



COVERSHEET

Minister	Hon Erica Stanford	Portfolio	Immigration
Title of Cabinet paper	Immigration (Visa, Entry Permission and Related Matters) Amendment Regulations (No 2) 2025	Date to be published	4 November 2025

List of documents that have been proactively released

Date	Title	Author
September 2025	Immigration (Visa, Entry Permission and Related Matters) Amendment Regulations (No 2) 2025	Office of Immigration Minister
18 September 2025	Immigration (Visa, Entry Permission and Related Matters) Amendment Regulations (No 2) 2025 LEG-25-MIN-0183 Minute	Cabinet Office

Information redacted

NO (please select)

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.

In Confidence

Office of the Minister of Immigration

Chair, Cabinet Legislation Committee

**Immigration (Visa, Entry Permission and Related Matters)
Amendment Regulations (No 2) 2025**

Proposal

- 1 This paper seeks authorisation for submission to the Executive Council of the *Immigration (Visa, Entry Permission, and Related Matters) Amendment Regulations (No 2) 2025*.

Policy

- 2 Since October 2019, air passengers who hold passports from visa waiver countries, crew of commercial aircraft and all cruise ship passengers and crew have been required to hold a New Zealand Electronic Travel Authority (NZeTA) before travel to New Zealand.
- 3 The NZeTA provides Immigration New Zealand (INZ) with advance notice of intending visa-free travellers, which helps manage immigration risk and keeps our borders secure, while also facilitating genuine travellers in line with international best practice.
- 4 Earlier this year, Cabinet took policy decisions on two changes relating to visa free status designed to boost the Government's tourism and economic growth objectives. Both changes involve cohorts moving from a visa required pathway, to an NZeTA pathway, in order to provide cheaper and more streamlined travel. Changes to the *Immigration (Visa, Entry Permission and Related Matters) Regulations 2010* (Immigration Regulations) are required to give effect to these decisions.

A 12-month trial of Visitor Visa waiver status for Chinese and Pacific Island Forum nationals holding specific Australian visas.

- 5 On 7 April 2025, Cabinet took decisions to approve a 12-month trial of visitor visa waiver status for individuals from Pacific Island Forum countries¹ and China [ECO-25-MIN-0042 and CAB-25-MIN-0102 refer], who:
 - 5.1 Have a valid Australian visitor, work, family or student visa on the day they travel; and
 - 5.2 Who are travelling from Australia (and not simply transiting), and

¹ In this context, 'Pacific Island Forum countries' refers to the following countries, from which individuals require a Visitor Visa to come to New Zealand: Federated States of Micronesia, Fiji, Kiribati, Nauru, Niue, Palau, Papua New Guinea, Republic of the Marshall Islands, Samoa, Solomon Islands, Tonga, Tuvalu, and Vanuatu.

5.3 Who hold a New Zealand electronic Travel Authority (NZeTA).

- 6 This change is expected to support New Zealand's tourism industry, by enabling individuals visiting Australia, and those who are in Australia on specific work, student and family visas, to visit New Zealand without needing to apply for a Visitor Visa if they are staying in New Zealand less than 3 months. It will also support our connection with the Pacific, by extending facilitative immigration settings to our Pacific partners.
- 7 As part of Cabinet decisions in April, I was delegated the authority to determine what visitor, work, family and student visas should be considered within scope of the trial policy. I have since taken decisions on a list of eligible Australian visa 'subclasses'.² The exhaustive list includes 32 subclasses that currently meet the policy intent of the change, this is included at Appendix One.
- 8 The proposed amendments would give effect to the outlined policy change by adding China and Pacific Island Forum countries to Schedule 2 of the Immigration Regulations, provided individuals hold an eligible Australian visa at the time of check-in and meet the other requirements outlined in paragraph 5. The changes will also include an amendment of the information collection provisions at Regulation 231. This will allow Immigration New Zealand to collect the necessary information to make the determination that an individual meets the requirements of the policy.

