



28 June 2023

Alex W

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DOIA 2223-2626

Tēnā koe Alex,

Thank you for your email of 11 May 2023 to the Ministry of Business, Innovation and Employment (MBIE) requesting, under the Official Information Act 1982 (the Act), the following:

*"I am writing this to ask for information regarding to the timeline of SMC case allocation for those in General Queue, which is actually published on INZ website, but would that be possible to ask for further details:*

*1. Please provide a list of all SMC applications in the General Queue that have been allocated for case officer. The information does not need to include the actual application number of those SMC but only need two main data are needed: each SMC application's lodgement date and case allocation date.*

*2. Based on the publicly available information on INZ website, for the General Queue, the SMC application may be allocated for case officer based on their lodgement order. Are there any SMC applications in the General Queue been allocated for case officer earlier than the ones with earlier lodgement date? E.g., are there any SMC applications in General Queue lodged in April was allocated case officer before those lodged in Jan?*

*3. If there are in Q2, could you please provide detailed explanation why should they be selected before? And why were not those reasons previously publicised on the announcement or update?"*

## **Our Response**

**Question one:** Please refer to the attached appendix for all Skilled Migrant Category (SMC) applications that were in progress as at 5 June 2023 and had been allocated to an Immigration officer.

MBIE is refusing the part of your request where you have asked for the dates when the SMC applications were allocated to an Immigration Officer under section 18 (f) of the Act, as the information requested cannot be made available without substantial collation or research. To provide information on when these applications were lodged and then allocated, would require manual checking of each application which would take significant resources to do.

This task would remove the Ministry staff from their core duties and therefore the greater public interest would not be served. We 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 we have concluded, in both cases, the Ministry's ability to undertake its work would still be prejudiced.

In accordance with section 18A of the Act, we have considered whether fixing a charge under section 15 or extending the time limit under section 15A would enable your request to be granted, but it is our view that neither would do so.

In accordance with section 18B of the Act, we have also considered whether consulting with you would assist you to make the request in a form that would remove the reason for the refusal, but in our view it would not.

**Question two:** All allocations for SMC applications are undertaken in line with instructions A16.1.

Regarding the number of SMC applications which were allocated to case officers as a priority, MBIE is refusing this part of your request under section 18(f) of the Act as the information requested cannot be made available without substantial collation or research. To provide information on how many SMC applications have been allocated out of date order, would require manual checking of each application which would take significant resources to do. This task would remove the Ministry staff from their core duties and therefore the greater public interest would not be served. We 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 we have concluded, in both cases, the Ministry's ability to undertake its work would still be prejudiced.

**Question three:** INZ prioritises applications in line with instructions A16.1. However, INZ has updated its process to respond to escalation requests for urgent allocation for employment related visas (and associated family members) for both temporary work visas and skilled resident visas. A request for escalation will be considered against the following criteria:

- compelling personal circumstances
- humanitarian factors, and
- matters of national interest

Priority processing can be requested using the Employment Visa Escalation framework. You can find more information regarding this at the following link:

<https://www.immigration.govt.nz/knowledgebase/kb-question/kb-question-1195-1>

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](http://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 [inzoias@mbie.govt.nz](mailto:inzoias@mbie.govt.nz)

Nāku iti nei, nā



**Richard Owen**

General Manager (Acting), Border and Visa Operations

