



COVERSHEET

Minister	Hon Erica Stanford	Portfolio	Immigration
Title of Cabinet paper	Three Cabinet papers are included in this release, titled as shown in the box below	Date to be published	19 March 2026

List of documents that have been proactively released

Date	Title	Author
12 March 2026	Immigration (Enhanced Risk Management) Amendment Bill - Approval for Introduction LEG-26-MIN-0039 Minute	Office of the Minister of Immigration Cabinet Office
25 June 2025	Immigration (Enhanced Risk Management) Amendment Bill: Further Decisions ECO-25-MIN-0093 Minute	Office of the Minister of Immigration Cabinet Office
4 June 2025	Proposed amendments to the Immigration Act 2009: Immigration (Enhanced Risk Management) Amendment Bill ECO-25-MIN-0084 Minute	Office of the Minister of Immigration Cabinet Office
19 February 2026	BRIEFING-REQ-0026795: Immigration (Enhanced Risk Management) Amendment Bill: Final LEG paper and Bill for lodgement	MBIE
5 February 2026	Regulatory Impact Statement: New immigration infringement offences	MBIE
29 January 2026	BRIEFING-REQ-0025726: Immigration (Enhanced Risk Management) Amendment Bill: Draft Cabinet paper and Bill for ministerial consultation	MBIE
4 December 2025	BRIEFING-REQ-0019618: Immigration (Enhanced Risk Management) Amendment Bill: Drafting update and exposure draft feedback	MBIE
31 July 2025	BRIEFING-REQ-0018175: Immigration (Enhanced Risk Management) Amendment Bill – additional drafting decisions	MBIE
17 June 2025	BRIEFING-REQ-0015523: Approval to lodge second Cabinet paper for Enhanced Risk Management Amendment Bill and further policy advice	MBIE
12 June 2025	Regulatory impact statement: Strengthening immigration penalties for non-compliant and exploitative employers	MBIE
10 June 2025	Regulatory impact statement: Modernising and improving information sharing provisions	MBIE
4 June 2025	Regulatory impact statement: Enabling more effective compliance powers for immigration purposes	MBIE
29 May 2025	BRIEFING-REQ-0014611: Draft Cabinet paper for the second set of policy decisions for the Immigration (Enhanced Risk Management) Amendment Bill	MBIE

List of documents that have been proactively released		
Date	Title	Author
28 May 2025	BRIEFING-REQ-0014746: Approval to lodge first Cabinet paper for Enhanced Risk Management Amendment Bill	MBIE
26 May 2025	Regulatory impact statement: Expanding criminal deportation liability	MBIE
	Regulatory impact statement: Clarifying section 150 of the Immigration Act 2009 to prevent asylum claimants who withdrew their claims from applying for further visas	MBIE
21 May 2025	Regulatory impact statement: Limiting humanitarian appeal rights to the Immigration and Protection Tribunal for temporary visa holders	MBIE
15 May 2025	BRIEFING-REQ-0014081: Should the proposed change to section 150 of the Immigration Act apply retrospectively?	MBIE
8 May 2025	BRIEFING-REQ-0013339: Draft Cabinet paper and update following targeted consultation on the Immigration (Enhanced Risk Management) Amendment Bill	MBIE
23 April 2025	BRIEFING-REQ-0013002: Further measures to address the increase in asylum claims	MBIE
31 March 2025	BRIEFING-REQ-0011382: Proposed Immigration (Enhanced Risk Management) Amendment Bill: Objectives, scope and timelines	MBIE

Information redacted	<u>YES</u> / NO
<p>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.</p> <p>Some information has been redacted for the reasons of: International relations, maintenance of the law, privacy of natural persons, confidential advice to Government, commercial sensitivity, free and frank expression of opinions, and legal professional privilege.</p> <p>Some information has also been withheld on the basis that it is not in scope of the Immigration (Enhanced Risk Management) Amendment Bill.</p>	



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 (Enhanced Risk Management) Amendment Bill: Approval for Introduction

Portfolio **Immigration**

On 12 March 2026, the Cabinet Legislation Committee:

- 1 **noted** that the Immigration (Enhanced Risk Management) Amendment Bill (the Bill) holds a category 3 priority on the 2026 Legislation Programme (a priority to be passed before the 2026 election);
- 2 **noted** that in June 2025, the Cabinet Economic Policy Committee (ECO) agreed to amend the Immigration Act 2009 (the Act) to:
 - 2.1 increase the effectiveness of the immigration compliance and enforcement system;
 - 2.2 improve the integrity of the refugee and protection system;
 - 2.3 improve the operation of the wider immigration system;[ECO-25-MIN-0084, ECO-25-MIN-0093];
- 3 **noted** that ECO authorised the Minister of Immigration (the Minister) to make decisions, consistent with the policy in the papers under ECO-25-SUB-0084 and ECO-25-SUB-0093, that might arise during the drafting and consultation process;
- 4 **noted** that the Minister has made 13 policy decisions, consistent with the authorisation in paragraph 3 above:
 - 4.1 with regard to deportation liability for criminal offending:
 - 4.1.1 extending the ability for victims of migrant offenders to submit on deportation liability proceedings, even if they were not the victim of the specific offence giving rise to their deportation liability, and providing for the Minister to have regard to the submissions; and
 - 4.1.2 adjusting the drafting of the new provisions to align with the existing structure of section 161 of the Act, to avoid unintended gaps in coverage;

