



AIDE MEMOIRE

Address to the New Zealand Association of Immigration Professionals (22 February)

Date:	14 February 2018	Priority:	Medium
Security classification:	In Confidence	Tracking number:	2085 17-18

Minister	Action sought	Deadline
Hon Iain Lees-Galloway Minister of Immigration	Note the contents of this report	22 February 2017

Contact for telephone discussion (if required)			
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The following departments/agencies have been consulted					
<input type="checkbox"/> Treasury	<input type="checkbox"/> MoJ	<input type="checkbox"/> NZTE	<input type="checkbox"/> MSD	<input type="checkbox"/> TEC	<input type="checkbox"/> MoE
<input type="checkbox"/> MFAT	<input type="checkbox"/> MPI	<input type="checkbox"/> MfE	<input type="checkbox"/> DIA	<input type="checkbox"/> TPK	<input type="checkbox"/> MoH
<input type="checkbox"/> Other:			N/A		

Minister's office to complete:

- | | |
|---|--|
| <input type="checkbox"/> Approved | <input type="checkbox"/> Declined |
| <input type="checkbox"/> Noted | <input type="checkbox"/> Needs change |
| <input type="checkbox"/> Seen | <input type="checkbox"/> Overtaken by Events |
| <input type="checkbox"/> See Minister's Notes | <input type="checkbox"/> Withdrawn |

Comments:



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Purpose

This briefing provides you with background information, speech notes and potential questions and answers for your address to the members of the New Zealand Association of Immigration Professionals (NZAIP) at 10.45am on 22 February.

Siân Roguski
Manager, Immigration Policy
Labour, Science and Enterprise Group, MBIE

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Address to the New Zealand Association of Immigration Professionals (NZAIP)

About the NZAIP

1. The NZAIP was established by immigration professionals and is a forum for people interested in immigration-related matters based in the lower North Island. The NZAIP aims to:
 - provide a forum and opportunities for immigration advisers, immigration lawyers and other interested professionals to network and discuss matters in relation to immigration
 - create a professional, working relationship between key industry stakeholders such as immigration professionals, Immigration New Zealand, community groups and relevant licensing/registration authorities
 - provide local professional development opportunities
 - facilitate knowledge sharing and professional referrals between members, and
 - represent members in policy proposals and/or discussions with relevant industry authorities.

Event and supporting information

2. The event is being held on Thursday, 22 February 2017 at Kensington Swan, Level 9, 89 The Terrace, Wellington. The event begins at 10.30am and you are scheduled to speak at 10.45am. You will be introduced by Matt Fistonich (PwC), Chair of NZAIP. Approximately 30-35 attendees are expected, predominantly immigration advisors and practicing lawyers with an interest in immigration law. Media are not invited.
3. You have been asked to speak for 10-15 minutes. A draft speech set out in Annex One covers initial priorities and elements of the work programme. There will be a 5-10 minute question and answer session following your speech. A list of possible questions and responses is attached in Annex Two.
4. We are not aware of the membership of the NZAIP holding any particular or strongly-held concerns with current settings. They tend to make submissions as part of their members' firms or as individuals, rather than as a collective.

Annexes

Annex One: Address to NZAIP

Annex Two: Possible questions and responses



Hon Iain Lees-Galloway

Minister of Immigration

SPEECH

22 February 2018

Speech to NZAIP

Thanks Matt for that introduction. It's a great pleasure to be here today talking to you for what is my first major immigration-related speech since I became Minister in October. I'm looking forward to having a collaborative and congenial relationship with your Association and to meeting as many of you as possible in person. Today, I want to share with you my priorities for the immigration portfolio and talk about some of the challenges and opportunities ahead.

