



27 July 2023

N.I.Alali

fyi-request-23332-01de4915@requests.fyi.org.nz

DOIA 2223-3051

Tēnā koe N.I.Alali

Thank you for your email of 30 June 2023 to the Ministry of Business, Innovation and Employment requesting, under the Official Information Act 1982 (the Act), the following:

"In a recent New Zealand Herald article (see link below), NZ general manager Richard Owen said that during the assessment phase of visa applications, some may be sent off for third-party checks, which included the NZ Police and NZ Security Intelligence Service. Could you please provide the following information:

- 1- *What is the criteria that INZ use to decide which SMC applications are sent to the third party check phase? please include any recent advice (dating back to 2020) received from the Minister Office or Senior Management at INZ.*
- 2- *How many of the SMC applications lodged in 2019, 2020, 2021 were referred to third party check phase? how many were not?*
- 3- *Of those SMC applications referred to NSC, could you provide a breakdown for applications lodged in the years 2019, 2020, 2021 based on country of origin?*
- 4- *Of those SMC applications not referred to NSC, could you provide a breakdown for applications lodged in the years 2019, 2020, 2021 based on country of origin?*
- 5- *How many applicants to the SMC (excluding the 2021 visas) who have applications still pending due to third party checks are from European countries?*
- 6- *How many applicants to the SMC (excluding the 2021 visas) who have applications still pending due to third party checks are from the Middle East?*
- 7- *How many applicants to the SMC (excluding the 2021 visas) who have applications still pending due to third party checks are from East Asia or Latin America?*

www.nzherald.co.nz/nz/never-seen-anything-like-this-inz-asks-applicant-for-mandatory-information-of-extended-family-members-for-third-party-agencies/JERF4IEIMNAI3ELJ2E22SQLCFI/

Our Response

Question 1

Immigration Instructions A5.1 requires that all visa applicants must be of good character, and not pose a potential security risk. If any person included in the application fails to meet the necessary

character requirements, and the character requirements have not been waived, the application may be declined.

Character assessment can include a New Zealand Police certificate and National Security Check (NSC).

When an applicant requires a New Zealand police certificate Immigration New Zealand (INZ) will request this from the New Zealand Police after the visa application has been lodged.

More information about police certificates is available at the INZ website:

[How to get a police certificate | Immigration New Zealand](#)

The assessment of when a NSC is required is refused in reliance of s6(a) of the Act as making available the information would likely prejudice the security or defence of New Zealand, or the international relations of the Government of New Zealand.

If it is determined that a NSC is required, the relevant information is gathered and referred to the appropriate government agency for processing. The time it takes to complete a NSC varies depending on the applicant and their circumstances. The information from this process is then considered in INZ's overall assessment of the visa application.

Questions 2, 3, 4, 5, 6, 7

The information you have requested is being refused under 6(a) of the Act, as making available of that information would be likely to prejudice the security of defence of New Zealand or the international relations of the Government of New Zealand.

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 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 noa, nā



Michael Carley
(Acting) Principal Advisor, Visa Operations
Immigration New Zealand
Ministry of Business, Innovation & Employment