



3 August 2021

Joanna McLeod
fyi-request-15927-1fa22123@requests.fyi.org.nz

DOIA 2122-0007

Dear Joanna McLeod,

Thank you for your email of 29 June 2021 requesting under the Official Information Act 1982 (the OIA), the following information:

"Following the article about Mondelea Bezuidenhout on Stuff.co.nz I request the following information:

- All research the Ministry currently uses to determine that a previous gallbladder removal will cause future health issues*
- All research the Ministry currently uses to determine that forcing someone to crash diet in order to meet a BMI requirement - an outmoded, racist and arbitrary measure of "health" - will produce good health outcomes."*

Our Response:

Immigration New Zealand (INZ) does not hold any research on whether "...previous gallbladder removal will cause future health issues" or on whether "...forcing someone to crash diet in order to meet a BMI requirement... will produce good health outcomes." Your request is therefore, refused under section 18(e) of the Act, as the information requested does not exist.

In order to provide some context on how Immigration New Zealand's health requirements are applied to visa applicants, I can offer the following information.

All INZ visa applicants are required to have an acceptable standard of health. INZ instructions state that a person has an acceptable standard of health if they are:

- unlikely to be a danger to public health
- unlikely to impose significant costs or demands on New Zealand's health services or special education services
- able to undertake the work or study on the basis of which they are applying for a visa, or which is a requirement for the grant of the visa.

In situations where INZ identifies an applicant that may not meet one or more of the conditions listed above, they enlist the services of an INZ medical assessor. INZ's medical assessors are qualified doctors contracted by INZ to provide an expert opinion on whether an applicant has an acceptable standard of health.



A medical assessor's opinion on whether a particular visa applicant has an acceptable standard of health will be based on all the medical information made available to them and will require the medical assessor to call on their own training, medical insight and to consider relevant clinical reference materials. In the case of applicants with an elevated BMI, these reference materials may include but are not limited to:

- The Edmonton Obesity Staging System – Staging Tool
- an article titled 'Potential Role of the Edmonton Staging System in Determining Indications for Bariatric Surgery'
- information from New Zealand's Ministry of Health's 'Clinical Guidelines for Weight Management in New Zealand Adults', specifically information on the 'Risk factors and co-morbidities of overweight and obesity in New Zealand adults'
- WHO guidelines and criteria relating to obesity and BMI.

Immigration instructions (the rules and criteria by which visa applications are assessed) allow for a decision on a residence application to be deferred for up to three months in situations where a medical assessor has advised that an applicant's medical condition, if not successfully treated, would result in an assessment that they are:

- likely to be a danger to public health
- likely to impose significant costs or demands on New Zealand's health or education services
- unable to undertake the work on the basis of which they are applying for a visa, or which there is a requirement for the grant of the visa
- the applicant's medical condition is treatable within that three month period such that at the end of that treatment period they may be considered to have an acceptable standard of health.

You have the right to seek an investigation and review by the Ombudsman of the decision to withhold or refuse parts of your request. 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 Immigration New Zealand at INZOIAs@mbie.govt.nz.

Yours sincerely,

Stephen Dunstan
General Manager – Enablement
Immigration New Zealand