Approach to reporting back to Cabinet and assessment of the 12-month trial

- 9 Cabinet's original policy decision noted that the trial should be for 12 months [ECO-25-MIN-0042 and CAB-25-MIN-0102 refer]. Ordinarily, this might be reflected by a 'sunset clause' in the regulations that automatically ends the policy.
- 10 However, in this case I note that a sunset clause is unsuitable. Because the trial is set to end in November 2026, it is possible this will be during the election period and subsequent Government formation. It may be problematic to take further Regulations Amendments through the legislative process during this time.
- 11 Including a sunset clause may result in the regulations that enable the trial expiring while individuals are still utilising the policy during the 2026 election period. This creates risks for our international reputation, and conditions which may leave individuals stranded at airports in Australia, with limited ability to rectify this during the election period.
- 12 To prevent such unnecessary disruption, I propose that no sunset clause be included in the amendment regulations. Instead, I will report back to Cabinet once both the 12-month trial, and the formation of Government has concluded.
- 13 Once the full 12 months has elapsed, and Government formation has been completed, I will return to Cabinet with a fulsome report on the trial's progress. At this time, Cabinet will have the opportunity to determine the future of the policy, by either ending or making permanent the policy and taking decisions on potential amendments, including the potential to expand the policy to other nationalities.

² Australian visas are grouped by 'subclass', and the subclass number is the identifier that will be used to determine whether someone is eligible for the visa waivers.

IN CONFIDENCE

- 14 This approach will ensure the trial is able to be assessed in its entirety, without the disruption of a sunset clause and the associated difficulties of seeking regulations amendments during the election period.
- 15 If it becomes clear that significant risks are emerging during the trial, I will return to Cabinet with an update prior to the election period. If Cabinet consider ending the trial appropriate at this time, further regulations amendments will be drafted to end the trial early, or to insert a fixed end date into the regulations.

Approach to keeping the 12-month visa waiver trial fit for purpose

- 16 To ensure the list of eligible Australian visas for the 12-month visa waiver trial is kept up to date, I also seek Cabinet's approval to authorise the issuing of drafting instructions, where I consider changes to the list of eligible visas necessary to maintain the effective function of the policy throughout the course of the trial.
- 17 Additions will only be considered where they align with the original policy intent of the trial to support tourism and visitation to New Zealand, and to support our international relations with respect to Pacific Island Forum countries. Amendments or additions will only be considered where they align with the original categories of work, family, student and visitor visas, considering any relevant risk factors that have been identified.
- 18 Pre-authorisation to issue drafting instructions will allow a more streamlined process that will be essential for circumstances where Australia makes administrative changes or alterations to their visa regime. For example, where a subclass number is changed for a particular type of visa, or where Australia creates a new visa type that fits within the categories outlined above.
- 19 Failure to keep the list up to date, by reflecting changes or alterations in a timely manner, may result in individuals who meet the policy intent of the trial being declined when attempting to board aircraft to New Zealand, with potential reputational impacts.
- 20 This authorisation is moderated by the fact that changes to the list of eligible visas will still require a regulations amendment, meaning that any such changes will be required to be taken to the Cabinet Legislation Committee prior to implementation.

Adding China to the list of Transit Visa waiver countries

- 21 On 26 May 2025, Cabinet agreed that China should be added to the list of Transit Visa Waiver countries, on the proviso that a China-based Airline set up flights between South America and Asia within 12 months [CAB-25-MIN-0174 refers].
- 22 This would allow individuals from China to apply for a Transit NZeTA, which is faster and cheaper than the alternative Transit Visa process. This will assist airlines to use New Zealand as a transit hub between Asia and South America, by reducing barriers to fast and efficient air travel. This is expected to have positive effects for export and tourism volumes.

- 23 During the Prime Minister’s trip to China earlier this year, a route between China and South America was announced by China Eastern Airlines, fulfilling the policy prerequisite for this change. I therefore propose that China is added to the list of countries on Schedule One of the Immigration Regulations, removing the need for individuals to gain a Transit Visa.
- 24 I note that as part of this change, the ‘Group Transit Visa for Chinese nationals’ fee described in Schedule Four of the Immigration Regulations will be removed, as this fee refers to a Visa pathway that will no longer be in use after the transition to Transit Visa waiver, making the fee redundant.

