

MINISTRY OF BUSINESS, INNOVATION & EMPLOYMENT HĪKINA WHAKATUTUKI



COVERSHEET

Minister	Hon Erica Stanford	Portfolio	Immigration
Title of Cabinet paper	Immigration Financial Sustainability and System Integrity Amendment Bill	Date to be published	10 April 2025
List of docume	nts that have been proactively release	d	
Date	Title		Author
3 April 2025	Immigration (Fiscal Sustainability and S Amendment Bill: Approval for Introducti LEG-22-MIN-0044 Minute		Cabinet Office
26 March 2025	Immigration (Fiscal Sustainability and S Amendment Bill: Approval for Introducti		Office of the Minister of Immigration
26 March 2025	REQ-0009920 Immigration Amendmen paper and Bill for lodgement	t Bill: final Cabinet	MBIE
24 February 2025	REQ-0009651 Immigration Amendmen Cabinet paper and Bill for ministerial co		MBIE
12 February 2025	REQ-0008378 Immigration (Fiscal Sust System Integrity) Amendment Bill - draf		MBIE
21 January 2025	REQ-0007504 Immigration (Fiscal Sust System Integrity) Amendment Bill: Expo feedback		MBIE
18 November 2024	REQ-0005172 Immigration amendment for release for targeted consultation	Bill: documents	MBIE
13 November 2024	Immigration Amendment Legislation - A Planning for Future Reviews ECO-24-MIN-0255 Minute	ddition to Bill and	Cabinet Office
13 November 2024	Immigration Amendment Legislation - A Planning for Future Reviews		Office of the Minister of Immigration
2 November 2024	REQ-0005823 Cabinet paper for lodgement: Immigration Amendment Legislation - addition to Bill and planning for future reviews		MBIE
24 October 2024	REQ-0005298 Draft Cabinet paper ame definition of mass arrival	ending the	MBIE
8 October 2024	REQ-0004179 Immigration Amendmen Arrivals definition and transitional arran proposals		MBIE
20 September 2024	Immigration (Fiscal Sustainability and S Amendment Bill: Policy Proposals ECO-24-MIN-0198 Minute	••••	Cabinet Office
12 September 2024	Immigration Financial Sustainability and Amendment Bill - policy proposals	System Integrity	Office of the Minister of Immigration
6 September 2024	2425-0891 Immigration Amendment Bil for lodgement	I: Cabinet paper	MBIE
22 August 2024	2425-0747 Immigration Amendment Bil paper for Ministerial consultation	I: draft Cabinet	MBIE
13 August 2024	2024-0352 Immigration Amendment Bil paper for feedback	I: draft Cabinet	MBIE
17 July 2024	2024-0286 Immigration Amendment Bil meeting on 17 July 2024	I: update for	MBIE

2 July 2024	2324-3802 Fiscal Sustainability Amendment Bill - update and key decisions	MBIE
4 April 2024	2324-2168 Proposed Immigration (Fiscal Sustainability) Amendment Bill: scope and timeframes	MBIE

Information redacted

YES

Any information redacted in this document is redacted in accordance with MBIE's policy on Proactive Release and is labelled with the reason for redaction. This may include information that would be redacted if this information was requested under Official Information Act 1982. Where this is the case, the reasons for withholding information are listed below. Where information has been withheld, no public interest has been identified that would outweigh the reasons for withholding it at this time.

Some information has been withheld for the reasons of: national security or defence, privacy of natural persons, confidential advice to Government, information subject to an obligation of confidence, free and frank expression of opinion and legal professional privilege.

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BRIEFING

Immigration Amendment Bill: draft Cabinet paper for Ministerial consultation

Date:	22 August 2024	Priority:	Medium
Security classification:	In Confidence	Tracking number:	2425-0747

Action sought		
	Action sought	Deadline
Hon Erica Stanford Minister of Immigration	Agree to undertake Ministerial consultation on the draft Cabinet paper and Regulatory Impact Statement package annexed to this briefing.	26 August 2024

Contact for telepho	ne discussion (if required)		
Name	Position	Telephone	1st contact
Stacey O'Dowd	Manager, Immigration (Border & Funding) Policy	Privacy of natural persons	~
Christine Hyndman	Principal Advisor, Immigration (Border & Funding) Policy	Privacy of natural persons	

The following departments/agencies have been consulted

The following departments/agencies were consulted on the previous iteration of the Cabinet paper:

Parliamentary Counsel Office; the Departments of Corrections, and the Prime Minister and Cabinet; the Ministries of Education, Foreign Affairs and Trade, Health, Housing and Urban Development, Justice (Courts, Offences and Penalties, Human Rights), Primary Industries, and Transport; Inland Revenue; the New Zealand Customs Service, the New Zealand Police, and the Treasury; and within MBIE: Employment Services, Immigration Compliance and Investigations, Immigration New Zealand; Tourism Policy, and Workplace Relations and Safety Policy (including Accident Compensation Corporation Policy).

