



23 June 2022

Ref: DOIA 2122-2103

Ziyun Wang
fyi-request-19276-f396c0c9@requests.fyi.org.nz

Dear Ziyun,

Thank you for your email of 5 May 2022 to the Ministry of Business, Innovation and Employment (MBIE) requesting under the Official Information Act 1982 (the Act) the following information:

“Given the rapidly approaching starting date of the employer accreditation applications, I am writing to kindly request the most recent copies (and notes) of any official consultation/discussion Immigration New Zealand has had with the Government in relation to future Work and Resident Visa pathways for those Work Visa holders who are earning below the median wage. It appears that there aren’t any viable visa pathways for them based on the current accreditation policies.”

On 11 May 2022 you clarified your request to be for:

“written advice presented to the Minister of Immigration in the last 3 months about work and residence visa options for people earning below the median wage”... “plus any official response the Minister of Immigration has given on this matter.”

The following documents have been identified in scope of your request listed in the document table below:

	Document type	Date	Title	Decision
1	Briefing	3 February 2022	2122-2326 Immigration Rebalance – implementing the changes for employer-assisted workers and partners	Refused under section 18(d)
2	Briefing	3 March 2022	2122-2916 Options to increase visa processing capacity	Some information withheld under sections 6(c), 9(2)(a), 9(2)(f)(iv) and 9(2)(g)(i)
3	Briefing	5 May 2022	2122-4269 Immigration Rebalance – qualification levels for green list occupations and Job Check and Accredited Employer Work Visa Instructions	Some information withheld under sections 9(2)(a) and 9(2)(f)(iv)

Briefing 2122-2326 is being refused under section 18(d) of the Act as it is currently being considered for proactive release and will be made publicly available in the near future.

Briefings 2122-2916 and 2122-4269 are being released with some information withheld pursuant to the following sections of the Act:

- 6(c) release would prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial,
- 9(2)(a) to protect the privacy of natural persons,
- 9(2)(f)(iv) to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials, and
- 9(2)(g)(i) to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any public service agency or organisation in the course of their duty.

I am satisfied that, in this circumstance, the withholding of any information is not outweighed by other considerations that render it desirable to make the information available in the public interest.

You have the right to seek an investigation and review by the Ombudsman of this decision, in accordance with section 28(3) of the Act. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Andrew Craig', written in a cursive style.

Andrew Craig
Manager Immigration (Skills and Residence) Policy