



COVERSHEET

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In Confidence

Office of the Minister of Immigration

Cabinet Economic Development Committee

Confirming the Detailed Design of Two New Seasonal Visa Pathways

Proposal

1. This paper seeks agreement to the detailed design of two new seasonal visa pathways, which Cabinet agreed to in principle in December 2024 [ECO-24-MIN-0286 refers].

Relation to Government priorities

- 2. These new seasonal visa pathways support the Government's Going for Growth agenda by ensuring businesses can access the seasonal workforces they need to compete globally and grow.
- 3. The design has also taken into account the Government's Jobseeker reduction target by including settings to mitigate the potential displacement of New Zealand workers.

Executive Summary

- 4. In December 2024 Cabinet agreed in principle to create two new seasonal visas to replace the interim seasonal Specific Purpose Work Visa and support access to critical seasonal labour [ECO-24-MIN-0286 refers]:
 - 5.1 A <u>three-year multi-entry visa</u>, for specified roles with a maximum stay of nine months in a 12-month period, that would be available **to higher skilled and experienced seasonal workers**, the "Global Workforce Seasonal Visa" (GWSV).
 - 5.2 A visa of up to <u>seven months</u>, for specified roles with lesser skill requirements, that would be available for **entry-level/lower skilled seasonal workers**, the "Peak Seasonal Visa" (PSV).
- 5. This paper seeks agreement to the key design features of these visas. Both pathways will be delivered as a subset of the Accredited Employer Work Visa (AEWV), with some key variations in design to ensure they are fit-for-purpose for seasonal work.
- 6. For the GWSV, I propose:
 - A three-season minimum work experience requirement, to better reflect seasonal work experience (compared to the AEWV's two-year work experience requirement);

¹ Work experience must be paid and verifiable.

- A higher-trust model for employment in subsequent seasons, with the threeyear visa being granted up-front based on a one-season contract;
- 6.3 An exemption from the Labour Market Test, given the established need for higher-skilled and experienced seasonal migrant labour in these roles and these roles being specified in a list;
- 6.4 An exemption from the AEWV English language testing requirements;
- 6.5 No maximum continuous stay, with the ability to transition to other visas.

7. For the PSV, I propose:

- 7.1 A one-season work experience requirement, to align with the current interim seasonal pathway and reflect that this visa is for entry-level seasonal roles;
- 7.2 Requiring employers to either engage with the Ministry of Social Development (MSD) through the standard Labour Market Test, or to take a new MSD endorsement approach (which could remove the need to engage with MSD on every role);
- 7.3 A requirement for an acceptable level of health insurance for visas longer than three months given that these workers will not be eligible for publicly funded healthcare;
- 7.4 An exemption from the AEWV English language testing requirements;
- 7.5 A seven-month maximum continuous stay, with the ability to transition to other visas (and a four-month standdown before taking up another PSV).

Background

- 8. Feedback from sectors with seasonal peaks has long shown challenges with current temporary work visa pathways, which are often not fit for purpose for employers with short-term, seasonally volatile work. Following a review of AEWV in December 2024, Cabinet agreed in principle to introduce two new pathways for seasonal workers [ECO-24-MIN-0286 refers].
- 9. In April and May 2025 officials undertook targeted consultation on the detailed design of these visas. The resulting proposals take into consideration feedback from employer and sector groups, NGO and community groups, immigration professionals, and Pacific Island Governments, and Government agencies.
- 10. These visa pathways will replace the Pacific programmes for meat and seafood processing that were agreed by the previous Government. Pacific Governments have been consulted through the Ministry of Foreign Affairs and Trade on these proposals.
- 11. As these visa pathways sit between the existing Pacific seasonal pathway, the Recognised Seasonal Employer (RSE) scheme, and the main temporary work visa AEWV, a comparison of settings across these visas along with the Working Holiday Visa and the interim seasonal SPWV is in **Appendix One.**

Detailed Design

Global Workforce Seasonal Visa (GWSV)