Timing and 28-day rule

- 25 The regulations are expected to be gazetted on 25 September 2025. This will ensure the changes meet the 28-day rule and provide sufficient time for a ‘transitional period’ for the 12-month Visitor Visa waiver trial, as outlined below.
- 26 Pacific and Chinese nationals using the 12-month Visitor Visa waiver trial will be able to apply for their NZeTA from 27 October 2025, but will not be able to use their NZeTA to travel until 3 November 2025. The intent of this ‘transitional period’ is to reduce the load on Immigration New Zealand’s systems in the opening days of the policy, and to ensure individual travellers can procure an NZeTA in advance of their intended travel date.
- 27 For Chinese nationals using the new Transit Visa waiver arrangements, individuals will be able to apply for, and use their NZeTA from 27 October, without needing to wait. MBIE anticipates that the initial number of individuals using Transit Visa waiver arrangements will be low, as air routes between Asia and South America are set to begin in December 2025.
- 28 The opening schedule for the two changes is as follows:

	Individual can apply for their NZeTA	Individual can travel
12 Month Visitor Visa waiver trial for Pacific / Chinese nationals from Australia	27 October 2025	3 November 2025
China Transit Visa Waiver	27 October 2025	27 October 2025

Compliance

- 29 The amendment regulations comply with the following:
- 29.1 the principles of the Treaty of Waitangi;
 - 29.2 the rights and freedoms contained in the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993;
 - 29.3 The principles and guidelines set out in the Privacy Act 2020;

IN CONFIDENCE

- 29.4 relevant international standards and obligations;
- 29.5 the Legislation Guidelines (2021 edition), which are maintained by the Legislation Design and Advisory Committee.
- 30 Section 403A of the Immigration Act 2009 requires that the amendment regulations be made only on the recommendation of the Minister of Immigration. I recommend that the amendment regulations be made and therefore this requirement has been met.

Regulations Review Committee

- 31 There are no anticipated grounds for the Regulations Review Committee to draw the regulations to the attention of the House.

Certification by Parliamentary Counsel Office

- 32 The regulations are certified by the Parliamentary Counsel Office as being in order for submission to Cabinet.

Impact Analysis

In regard to the proposal for a trial of Visitor Visa waiver status for Chinese and Pacific Island Forum nationals holding specific Australian visas

- 33 The Climate Implications of Policy Assessment (CIPA) team was consulted and confirms that the CIPA requirements do not apply to this policy proposal, as the threshold for significance is not met.
- 34 The Ministry for Regulation notes that Cabinet has previously agreed to the proposal for a Trial of Visitor Visa Waiver status for holders of Australian Visas from China and Pacific Island Forum countries [ECO-25-MIN-0042 and CAB-25-MIN-0102 refer].
- 35 No exemption was sought at the time when policy decisions were made. However, the Ministry for Regulation has now determined that these proposals would have been eligible for an exemption from the requirement to provide a Regulatory Impact Statement on the grounds that the economic, social or environmental impacts are limited and easy to assess.

In regard to the proposal Adding China to the list of Transit-Visa waiver countries

- 36 The Climate Implications of Policy Assessment (CIPA) team was consulted prior to initial policy decisions and confirmed that the CIPA requirements do not apply to this policy proposal, as the threshold for significance is not met.
- 37 The Ministry for Regulation determined prior to initial Cabinet decisions that this proposal is exempt from the requirement to provide a Regulatory Impact Statement on the grounds that it has no or only minor economic, social, or environmental impacts.

Publicity

- 38 Both proposals have already been publicly announced by Ministers.

IN CONFIDENCE

IN CONFIDENCE

- 39 On 11 April, the Minister of Foreign Affairs announced that Pacific Island Forum nationals would be eligible for the trial of visa free access when travelling from Australia with a valid Australian visa. On 15 June, myself and the Minister of Tourism and Hospitality, announced that Chinese nationals would be eligible for the trial of visa free access when travelling from Australia with a valid Australian visa.
- 40 On 18 June, I announced that New Zealand would implement a Transit Visa waiver for Chinese nationals, during the Prime Minister's visit to China.
- 41 Additional communications are being developed by the Ministry of Business, Innovation and Employment (MBIE), with the necessary detail to allow individuals to determine if they are eligible for the trial. This communication will include the full list of eligible Australian visa subclasses, and further detail on the changes to ensure there is clear eligibility and updated guidance prior to the 'go-live' of the policy.

Proactive release

- 42 I intend to proactively release this Cabinet paper within 30 business days.

Consultation

- 43 Initial consultation on policy decisions included the Ministry for Foreign Affairs and Trade (MFAT), New Zealand Security Intelligence Service (NZSIS), the Treasury, New Zealand Customs Service (Customs), Department of Prime Minister and Cabinet (DPMC), and relevant Australian agencies.
- 44 Relevant agencies, including MFAT, DPMC, Customs, and NZSIS were consulted again on the changes to the Immigration Regulations. No substantial comments were received.

