



31 July 2023

N.I.Alali

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DOIA 2223-3049

Tēnā koe N.I.Alali

Thank you for your email of 30 June 2023 to the Ministry of Business, Innovation and Employment requesting, under the Official Information Act 1982 (the Act), the following:

"1-The number of applications for the Skilled Migrant Residence Visa (excluding 2021 resident visa) that have been assigned to case officers since July 2022.

2- The current status of the allocated Skilled Migrant Residence Visa applications (from Q1), including the number of successful, pending, and failed applications.

3- of those pending, what is the oldest application in terms of lodgment date? How many of SMC applications pending are applications lodged in 2019?

4- How many of those pending SMC applications are in third-party check stage?

5- How many of those pending SMC applications are waiting to be referred to third-party check stage?

6- How long does it take for an SMC application to get an outcome in third party check stage?

7- Among the pending Skilled Migrant Residence Visa applications, how many have remained in the third-party check stage since July 2022 without any progress?

8- What is the policy followed by Immigration New Zealand (INZ) regarding applications that have been in the third-party check stage for more than six months?"

Our Response

Question 1

Between July 2022 and 13 July 2023, a total of 5,114 Skilled Migrant Category (SMC) and Residence From Work (RFW) applications were allocated. As at 8 September 2022, all applications for SMC and RFW were allocated for processing. The SMC expression of interest (EOI) process resumed on 11 November 2022, and until 14 February no new SMC or RFW applications were allocated for processing.

Question 2

Your request is being refused under 18(f) of the Act, as the information requested cannot be made available without substantial collation or research. To provide this information would require Immigration New Zealand (INZ) to manually review all of the 5,114 applications to determine their current status.

In accordance with s18A of the Act, 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 Act, 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 still involve the manual search of applications.

Question 3

INZ currently have 319 applications pending from 2019. The oldest application was accepted on 1 March 2019.

Questions 4,5,6,7

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). Determination of whether a NSC is required usually occurs when an application is received. If it is determined that a NSC is required, then the relevant information is gathered and referred to the appropriate government agency for processing. This usually occurs soon after an application is lodged or allocated for processing. The time it takes to complete a national security check varies depending on the applicant and their circumstances. Once processed INZ receives a response in regard to the outcome of the assessment. This information is then taken into account in INZ's overall assessment of the visa application.

Your request for data on pending SMC applications waiting for a third party check is refused under 6(a) of the Act 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.

Question 8

Applications are escalated on a case-by-case basis based on the particular circumstances of each application, as such there is no policy.

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, please contact inzoias@mbie.govt.nz

Nāku noa, nā



Sarah Clifford
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Chief Operating Officer Branch Immigration New Zealand
Ministry of Business, Innovation & Employment