



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 Economic Policy 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: Further Decisions

Portfolio **Immigration**

On 25 June 2025, the Cabinet Economic Policy Committee (ECO):

- 1 **noted** that in June 2025, ECO agreed to a first set of policy decisions for the Immigration (Enhanced Risk Management) Amendment Bill (the Bill) and to introduce the Bill in late 2025, subject to agreement on the Legislation Programme [ECO-25-MIN-0084];
- 2 **noted** that the paper under ECO-25-SUB-0093 seeks a second set of policy decisions for inclusion in the Bill;

Strengthening immigration penalties for non-compliant and exploitative employers

- 3 **agreed**, subject to implementation costs, to increase the time-limit for the Ministry of Business, Innovation and Employment (MBIE) to complete procedural requirements for the employer infringement offences at sections 359A(1)(a) and (b) of the Immigration Act 2009 (the Act) (currently six months from the date of the offending) to 12 months from the date MBIE became aware of the offending, or six years from the date of the offending (whichever is sooner);
- 4 **noted** that the above change will extend the de facto time limit for MBIE to issue an infringement notice from 90 days (three months) from the date of the offending to 270 days (nine months) from the date MBIE became aware of the offending;
- 5 **invited** the Minister of Immigration to finalise the details relating to the implementation of the above time-limits, in consultation with other relevant Ministers;
- 6 **agreed** to increase the maximum penalty of between five- and seven-years' imprisonment for migrant exploitation offending under section 351 of the Act (depending on the employer's knowledge of the worker's immigration status) to ten years' imprisonment, regardless of the employer's level of knowledge;
- 7 **agreed** to clarify that it is an offence under the Act to provide false or misleading information:
 - 7.1 in a request for a New Zealand Electronic Travel Authority (NZeTA) or an application made by, or related to, an employer application; or
 - 7.2 to an electronic system; and
 - 7.3 outside of New Zealand;

- 8 **agreed** to allow a residence visa application to be declined if the expression of interest that led to the invitation to apply for the visa either contained false or misleading information, or withheld relevant information;

Strengthening compliance powers for immigration officers

- 9 **agreed** to enable immigration officers to seek identity information or to inspect identification documents when they have good cause to suspect that a person may be liable for deportation or turnaround, or may be in breach of their visa conditions;

Limiting humanitarian appeal rights for some temporary visa holders

- 10 **noted** that temporary visa holders currently have the same rights as residents to appeal their deportation liability to the Immigration and Protection Tribunal (IPT) on humanitarian grounds;
- 11 **agreed** to remove the ability to appeal to the IPT on humanitarian grounds for the following people who are liable for deportation:
- 11.1 all temporary visa holders on the basis of their criminal offending;
 - 11.2 all visitor visa holders;
 - 11.3 those unlawfully in New Zealand whose last visa was a visitor visa; and
 - 11.4 those unlawfully in New Zealand whose last visa was an interim visa, granted after a visitor visa;

Preventing asylum claimants who withdraw their claims from applying for further visas

- 12 **noted** that section 150 of the Act is currently ambiguous as to whether an asylum claimant who withdraws their claim can apply for another visa, which leaves the system open to misuse by spurious claimants finding alternative immigration routes;
- 13 **agreed** to amend the Act to prevent the ability of an asylum claimant who withdraws a claim to apply for any other type of visa while they remain onshore;
- 14 **agreed** that the amendment in paragraph 13 take effect from introduction of the Bill;

Modernising and improving information sharing provisions

Information sharing across government

- 15 **agreed** to remove references to ‘specified agencies’ lists and ‘persons of interest’ from the Act’s information sharing framework;
- 16 **agreed** that the Bill permit MBIE to disclose information to, and collect information from, government agencies (including Crown entities) for the purposes described at Appendix Two to the paper under ECO-25-SUB-0093, including by enabling direct access to information databases;

- 17 **agreed** that, where information is disclosed under (an agreement made under) the Act for purposes listed in Appendix Two, it must be accompanied by appropriate privacy protections, including those specified below (in addition to those already existing under the Act):
- 17.1 a standardised process for making information disclosure agreements and a requirement that these agreements be published (subject to any appropriate redactions);
 - 17.2 agreements must specify:
 - 17.2.1 the class(es) or type(s) of information that is being disclosed;
 - 17.2.2 the purpose(s) to which the information will be put;
 - 17.2.3 requirements regarding the security of the information (including storage and disposal);
 - 17.2.4 who can access the information;
 - 17.2.5 how (or whether) information can be further disclosed by the recipient and, if so, relevant conditions; and
 - 17.2.6 a review requirement, with details decided by the parties to the agreement;
 - 17.3 consultation with the Privacy Commissioner before agreements are made or amended, who will also have the power to require reporting;
 - 17.4 agreements that include direct access as a method of disclosure will include requirements to record what information has been accessed and by whom, and specify sanctions for misuse;
 - 17.5 disclosed information should be kept, used, and further disclosed by the receiving party in accordance with the Privacy Act 2020 or other applicable law;
- 18 **agreed** that the details regarding the specific groups about which information can be shared be determined at the time an information sharing agreement is drafted;

Information sharing with non-government organisations

- 19 **agreed** that MBIE may enter into information disclosure agreements with private sector organisations or the courts for the provision or receipt of information for any appropriate purpose specified in paragraph 17 above, and that these agreements must be accompanied by appropriate privacy protections, including those referred to in paragraph 17;

Other changes to modernise and improve the information sharing framework

- 20 **agreed** to include a transparency provision in the Act to enhance trust and confidence in the information sharing framework;
- 21 **authorised** MBIE to issue, receive, and contribute to other government agencies' digital credentials, including those related to identity and immigration status;
- 22 **agreed** that section 303 of the Act be amended to clarify that references to 'a person' include deceased persons;
- 23 **agreed** that the scope of "publicly funded services" as described in section 301 of the Act be expanded, to include publicly funded "benefits" and related entitlements;

Enabling holders of deemed entry permission to have that permission revoked

- 24 **noted** that some classes of people who arrive at the border are deemed to be granted entry permission, which means that, if they do not meet New Zealand's standard entry requirements, they must be made formally liable for deportation, which is inefficient and burdensome;
- 25 **agreed** to reinstate the former section 113A, meaning the Minister of Immigration can certify Instructions which enable deemed entry permission to be revoked;

Legislative implications

- 26 **invited** the Minister of Immigration to issue drafting instructions to the Parliamentary Counsel Office to give effect to the above decisions through the Bill;
- 27 **authorised** the Minister of Immigration to make further decisions, consistent with the policy proposals in the paper under ECO-25-SUB-0093, that may arise during the drafting and consultation process;

Financial and regulatory implications

- 28 **noted** that the above legislative proposals raise no direct financial implications, and that any costs arising will be met from the immigration levy and factored into a future fee and levy review.

Rachel Clarke
Committee Secretary

Present:

Hon David Seymour
Hon Nicola Willis (Chair)
Hon Chris Bishop
Hon Brooke van Velden
Hon Shane Jones
Hon Erica Stanford
Hon Todd McClay
Hon Tama Potaka
Hon Simon Watts
Hon Penny Simmonds
Hon Andrew Hoggard
Hon Mark Patterson
Hon James Meager
Hon Scott Simpson
Simon Court MP

Officials present from:

Office of the Prime Minister
Office of Hon Erica Stanford
Office of Hon Tama Potaka
Ministry of Business, Innovation and Employment
Officials Committee for ECO