- 12. The GWSV will be a three-year, multi-entry visa for skilled and experienced seasonal workers, such as sheep scanners and wine makers, in a set list of roles that already have a history of returning migrants year on year. It is a condition of these visas that visa holders spend at least three months offshore every year of the visa.
- 13. I propose the following settings as variations from the standard AEWV to facilitate the entry and exit of these visa holders through a streamlined visa pathway, while managing system integrity and immigration risks:
 - 13.1 Visa holders have at least three seasons of relevant work experience (either international or New Zealand experience) accrued in the past six years. This better reflects the realities of seasonal work than the two years of experience required under AEWV.
 - 13.2 Applicants are required to provide an employment contract for the first season of work only for the three-year visa to be granted. This is a variation from the standard AEWV where the visa is issued for either the duration of the employment contract or the maximum visa duration, whichever is shorter. This means that these workers can return to work for the same employer for two subsequent seasons without needing to reapply for a visa.²
 - 13.3 A Labour Market Test exemption given that there is strong historical evidence of the continued need for experienced and skilled migrant workers in these roles. I also consider that the GWSV's requirement of at least three seasons of experience reduces displacement risks as the roles on the list for this pathway are not able to be filled by entry-level New Zealand workers.
 - 13.4 An exemption from the standard AEWV English language testing requirements, as almost all the roles in this pathway are skilled roles that would not require an English language test under the AEWV.
- 14. GWSV holders will be eligible for publicly funded healthcare due to their time onshore. They will be required to provide a medical certificate and meet Acceptable Standard of Health (ASH) requirements.
- 15. A review of the Labour Market Test exemption setting will occur after one year, alongside a review of the overall functioning of both pathways, to understand whether any risks have materialised. A review of roles on both seasonal visa pathways will take place every three years, in line with the Green List.

Peak Seasonal Visa (PSV)

16. The PSV will allow for stays of up to seven months, with a four-month standdown period (meaning that visa holders cannot re-enter on a new PSV until they have spent four months offshore). This pathway is designed for workers to meet peak labour

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² Workers switching to a new employer will need to complete a Variation of Conditions (VOC), which is the option currently available to workers on a standard AEWV.

market needs during periods of intense seasonal activity where the domestic labour supply cannot fully meet demand, in lower-skilled roles such as seafood processing, calf-rearing, and wool handling.

- 17. I propose the following settings to facilitate the supply of peak seasonal workers while managing system integrity, immigration and displacement risks:
 - 17.1 Visa holders have at least one season of relevant work experience (either international or New Zealand experience) accrued in the past three years. This better reflects the realities of entry-level seasonal work than the two years of experience required under AEWV. It also balances integrity and potential displacement risks for lower-skilled roles which increase substantially where there are no experience requirements;³
 - 17.2 The PSV requires employers to meet a Labour Market Test. For lower-skilled roles, in addition to the standard requirement to advertise the role, employers have to either engage with MSD in good faith on each lower-skilled level role (consistent with standard AEWV requirements) or obtain MSD endorsement. The endorsement option would target employers who develop or maintain a genuine partnership with MSD and whose ongoing relationship would help MSD make progress on the Jobseeker Support reduction target. Applicants in return would receive multi-year endorsement with streamlined requirements as agreed between MSD and the employer. This option would be considered as part of the one-year review;
 - 17.3 PSV holders on longer-term visas (more than three months) will be required to hold an acceptable level of health insurance, as they will not generally qualify for publicly funded healthcare in New Zealand. This requirement offsets risks that adverse health events for these visa holders would result in bad debts met by Health NZ, and is similar to requirements for RSE holders and Working Holiday Makers. However, I am conscious of the cost burden faced by applicants and propose that shorter-term applicants (for visas of three months or less) are exempt from this requirement. This aligns with visitor visas that recommend but do not require health insurance, and balances the cost burden with visa duration. Health insurance requirements would align with insurance requirements for the RSE scheme, with the addition of the repatriation of remains in all circumstances; ⁴
 - 17.4 An exemption from the standard AEWV English language testing requirements of an IELTS Level 4 or above test result. This acknowledges the short-term, entry-level nature of the roles and provides a more facilitative and cost-effective pathway. Employers Confidential advice to Government were strongly in favour of no English language requirements for this pathway.
- 18. The majority of employers consulted Confidential advice to Government preferred a no relevant experience requirement for the PSV, but I considered that this increased the risk of misuse of the pathways (such as non-genuine job offers and migrant

³ These risks emerged under previous settings for the AEWV and for the Recovery Visa, which did not have experience requirements.

