



## COVERSHEET

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

### List of documents that have been proactively released

<b>Date</b>	<b>Title</b>	<b>Author</b>
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

<b>List of documents that have been proactively released</b>		
<b>Date</b>	<b>Title</b>	<b>Author</b>
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

<b>Information redacted</b>	<b><u>YES</u> / NO</b>
<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

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*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.*

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### Proposed Amendments to the Immigration Act 2009: Immigration (Enhanced Risk Management) Amendment Bill

Portfolio                      Immigration

On 4 June 2025, the Cabinet Economic Policy Committee (ECO):

- 1        **noted** that in 2024, ECO agreed to undertake a programme of regular targeted reviews of the Immigration Act 2009 (the Act) in order to keep the Act current, and invited the Minister of Immigration (the Minister) to report back with policy proposals in 2025 [ECO-24-MIN-0255];
- 2        **noted** that the Immigration (Fiscal Sustainability and System Integrity) Amendment Bill, which has been introduced to the House, will enable immigration costs to be shared more fairly, respond to the outcomes of independent reviews, and go some way towards strengthening the integrity of the immigration system [LEG-25-MIN-0044];
- 3        **agreed** to achieve the following objectives, by progressing an Immigration (Enhanced Risk Management) Amendment Bill (the Bill):
  - 3.1      increase the effectiveness of the immigration compliance and enforcement system;
  - 3.2      improve the integrity of the refugee and protection system;
  - 3.3      improve the operation of the wider immigration system;
- 4        **noted** that, to better enable the Parliamentary Counsel Office to support introduction before November 2025, the paper under ECO-25-SUB-0084 seeks agreement to an initial set of policy decisions, and that a second set of policy decisions will be sought in late June 2025;

#### **Extend the period in which residence class visa holders can become liable for deportation when convicted of a crime, and other minor amendments to deportation liability**

- 5        **noted** that the Act sets out a graduated framework for deportation liability, based on the length of time a person has held a residence class visa and the seriousness of offending;
- 6        **noted** that there are limitations to this framework, including that a person cannot be deported if they have held a residence class visa for more than 10 years when the crime was committed, no matter how serious the criminal offending, while the longer a residence class visa holder has been in New Zealand, the more likely it is that appeals to the Immigration and Protection Tribunal (IPT) will be successful on humanitarian grounds;

- 7 **agreed** to strengthen the deportation liability framework, by extending the period in which residence class visa holders may automatically become liable for deportation if they have been convicted of a crime, if they:
- 7.1 plead guilty to, or are found guilty or convicted of an offence carrying a maximum penalty of imprisonment for three months or more, and have held a residence class visa for up to five years;
  - 7.2 plead guilty to, or are found guilty or convicted of an offence carrying a maximum penalty of imprisonment for two years or more, and have held a residence class visa for between five and ten years;
  - 7.3 plead guilty to, or are found guilty or convicted of an offence, and are sentenced to an imprisonment term of five years or more, and have held a residence class visa for between ten and 15 years;
  - 7.4 plead guilty to, or are found guilty or convicted of an offence, and are sentenced to an imprisonment term of ten years or more, and have held a residence class visa for between 15 and 20 years;
- 8 **agreed** to enhance New Zealand's ability to deport residence class visa holders who commit the most serious offences, by setting out factors, such as severity of crime and victim/s affected, that the IPT must consider when determining appeals against deportation liability;
- 9 **agreed** to clarify that the period in which a residence class visa holder can be deported if they commit a crime should always reset once a person spends more than five years outside New Zealand;
- 10 **agreed** to clarify that residence class visa holders are liable for deportation if:
- 10.1 false or misleading information is provided in any document relating to an immigration matter, and that having provided false or misleading information in any immigration matter is a character issue and grounds for declining a visa;
  - 10.2 their visa was granted despite it not being lawful to do so under the Act;
- 11 **agreed** to clarify that criminal offending that happened offshore, before a person held a New Zealand visa, can make them liable for deportation;

### **Enable electronic service of deportation liability notices**

- 12 **noted** that the Act currently requires that a deportation liability notice (DLN) be served by registered mail or in person, and immigration officers face challenges serving DLNs to individuals who choose to frustrate their deportation by ensuring that officials cannot locate a physical address;
- 13 **agreed** that DLNs (and related notices) may be served by electronic mail, only where no physical address in New Zealand is known and therefore serving in person or by registered mail is not possible;

## Implementing the recommendations of the Casey Review to ensure sufficient safeguards for asylum claimants

- 14 **noted** that in 2022, the Casey KC review into the treatment of asylum claimant detainees made a number of recommendations to amend the Act, including that Residence and Reporting Requirements Agreements (RRRAs) should be at the “discretion”, not “absolute discretion”, of immigration officers;
- 15 **agreed** to amend the Act so RRRA decision-making is “at the discretion of immigration officers”;

## Enable applicants for residence to benefit from policy changes

- 16 **noted** that the Act requires residence applications to be determined in accordance with the residence instructions in force at the time the application was made, and that this means it is difficult for people who have applied for residence, before new policies have been signalled or introduced, to benefit from the new policies’ changes;
- 17 **agreed** to amend the Act so that, where Cabinet has agreed that a new or amended policy will have transitional provisions, the Minister can certify immigration instructions setting out:
- 17.1 how decisions on residence applications can proceed under the new framework;
  - 17.2 which classes of applicants are eligible;
  - 17.3 how applicants can indicate that they wish to be deemed to have applied;

## Legislative implications

- 18 **invited** the Minister to issue drafting instructions to the Parliamentary Counsel Office to give effect to the decisions above;
- 19 **invited** the Minister to undertake targeted consultations on an exposure draft of the Bill;
- 20 **authorised** the Minister to make decisions, consistent with the policy in the paper under ECO-25-SUB-0084, that may arise during the drafting and consultation process;

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Confidential advice to Government

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- 23 **noted** that the Minister intends to introduce the Bill in late October 2025;

## Financial and regulatory implications

- 24 **noted** that the decisions above raise no direct financial implications.

Tom Kelly  
Committee Secretary

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**Present: (see over)**

**Present:**

Rt Hon Winston Peters  
Hon Nicola Willis (Chair)  
Hon Chris Bishop  
Hon Brooke van Velden  
Hon Shane Jones  
Hon Erica Stanford  
Hon Paul Goldsmith  
Hon Louise Upston  
Hon Judith Collins KC  
Hon Dr Shane Reti  
Hon Tama Potaka  
Hon Simon Watts  
Hon Chris Penk  
Hon Penny Simmonds  
Hon Andrew Hoggard  
Hon Nicola Grigg  
Hon James Meager  
Hon Scott Simpson  
Hon Mark Patterson  
Simon Court, MP

**Officials present from:**

Officials Committee for ECO  
Office of the Prime Minister  
Office of the Leader of the House  
Office of the Attorney-General  
Office of the Minister for Workplace Relations and Safety  
Office of the Minister of Science, Innovation and  
Technology