When I became the Minister of Immigration I set two over-arching priorities: Better matching the skills and talents people bring to the skills we need, where we need them, and tackling the exploitation of migrant workers and students. You don't need me to tell you that the huge number of migrants making Auckland their home has caused a significant strain on infrastructure and resources such as education and transport. Auckland is the region most affected by migration arrivals and departures. For example, permanent and long-term net migration to Auckland as a share of its population is the highest in the country at 2.2 per cent. I want to acknowledge that the previous Government did implement some changes to encourage migrants to settle in the regions, such as tripling the bonus points for skilled migrants applying for residence with a job offer outside Auckland and doubling the points for entrepreneurs planning to set up businesses in the regions under the Entrepreneur Work Visa. But this Government believes more can and should be done to ensure the immigration system is set up to ensure overseas workers can fill real skills gaps in the regions. Regional New Zealand can offer a magical way of life and a life of high quality – and there are real opportunities for migrant workers in a number of industries where there are not enough New Zealanders available - construction, engineering and IT to name a few. We're also working on developing regional skill and labour shortages lists in consultation with regions, businesses and workers and ensuring that the visa holder lives and works within an area that is relevant to their identified skill.

While we're on the subject of overseas labour I also want to make it clear that this Government has no target for reducing the number of migrant workers. We have consistently said that modelling has suggested that our intended changes are estimated to reduce net migration by 20,000-30,000 a year, but we have never said that was a target. I want no-one to be in any doubt that this Government wants to ensure that businesses are able to get genuinely skilled migrants when they need them. That's why we are exploring whether new visas – such as an Exceptional Skills visa for highly skilled or talented people and a KiwiBuild visa for residential construction firms who train a New Zealander when they hire a worker from overseas – are needed to support our objectives. But equally we need to do more to train our own workforce so that New Zealanders are first in the job queue. To that end we plan to strengthen the labour market test and review the post-study work rights of international students, to be followed by in-study work rights. I will be working with officials on any changes but have no set timeframes at this stage.

I'm acutely aware that much of the recent growth in international education has been in low-value courses designed to attract students looking for a pathway to residency. This Government plans to return our export education system to one that is focused on providing quality education, not on being a back door to residency. We all know that international students are more likely to be victims of migrant exploitation as they work in industries that are prone to have relatively high areas of non-compliance including retail, hospitality and horticulture. This Government is determined to eliminate the exploitation of all workers, particularly migrants. We acknowledge that that's an ambitious goal and will take time to achieve, but we are already working on a process of continual improvement to improve the situation. Too many migrants in New Zealand are being underpaid or not receiving what their employer promised them. That's why we will double the number of labour inspectors and ensure they're located in areas with high levels of migrant workers. A lot of work is already going on involving Immigration New Zealand, the Labour inspectorate and other agencies to detect and respond to instances of migrant exploitation in high-risk industries such as retail, hospitality and horticulture. The policy introduced last year to stop employers who breach immigration and employment law from recruiting migrant workers for defined stand-down periods ranging from six months to two year is also having an impact. More than 100 employers have already been affected. This is a good example of regulators working together to combat migrant exploitation, but more importantly it sends a strong message to errant employers that they will be strongly penalised for not complying with the law and having a commercial advantage over their competitors. We need to create a culture where migrant exploitation simply isn't tolerated and everyone knows that it is bad for business, bad for the country and bad for our international reputation. The overriding principle is simple: migrant workers have the same employment rights as all other workers in New Zealand. A society dependent on exploitation is not the kind of country New Zealand should be.

I just want to touch on a couple of other priority areas for this Government. Refugee resettlement is one of them. As you know we plan to double the annual refugee quota to 1,500 within the term of this Parliament and provide the funding to manage their resettlement. There is already a great deal happening in this space. Invercargill is gearing up to welcome its first Quota refugees since being announced as the country's seventh settlement location. Initially, Colombian Refugees will be settled in the city, with the first group of around 15 refugees planned to arrive in early March. Last month I announced the four community-based organisations who will be the first in New Zealand to sponsor refugees planned to arrive here by June under a ground-breaking approach. The four organisations have been chosen by Immigration New Zealand to become approved sponsors for the pilot of the Community Organisation Refugee Sponsorship Category, which will help 25 refugees. The Category is only one of the ways this Government is committed to supporting some of the world's most vulnerable people to rebuild their lives and thrive in New Zealand. This is in addition to and complements our existing refugee quota. An evaluation of the pilot programme will be undertaken and completed by December this year before any decision is made on the next steps. I will also be reviewing the family reunification system for refugees in line with our confidence and supply agreement with the Green Party. Separately, the Government is very mindful of the concerns of Pacific Island countries, and others, that climate change impacts could lead to significant impacts on their environments, sustainable development, and future survival. That's why the Government will work with regional partners and organisations to establish an Immigration Pacific Plan that recognises people who have been displaced by climate change and global warming, to ensure they have real and timely options for mobility across the region.