⁴ This would include death due to pre-existing conditions. It is also in line with the New Zealand Code of Practice for the Pastoral Care of International Students.

exploitation) and the potential displacement of Jobseekers. Maintaining the skills experience threshold at one season in part addresses these risks, as do the standard AEWV assessment and compliance processes (such as the compliance activity through the Accredited Employer Risk Monitoring and Review (AERMR)). These seasonal visas replace the proposed Pacific Programmes for meat and seafood processing agreed by the previous Government [CAB-22-MIN-0315.01 refers] and may be perceived as more restrictive. However, Pacific workers with no previous relevant experience will still be able to gain seasonal work in New Zealand through the RSE scheme.

A list of eligible roles

- 19. There is a proposed, set list of eligible occupations for both visa pathways to provide clarity to sectors about what is considered a seasonal role. The proposed roles for each list are based on the following criteria:
 - 19.1 The seasonal nature of the role the role is only undertaken for part of the year during peak activity for an industry, which occurs in response to time-limited weather/climate-related/biological factors.
 - 19.2 The location of the role the role takes place predominantly in non-urban settings (i.e., outside urban centres) based on the nature of the role and where the work is undertaken in the New Zealand context. This means roles in the hospitality or retail sector will not be covered.
 - 19.3 The need for migrant labour to fill shortages the role has an established need for migrant labour which cannot be met domestically, as evidenced by historical data.
 - 19.4 In the case of the GWSV only the role requires a skilled operator for the season, and this demand cannot be met domestically, and the role has a history of individuals returning year on year to cover peak seasons.

Roles for each pathway

23. Following input from stakeholders and agencies, I am proposing the following roles be eligible under each visa pathway:

For the GWSV:

Agricultural and Horticultural Mobile Plant Operator

Agricultural Technician (common job titles include sheep scanner, animal pregnancy scanner)

Crane, Hoist or Lift Operator – relating to Chairlift Operators only

Flower Grower – relating to Tulip Growers only

Horse Trainer – relating to Thoroughbred Yearling Preparer only

Mobile Plant Operators NEC – relating to Snow Groomer only

Mountain or Glacier Guide

Outdoor Adventure Instructor

Primary Products Inspectors NEC

Shearers

Wine Makers

Winery Senior Cellar Hand
Whitewater Rafting Guide
Snow Sports Instructor
Stationary Plant Operators NEC – relating to Snow Maker only
Technicians and Trades workers NEC – relating to Snowsport Equipment Technician only
Slaughterer

For the PSV:

Aquaculture Worker – relating to Mussel Oyster Farm Worker only
Dairy Cattle Farm Worker – relating to Calf Rearer and Relief Milker only
Forestry Worker
Meat Boner and Slicer
Meat Process Worker
Seafood Process Worker
Winery Cellar Hand
Wool Handler

24. Roles covered by the Recognised Seasonal Employer (RSE) scheme will be excluded from both visa categories, to avoid undercutting the RSE scheme. Roles covered by the Fishing Crew work visas will also be excluded, as these have dedicated visas.

25.	Maintenance of the law					

Maximum continuous stays and transitioning between visas

- 26. A maximum continuous stay determines whether a visa holder can apply for a visa renewal without needing to spend a specified period offshore, referred to as a standdown period. I recommend that:
 - 26.1 the GWSV does not have a maximum continuous stay so that visa holders can renew without a standdown period, to create consistency for employers, sustainability for sectors, and certainty for highly skilled, low-risk workers.⁵
 - 26.2 the PSV has a maximum continuous stay of seven months, with a four-month standdown period, to maintain the seasonal nature of the visa and mitigate displacement risks on this entry-level pathway.
- 27. Both visas will allow transitions to other visas (including AEWV) with the time spent on the GWSV or the PSV not contributing to the maximum continuous stay of a

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⁵ The GWSV does have a condition that the migrant spends three months every year offshore, to maintain the seasonal nature of the visa.

standard AEWV, to provide continuity and stability for migrant workers and allow New Zealand to retain valuable skills.⁶

Other Settings

28. Other settings proposed for both visa pathways are broadly consistent with AEWV, including employer accreditation and job checks.

No sponsoring of partners or dependents

29. These visa holders will not able to sponsor partner or dependents' visas, as these visa pathways are intended to support temporary, 'fly in, fly out' workers.