Minister's office to complete:	Approved	Declined
	Noted	Needs change
	Seen	Overtaken by Events
	See Minister's Notes	U Withdrawn

Comment



BRIEFING

Immigration Amendment Bill: draft Cabinet paper for Ministerial consultation

Date:	22 August 2024	Priority:	Medium	
Security classification:	In Confidence	Tracking number:	2425-0747	

Purpose

To provide you with a draft Cabinet paper and Regulatory Impact Statement (RIS) package seeking policy decisions for the Immigration (Fiscal Sustainability and System Integrity) Amendment Bill (the Bill), for ministerial consultation between 26 August and 4 September 2024.

Recommended action

The Ministry of Business, Innovation and Employment recommends that you:

a. **Note** that the draft paper *Immigration (Fiscal Sustainability and System Integrity) Amendment Bill – Policy Proposals* is attached at **Annex One** for Ministerial consultation, alongside a tracked-changes version of the Cabinet paper at **Annex Two**

Noted / Discuss

b. Note that the accompanying draft RIS package at attached at Annex Three

Noted / Discuss

- c. Note that, following our discussion with you at the meeting of 19 August 2024, we have
 - i. shortened the draft paper, to ten pages (moving some of the detail to Annex Two, but noting that this is before comment from the RIS QA panel, which may lengthen the paper)
 - ii. softened the language around potential contributions to infrastructure (the only example is school property), and
 - iii. simplified the language

Noted / Discuss

d. Note that the paper (at paragraph 31 and recommendation 8) contains references to

Noted

Confidential advice to Government

Agree / Disagree / Discuss

f. **Agree** to undertake ministerial consultation on the draft Cabinet paper and RIS package between 26 August and 4 September 2024.

Agree / Disagree / Discuss

And

Stacey O'Dowd Manager, Immigration Policy (Border and Funding) Labour, Science and Enterprise, MBIE

22 / 08 / 2024

Hon Erica Stanford **Minister of Immigration**

..... / /

The attached draft Cabinet paper reflects your direction on the Bill

- 1. We met with you on Monday 19 August 2024 to discuss the draft Cabinet paper seeking policy decisions on the Immigration (Fiscal Sustainability and System Integrity) Amendment Bill (the Bill) [2425-0352].
- 2. You confirmed officials' recommendations regarding:
 - a. the broad groups that would be able to be charged a levy ("any individual or entity that can be charged a fee, or a port, an employer, or a provider of education to fee-paying international students")
 - b. legislative safeguards around what the new levy could fund
 - c. the requirements for making an application for an individual Warrant of Commitment for an asylum seeker, and
 - d. the triggers for the exercise of the proposed facilitative powers.
- 3. You directed officials to simplify and shorten the paper, and to undertake a 'plain English' review to improve its readability. You also clarified the purposes of the new levy, and in particular noted that it would not address the wider infrastructure deficit, but that you were interested in how it could assist, for example, in supporting schools facing population pressures.
- 4. A draft Cabinet paper that reflects your direction is attached at **Annex One** for Ministerial consultation between 21 and 30 August 2024. The paper is now ten pages long, but it may be slightly lengthened by the RIS panel's final comments, which we have not yet received.
- 5. A tracked changes version of the Cabinet paper is attached at **Annex Two**.
- 6. The draft Regulatory Impact Statement (RIS) package is attached at **Annex Three**. The RIS package is undergoing its final review by MBIE's quality assurance panel, and we expect to have the final ratings by early next week.

We are continuing to discuss the proposal to broaden the levy purpose with Treasury



9. We are continuing to engage with Treasury officials.



Next steps

- 13. We are planning to provide an updated version (including the finalised RIS package), that includes both the outcomes of ministerial consultation, and any further direction from you, to your office on 6 September 2024, for lodgement on 12 September 2024.
- 14. In the interim, we will report back to the stakeholders we have engaged with on how their feedback has been incorporated into the proposals.
- 15. The key milestones for the project are set out in the table below:

Table One: Upcoming milestones for the Cabinet paper

Date	Milestone
Monday 26 August – Wednesday 4 September 2024	Ministerial consultation on draft Cabinet paper and draft RIS package
Friday 6 September 2024	Updated Cabinet paper and RIS to Minister
Thursday 12 September 2024	Lodge with Cabinet Office
Wednesday 18 September 2024	ECO consideration
Monday 23 September 2024	Cabinet consideration
Late November / early December 2024	Targeted consultation with stakeholders on an exposure draft.

Annex

Annex One: Draft paper: *Immigration (Fiscal Sustainability and System Integrity) Amendment Bill – Policy Proposals*

Annex Two: Tracked-changes version of draft paper: *Immigration (Fiscal Sustainability and System Integrity) Amendment Bill – Policy Proposals*

Annex Three: Draft RIS package for the Immigration (Fiscal Sustainability and System Integrity) Amendment Bill

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