



David Brown

fyi-request-6906-63f97999@requests.fyi.org.nz

23 January 2018

Dear Mr Brown

I refer to your email to the Office of the Prime Minister of 28 November 2017, in which you made the following request under the Official Information Act 1982 (the Act):

What is the criteria that New Zealand will accept Manus Island detainees and will this include mental illness, a criminal history (including sexual crimes), behavioural integration, vocational suitability, drug use and associations with the drug industry or extreme religious views & will these detainees be allowed to bring their families over if accepted?

Your request was transferred to the Ministry of Business, Innovation and Employment (MBIE) on 8 December 2017 as it is more closely connected to its functions and responsibilities as the lead agency for immigration matters.

New Zealand's offer to Australia to resettle up to 150 refugees each year that are subject to Australia's offshore processing legislation is from within New Zealand's existing Refugee Quota Programme. To date, this offer has not been accepted. If it were accepted, the same eligibility criteria that apply to all refugees being considered under the Refugee Quota would apply to refugees from offshore processing centres. In addition, as quota refugees, these refugees would be able to apply to sponsor their family members' applications for visas through the Refugee Family Support and Refugee Quota Family Reunification Categories.

The eligibility criteria for mandated refugees being considered for resettlement and residence under the Refugee Quota, and sponsors under the Refugee Family Support and Refugee Quota Family Reunification Categories, are contained in sections S3, S4.10 and S4.20 of the Immigration New Zealand Operational Manual, which can be accessed here: <https://www.immigration.govt.nz/about-us/policy-and-law/how-the-immigration-system-operates/immigration-instructions> (the relevant sections are under "Residence; Special Categories). As such, I am refusing your request under section 18(d) of the Act, on the basis that the information requested is publicly available.

You have the right under section 28(3) of the Act to ask the Ombudsman to investigate and review the decision to refuse your request. Information about how to make a complaint is available at: www.ombudsman.parliament.nz or freephone: 0800 802 602.

Yours sincerely

Siân Roguski

Manager, Immigration Policy

Ministry of Business, Innovation and Employment

