



6 July 2020

Junlong Wang

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Ref: DOIA 1920-1738

Dear Mr Wang

Thank you for your email of 2 June 2020 to the Minister of Immigration. Your request was transferred to the Ministry of Business, Innovation and Employment (the Ministry) requesting on 9 June 2020, under the Official Information Act 1982 (OIA), the following information:

1. *I would like to request information about how INZ allocates the non-prioritised Skilled Migrant Applications.*

<https://www.immigration.govt.nz/about-us/media-centre/news-notifications/how-we-prioritise-resident-visa-applications/smc-and-rfw-timeframe-information> Referring to the link above, "Applications that don't meet either criterion for prioritisation are allocated to an immigration officer in the order they are received", but I have known a number of cases where the applications lodged later are allocated to Case Officer before those lodged earlier? Specifically, some cases lodged in Mar 2019 get allocated around Sep 2019, and some lodged in Nov 2019 get allocated in early 2020, etc. They all don't match the priority criteria and have NO special circumstances.

2. *Could you please explain why INZ doesn't follow the order of lodgement in some cases?*

### **Our response**

Immigration New Zealand (INZ) does not have a specific Skilled Migrant Category (SMC) queue but one for skilled residence applications. These applications are SMC and Resident from Work (RFW) and are all processed in Manukau office. The applications are not split into two separate queues based on the application category. All applications are separated into the stated priorities as per Immigration Instructions A16.1. The type of application (SMC vs RFW) is not relevant to the prioritisation.

Immigration Instructions A16.1 sets out the order of visa processing for both residence and temporary entry class visa applications.

For those applicants who have submitted a skilled residence application (SMC) or RFW), priority is given to applicants in New Zealand and where the:

- Application includes a job offer with an hourly rate equivalent to or higher than twice the median wage (currently \$51.00 per hour or an annual salary of \$106,080 or more); or
- Application includes a job offer which requires occupational registration where occupational registration is required by immigration instructions.

Second Priority will be given to residence class visa applications where the applicant is offshore.

Applications are processed in date order of lodgement. However, A16.1 (f) does allow the allocation of other applications when individual circumstances warrant this. This includes applications returned by the Immigration Protection Tribunal (IPT) for re-assessment, applications requiring reassignment due to staff

movement, and those escalated through the Employment Visa Escalation (EVE) process. Information about the EVE process can be found at the following link [www.immigration.govt.nz/about-us/media-centre/newsletters/korero/korero-july-2019/employment-visa-escalations-eve](http://www.immigration.govt.nz/about-us/media-centre/newsletters/korero/korero-july-2019/employment-visa-escalations-eve)

Allocations of both priority and non priority applications occur weekly and the number of applications that are allocated is dependent upon processing capacity and the New Zealand Residence Programme (NZRP). The Government is currently reviewing its approach to the NZRP and is considering replacing the planning range with a more targeted approach that focuses on management of specific residence visa types. In the meantime, INZ will continue to process applications at same volume and with the same level of resourcing as the previous NZRP allowed for.

Any updates in regards to the allocation of applications can be found at the following link [www.immigration.govt.nz/about-us/media-centre/news-notifications/how-we-prioritise-resident-visa-applications/smc-and-rfw-timeframe-information](http://www.immigration.govt.nz/about-us/media-centre/news-notifications/how-we-prioritise-resident-visa-applications/smc-and-rfw-timeframe-information)

I cannot comment on the specific cases referenced in your request. However, as advised in our response to your previous OIA request dated 10 March 2020, an individual can make a request for urgent allocation of their employment based visa via the EVE process. The criteria includes compelling personal circumstances, humanitarian factors and matters of national interest. These requests are assessed on a case by case basis and no situation is similar or can be compared to another.

I trust you find the information helpful.

If you wish to discuss any aspect of your request or this response, or if you require any further assistance, please contact Penny Hazlett, Senior Business Advisor [penny.hazlett@mbie.govt.nz](mailto:penny.hazlett@mbie.govt.nz).

Yours sincerely



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