



1 July 2021

Scott

fyi-request-15428-6aaf9f71@requests.fyi.org.nz

Ref: DOIA 2021-2261

Dear Scott

I refer to your email of 11 May 2021 under the Official Information Act 1982 (the OIA) requesting the following information from Immigration New Zealand:

I request the following statistics, per year from 2017 to 2019:

1. *The number of National Security Check forms processed per year.*
2. *The average time taken to process a National Security Check form.*
3. *The number of visa applications referred to NZSIS for the purposes of running a National Security Check.*
4. *The average time it takes NZSIS to process a National Security Check.*
5. *The number of national security risk assessments received by INZ from the NZSIS.*
6. *The average time taken for NZSIS to provide INZ a national security risk assessment*
7. *I also request one set of documents:*
The Royal Commission into the Christchurch Attacks report notes that "Immigration New Zealand rely on national security instructions to determine if a visa applicant requires a National Security Check before their visa application can be processed." I request a copy of these instructions.
8. *I also request the list of countries or territories considered by INZ to be of possible security concern in visa application processing.*

Our Response

Immigration Instructions A5.1 requires that all visa applicants must be of good character, and not pose a potential security risk. If any person included in the application fails to meet the necessary character requirements and the character requirements are not waived, the application may be declined.

Part of the character assessment can include a National Security Check (NSC). If it is determined that a NSC is required, then the relevant information is gathered and referred to the appropriate government agency, the New Zealand Security Intelligence Service (NZSIS), for processing.

A NSC referred to the NZSIS is by application and may include more than one applicant, e.g. Residence class visas, and Visitor Visas can have multiple applicants whereas a Work or Student Visa only has one applicant. Once processed the NZSIS provides INZ a response in regards to the outcome of their assessment. This information is then taken into account in INZ's overall assessment of the visa application.

Questions 1 and 2

The number of National Security Check forms processed per year.

The average time taken to process a National Security Check form.

The answer to these questions is zero as Immigration New Zealand (INZ) does not process NSCs or the forms.

Questions 3 and 5

The number of visa applications referred to NZSIS for the purposes of running a National Security Check.

The number of national security risk assessments received by INZ from the NZSIS.

This request is being refused in reliance of s18(f) of the OIA as to provide this information would entail substantial collation or research as it is not held in a reportable format.

It is noted that in a response to your previous request (DOIA 2021-1601) you were provided with the number of NSC forms referred in 2019. On review we can advise that this information was incomplete in that not all referrals require a separate NSC form as the information may already be included with the application. Further analysis of the data indicates that due to the way the information is recorded it is not possible to provide the information you requested by extraction of data. It is only held on the individual application files and would require onerous manual collation.

Questions 4 and 6

The average time it takes NZSIS to process a National Security Check.

The average time taken for NZSIS to provide INZ a national security risk assessment

These two questions are effectively requesting the same information.

This information is refused in reliance of s18(f) as to provide this information would entail substantial collation or research as it is not held in a reportable format. To calculate the average processing time, every application in scope would need to be reviewed for the referral and response dates.

I can advise that the expected processing timeframe for a NSC can vary depending on the class and category of the visa. This can range from weeks to months and is naturally variable as it involves assessment of individuals whose circumstances are all different.

Questions 7 and 8

I request a copy of these instructions.

I also request the list of countries or territories considered by INZ to be of possible security concern in visa application processing.

Your requests are being refused in reliance of s6(a) of the OIA as making available the information would likely prejudice the security or defence of New Zealand, or the international relations of the Government of New Zealand.

For questions three to six that have been refused in reliance of s18(f) of the OIA, in accordance with s18A of the OIA, I have considered whether fixing a charge under s15 or extending the time limit under s15(a) would enable the request to be granted but it is my view it would not. In accordance with s18B of the OIA, I have considered whether consulting with you would remove the reason for refusal, however, in my view it would not as to obtain the specific information would involve the manual search of individual application files.

You have the right to seek an investigation and review by the Ombudsman of this decision. 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, or if you require any further assistance, please contact Penny Hazlett, Senior Business Advisor penny.hazlett@mbie.govt.nz.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'N. Hogg', is centered below the closing text.

Nicola Hogg
General Manager – Border and Visa Operations
Immigration New Zealand
Ministry of Business, Innovation and Employment