

# Hon Kris Faafoi

Minister of Justice  
Minister for Broadcasting and Media  
Minister of Immigration



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Vivek Regmi  
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Dear Vivek,

Thank you for your correspondence regarding the Skilled Migrant Category. You requested, under the Official Information Act 1982 (the Act), the following information: *“what specifically is preventing the reopening of EOIs for the Skilled Migrant Category (SMC) visa for onshore applicants, or if you have a date planned for the said reopening”*. We have interpreted your question to mean *‘Why has the Government decided to pause EOI selections?’* We have decided to treat your request as correspondence because the answer to the question above is better suited to a letter rather than the provision of policy documents. Please let us know if we have misinterpreted your question.

As you are aware, selections of Expressions of Interest (EOI) under the Skilled Migrant Category (SMC) residence pathway have been closed since April 2020 due to the impacts of COVID-19. I considered resuming onshore EOI selections but due to system design this would have meant that many EOIs from offshore applicants would be expired. This is because EOIs that are older than six months are categorised as ‘no longer current’ and expire at the next draw. There were, therefore, concerns around fairness to all applicants.

You may be pleased to have heard, however, that on 30 September 2021 I announced the 2021 Resident Visa, for those who are “settled, skilled or scarce”. This Visa is available to those who are currently on an eligible work visa, and:

- have lived in New Zealand for over three years, or
- earn above the median wage, or
- those who are either:
  - employed in a role that is on the Long Term Skill Shortage List, or
  - hold occupational registration and work in the health or education sectors, or
  - are working in personal care, other critical health work roles, or specified (non-seasonal) roles in the primary sector.

To be eligible, an applicant needs to either have already been in New Zealand on 29 September 2021 or to enter New Zealand before 31 July 2022 on a Critical Purpose Visitor Visa as an ‘Other Critical Worker’.

This pathway opened from 1 December 2021 for those with active Skilled Migrant Category (SMC) or Residence from Work applications, or those with dependents aged 17 years or older who have already submitted an expression of interest under the SMC category. From

1 March 2022, all other eligible applicants, including any others in the SMC Expression of Interest pool, will be able to apply. All applications under this pathway must be submitted by 31 July 2022.

In the meantime, those who are on work visas should be able to take advantage of recently announced changes to this visa type which allow for people remaining in the same job with the same employer to apply for a further Essential Skills visa without undergoing a labour market test or providing new medical and police clearances. Further details on these changes can be found here: <https://www.immigration.govt.nz/about-us/COVID-19/in-new-zealand/visa-information/essential-skills-work-visa-changes>.

It is intended that selections of EOIs under the SMC will resume after applications for the 2021 Resident Visa close in July 2022. A review of the SMC requirements will take place this term. The review will assess whether the settings for SMC are fit-for-purpose to meet New Zealand's skills needs over the medium- and long-term, including whether changes to the current eligibility criteria are needed, including the allocation of points based on the location of a role.

Thank you for writing and take care.

Yours sincerely



Hon Kris Faafoi  
**Minister of Immigration**