



16 August 2023

Wendy Yang

fyi-request-23391-c5ebe1af@requests.fyi.org.nz

DOIA 2324-0035

Tēnā koe Wendy

Thank you for your correspondence of 5 July 2023, to the Ministry of Business, Innovation and Employment (MBIE) requesting, under the Official Information Act 1982 (the Act), the following information:

- 1. Please provide the Immigration internal assessment templates and training materials regarding how to grant exception to instructions for temporary and residence visa applications respectively.*
- 2. Please also list the number of approved visas granted as an exception to instructions under each temporary visa category and residence visa category for the financial year 2018 to 2023 in a table.*

Our response

Question 1

Please find attached Appendix A for training material in scope of your request that is currently being used in one of Immigration New Zealand's (INZ) offices. Regarding assessment templates, this part of your request is refused under s18(e) of the Act because this information does not exist. While there are temporary assessment templates that immigration officers use to assess visa applications, INZ does not have separate assessment templates specifically for granting exceptions to instructions (ETIs). ETI considerations and rationales are incorporated into an immigration officer's full assessment of an application.

Question 2

Please see Appendix B which contains the minimum number of approved visas that have been recorded in the immigration system as being granted as an ETI from 1 July 2017 until 8 August 2023, broken down by visa type and financial year.

Approving an application as an ETI and recording this in the immigration system is a manual task which requires an immigration officer to manually select an ETI tick box function when approving an application. This manual task may not be completed for every application and the data only reflects those applications which had the ETIs correctly recorded. In order to provide data which includes applications completed without the ETI tick box function being completed is refused under s18(f) of the OIA, because the information cannot be made available without substantial collation. This would require INZ to manually review the assessment notes for all applications approved from 1 July 2017 until 8 August 2023 to identify all applications within scope.

This would remove Ministry staff from their core duties, and therefore the greater public interest would not be served. I have considered whether the Ministry would be able to respond to your request

given extra time or the ability to charge for the information requested but I have concluded, in both cases, the Ministry's ability to undertake its work would still be prejudiced.

You have the right to seek an investigation and review by the Ombudsman of the Ministry's response to your request, 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.

If you wish to discuss any aspect of your request or this response, please contact INZOIAs@mbie.govt.nz.

Nāku iti nei, nā

A handwritten signature in blue ink, appearing to be 'Jock Gilray', written in a cursive style.

Jock Gilray
Director Visa
Chief Operating Officer Immigration Branch
Immigration New Zealand

Appendix B

Table One: The number of approved visas recorded in the immigration system as being granted as an exception to instructions from 1 July 2017 until 8 August 2023, broken down by visa type and financial year.

Visa Stream	Visa Product	Financial Year						
		17/18	18/19	19/20	20/21	21/22	22/23	23/24
Business / Skilled	2021 Resident Visa	0	0	0	0	2	0	0
	2021 Resident Visa (payment upfront)	0	0	0	0	0	1	1
	Entrepreneur - Resident	0	2	1	0	1	0	0
	Investor	1	12	3	2	5	7	0
	Residence from Work	1	1	0	2	0	0	0
	Residence from Work (Accredited Employer)	0	2	0	0	0	0	0
	Skilled Migrant - Resident	5	2	3	0	0	5	0
	Skilled Partnership Deferral - Resident	0	0	0	1	0	0	0
Foreign Mission & Military	Foreign Mission & Military	90	36	1	0	0	0	0
International / Humanitarian	Ministerial Direction	49	105	79	87	75	93	5
	Other Humanitarian - Resident	0	0	1	0	10	15	0
	Pacific Access Category	1	0	0	0	0	0	0
	Refugee	2	1	1	4	0	2	0
	Refugee Family	0	0	2	0	9	1	0
	Refugee Quota	0	0	0	0	1	5	0
	Samoan Quota	0	1	0	0	0	0	0
Limited Purpose	Limited Purpose - Student	61	70	5	0	0	0	0
	Limited Purpose - Visitor	1,720	1,480	1,312	32	29	408	37
Parent Sibling Adult Child Stream	Parent Sibling Adult Child Stream	1	0	2	0	1	1	0
Returning Resident	Permanent Resident	74	32	155	131	696	352	43
	Removal of Conditions - Resident	1	1	0	1	1	0	0

	Second or Subsequent - Returning Resident	23	23	12	6	8	7	0
	Variation of Travel Conditions - Returning Resident	30	16	9	2	12	5	0
Student	Dependent Child - Student	317	376	257	280	220	204	48
	Fee Paying Student	3,803	2,162	1,148	695	660	679	26
	Other Humanitarian - Student	0	0	0	0	1	4	0
	Reconsideration - Student	5	22	15	16	6	6	2
	Scholarship Student	212	199	57	37	15	2	0
Transfers	Confirmation	0	0	0	0	0	0	1
Transit	Transit	139	154	6	0	0	0	0
Uncapped Family Sponsored Stream	Dependent Child - Resident	3	2	3	1	3	2	0
	Parent Retirement - Resident	2	0	1	0	0	4	0
	Partnership - Resident	0	1	0	0	1	0	0
Visitor	Business Visitor	786	585	109	18	8	74	0
	Dependent Child - Visitor	185	271	213	120	145	160	22
	General Visitor	6,838	4,756	1,296	2,135	2,055	633	53
	Group Visitor	1,973	68	40	0	1	0	0
	Guardian of a Student - Visitor	61	38	29	16	12	10	0
	Other Visitor	71	122	22	66	421	68	3
	Parent/Grandparent - Visitor	25	54	10	2	1	20	0
	Partnership - Visitor	79	107	67	139	183	96	8
	Reconsideration - Visitor	3	16	10	7	71	10	1
	Variation of Conditions - Visitor	13	6	3	3	5	4	0
	Variation of Conditions Hort/Vit - Visitor	3	0	0	0	0	0	0
	Work	Accredited Employer	0	0	0	0	0	251
Asylum Seeker		12	14	98	41	11	7	1
Crew of Foreign Fishing Vessel		4	12	15	8	6	11	0
Entrepreneur (Balance)		15	11	9	2	0	0	0
Entrepreneur (Change of Plan)		1	0	2	1	0	0	0

Entrepreneur - Work	2	5	6	0	0	0	0
Essential Skills	1,114	1,006	422	469	277	71	1
Global Impact - Work	0	1	0	0	0	0	0
Limited Purpose - Work (Recognised Seasonal Employ)	5,452	2,783	356	96	326	996	1
Other Humanitarian - Work	42	42	54	33	30	45	7
Other Work	142	181	27	34	38	92	1
Partnership - Work	1,628	1,770	1,628	1,690	1,128	648	112
Post-study - Employer Assisted (WD1)	55	151	1	0	0	0	0
Post-study - Open (WD2)	126	190	82	73	65	52	5
Reconsideration - Humanitarian	31	42	21	28	11	11	1
Renewal - Entrepreneur	3	2	0	1	0	0	0
Specific Purpose or event	405	346	768	91	73	160	20
Variation of Conditions - Work	42	54	26	215	138	134	19
Variation of Conditions - Work (Recognised Seasonal)	0	0	7	12	0	65	0
Work (Approved in Principle)	18	26	5	1	1	331	30
Work (Supplementary Seasonal Employment)	0	0	1	28	8	22	8
Work to Residence	326	49	34	51	52	0	0
Work to Residence (Accredited Employer)	66	48	19	10	53	3	0
Working Holiday	53	18	5	3	16	203	22