



5 May 2023

Neil Tibbles

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DOIA 2223-2219

Tēnā koe Neil

Thank you for your correspondence of 29 March 2023 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?
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? For the avoidance of doubt 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).
In responding to this request, please confirm whether records maintained by Operations Support, Porirua Office and Resolutions have been reviewed. In addition to the above records, please confirm whether a search of AMS Notes is able to be/has been conducted. Finally, I have a suggestion should MBIE believe there is no way a thorough search could be completed without substantial collation or research. I do not wish to limit the manner in which this information is sought, however I would be happy to share my proposed method if needed."*

Our response

We have consulted with our Porirua office who have confirmed that a manual spreadsheet was created on 23 March 2022. This spreadsheet was created for internal purposes to keep track of requests for variation of conditions requests due to a large increase at the time, and not for reporting purposes. The spreadsheet holds records received from 12 March 2021. Requests received prior to March 2022 were inputted retrospectively, so it may not have been possible to capture all requests.

From this spreadsheet, we can advise the following: -

1. As at 20 April, 59 Investor 1 and 2 holders had Section 49(1) conditions varied since July 2020.
2. All 59 Investor 1 and 2 holders who had Section 49(1) conditions varied related to the visa holder's minimum time in New Zealand condition.
3. None of the 59 had a reduction in the overall number of days required to be spent in New Zealand. An extension of time was granted in each of these cases to complete their time in New Zealand requirements.
4. None of the 59 applications had a reduction in overall number of days. Therefore, the number of days reduced for both Investor 1 and 2 categories is zero.

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 or freephone 0800 802 602.

If you wish to discuss any aspect of your request or this response, please contact INZOIAs@mbie.govt.nz

Nāku iti nei, nā

A handwritten signature in black ink, appearing to read 'R Owen', with a large loop at the end.

Richard Owen

Acting General Manager, Border and Visa Operations
Immigration New Zealand