



6 September 2023

Mr Lu

fyi-request-23762-259c2f13@requests.fyi.org.nz

DOIA 2324-0286

Tēnā koe Mr Lu,

Thank you for your email of 9 August 2023 to the Ministry of Business, Innovation and Employment (MBIE) requesting, under the Official Information Act 1982 (the Act), the following information:

- 1. In accordance with the Immigration Act 2009 Section 26, and Operational Manual A16.1, it is understood that applicants meeting specific criteria are prioritized. I would like to seek clarification on whether this prioritization pertains to the entire application process or solely the allocation process.*
- 2. Could you please provide information on whether there are varying levels of priority assigned to different visa groups, such as SMC, STR, or other residency visa groups?*
- 3. Considering that Immigration Instruction A5.1 requires all visa applicants to be of good character, with character assessments involving third-party checks, including New Zealand Police certificates and/or a National Security Check (NSC), I am seeking clarification on whether these character assessments are considered an integral part of the application process. And also, could you please provide information on how character assessments impact the overall processing timeline?*
- 4. INZ has been working with the New Zealand Security Intelligence Service to expedite NSCs for applications based on lodgment date. However, the prioritization process outlined in the Immigration Act 2009 and Operational Manual A16.1 suggests a different approach. I would like to inquire about the rationale behind expediting NSCs based on lodgment date instead of adhering to the prioritization guidelines set.*

Our Response

Questions 1 and 2

Immigration instruction A16.1 outlines the order or manner of processing visa applications. Applications of the same group are generally processed in lodgment date order, but may be prioritised, if they meet certain criteria: <https://www.immigration.govt.nz/opsmanual/#44854.htm>. Prioritisation as outlined in A16.1 pertains to allocation of a file to an immigration officer for assessment only.

Question 3

Immigration instruction 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 are not waived, the application may be declined. Third party checks are factored into overall assessment of an application.

Part of the character assessment of a visa application may include a National Security Check (NSC). Immigration New Zealand (INZ) may also request a New Zealand Police Certificate (NZPC), which can take up to 20 working days.

The processing time for NSCs varies across the year, for a number of reasons, and the New Zealand Security Intelligence Service (NZSIS) looks to process the oldest referrals first. INZ works closely with the NZSIS and endeavours to have decisions on applications made as quickly as possible.

Question 4

As noted in the answer to questions 1 and 2, the prioritisation process outlined at A16.1 of the Operational Manual pertains to allocation of the file to an immigration officer for assessment.

You have the right to seek an investigation and review by the Ombudsman of MBIE'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 noa, nā



Jock Gilray
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Chief Operating Officer Immigration Branch
Immigration New Zealand
Ministry of Business, Innovation & Employment