



17 SEP 2020

Dr. Renoh Chalakkal

fyi-request-13613-ddab0a13@requests.fyi.org.nz

File No: DOIA 2021 – 0449

Dear Dr. Renoh Chalakkal

Thank you for your email on 28 August 2020, requesting the following information under the Official Information Act 1982 (the OIA):

- 1. How many applications are accepted to the general queue from 21, December 2018 to September 9, 2019?*
- 2. Since the EOI selection was suspended from April 9, 2020, the final set of full applications invited to apply that are expected to reach the Immigration would be around August 9, 2020 (4 months). What is the final deadline (date) set to receive the full application from the last EOI that was accepted before suspension? And what was the date of acceptance of EOI and the deadline for the receipt of a full application for the last EOI application that qualifies for the priority allocation? I believe this detail can be found using the salary threshold/registration requirement mentioned in the EOI.*
- 3. Whether the allocation from the general queue happens only if there are no priority applications pending? If not, what is the ratio of priority/general allocation each week? If there is no such ratio, how does the priority/general application taken up by the Case officers? Is there any minimum number of applications to be selected from the general queue each week?*
- 4. What is the total number of Case officers working on SMC visa applications? And what is the maximum number of applications each case officer could handle at the same time?*
- 5. An applicant had valid medicals and English language test scores (which are valid for 2 years from the date of issue) at the time of submission of the full application for an SMC visa. But due to the delay in processing the SMC visa application (which is now more than 2 years) if the validity of the medical and English test expires, do they have to take another medical and provide further proof of English language proficiency when the case officer is allotted?*

Our response

Over the last couple of years, demand for the Skilled Migrant Category (SMC) and Residence from Work sub-stream (RfW) has risen significantly. This has resulted in longer decision times for applicants.

All Immigration New Zealand (INZ) offices were closed during Alert Level 4 at the end of March 2020 and as a result, the processing of SMC and RfW residence applications was on hold during that time. INZ's onshore offices began opening under Alert Level 3 and 2, however INZ was required to adhere to strict guidelines. While the processing of SMC and RfW residence applications resumed during Alert Level 2, the number of staff returning to offices was very limited, in line with health and safety requirements, which had an impact on the number of residence applications being work on. With Auckland recently returning to Alert Level 3 for nearly 3 weeks in August 2020, this also had a further impact on the ability to continue normal levels of processing for the skilled residence applications.

The INZ website remains the best place for up to date information on processing times.

1. How many applications are accepted to the general queue from 21, December 2018 to September 9, 2019?

As you are aware, priority is given to applicants who have submitted a skilled residence application (SMC or RfW), 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.

This is set out in immigration instruction A16.1 which came into force on 24 February 2020. As you have requested for information in a time period prior to 24 February 2020, we are not able to provide you with the information you have requested. This is because data about the priority queue and the general queue prior to 24 February 2020 was not collected.

However, information on the number of application accepted from December 2018 to September 2019 is publically available and can be found here:

https://mbienz.shinyapps.io/migration_data_explorer/. Therefore, we are refusing this part of your request under section 18(d) of the OIA as the information requested is publically available.

2. Since the EOI selection was suspended from April 9, 2020, the final set of full applications invited to apply that are expected to reach the Immigration would be around August 9, 2020 (4 months). What is the final deadline (date) set to receive the full application from the last EOI that was accepted before suspension? And what was the date of acceptance of EOI and the deadline for the receipt of a full application for the last EOI application that qualifies for the priority allocation? I believe this detail can be found using the salary threshold/registration requirement mentioned in the EOI.

On 31 March 2020, the Minister of Immigration agreed to defer the fortnightly SMC EOI selection.

Later, the Minister of Immigration agreed to an amendment to the immigration instruction to allow an additional 6 months for applicants to submit their SMC application. This is set out in Immigration Instruction SM3.1(a)(ii).

Immigration Instruction SM3.1(a)(ii) provides that if an invitation to apply (ITA) is dated between 1 November 2019 and 15 April 2020 the applicant has 10 months to apply from the date of the ITA.

This information is publically available and is available here:

<https://www.immigration.govt.nz/opsmanual/#66770.htm>. This extension gives more time to applicants most likely to have experienced COVID-related difficulties in preparing their applications. This applies to all applications regardless of whether the application meets the prioritisation criteria.

Therefore, INZ is continuing to accept SMC applications as the deadline for submitting an application has not passed.

3. Whether the allocation from the general queue happens only if there are no priority applications pending? If not, what is the ratio of priority/general allocation each week? If there is no such ratio, how does the priority/general application taken up by the Case officers? Is there any minimum number of applications to be selected from the general queue each week?

Applications in the general queue continue to be processed regardless of the number of applications in the priority queue. However as the number of applications in the priority queue for allocation, is now very small, most applications allocated are currently coming from the general queue. The allocation of the number of applications in the general queue is determined by the capacity of the Immigration Officers and the complexity of the applications. I can confirm that there is no minimum number of application to be selected from the general queue each week.

Please note that while it is expected that INZ will continue to receive priority applications, the current low volume of priority applications means INZ is now able to make steady and regular process through the general queue.

4. What is the total number of Case officers working on SMC visa applications? And what is the maximum number of applications each case officer could handle at the same time?

As at 31 August 2020, there are 72 Immigration Officers processing Skilled Residence applications.

The caseload of Immigration Officers vary and there is no maximum number of applications an Immigration Officer can process. The number of applications in an Immigration Officer's caseload depends on the complexity of an application and the capacity of an Immigration Officer to process more applications.

5. An applicant had valid medicals and English language test scores (which are valid for 2 years from the date of issue) at the time of submission of the full application for an SMC visa. But due to the delay in processing the SMC visa application (which is now more than 2 years) if the validity of the medical and English test expires, do they have to take another medical and provide further proof of English language proficiency when the case officer is allotted?

Please note that this query is not a request for official information under the OIA. The OIA defines 'official information' at section 2 which can be found here:

<http://www.legislation.govt.nz/act/public/1982/0156/latest/DLM64790.html>

It appears that you are seeking advice. You may seek personalised immigration advice from a Licenced Immigration Adviser or immigration lawyer. You can find more information on this here: <https://www.immigration.govt.nz/contact/find-immigration-advice>

You have the right to contest the decision to withhold information by seeking an investigation and review of that decision by the Ombudsman. 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 Margaret Huang, Business Advisor, Operations Support, Immigration New Zealand at Margaret.huang@mbie.govt.nz.

Yours sincerely



Steve McGill

(Acting) General Manager – Border and Visa Operations
Immigration New Zealand
Ministry of Business, Innovation and Employment