



COVERSHEET

Minister	Hon Kris Faafoi	Portfolio	Immigration
Title of Cabinet paper	One-off Residence Pathway for Onshore Migrant Workers	Date to be published	10 December 2021

List of documents that have been proactively released

Date	Title	Author
September	One-off Residence Pathway for Onshore Migrant Workers	Office of the Minister of Immigration
6 September 2021	One-off Residence Pathway for Onshore Migrant Workers CAB-21-MIN-0359	Cabinet Office

Information redacted **YES / NO**

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Some information has been withheld for the reasons of Confidential advice to Government and International relations.



Cabinet

Minute of Decision

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One-Off Residence Pathway for Onshore Migrant Workers

Portfolio **Immigration**

On 6 September 2021, Cabinet:

- 1 **noted** that there is growing pressure from temporary migrant workers for more certainty in their immigration options and from businesses to secure the current migrant workforce, while New Zealand's borders are closed;
- 2 **agreed** to introduce a one-off residence pathway for temporary migrant workers in New Zealand who meet the required criteria on the date of announcement;
- 3 **agreed** that the one-off residence pathway be available to onshore temporary migrant workers who have been living in New Zealand for over three years ("settled"), and onshore migrant workers who have been onshore for a shorter period but meet criteria for being "skilled" or "scarce";
- 4 **agreed** that "settled" migrant workers are those who have been living in New Zealand for over three years;
- 5 **agreed** to the following definitions for "skilled" and "scarce" migrants for the purposes of a one-off residency pathway:
 - 5.1 "skilled" migrant workers are those who earn above the median wage;
 - 5.2 "scarce" migrant workers are those who work in a role on the Long Term Skill Shortage List, or hold occupational registration and work in the health or education sector, or work in personal care or other critical health worker roles or specified roles in the primary industries (not seasonal roles);
- 6 **agreed** that eligibility:
 - 6.1 *includes* all migrants entering New Zealand as a Critical Health Worker or Other Critical Worker (longer term entry threshold) if they enter and apply before 31 July 2022, but otherwise it only applies to onshore principal applicants; and
 - 6.2 *excludes* migrants on short-term work visas (including specific purpose and short-term border exceptions), international students, investors and entrepreneur visas, Working Holiday Scheme and Recognised Seasonal Employer visa holders, and visitors;

- 7 **agreed** that applications will be open from 1 December 2021 to 31 July 2022, and will be available to eligible applicants in two waves:
- 7.1 from 1 December 2021, applicants with a skilled migrant application (SMC and Residence from Work) lodged, and applicants with dependent children aged 17 years or older who currently have an Expression of Interest (EOI) submitted;
 - 7.2 from 1 March 2022, accepting applications from all other eligible applicants, including remaining applicants in the EOI pool;
- 8 **noted** that up to 195,000 migrants (with additional offshore partners and dependents) would be eligible to apply for the one-off residence pathway, depending on the option chosen;
- 9 **noted** that on getting residence, a person is then able to vote, purchase a home, access funded tertiary education, travel more freely and reunite with family, but that most applicants will already be receiving publicly-funded healthcare and access to primary and secondary education;
- 10 **noted** that the one-off residence pathway will speed up the process for many people seeking residence, including people who have already applied for residence through the Skilled Migrant Category (SMC) and those who have submitted an EOI but have not yet been invited to apply;
- 11 **agreed** that selections from the SMC EOI pool will continue to be paused, but that people who have submitted an EOI can instead apply for residence through the one-off pathway (if they meet the criteria);
- 12 **noted** that the Ministry of Business, Innovation and Employment estimates that 80 percent of the applications can be processed within 12 months, as there are increased assessment and verification requirements and less available processing resource from other visa categories for options with fewer eligible applicants;
- 13 **agreed** to a streamlined approach that checks applicant health against limited medical requirements only;
- 14 **noted** that these checks will only screen for the most serious health conditions;
- 15 **agreed** that all applicants will require a New Zealand Police Vet for character checks;
- 16 **invited** the Minister of Immigration to report back to Cabinet in October 2021 as necessary in relation to any outstanding detailed design elements of the one-off residence pathway, including fees and implementation, and on whether to add or amend conditions for the residence visa or subsequent permanent residence eligibility for this group.

Michael Webster
Secretary of the Cabinet