



File No. DOIA 1920-0573

Beth

fyi-request-11389-8e108ed9@requests.fyi.org.nz

Dear Beth

Thank you for your email of 5 October 2019 requesting the following under the Official Information Act 1982 (the Act):

any discussion notes, email chains, policy recommendations or reports regarding [the fact that the Operational Manual references the Domestic Violence Act 1995, which has since been repealed and replaced] and the potential impact this could have on a person who wishes to claim under Domestic Violence or has a visa being assessed based on a repealed law.

When does MBIE expect to update the policy to reflect the new law?

What was the earliest date available in records that staff have raised the issue of the law being outdated and what/if any actions were taken in regards to this being raised with MBIE?

The Ministry of Business, Innovation and Employment (the Ministry) provided an initial response to your request on 4 November 2019, and extended the time frame to search for any information which may be within the scope of the first part of your request due to a key staff member being overseas.

The Ministry has now been able to complete its search. I can confirm that we do not hold any information that discusses both the fact that the Operational Manual references the Domestic Violence Act 1995 (which has since been repealed and replaced), and the potential impact this could have on a person who wishes to claim under Domestic Violence or has a visa being assessed based on a repealed law. The first part of your request is therefore refused under section 18(e) of the Act, as the information requested does not exist.

I would like to reiterate that the change of name has no effect on people who were previously eligible for the category, or who apply for a visa under current instructions. Immigration New Zealand is continuing to process these applications, and the category continues to meet the intent of the legislation (that is, to provide special protection to specified victims of family violence).

You have the right to seek an investigation and review by the Ombudsman of my decision on this request, in accordance with section 28(3) of the Act. The relevant details can be found at:

www.ombudsman.parliament.nz.

Yours sincerely

PP

Siân Roguski
Manager, Immigration Policy