



COVERSHEET

Minister	Hon Erica Stanford	Portfolio	Immigration
Title of Cabinet paper	Immigration (Certificate, Warrant, and Other Forms) Amendment Regulations 2026	Date to be published	17 March 2026

List of documents that have been proactively released

Date	Title	Author
January 2026	Immigration (Certificate, Warrant, and Other Forms) Amendment Regulations 2026	Office of the Minister of Immigration
29 January 2026	Immigration (Certificate, Warrant, and Other Forms) Amendment Regulations 2026 LEG-26-MIN-0002 Minute	Cabinet Office
16 December 2025	Briefing: Draft LEG paper: Immigration (Certificate, Warrant, and Other Forms) Amendment Regulations 2026	MBIE
21 January 2026	Briefing: Final LEG paper for lodgement: Immigration (Certificate, Warrant, and Other Forms) Amendment Regulations 2026	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.

Some information has been withheld for the reasons of privacy of natural persons and confidential advice to government.



Cabinet Legislation Committee

Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

Immigration (Certificate, Warrant, and Other Forms) Amendment Regulations 2026

Portfolio Immigration

On 29 January 2026, the Cabinet Legislation Committee:

- 1 **noted** that when the Minister of Immigration (the Minister) sought approval to introduce the Immigration (Fiscal Sustainability and System Integrity) Amendment Bill (the Bill), she noted that she intended to bring a paper seeking approval of relevant Amendment Regulations shortly after the Bill received Royal assent;
- 2 **noted** that the Immigration (Fiscal Sustainability and System Integrity) Amendment Act 2025 (the Amendment Act), which received Royal assent on 27 November 2025, established a higher bar for issuing a Warrant of Commitment (WoC) for the detention of an asylum claimant (claimant), and introduced provisions that enable a District Court Judge to issue a WoC in further circumstances than previously provided for;
- 3 **noted** that as a result of the Amendment Act being passed, minor amendments are required to the Immigration (Certificate, Warrant, and Other Forms) Regulations 2010 (the Regulations);
- 4 **noted** that the Minister agreed to issue drafting instructions to the Parliamentary Counsel Office to amend the Regulations to ensure that there are forms available for the provisions under the Amendment Act that allow for the issuing of a WoC;
- 5 **agreed** to make minor amendments to the Regulations so that there are forms available that cover the:
 - 5.1 issuing of a WoC following an application for a WoC for a claimant;
 - 5.2 issuing of a WoC following an application for a release on conditions for a non-claimant; and
 - 5.3 issuing of a WoC following an application for a release on conditions for a claimant;
- 6 **noted** that the Immigration (Certificate, Warrant, and Other Forms) Amendment Regulations 2026 will give effect to the matters referred to in paragraphs 3 to 5 above;

- 7 **noted** that a waiver of the 28-day rule is sought:
- 7.1 so that there is no gap between the commencement of the new WoC provisions in the Amendment Act and the making of regulations that prescribe the forms that cover the issuing of a WoC in the new circumstances;
- 7.2 on the grounds that the secondary legislation has little or no effect on the public given the Amendment Regulations are only updating forms;
- 8 **agreed** to waive the 28-day rule so that the Immigration (Certificate, Warrant, and Other Forms) Amendment Regulations 2026 can come into force on 27 February 2026;
- 9 **authorised** the submission to the Executive Council of the Immigration (Certificate, Warrant, and Other Forms) Amendment Regulations 2026 [PCO 28664/4.0].

Vivien Meek
Committee Secretary

Present:

Rt Hon Winston Peters
Hon Erica Stanford
Hon Paul Goldsmith
Hon Louise Upston (Chair)
Hon Dr Shane Reti
Hon Tama Potaka
Hon Simon Watts
Hon Nicole McKee
Hon Casey Costello
Hon James Meger
Jamie Arbuckle MP

Officials present from:

Officials Committee for LEG