Expected volumes

- 30. I do not expect these new pathways to increase the number of workers coming to New Zealand for seasonal labour significantly. There will largely be a substitution effect, in particular from the current seasonal SPWV. Based on immigration data for the proposed occupations and sector insights, the expected volume of applicants per year for the GWSV is around 1,400 1,700 and for the PSV around 3,500 5,300.
- 31. The visas will be reviewed after one year of operation, in consultation with MSD, to assess whether they are delivering on their objectives and if any unexpected impacts have arisen, including whether the volume of applicants is as expected.

Implementation

32. Implementation in late 2025 or early 2026 will be decided after targeted consultation with industry, to align with seasonal needs and support a smooth transition from the current seasonal SPV.

Cost-of-living Implications

33. This proposal has no cost-of-living implications.

Financial Implications

- 34. The upfront cost to employers and employees of the PSV and GWSV will align with the AEWV (\$735 job check (paid by the employer) and \$1,540 visa fee and levy (paid by the employee)). Employers will need to be accredited, as per standard AEWV requirements.
- 35. In addition, for visas longer than three months, the PSV will have an added cost of insurance, at an estimated premium of \$350 \$920 for the maximum seven-month duration (dependent on individual circumstances and insurance policy preferences). This is an estimated total cost for the employee of \$1,890 \$2,460 for a seven-month visa.

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⁶ This will enable one transition from PSV to AEWV (or vice versa) without a standdown. Applications for a second or subsequent PSV or AEWV will require the relevant standdown to be completed.

Legislative Implications

36. I will certify new immigration instructions in line with the decisions taken.

Impact Analysis

Regulatory Impact Statement

37. This proposal does not require a Regulatory Impact Assessment as it has no direct legislative implications.

Climate Implications of Policy Assessment

38. There are no direct climate implications of this proposal.

Population Implications

39. These proposals are focused on seasonal migrants with skill experience relevant to the role in which they are applying. The changes are intended to support employers looking to supplement the domestic labour market during periods of peak seasonal activity, and to undertake training and development of the existing workforce where possible, to minimise displacement of New Zealand workers.

Human Rights

40. The proposal does not have direct implications for the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993.

Use of external Resources

41. No external resources were used in the development of these proposals.

Consultation

- 42. The following agencies and departments have been consulted on and/or informed of the proposals in this paper: the Treasury, the Ministry of Social Development, the Ministry of Foreign Affairs and Trade, the Ministry for Primary Industries, the Ministry of Health, Health New Zealand—Te Whatu Ora, the Ministry of Housing and Development, the Ministry for Ethnic Communities, the Ministry for Pacific Peoples, Immigration New Zealand, and relevant departments of the Ministry of Business, Innovation and Employment.
- 43. Targeted consultation engaged employer and sector groups, NGOs and community groups, and immigration advisors.

 Maintenance of the law

Communications

44. I intend to make announcements following Cabinet decisions. The information on new seasonal visa pathways will be available on the INZ website to give migrants and employers certainty about the visa pathways and enable them to plan accordingly.

Proactive Release

45. This Cabinet paper will be proactively released, with any withholdings as appropriate under the Official Information Act 1982 after announcements have been made.

Recommendations

The Minister of Immigration recommends that the Committee:

- note that Cabinet agreed in principle in December 2024 to implement two new seasonal visa pathways and requested I report back to ECO in 2025 [ECO-24-MIN-0286 refers]
- agree that the Global Workforce Seasonal Visa (GWSV):
 - 2.1 have a three-season minimum work experience requirement;
 - 2.2 can be granted for three years based on an upfront contract for one season;
 - 2.3 be exempt from a Labour Market Test;
 - 2.4 be exempt from standard AEWV English language testing requirements; and
 - 2.5 not have a maximum continuous stay
- agree that the following roles be eligible for a GWSV:
 - 3.1 Agricultural and Horticultural Mobile Plant Operator
 - 3.2 Agricultural Technician (common job titles include sheep scanner, animal pregnancy scanner)
 - 3.3 Crane, Hoist or Lift Operator, relating to Chairlift Operators only
 - 3.4 Flower Grower, relating to Tulip Growers only
 - 3.5 Horse Trainer, relating to Thoroughbred Yearling Preparer only
 - 3.6 Mobile Plant Operators NEC, relating to Snow Groomer only
 - 3.7 Mountain or Glacier Guide
 - 3.8 Outdoor Adventure Instructor
 - 3.9 Primary Products Inspectors NEC
 - 3.10 Shearers
 - 3.11 Wine Makers
 - 3.12 Winery Senior Cellar Hand
 - 3.13 Whitewater Rafting Guide
 - 3.14 Snow Sports Instructor
 - 3.15 Stationary Plant Operators NEC, relating to Snow Maker only
 - 3.16 Technicians and Trades workers NEC, relating to Snowsport Equipment Technician only

