry coastal cargo under section 198 of the Maritime Transport Act 1994 if in transit).

48 I understand that representatives of foreign cargo ships and the domestic shipping sector have recently been working together to arrive at a common position. They suggest a bespoke arrangement be created for ships facing delays outside their control whereby if certain criteria are met, they are automatically granted more time. My officials advise that introducing this kind of flexibility would be out of step with settings for visas, most of which have a set expiry date. In addition, immigration officers can exercise discretion if ships face unusual circumstances.

49 Further, I was advised that:

49.1 Only 1 per cent¹⁰ of cargo ships from October 2023 to March 2024 needed to apply for a visa because they were unable to complete their schedule within the 28 days, compared with 3.4 per cent for the same period a year earlier (noting the figure varies by month and some ships, like bulk carriers, feature more predominantly). This indicates that the current policy settings are working for most cargo ships.

49.2 While extending the deemed visa period by seven to fourteen days may facilitate more cargo ships to trade in New Zealand, it will not solve the issue. Approximately 50 per cent of cargo ships that currently exceed the deemed visa period do so by more than 14

⁹ Expedition cruise ships have fewer passengers and often spend longer in New Zealand than bigger cruise ships.

¹⁰ Based on data collected by Customs and INZ between October 2023 and March 2024 as an approximate scale of the issue.

days. An extension of more than 14 days is not recommended because it would be out-of-step with the work visa framework.

- 49.3 It is unclear what impact a longer deemed visa period may have on the sustainability of the coastal shipping sector, which is important for New Zealand's economic resilience. Officials consider it possible that a longer deemed visa period could negatively impact domestic shipping as foreign ships who do not need a longer deemed visa period could use the extra time to carry coastal cargo within New Zealand (as permitted under the Maritime Transport Act 1994 under certain circumstances).
- 49.4 Although shipping congestion and delays are a global and ongoing problem, conditions at New Zealand ports and supply chain issues have been slowly improving over the last two years.

Cost of living implications

- 50 The cost of NZeTAs (currently \$17 or \$23 every five years) for cargo ship crew is unlikely to impact the prices New Zealanders pay for imported goods, which fluctuate based on a variety of factors.

Financial Implications

- 51 Implementing the NZeTA changes to the above classes of traveller would cost \$906,000 over five years for the additional resource identified, partially offset by the additional third-party revenue of \$510,000 generated (a low estimate, based on crew only applying once every five years and for the \$17 NZeTA). Most of these costs will fall in the first year of implementation with a small amount of ongoing funding in years two to five for one FTE.
- 52 In the short-term, the shortfall of \$396,000 can be funded by the surplus in the NZeTA memorandum account. The NZeTA account is forecast to go into deficit by 30 June 2027 (this would happen regardless of the NZeTA changes). Confidentiality

Legislative Implications

- 53 To give effect to these policy proposals, the Regulations will need to be amended. A paper will be prepared for LEG consideration in September 2024.

Impact Analysis

Regulatory Impact Statement

- 54 A Regulatory Impact Statement (RIS) has been reviewed by MBIE's panel and is attached to this Cabinet paper.

Climate Implications of Policy Assessment

- 55 There are no direct climate implications of the proposal.

Population Implications

- 56 The NZeTA requirements will impact cargo ship passengers and crew and crew of foreign ships authorised to carry coastal cargo, as they will now have to request (or have someone do it on their behalf) and hold an NZeTA, to be eligible to travel to New Zealand visa waiver.
- 57 The administrative and financial impact is minimal (passengers apply once every two years and crew once every five years). The cost of the NZeTA (\$17 or \$23) is also considered to be

minimal compared with the cost of travelling to New Zealand, and is offset by the facilitation of travel benefits, such as cargo ship crew being able to use the NZeTA when positioning. While applying for an NZeTA may pose a language barrier for some crew, this is mitigated by shipping or manning agents requesting the NZeTA on their behalf.

