



8 August 2024

Anna
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Ref: PMO OIA 034-2024-25

Dear Anna

Official Information Act request: Access to Work in Australia for Permanent Residents of New Zealand

Thank you for your request made under the Official Information Act 1982 (the Act), received on 26 July 2024. You requested:

I am writing to you concerning the current situation related to the Trans-Tasman agreements between New Zealand and Australia. Specifically, I would like to address the issues concerning the rights of permanent residents of both countries, regulated by the Trans-Tasman Travel Arrangement (TTTA).

According to the TTTA, permanent residents of Australia automatically receive the right to enter, work, and study in New Zealand without the need for additional visas or permits. This right is based on the New Zealand Immigration Act 2009 and supported by subsidiary legislation such as the New Zealand Immigration (Visa, Entry Permission, and Related Matters) Regulations 2010 (Australia Embassy) (NZ MoFAT).

However, permanent residents of New Zealand do not have similar rights in Australia. According to Australian immigration law, New Zealand permanent residents must obtain a visa to enter Australia, even for tourism purposes. This requirement is regulated by the Migration Act 1958 and the Migration Regulations 1994 (NZ MoFAT) (Australia Embassy).

This imbalance raises significant concerns among New Zealand permanent residents as they cannot enjoy the same rights and privileges that Australian permanent residents do. The issue of fairness and equity is central in this context. Currently, permanent residents of Australia have more privileges than those of New Zealand, making New Zealand appear as the weaker partner in the relationship.

In light of the above, I would like to know:

- 1) Does the New Zealand government plan to consider negotiating with the Australian government to improve the conditions for New Zealand permanent residents to eliminate the current imbalance?*
- 2) Are there specific measures or strategies included in the recently adopted "Trans-Tasman Roadmap to 2035" aimed at addressing this issue? Will this matter be resolved in the near future?*
- 3) Has this issue been raised in the "Trans-Tasman Roadmap to 2035" and is there a timeline for resolving it, particularly as per point 18 of the Joint Statement: Australia-New Zealand Leaders' Meeting 2023, which mentioned the establishment of a joint working group to report by the end of June 2024 (Joint-*

Statement-ANZLM-2...)?

Given international commitments to human rights and fairness, it is essential to ensure equal rights for all permanent residents. Strengthening these principles within the framework of the Trans-Tasman agreements would align with the spirit of partnership and cooperation between our countries (NZ MoFAT) (NZ MoFAT).

Ensuring equal rights would also reinforce New Zealand's standing as an equal partner to Australia, rather than a weaker counterpart, in the eyes of the international community.

Thank you in advance for your attention to my inquiry. I look forward to your response

This office does not hold information relating to your request. I believe that such information is held by the Rt Hon Winston Peters, as the Minister of Foreign Affairs. Accordingly, I have decided to transfer your request to the Rt Hon Winston Peters, as the Minister of Foreign Affairs, under section 14(b)(i) of the Act.

Rt Hon Winston Peters has the usual time limits from receipt of this transfer to make a decision on your request.

Yours sincerely



Cameron Burrows
Chief of Staff