- 3.17 Slaughterer
- 4 agree that the Peak Seasonal Visa (PSV):
 - 4.1 require at least one-season of previous, relevant work experience;
 - 4.2 can be granted for up to seven months;
 - 4.3 require employers to either engage with the Ministry of Social Development in good faith for each lower-skilled role or through an up-front endorsement approach;
 - 4.4 require an acceptable level of health insurance for visas longer than three months; and
 - 4.5 be exempt from standard AEWV English language testing requirements
 - 4.6 have a seven-month maximum continuous stay with four-month standdown
- 5 agree that the following roles be eligible for a PSV:
 - 5.1 Aquaculture Worker relating to Mussel Oyster Farm Worker only
 - 5.2 Dairy Cattle Farm Worker relating to Calf Rearer and Relief Milker only
 - 5.3 Forestry Worker
 - 5.4 Meat Boner and Slicer
 - 5.5 Meat Process Worker
 - 5.6 Seafood Process Worker
 - 5.7 Winery Cellar Hand
 - 5.8 Wool Handler
- agree that both visas will allow transitions to other visas with the time spent on the GWSV or the PSV not contributing to the maximum continuous stay of an AEWV
- 7 note that GWSV and PSV holders will not be able to sponsor partners or dependents
- 8 note that other eligibility settings for the GWSV and PSV will align with settings for the AEWV
- agree that updates to the list of roles eligible under the GWSV and PSV is delegated to the Minister of Immigration in consultation with the Minister for Social Development and Employment
- agree that the two new seasonal visa pathways replace the Pacific programmes for meat and seafood processing that were agreed by the previous Government
- delegate authority to the Minister of Immigration to make further policy decisions required on the design of the GWSV and PSV
- note that the Minister of Immigration, in consultation with the Minister for Social Development and Employment, will undertake a review of the GWSV and PSV after one year of operation.

Authorised for lodgement

Hon Erica Stanford

Minister of Immigration

Appendix One: Comparison of High-Level Settings Across Temporary Work Visas

Visa	SPWV	AEWV	GWSC	PSV	RSE
Duration	Varies by season, up to nine months	Varies by employment contract: three-year maximum for lower- skilled roles, five years for higher-skilled roles	Three years, with nine- month work visa and three-months offshore per year	Varies by season, up to seven months	Up to seven or nine months (depending on nationality) in any 11- month period
Employment Contract requirements	Visa aligned to duration of employment contract	Visa aligned to duration of employment contract	Visa can be issued for multiple seasons, with one up-front contract required for one season	Visa aligned to duration of employment contract	Employment contract for full season (seven months)
Employer Accreditation and Job Check	Accreditation is required, but no Job Check	Accreditation and Job Check required	Accreditation and Job Check required	Accreditation and Job Check required	Employer must be a Recognised Seasonal Employer and have Agreement to Recruit (ATR)
Labour Market Test	Two weeks of advertising required	At least two weeks of advertising, plus engaging with MSD in good faith for each lower-skilled role	Not required	LMT, with option of either MSD engagement on each role or MSD endorsement	Employer must list the vacancies with MSD and INZ
Migrant work experience requirement	Four months	Two years at minimum	Three seasons	One season	No requirement
English Language Testing	No requirement	A test score of IELTS Level 4 or above	No requirement	No requirement	No requirement
Health insurance requirement	No requirement	No requirement. Any AEWV for longer than 24-months qualifies the visa holder for publicly funded healthcare	No requirement. Qualifies the visa holder for publicly funded healthcare	Required for visas longer than three months	Required
Onshore transitions to other work visa types	Allowed (onshore)	Allowed	Allowed	Allowed	Not allowed