



11 January 2023

Neil Tibbles

[fyi-request-21403-019948b1@requests.fyi.org.nz](mailto:fyi-request-21403-019948b1@requests.fyi.org.nz)

File No: DOIA 2223-1277

Dear Neil,

Thank you for your email of 12 December 2022, to the Ministry of Business, Innovation and Employment (MBIE) requesting, under the Official Information Act 1982 (the Act), the following information:

- 1) How many holders of resident visas granted under the Migrant Investor Categories (Investor 1 and Investor 2) have had Section 49(1) conditions varied since July 2020 via Immigration New Zealand's "Office Referral" process?*
- 2) Of the above-identified resident visa holders, how many of these concerned the visa holder's "minimum period of time in New Zealand" condition? Please note this includes varying the number of days required to be in New Zealand as well as the timeframe in which they were required to meet this condition.*
- 3) Of the identified resident visa holders in "2" above, how many have had a reduction in the overall number of days reflected in the "minimum period of time in New Zealand" condition. Please also provide the date the visa holders' conditions were varied (month and year is acceptable, as long as the number per month is also provided).*
- 4) Of those identified in "3" above, please provide the number of days reduced as well as their corresponding category (Investor 1 or Investor 2).*

#### **Our response**

Your request is refused under section 18(f) of the Act as the information requested cannot be made available without substantial collation or research.

To obtain this level of information would require our staff members to manually review each individual Investor 1 & 2 application to determine which applications have had their Section 49 (1) conditions varied since July 2020, and of those, how many were referred to a Delegated Decision Maker for an amendment to the time in New Zealand requirements.

This task would remove Ministry staff from their core duties and therefore the greater public interest would not be served. I have considered whether the Ministry would be able to respond to your request given extra time or the ability to charge for the information requested but I have concluded, in both cases, the Ministry's ability to undertake its work would still be prejudiced.



You have the right to seek an investigation and review by the Ombudsman of the Ministry's response to your request, in accordance with section 28(3) of the Act. 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

A handwritten signature in black ink, appearing to read 'Sarah Clifford', written in a cursive style.

Sarah Clifford  
**General Manager, Border and Visa Operations (Acting)**  
Immigration New Zealand