- 4.2 with regard to deportation liability relating to the provision of false or misleading information:
 - 4.2.1 clarifying that this change also applies to information provided orally, and instances where relevant information has been concealed;
 - 4.2.2 providing that the amendment will come into effect three months after Royal assent; and
 - 4.2.3 clarifying the use of the power at section 58(6) of the Act to decline a residence class visa application, and the Immigration and Protection Tribunal's jurisdiction in an appeal, where the application included false, misleading or withheld information;
- 4.3 with regard to deportation liability for visas granted in error:
 - 4.3.1 expanding the amendment to apply to all visas rather than residence class visas only; and
 - 4.3.2 create an additional category of visas that are void from the outset, which would include:
 - 4.3.2.1 a visa granted to a person by the Minister (under section 61) to whom there is a deportation order or removal order in force;
 - 4.3.2.2 visas granted to a New Zealand citizen; and
 - 4.3.2.3 a temporary entry class visa granted to the holder of a residence class visa, unless it was granted (under section 68) due to a previous error;
- 4.4 with regard to the amendment to extend the time for the Ministry of Business, Innovation and Employment (MBIE) to issue certain employer infringement offence notices, delaying commencement to 12 months after Royal assent, to enable the Ministry of Justice to make necessary information and communications technology changes and allow for new MBIE processes to be developed;
- 4.5 with regard to the amendment to prevent asylum claimants from applying for further visas after withdrawing their claim, clarifying that this change would apply from Royal assent instead of at introduction, as previously agreed by ECO;
- 4.6 with regard to the amendment to enable residence class visa applicants to benefit when visa settings change after they have submitted an application, specifying that the amendment will only apply to immigration instructions certified after the Bill achieves Royal assent;
- 4.7 with regard to information sharing agreements:
 - 4.7.1 maintaining the validity of existing information sharing agreements, following the enactment of the Bill;
 - 4.7.2 enabling information disclosed under new agreements be used, or disclosed to other parties, by the receiving party, in accordance with the Privacy Act 2020; and

4.7.3 enabling MBIE to enter into information disclosure agreements with New Zealand tribunals as well as courts;

- 5 **noted** that due to time constraints, the amendment at paragraph 4.2.3 is not included in the version of the Bill for introduction, but will be signalled at the point of introduction and incorporated into the Bill at a later date;
- 6 **noted** that ECO agreed to extend the time limit for MBIE to complete the procedural requirements for the employer infringement offence notices in sections 359A(1)(a) and (b) of the Act, from six months after the date of the offending, to either 12 months after the date MBIE became aware of the offending or six years after the date of the offending (whichever is sooner) [ECO-25-MIN-0093];
- 7 **noted** that, to better align with existing legislation, the Minister proposes a revised approach under which legislation would establish a single limitation period of six years after the date on which the infringement offence is alleged to have been committed, with a 12-month timeframe from the date MBIE becomes aware of the offending prescribed in operational guidance;
- 8 **agreed** to the revised approach in paragraph 7 above;
- 9 **agreed** that the extended timeframe to issue infringement notices also apply to the new employer infringement offence set out in paragraph 12.1 below;
- 10 **noted** that the paper under ECO-25-SUB-0093 advised of the Minister's intent to create two new employer infringement offences later, via regulations;
- 11 **noted** that, following advice received during drafting, the Minister proposes to include those infringement offences in the Bill itself;
- 12 **agreed** to the revised approach in paragraph 11 above, namely the inclusion of two new employer infringement offences in the Bill, as follows:
- 12.1 providing incorrect and/or incomplete information, noting that MBIE would have up to six years to discover this behaviour;
- 12.2 failing to provide documents when requested under section 277 of the Act;
- 13 **agreed** that the infringement fee for the offences in paragraph 12 above be \$1,000, consistent with existing immigration employer infringement offences;
- 14 **noted** that ECO agreed that section 303 of the Act be amended to clarify that references to 'a person' include deceased persons [ECO-25-MIN-0093];
- 15 **noted** that upon further examination, officials' view is that section 303 of the Act is already sufficiently clear in this regard, and further amendment would risk creating doubt about the meaning of 'person' in the Act more broadly;
- 16 **rescinded** the decision in paragraph 22 of ECO-25-MIN-0093;
- 17 **noted** that the Minister intends to put forward additional proposals to improve the integrity of the refugee and protection system, s 9(2)(f)(iv) as described in the paper under ECO-26-SUB-0029;

- 18 **approved** the Immigration (Enhanced Risk Management) Amendment Bill [PCO 23560/8.0] for introduction;
- 19 **authorised** the Minister to approve minor and technical changes to the Bill, prior to introduction;
- 20 **agreed** that the Bill be introduced by 18 March 2026;
- 21 **agreed** that the Government propose that the Bill be:
- 21.1 referred to the Education and Workforce Committee for consideration;
- 21.2 enacted before the 2026 General Election.

Sam Moffett
Committee Secretary

Present:

Hon David Seymour
Rt Hon Winston Peters
Hon Erica Stanford
Hon Paul Goldsmith
Hon Louise Upston (Chair)
Hon Judith Collins KC
Hon Dr Shane Reti
Hon Mark Mitchell
Hon Tama Potaka
Hon Brooke van Velden
Hon Nicole McKee
Hon Casey Costello
Hon Chris Penk
Hon James Meager
Jamie Arbuckle MP

Officials present from:

Office of Hon Mark Mitchell
Officials Committee for LEG