I'm passionate about being Minister of Immigration and I'm looking forward to working with you in the future. I'm more than happy to answer any questions you may have.

Total word count = 1254 @120 words per minute = 10 minutes

Annex Two: Possible questions and responses

Overall work programme

Q: What are your priorities for immigration?

- This Government's and my objectives for immigration are to:
 - ensure a New Zealanders first approach to employment
 - ensure employers can access migrant labour where there is a genuine skill or labour shortage in the short term
 - have a more responsive immigration, welfare and education system that addresses long term labour and skill shortages
 - prevent migrant exploitation, and
 - support the needs of regional employers and workers.

Temporary workers/ Essential Skills visas

Q: Are you keeping the Essential Skills settings which the previous government changed in August 2017?

- Yes, for now. The changes made to Essential Skills visas in August 2017 will remain in place for the time being and their impact will be monitored. Once the manifesto commitments and system level changes to immigration settings are made, the August changes will be assessed to see whether they continue to align with the Government's objectives for immigration.

Q: What's happening with phase 2 of the Essential Skills changes?

- Further work on the Essential Skills visa, including consultation on sector-specific issues, which was announced by the previous Government is on hold and will be considered alongside ways to better meet the needs of regions, once other work on manifesto commitments is complete.
- I want to focus initially on improving immigration settings at the overall "system" level. I have asked officials to begin by reviewing the Labour Market Test and the Accredited Employer Scheme.

Skilled Migrant Category (SMC)

Q. Will you keep the selection point for the SMC at 160 points?

- I haven't made any decisions on this yet. Officials will provide advice to me in due course.

Regionalisation

Q. What's happening with plans to regionalise the skills shortage lists?

- Officials will begin work within the next few months to develop options for regional skills and labour shortages lists. This will be done in consultation with regions, businesses and workers.
- This Government inherited a one-size-fits-all immigration system. I am determined to make our immigration system more agile and better able to respond to the needs of each and every region.
- I also want to see more responsive immigration, welfare and education systems that address long term labour and skill shortages. I am working with my colleagues to plan the approach to this work.

Migrant exploitation

Q. How are you going to tackle migrant worker exploitation?

- As the migrant workforce has grown, so has exploitation. Too many migrants in New Zealand are being underpaid or not receiving what their employer promised them. There have also been examples of exploitation of international students, as a result of the growth in low-value courses designed to attract students looking for a pathway to residence.
- I have asked officials to examine a range of policy settings to tackle exploitation, including:
 - Advice on an inquiry on the abuses of migrant workers and students.
 - To tackle the known issues for international students, I have asked for a review of the post-study work rights of international students as a first step. This Government wants return our export education system to one that is focused on providing quality education, not on being a back door to residence.
 - Reviewing both the Plan of Action to Prevent People Trafficking and the Migrant Exploitation Prevention Strategy.
- I am interested in how the immigration “pipeline” – and by this I mean transitions and pathways to residence – affects the vulnerability of migrants and potential for exploitation.
- I also expect to see an increasing number of joint compliance operations between the Labour Inspectorate and Immigration New Zealand. We are doubling the number of labour inspectors and ensure they’re located in areas with high levels of migrant workers.

Regulation of immigration advisers

Q. What’s happening with the review of the Immigration Advisers Licensing Act?

- I am planning to consult with all advisers on proposed amendments to the Act and you will be informed of this soon.

Q. What are you planning to do about the exemption for people offshore who advise on student visas only?

- I am deferring consideration of this issue until I’ve considered changes to the in-study and post-study work settings for international students, which should reduce opportunities for offshore education agents to exploit New Zealand’s immigration system. This means that the exemption will stay in place for the time being.
- Actions have already been taken to ensure international education providers meet obligations regarding the agents they use to enrol students and these should be starting to have an effect.