



8 March 2022

Adam Berman

[fyi-request-17873-097f894a@requests.fyi.org.nz](mailto:fyi-request-17873-097f894a@requests.fyi.org.nz)

Ref: DOIA 2122-1249

Dear Adam,

Thank you for your email of 7 December 2021 requesting under the Official Information Act 1982 (the Act), the following information:

1. *When will INZ staff return to work at full capacity on SMC paper-based applications?*
2. *How many staff members are allocated to work on SMC applications?*
3. *What is the legal justification that paper-based applications cannot be scanned by INZ staff to allow working from home under Covid conditions?*
4. *Does INZ have a plan in place to continue to process the SMC applications that have not applied for the 2021 one-off residency visa? If so, please detail this plan including allocated staff numbers and timeframes of when INZ expects to complete assessments of remaining SMC applications.*
5. *Will INZ provide an interim visa to SMC applicants similar to the one provided to the One-off 2021 resident visa applicants while they await the decision. Should the answer to the question be "no", kindly justify the reasoning for this when some applicants are waiting over 29 months?*
6. *Is INZ going to give successful applicants from the SMC queue permanent residence status (instead of a residence class visa with restrictions) on approval to compensate for the unjustified long wait for case officer allocations?*
7. *To fully eliminate the backlog and queue, what is the reason INZ does not allow all SMC lodged applications to move to the new 2021 residency visa?*
8. *Of 12,123 SMC/WTR applications in the queue as of November 22nd, how many are eligible for the new 2021 resident visa.*
9. *Of 12,123 SMC/WTR applications in the queue as of November 22nd, how many have withdrawn their SMC/WTR application due to approved 2021 resident visa.*
10. *How many offshore applications are currently waiting for allocation to a case officer?*
11. *Will the offshore unallocated applications join the general onshore queue? If the answer is yes, will this be based on the date of application or will they join the end of the queue?*

### **Our Response**

We apologise for the delay in providing this response.

#### **Questions 1 and 2**

- *When will INZ staff return to work at full capacity on SMC paper-based applications?*
- *How many staff members are allocated to work on SMC applications?*

INZ staff in Auckland have been able to return to the office from 6 December 2021. Staff working in the office are able to process paper-based applications.



All skilled residence applications (Skilled Migrant Category (SMC) and Residence from Work (RfW)) are processed in the Manukau office. Currently 10 immigration officers are processing the skilled residence applications. I can confirm that processing is continuing for applications in the skilled residence queue where the applicant has not applied for the 2021 Resident Visa.

### Question 3

- *What is the legal justification that paper-based applications cannot be scanned by INZ staff to allow working from home under Covid conditions?*

Skilled residence applications are complex and can be very large due to the amount of documentation provided. As such it was (and is) not practical to scan the files for staff to process at home. There is additional resource and financial implications involved in the process.

### Question 4

- *Does INZ have a plan in place to continue to process the SMC applications that have not applied for the 2021 one-off residency visa? If so, please detail this plan including allocated staff numbers and timeframes of when INZ expects to complete assessments of remaining SMC applications.*

Yes, as stated above the skilled residence applications are being processed by 10 immigration officers in the Manukau office. This means we are continuing to process applications from people who are not eligible to apply for the 2021 Resident Visa or choose not to apply. Applications are allocated in accordance with general and operational instructions as A16.1 'General Instructions as to the order of processing visa applications'. These can be found online using the following link:

[www.immigration.govt.nz/opsmanual/#44854.htm](http://www.immigration.govt.nz/opsmanual/#44854.htm)

Allocation of the skilled residence applications resumed during the week beginning 31 January 2022 in line with the priority criteria as per A16.1. Prior to this, the team were processing the skilled residence applications that were re-allocated to them from other immigration officers who were transferred to the team processing the 2021 Residence Visa applications.

### Questions 5 and 6

- *Will INZ provide an interim visa to SMC applicants similar to the one provided to the One-off 2021 resident visa applicants while they await the decision. Should the answer to the question be "no", kindly justify the reasoning for this when some applicants are waiting over 29 months?*
- *Is INZ going to give successful applicants from the SMC queue permanent residence status (instead of a residence class visa with restrictions) on approval to compensate for the unjustified long wait for case officer allocations?*

Residence applications are processed in line with the instructions in place when the application was accepted for processing. Immigration Instructions for residence categories do not include the grant of an interim visa (except for new the 2021 Residence Visa). In regard to the skilled residence categories, Immigration Instructions do not include the grant of a Permanent Residence Visa (PRV), except for the Talent (Accredited Employer) sub-category.

### Question 7

- *To fully eliminate the backlog and queue, what is the reason INZ does not allow all SMC lodged applications to move to the new 2021 residency visa?*

The decisions about eligibility were made by the Government through a decision at Cabinet. You can see the Cabinet paper where the options about eligibility are explained on the MBIE website:

[One-off residence pathway for onshore migrant workers \(mbie.govt.nz\)](http://mbie.govt.nz)

### Question 8

- *Of 12,123 SMC/WTR applications in the queue as of November 22nd, how many are eligible for the new 2021 resident visa.*

INZ is unable to determine if an individual is eligible for the 2021 Residence Visa until an application has been received and assessed. However, analysis provided to the Minister of Immigration stated that around 165,000 migrants (representing approximately 110,000 applications) currently in New Zealand may be eligible for residence under the new category.

Cabinet papers and supporting advice has been proactively released and can be found at the following link:

[Release of immigration information | Ministry of Business, Innovation & Employment \(mbie.govt.nz\)](#)

#### **Question 9**

- *Of 12,123 SMC/WTR applications in the queue as of November 22nd, how many have withdrawn their SMC/WTR application due to approved 2021 resident visa.*

Of the 12,123 skilled residence applications in queue as of 22 November 2021, a total of 2,032 have withdrawn their skilled residence application due to being approved a 2021 Residence Visa.

#### **Question 10**

- *How many offshore applications are currently waiting for allocation to a case officer?*

As of 13 January 2022, there were a total of 1,475 skilled residence applications where the principal applicant is offshore.

#### **Question 11**

- *Will the offshore unallocated applications join the general onshore queue? If the answer is yes, will this be based on the date of application or will they join the end of the queue?*

Processing of skilled residence offshore applications has resumed and the applications are now included in the general queue. As stated above, allocation of the skilled residence application will be based on the priority criteria at A16.1 and will be in date order.

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](http://www.ombudsman.parliament.nz) or freephone 0800 802 602.

If you wish to discuss any aspect of your request or this response, please contact [INZOIAs@mbie.govt.nz](mailto:INZOIAs@mbie.govt.nz).

Yours sincerely,



Nicola Hogg  
General Manager - Border and Visa Operations  
Immigration New Zealand  
Ministry of Business, Innovation & Employment