Human Rights

58 The proposal is consistent with the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993.

Consultation

59 The following agencies were consulted during the development of this paper and their views have informed its development: New Zealand Customs Service; the Departments of Internal Affairs and Prime Minister and Cabinet; the Ministries of Transport, Health, Foreign Affairs and Trade; the Ministry for Primary Industries; the Treasury; and Parliamentary Counsel Office.

Communications

60 MBIE will communicate the changes to relevant stakeholders two weeks after a Cabinet decision and information will be published on the Immigration New Zealand (INZ) website.

Proactive Release


61 This paper will be proactively released subject to redactions as appropriate, consistent with the Official Information Act 1982.

Recommendations

The Minister of Immigration recommends that the Committee:

1. **Note** that, in 2023, Cabinet Economic Development Committee (DEV) agreed to the Ministry of Business, Innovation and Employment (MBIE) consulting with the maritime and aviation sector on:
 - a. requiring cargo ship crew and passengers, crew of foreign ships authorised to carry coastal cargo, and private aircraft crew to hold a New Zealand electronic Travel Authority (NZeTA) before travel to New Zealand; and
 - b. the deemed visa period for cargo and cruise ship crew and passengers (currently a maximum of 28 days) [DEV-23-MIN-0023]
2. **Note** that consultation in early 2023 (refreshed in June 2024) highlighted:
 - a. broad support for requiring cargo ship passengers and crew visa to hold an NZeTA; no significant concerns in relation to crew of foreign ships authorised by the Minister of Transport to carry coastal cargo; and some concern about including unscheduled private and commercial aircraft crew;
 - b. concerns about the potential impacts of a longer deemed visa period for foreign cargo ships on the sustainability of domestic coastal shipping; and no evidence of need for a longer deemed visa period for the cruise ship sector
3. **Agree** to make the following classes of person visa waiver for travel to New Zealand on the condition they hold a valid NZeTA:
 - a. cargo ship passengers and crew; and
 - b. crew of foreign ships authorised by the Minister of Transport under section 198(2) of the Maritime Transport Act 1994 to carry coastal cargo;

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4. **Agree** that the classes in recommendation 3 above are deemed to hold a visa and entry permission on arrival in New Zealand if they hold an NZeTA or are exempt from the requirement to do so;
5. **Agree** that the existing NZeTA policy framework apply to the classes of person in recommendation 3 above, as follows:
 - a. maritime or aircraft crew are not required to pay the International Visitor Conservation and Tourism Levy (IVL) when they request a Crew NZeTA;
 - b. a request for a Traveller NZeTA must be accompanied by payment of the IVL;
 - c. 'positioning' crew (flying to New Zealand to join a vessel or craft they are working on) can travel to New Zealand on their Crew NZeTA and apply for a visa and entry permission on arrival (rather than applying for a visitor visa prior to travel);
6. **Agree** to maintain the existing deemed visa period for cargo and cruise ships and not require private aircraft crew to hold an NZeTA before travel to New Zealand due to the operational complexity potentially outweighing benefits;
7. **Agree** to amend the Immigration (Visa, Entry Permission, and Related Matters) Regulations 2010 (the Regulations) to require any photos of customers' heads submitted with NZeTA requests to be of acceptable quality;
8. **Note** that amendments to the Regulations will be required to give effect to the changes in recommendations 3-5 and 7 above;
9. **Note** that the cost of the NZeTA policy change, expected to be \$906,000 over five years, is to be met by increased third-party revenue generated by the proposal and the current surplus in the NZeTA memorandum account and does not require any additional funding or changes to appropriations;
10. **Agree** to implement the NZeTA requirements by April 2025, which will allow for sufficient time to communicate changes and to on board carriers to Immigration New Zealand systems;
11. **Authorise** the Minister of Immigration to issue drafting instructions to the Parliamentary Counsel Office to give effect to the policy changes in recommendations 3-5 and 7, and to make minor and technical and policy decisions as required, to facilitate the drafting of the amendments in this paper, provided they are consistent with the policy direction in this paper;
12. **Confidentiality** 

Authorised for lodgement

Hon Erica Stanford
Minister of Immigration