Recommendations

I recommend that the Cabinet Legislation Committee:

- 1 **note** that, on 7 April 2025, Cabinet took decisions to approve a 12-month trial of visitor visa waiver status for individuals from Pacific Island Forum countries and China [CAB-25-MIN-0102, ECO-25-MIN-0042 refer], who:
 - 1.1 Have a valid Australian visitor, work, family or student visa on the day they travel; and
 - 1.2 Who are travelling from Australia (and not simply transiting), and
 - 1.3 Who hold a New Zealand Electronic Travel Authority (NZeTA);
- 2 **note** that I have since made decisions on the list of eligible visa types in line with the authority delegated by Cabinet and these are attached at Appendix One;
- 3 **note** that the Minister of Immigration will report back to Cabinet after the completion of both the 12-month trial period and the formation of Government as a result of the 2026 General Election to seek decisions about the continuation, revocation or amendment of the policy;

IN C O N F I D E N C E

- 4 **note** that the Minister of Immigration will return to Cabinet with an update on the progress of the trial prior to the election period if it becomes clear that significant risks are emerging;
- 5 **authorise** the Minister of Immigration to issue drafting instructions to Parliamentary Counsel Office, where the Minister considers updates to the list of eligible visa types is necessary throughout the course of the 12-month trial, so long as the updates to visa types fall within the categories of work, family, student and visitor visas, and are in line with the original policy intent of the trial to support visitors and tourism to New Zealand, as agreed by Cabinet [CAB-25-MIN-0102, ECO-25-MIN-0042 refer];
- 6 **note** that, on 26 May 2025, Cabinet agreed that China should be added to the list of Transit Visa Waiver countries, on the proviso that a Chinese Airline set up flights between South America and Asia within 12 months [CAB-25-MIN-0174 refers];
- 7 **note** that, the requirement for a Chinese Airline to set up flights between South America and Asia within 12 months has since been met;
- 8 **note** that the Immigration (Visa, Entry Permission, and Related Matters) Amendment Regulations (No.2) 2025 will give effect to the decisions referred to in recommendations 1 and 6;
- 9 **authorise** the submission to the Executive Council of the Immigration (Visa, Entry Permission, and Related Matters) Amendment Regulations (No.2) 2025;
- 10 **note** that the amendment regulations will come into force on 27 October 2025 (allowing individuals to apply for an NZeTA from this date), but that the regulations contain a transitional provision for the *trial of Visitor Visa waiver status for Chinese and Pacific Island Forum nationals holding specific Australian visas*, that will prevent individuals utilising this policy from travelling to New Zealand until 3 November 2025.

Authorised for lodgement

Hon Erica Stanford

Minister of Immigration

IN C O N F I D E N C E

IN C O N F I D E N C E

Appendix One: List of Australian visa subclasses eligible for the trial of visa waiver travel from Australia for China and Pacific Island Forum countries³

Subclass	Title
UR160	Business Owner (Provisional)
UR161	Senior Executive (Provisional)
UR162	Investor (Provisional)
UR163	State/Territory Sponsored Business Owner (Provisional)
UR164	State/Territory Sponsored Senior Executive (Provisional)
UR165	State/Territory Sponsored Investor (Provisional)
UT173	Contributory Parent (Temporary)
EB188	Business Innovation and Investment (Provisional)
TO300	Prospective Marriage
UF309	Partner (Provisional) Visa
GA400	Temporary Work (Short stay Specialist)
UY405	Investor Retirement
GF407	Training
TQ410	Retirement
TZ417	Working Holiday
TK445	Dependent Child Visa
UP461	New Zealand Citizen Family Relationship
US462	Work and Holiday
UC457	Business (Long Stay)
VF476	Skilled - Recognised Graduate
GK482	Skills in Demand
VC485	Temporary Graduate Visa
SP489	Skilled Regional (Provisional)
PS491	Skilled Work Regional (Provisional)
PE494	Skilled Employer Sponsored Regional (Provisional)
TU500	Student
TU590	Student Guardian
FA600	Visitor
TV651	e-Visitor
UK820	Partner Visa (temporary)
GH870	Sponsored Parent
UU884	Contributory Aged Parent

³ Australian visas are grouped by ‘subclass’, and the subclass number is the identifier that will be used to determine whether someone is eligible for the visa waivers.