



27 May 2026

Ref: DOIA-REQ-0030271

J M

Email: fyi-request-34288-9a8d01b0@requests.fyi.org.nz

Dear J M

Thank you for email of 29 March 2026 to the Ministry of Business, Innovation and Employment (MBIE) requesting, under the Official Information Act 1982 (the Act), the following information:

I am writing to request information under the Official Information Act 1982 (OIA). Please provide all relevant official information—including but not limited to internal policies, Standard Operating Procedures, Knowledge Base articles, "Advice to Staff" circulars, training modules, internal memos, legal frameworks, or any other documented guidance—that instructs or informs immigration officers on:

- 1. Handling Application Withdrawals: All information detailing how immigration officers must process and facilitate an applicant's request to withdraw their visa application at any stage before a final decision is recorded.*
- 2. Handling Requests for Pre-Decline Notification and Election: All information on how officers should handle explicit written requests asking for advance notice of an impending decline. Specifically, how officers are guided to respond when an applicant requests this notice to exercise an election (choosing between withdrawing or proceeding with the decline), and whether officers are permitted to ignore such requests if they are not framed as an immediate, absolute withdrawal.*
- 3. Fairness and Natural Justice: All information provided to immigration officers regarding the application of Fairness and Natural Justice in visa processing and decision-making.*
- 4. Processing Sequence and Unresolved Correspondence: All information on the mandatory steps an officer must take regarding unaddressed correspondence (such as a request for pre-decline notification) before officially recording a decline decision in the AMS/ADEPT system. Are officers permitted to finalize a decline while such a request remains unacknowledged on the file?*

On 29 April 2026, we wrote to advise you that MBIE had decided to extend the period of time available to make a decision on your request under section 15A(1)(a) of the Act, as the request necessitated a search through a large quantity of information and meeting the original time limit would unreasonably interfere with the operations of MBIE. As such, a proper response could not reasonably be made within the original time limit and that MBIE would notify you of a decision on your request no later than 27 May 2026.

Our response

Question 1: Handling application withdrawals

Immigration New Zealand (INZ) holds Standard Operating Procedures (SOPs) that provide procedural guidance on processing withdrawal requests. This guidance is application specific and includes steps covering: -

- receipt and recording of withdrawal requests,
- confirmation that an application may be withdrawn,

- required system actions following withdrawal, and
- associated administrative actions (such as refunds, where applicable).

INZ holds SOPs that exist across multiple visa categories. The extracts provided in Appendix A are representative examples of the processes followed when an applicant requests their application be withdrawn. These examples illustrate the consistent approach taken by officers across different application types. These SOPs demonstrate that where a withdrawal request is received, officers are required to:

- record the request in the relevant system (such as AMS),
- complete a determination reflecting the withdrawal of the application, and
- communicate the outcome to the applicant and record that action.

Also included in Appendix A is the internal guidance provided to Immigration Officers for processing withdrawal requests.

Please note that in addition to this there is also Internal Amendment Circular (IAC) 16/04 and Visa Paks 201, 437, 438 and 604 that are within the scope of your request but are already published on our website. This information is therefore refused under Section 18(d) of the Act as this information is publicly available.

Question 2: Handling requests for pre-decline notification and election

INZ has undertaken reasonable searches and has not identified any internal policies, SOPs, "Advice to Staff" circulars, training materials, or other documented guidance that specifically instruct immigration officers on: -

- responding to requests for pre-decline notification,
- offering applicants a choice between withdrawal and decline, or
- determining whether such requests must be acknowledged or acted on where they do not constitute an immediate and unconditional withdrawal.

INZ does, however, hold general procedural guidance on communicating with applicants and managing information during application processing. This includes processes for requesting further information (RFI) and for communicating potentially prejudicial information (PPI), where applicants are given an opportunity to comment before a decision is made.

Within these processes, correspondence from applicants, including requests of the type described, is treated as part of the application record and considered through standard assessment steps. Depending on the circumstances, officers may seek clarification, invite comment on identified concerns, or proceed to a decision following the expiry of a response timeframe. Relevant principles are reflected across SOPs for different visa categories and processing activities, rather than in a single, standalone document addressing the specific situation described.

Question 3: Fairness and natural justice

INZ SOPs contain references to fairness and natural justice within broader procedural guidance. These references are operational in nature and are not intended to provide comprehensive guidance on how those principles are to be applied.

Substantive guidance on fairness and natural justice is primarily provided through Immigration Instructions, including instruction A1 of the Operational Manual, which is publicly available at the link below: -

<https://www.immigration.govt.nz/opsmanual/#45333.htm>

SOPs support those instructions by outlining relevant process steps. SOP guidance relating to decision-making requires that applicants be given an opportunity to comment on potentially prejudicial information before a final decision is made, consistent with the principles of fairness and natural justice.

SOPs also require that any response received is considered, or where no response is received within the relevant timeframe, that this is considered before a decision is finalised. These requirements reflect the application of procedural fairness through established processes such as the use of Potentially Prejudicial Information (PPI) processes.

Question 4: Processing sequence and unresolved correspondence

INZ holds SOPs that set out procedural steps for visa processing, including requests for further information, handling potentially prejudicial information (PPI), prerequisites for decision-making, and sequencing of processing actions.

There is no single SOP or consolidated rule governing unresolved correspondence. Relevant requirements are set out across multiple SOPs depending on the application type and processing activity.

INZ has not identified any documented guidance that expressly permits or prohibits finalising a decision while a written request from an applicant (such as a request for pre-decline notification) remains unacknowledged.

Instead, SOPs consistently require Immigration Officers to: -

- provide applicants with an opportunity to respond where potentially prejudicial information is identified
- allow a specified timeframe for response, and
- consider any response received or proceed where no response is received within that timeframe.

Please note that where the information you have requested is repeated across multiple process guides and SOPs, we have identified and provided the most relevant examples. We have reviewed other SOPs that contain substantially similar material and have not included these, as they are duplicative and would not add any meaningful information beyond what has already been provided. We therefore consider that this response captures the substance of the information sought.

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.

Yours sincerely



Steven Sue
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Immigration Design and Assurance
Immigration New Zealand